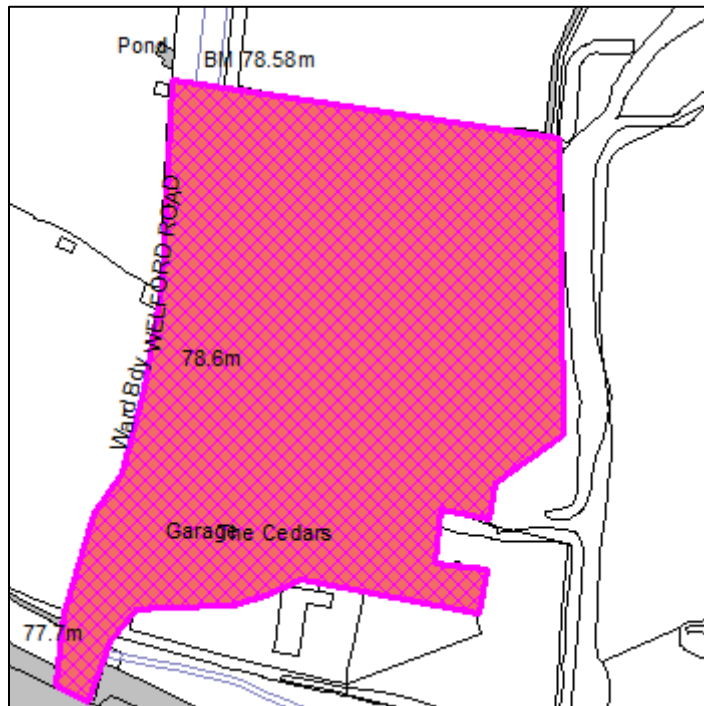


Application Number**Address****Report Items**

- a.** 18/00533/FUL
Land North Of
The Cedars
Welford Road
Wigston
Leicestershire
- b.** 18/00552/FUL
Beauchamp College
Ridge Way
Oadby
Leicestershire
LE2 5TP
- c.** 18/00555/FUL
77 Shackerdale Road
Wigston
Leicestershire
LE18 1BR
- d.** 18/00562/FUL
John Monks Pavilion
Coombe Park
Coombe Rise
Oadby
Leicestershire

a.	18/00533/FUL	Land North Of The Cedars Welford Road Wigston Leicestershire
	13 December 2018	Demolition of garage buildings and development of 36 dwellings and all ancillary works, along with construction of new roundabout road junction to Welford Road.
	Case Officer	Tony Boswell



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Published 2014

Site and Location

The application site is an area of some 1.41 hectares, of which some 0.95 ha is proposed for development to the east of Welford Road, Wigston and to the north of the railway. It includes the site of the former Garage (now demolished) and extends northwards to the southern boundary of the recent Westleigh Homes development.

Description of proposal

Insofar as this proposal might be described as "Tranche One" of Phase Two to the Direction for Growth site that was granted an outline planning permission under 13/00403/OUT on the 25 February 2016, the application includes the construction of a new roundabout junction from Welford Road to serve all parts of Phase Two to the east. Latterly, that new housing and employment area is now the subject of paragraphs 7.4.1 to 7.4.17 and Policy 20 of the emerging new Oadby and Wigston Local Plan. Hopefully, that policy document will be formally adopted very shortly.

Note that although the northern part of the current application site was not included within the original outline planning permission - 13/00403/OUT, it is included within the Policies Map of the emerging Oadby and Wigston Local Plan.

The proposal includes the new roundabout from Welford Road and the initial spine road eastwards to ultimately serve both the forthcoming new housing and employment areas, as indicated in Policy 20 and the related Policies Map. From that spine road a new cul de sac would turn northwards to serve the developable area. Between that development and Welford Road there would be an area of Public Open Space, which is also to include a new Balancing Pond of around 0.1 ha.

The application is for full planning permission and thus details are provided of landscaping, surfacing etc. The appearance and "Style" of the proposed new homes would be very similar to other David Wilson Homes house types permitted elsewhere in the Borough

The proposed new homes at a density of circa 34 dpha would include:

2 x Two Bedroomed houses,
19 x Three Bedroomed Houses,
8 x Four Bedroomed Houses,
2 x One Bedroomed affordable apartments,
2 x Two Bedroomed affordable houses,
3 x Three Bedroomed affordable house

TOTAL 36 New Homes.

Thus some 20 per cent of the development would be in the guise of "affordable homes" (36 x 20 per cent = 7.2 affordable homes). Seven of the new homes would be provided on site and the applicants have agreed that a further affordable home should be carried forward into the provision made within the wider Direction for Growth (DfG) development. This point should be written into the Section 106 Obligation as recommended.

The statutory determination period for this application expired on the 14 March 2019, and it is intended to issue a decision as soon as practicably possible after the Committee meeting and the completion of the Section 106 Obligation as recommended.

Relevant Planning History

13/00403/OUT permitted on 25 February 2016 for – “Mixed use development for up to 450 dwellings & 2.5 hectares of employment land (B1/B2) along with new formal recreation space with changing facilities, allotments, landscaping & storm water balancing & associated infrastructure (Rev A-C)

Land South Of Newton Lane & East Of Welford Road, Wigston, Leicestershire”

This outline planning permission gave rise to the initial “Phase 1” of the DfG development to the south of Newton Lane and the original employment land and roundabout junction to Welford Road. The now relevant “Phase 2” of the DfG development is now the subject of Policy 20 and paragraphs 7.4.1 to 7.4.17 of the emerging Oadby and Wigston Local Plan.

Consultations

Natural England: Has no comments to make on the application

Leicester and Rutland Badger Group: No response received.

Leicester and Rutland Wildlife Trust: No objections. Concerned that trees and other habitats are maintained over time.

Wigston Civic Society: No response received.

Leicester and Rutland CCG: No objections. Request a Section 106 obligation to increase practice capacity of the South Wigston Health Centre.

CADENT: The applicant must ensure that the proposed works do not infringe on CADENT’s apparatus within the application site.

National Grid Gas Distribution Ltd: No response received.

Severn Trent Water Co: Suggest a condition and informative.

Western Power Distribution: No response received.

LCC Highways: No objections, subject to four conditions as recommended.

LCC Contributions: Request a Section 106 contribution towards future education provision.

LCC Lead Local Flood Authority: No objections, subject to the inclusion of a number of conditions as recommended below.

LCC Ecology: No objections. Make comments about need to manage future landscape and balancing pond.

OWBC Building Control: No observations received

OWBC Planning Policy: Make a number of points about the role of this site within Phase 2 of the DfG development. Other points are reflected elsewhere in this report.

Representations

The applicants undertook their own public consultation commencing on 13 November 2018. Among other measures this involved the distribution of some 800 leaflets to local homes and businesses. This exercise generated a 3 per cent response rate (22 responses). A report on that public consultation exercise is one of the submitted application documents.

In relation to the current planning application near neighbours were notified by direct mail and a site notice posted, all to expire by 24 January 2019. The application was also advertised in the Leicester Mercury as a "Major Development" with a request for responses by 31 January 2019.

At the time of writing one response had been received, objecting for the following reasons:

- * Too much development in the area
- * The land floods
- * More traffic on Welford Road which already has too many entrances
- * Overcrowded Schools, Doctors
- * Wigston has no parking
- * Spoiling the beauty of the countryside.

Relevant Planning Policies

National Planning Policy Framework

Oadby & Wigston Core Strategy (2010)

Core Strategy Policy 11		Affordable Housing
Core Strategy Policy 12		Housing Needs of the Community
Core Strategy Policy 14	:	Design and Sustainable Construction
Core Strategy Policy 15		Landscape and Character

Saved Oadby and Wigston Local Plan (2013)

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

Emerging New Oadby and Wigston Local Plan, as a material consideration (2019)

Policy 11	:	Housing Choices
Policy 12	:	Housing Density
Policy 13	:	Affordable Housing
Policy 20	:	Wigston Direction for Growth Area

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:

- * Implementing a start to Phase Two of the Wigston Direction for Growth development
- * Site constraints including Traffic, Flooding and Ecology
- * The quality of the development proposed
- * Mitigation of social and other impacts of the proposed 36 new homes.

Implementing a start to Phase Two of the Wigston Direction for Growth development

A key aspect regarding the development of land in this locality is to ensure that it makes provision for and actually implements early parts of the Direction for Growth development, as now the subject of Policy 20 of the emerging new Oadby and Wigston Local Plan. A key element is, therefore, implementation of the new roundabout junction and spine road which form part of this application. Ultimately that new spine road will link through the completed development as a whole with Newton Lane to the north east. Although that roundabout was originally permitted in 2016 under outline planning permission 13/00403/OUT on that basis, at present technical aspects of its construction are being agreed with LCC Highways under a forthcoming Section 278 Agreement. A crucial point is that those new works should be completed before occupation of any of the new homes which are also involved.

Like the Westleigh Homes development immediately to the north of the current application, the entirety of the application site is allocated for residential development by the Policies Map of the emerging new Oadby and Wigston Local Plan – (along with the appropriate flood prevention measures as also proposed).

In summary, this application, therefore, plays its role in implementing early parts of Phase 2 to the Wigston Direction for Growth (DfG) development. Over time, this should ultimately deliver some 600 new homes, 2.5 hectares of new employment land, a new primary school, a new local centre, a new community facilities building and, provision of outdoor sports space and open space.

Site constraints including Traffic, Flooding and Ecology

The proposed new roundabout junction will more than adequately address road safety and road capacity issues arising from the proposed new 36 homes. At an earlier point, LCC Highways suggested that such a roundabout onto Welford Road would be excessive for a mere 36 houses – that is before this Council's officers pointed out the implications for development of the wider DfG development.

The North West part of the application site (adjacent to Welford Road) is located in flood zones 2 and 3, with most of the site including the developable area safely within flood zone 1. Although a "final" Flood Risk Assessment (FRA) was prepared and submitted by the applicants, a final response from the LLFA has now been received which does not express any objection, subject to the inclusion of a number of planning conditions as recommended below. However, the Committee will note that the vulnerable parts of the site are proposed for open space use and the provision of a flood mitigating "balancing pond". This is a similar approach to Sustainable Urban Drainage Systems (SUDS) that has been adopted in Phase 1 of the DfG development to the south of Newton Lane, which was initially supported by the Environment Agency; latterly by the LLFA and by national planning policy in the NPPF.

The absence of objections from the various ecological groups consulted should be noted. The developable site is well enclosed by a number of mature trees and hedgerows which provide both a significant visual asset, and are also a significant ecological habitat. An Ecological Survey was undertaken of the area concerned in July 2016. Note that a condition is recommended to withdraw normal Permitted Development rights in order to safeguard the continuation of those landscape features within the plots most immediately concerned.

There are a number of active and "outlier" (no longer inhabited) badger setts in proximity to the application site. A licence from Natural England would be required prior to any works in proximity to badger setts. A planning condition is recommended to require such a License to be obtained within 3

months of commencement of relevant works. The developers propose the erection of a badger proof fence to enclose gardens that might be affected which is also the subject of that same condition.

The quality of the development proposed

The visual character of the proposed development is not dissimilar to that of the Westleigh Homes Development immediately to the north of the application site and, other David Wilson Homes development, as previously permitted to the south of Newton Lane. All of the dwellings concerned meet or exceed the minimum floor space standards set out in Policy 11 (and the DCLG Technical Housing Standards) of the emerging new Local Plan.

The overall density of the 36 homes within its site is circa 38 dpha. This is below the target figure of 40 dpha set out within Policy 12 of the emerging new Local Plan. However, this is a reflection of the significant constraints in developing this specific site and can be compensated for within later stages of the DfG development.

Mitigation of social and other impacts of the proposed 36 new homes

It will be noted from consultation replies reported earlier that none of those consultees has any outstanding objections to these proposals. In a number of cases their absence of objection is linked to a request for Section 106 funding which would mitigate the effects of the additional 36 new homes. In a number of cases such as LCC Education, the figure requested makes a pro-rata provision for the provision of infrastructure relating to the wider future DfG development as a whole.

In summary only:

LCC Education – Raise no objection but seek Section 106 funding in the sum of **£249,103.74**. This comprises £231,000 to forward fund the construction of a new Primary School within Phase 2 of the DfG development and £18,103.75 as funding for local Special School provision. No funding is sought for local Secondary or Post 16 provision which are being adequately funded by other unrelated Section 106 obligations.

East Leicester and Rutland CCG – Raise no objection but seek a Section 106 obligation of **£30,187.08** to increase capacity at the South Wigston Health Centre to accommodate the additional patient demand as a result of the new development of 36 new homes.

Conclusion

In terms of scenic quality, the site comprises a single well-contained field that is reasonably attractive but framed to the north and west by now completed and committed housing sites, to the west by a lit highway boundary, and to the south by a former garage site. The site is, therefore, not considered to form a part of a landscape of notable scenic quality. In planning policy terms its key characteristic is the fact that it forms the western extremity of an allocated housing and employment site. It should not be dealt with in isolation but rather as an initial approach to that wider development. Including as it does the roundabout junction to Welford Road, and the spine road running to the east, subject to the conditions recommended the proposed development of 36 new homes is supported.

Implications Statement

Health	No Significant implications
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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, subject to the prior completion of a Section 106 obligation relating to the provision of seven “affordable homes”, other financial contributions outlined earlier, future maintenance of adjacent on-site public open space and balancing ponds etc, and other matters relating to delivery of Phase Two of the DfG site as a whole, **PERMIT** subject to the following conditions:

- 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.
- None of the 36 homes hereby permitted shall be occupied until the roundabout road junction and linking spine road from Welford Road shown on submitted layout drawings have been completed and made available for use by vehicular and pedestrian traffic.
Reason: To ensure that the finished development is safely accessible and to implement the intentions of Policy 20 of the emerging Oadby and Wigston Local Plan.
- Within 3 calendar months of commencement of any works on plots one to twelve (inclusive) as shown on drawing H8026/001/01 Rev F a Licence shall be obtained from Natural England authorising works in proximity to the Badger Sets within the land immediately to the east of the application site. Furthermore and notwithstanding the details of fencing shown on drawing H8026/003/01 Rev B, prior to occupation of any of those homes, the eastern, southern and northern boundary of those same plots numbered one to twelve (inclusive) shall be enclosed by a suitable badger proof fence, the details of which shall have been submitted to and approved in writing by the Local Planning Authority. The approved badger proof fence shall be subsequently maintained in place by occupiers of the homes in question.
Reason: To ensure that the land adjacent to the development as hereby permitted can continue to be occupied by badgers, without any conflict with occupiers of the proposed homes and gardens.
- 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 in writing 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 to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution

- 5 No development shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by the Local Planning Authority.
Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site; this should include evidence that the site can be drained in the event of a surcharged outfall.
- 6 No development shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by the Local Planning Authority.
Reason: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase.
- 7 No occupation of the development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing by the Local Planning Authority.
Reason: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development.
- 8 No development approved by this planning permission shall take place until such time as infiltration testing has been carried out (or suitable evidence to preclude testing) to confirm or otherwise, the suitability of the site for the use of infiltration as a drainage element, has been submitted to and approved in writing by the Local Planning Authority.
Reason: To demonstrate that the site is suitable (or otherwise) for the use of infiltration techniques as part of the drainage strategy.
- 9 Notwithstanding the provisions of Classes A and E of Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any Order revoking and re-enacting that Order, none of the dwellings numbered plots 1 to 16 (inclusive) as hereby permitted shall not be altered or extended, no new windows shall be inserted, and no buildings or structures shall be erected within the curtilage of the dwelling unless planning permission has first been granted by the Local Planning Authority.
Reason: To safeguard the established tree cover and related ecological interest of the land adjacent to the plots in question and to promote biodiversity in accordance with Policy CS14 of the Oadby and Wigston Core Strategy.
- 10 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.
- 11 Prior to the commencement of development a detailed scheme of landscaping and measures for the protection of trees to be retained during the course of development 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.

- 12 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 dwelling 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.
- 13 Prior to the commencement of site works, full details of the measures to avoid damage to the trees to be retained on or adjacent to the site shall be submitted to and approved in writing by the Local Planning Authority. The tree protection measures shall include details of a suitable fixed fence (which should extend to the full extent of the canopy of the tree(s) to be retained unless otherwise first agreed in writing by the Local Planning Authority). The agreed tree protection measures shall be installed on site prior to any site works commencing and shall be retained as such for the duration of construction works on site.
Reason: To ensure that adequate measures are taken to preserve trees and hedges and their root systems whilst construction work is progressing on site in accordance with Landscape Proposal 1 of the Oadby and Wigston Local Plan
- 14 No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of 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 for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.
- 15 No part of the development shall be occupied until such time as the offsite works generally shown on drawing number H8026/001/01 revision F have been implemented in full.
Reason: To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework (2018).
- 16 No part of the development hereby permitted shall be occupied until such time as site drainage details have been provided to and approved in writing by the Local Planning Authority. Thereafter surface water shall not drain into the Public Highway and thereafter shall be so maintained.
Reason: To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users in accordance with the National Planning Policy Framework (2018).
- 17 The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in general accordance with drawing number H8026/001/01. Thereafter the onsite parking provision shall be so maintained in perpetuity.
Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (2018).

Note(s) to Applicant :

- 1 Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under the Transfer of Sewers Regulations 2011. Public Sewers have statutory protection and may not be built close to directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the buildings.
- 2 This decision is also conditional upon the terms of the planning agreement which has been entered into by the developer and the Council under Section 106 of the Town and Country Planning Act 1990 (as amended). The Agreement runs with the land and not to any particular person having an interest therein.
- 3 In dealing with the application, through ongoing negotiation the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application and this has resulted in the approval of the application. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 4 The scheme required by condition 3 shall include the utilisation of holding sustainable drainage techniques with the incorporation of sufficient treatment trains to maintain or improve the existing water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year return period event plus an appropriate allowance for climate change, based upon the submission of drainage calculations. This should include a technical note confirming that the submitted modelling report has been reviewed and approved in writing by an appropriately qualified third party consultant or the Environment Agency. Full details for the drainage proposal should be supplied including, but not limited to; construction details, cross sections, long sections, headwall details, pipe protection details (e.g. trash screens), and full modelled scenarios for the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change storm events (including a surcharged outfall).
- 5 Details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided.
- 6 Details of the surface water Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the surface water drainage system that will not be adopted by a third party and will remain outside of individual householder ownership.
- 7 The results of infiltration testing should conform to BRE Digest 365 Soakaway Design. The LLFA would accept the proposal of an alternative drainage strategy that could be used should infiltration results support an alternative approach.

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.

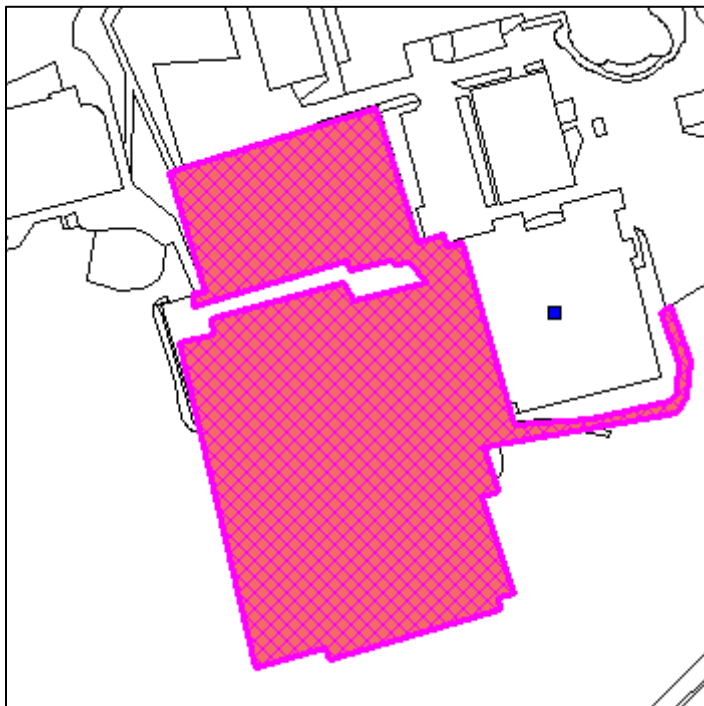
The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements,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

b.	18/00552/FUL	Beauchamp College Ridge Way Oadby Leicestershire LE2 5TP
	17 December 2018	Creation of artificial grass pitch with perimeter fencing and floodlighting and refurbishment of the tennis courts with replacement fencing and floodlighting.
	Case Officer	Tony Boswell



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Published 2014

Site and Location

The area of the application site is part of the grounds to the south of the Beauchamp College buildings and is currently used as a grass playing field and Tennis Courts complex. Note that a certain amount of grass playing field would be retained alongside these proposals.

The grounds of Brocks Hill Primary School and Gartree High School lie to the west of these proposals. Coombe Park Recreation Ground lies a short distance to the south east. Residential homes and gardens on the west side of Coombe Rise lie directly to the east of these proposals.

Description of proposal

These proposals are extremely well documented but in brief consist of the following:

- a) Installation of new Artificial Grass Pitch (AGP) pitch surface with 3G artificial grass to accommodate an 11v11 football pitch sized 106m x 70m and a variety of youth football pitches, mini soccer pitches and training areas. (All superimposed on that same artificial surface).
- b) Installation of new 4.5m high ball stop fencing generally to the AGP perimeter.
- c) Installation of new pitch perimeter barrier (1.20m and 2.0m high) internally within the pitch enclosure, to segregate the pitch playing area from adjoining Respect spectator area.
- d) Installation of new hard standing areas adjoining the AGP perimeter complete with associated porous asphalt surfacing and matching ball stop fencing for pedestrian access, goals storage, spectator viewing space and vehicular maintenance and emergency access.
- e) Installation of new maintenance / sports equipment store located within the fenced facility enclosure. (Similar to a Portakabin)
- f) Installation of new floodlight system around the AGP perimeter.
- g) Refurbishment of the existing sand filled artificial tennis courts into hard standing multi use sports areas with new fencing and new floodlighting

The statutory determination period for this application expires on the 18 March 2019, and it is intended to issue a decision as soon as practicably possible after the Committee meeting.

Relevant Planning History

None Relevant

Consultations

Leicester and Rutland Playing Fields Association – No response

Sport England – Have consulted with the Rugby Football Union (RFU) and The Lawn Tennis Association. No objection raised and broadly support the proposal, subject to the imposition of two conditions and informatives. Note that Sport England and this Council anticipate part funding the project (from accumulated Section 106 funds contributed by various developers).

OWBC Environmental Health – No objections

Leicester, Leicestershire and Rutland Sport – No response.

Representations

A total of 39 near neighbours were notified by direct mail and a site notice was posted. As a "major" development the proposal was also advertised in the Leicester Mercury.

A total of 51 letters or e-mails have been received in response to the above measures, none of which are objections and all in support. These are mainly sentiments such as - "Important addition to the sporting facilities in the Oadby and Wigston area".

Relevant Planning Policies

National Planning Policy Framework

February 2019

Oadby & Wigston Core Strategy

Core Strategy Policy 14	:	Design and Sustainable Construction
Core Strategy Policy 15		Landscape and Character

Oadby and Wigston Local Plan

Landscape Proposal 1 :	Design of new development subject to criteria.
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Emerging new Oadby and Wigston Local Plan, as a material consideration

Policy 7	Community Facilities
Policy 9	Open Space, Sport and Recreation Facilities

Supplementary Planning Document/Other Guidance

None relevant

Planning Considerations

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

- * The net gain to local sport and recreational facilities offered by these proposals, and
- * any impacts upon residential amenity, or the visual impacts upon adjacent countryside, and
- * any adverse impact upon local road traffic.

The net gain to local sport and recreational facilities offered by these proposals,

The proposals as formulated would be a direct and very tangible manifestation of the policy intentions in Policies 7 and 9 of the emerging new Oadby and Wigston Local Plan. In particular they would enable a more intensive community use of the facilities on a year round basis, rather than seasonally as at present.

Any impacts upon residential amenity, or the visual impacts upon adjacent countryside,

The nearest 14 homes on Coombe Rise are not less than 24 metres away. In terms of noise and disturbance from use of the revamped facilities, these should not differ greatly from the existing facilities to be replaced, albeit over a longer period throughout the year. Those homes and gardens are partly screened by existing school buildings. The applicant's acknowledge that the application proposal would result in extended times of use of the external sports facility; particularly during

winter months; which results from an intensification of use made possible by the enhanced durability of artificial grass playing surface in comparison to natural turf and especially during winter weather conditions and the introduction of an associated artificial (flood) light system.

The proposed 4.5 metre high ball proof "weldmesh" fencing will certainly be visible from the rear of many of those properties. As will the column lighting, which around the new artificial grass pitch would involve six new 15 metre high flood lights. There would also be a further six x 10 metre high flood lights around the refurbished Tennis Courts. These are specified to be shrouded and configured to avoid "light trespass", either towards nearby residential properties or the wider countryside to the south. Note that a condition is recommended to govern the hours in which those lamps may be used which incidentally will prevent use of the pitch after 22:00 hours.

The proposed artificial grass pitch will be located on a flat "platform" which at its southern end would be some 2 metres above the level of the surrounding ground, reducing to nil at a point closer to the existing School Buildings. The construction of the proposed works does not introduce any new surface water drainage issues (because there would be no net increase in rain water as a result). However, the applicants have not been clear about their intentions regarding drainage and so a condition is recommended to control that aspect.

The visual impacts upon the countryside to the south would generally be minor, and entirely contained within the existing school grounds. The visual impact of the proposed 4.5 metre high ball proof fencing would be seen against the background of the existing school buildings to the north and east of the proposals. When flood lit and in use the visual and aural impacts would be extended throughout a longer period of hours and months than the existing use. In the view of Officers those impacts are altogether outweighed by the wider public benefits of the improved sports facilities.

Any adverse impact upon local road traffic.

The proposal provides adequate on-site parking and necessary traffic management to meet the needs of the development and would not result in any harm to the safety of the surrounding public highway network. These are essentially the same in-school facilities used now. Traffic movement to and from the proposed Artificial Grass Pitch (AGP) will be such that new pitch use will overlap with exiting site activities and should not create any net additional traffic hazard or congestion within the surrounding vicinity. The improved facilities should not result in any significant increase in demand for off-street parking or have a detrimental impact on highway safety.

Conclusion

These proposals offer a significant public benefit to the sport and recreational facilities within the Borough, and appear from public consultations to have gained public support in that light. Recommend a grant of planning permission subject to the conditions recommended 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
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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 Notwithstanding any details given in submitted documents, the proposed flood lighting shown to be provided for the permitted artificial grass pitch and tennis courts shall not be lit other than between the hours of 08:00 and 22:00 on any day that those facilities are in use.
Reason: To safeguard the amenities of nearby homes and gardens and to minimise the visual impacts upon open countryside to the south.
- 3 Notwithstanding the details shown on submitted drawings, the development as hereby permitted shall not be commenced until details of the proposed surface water drainage system to serve the development have been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure that adequate provision is made and to avoid any adverse effect upon the local water environment.
- 4 Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to use of the artificial grass pitch and resurfaced tennis courts and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement."
Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy .
- 5 No works shall commence on the refurbished tennis court area until details of the construction specification has been submitted in to the Local Planning Authority. The tennis courts sports shall not be constructed other than in accordance with the approved details.
Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy .
- 6 Unless otherwise first approved in writing (by means of a Non-material Amendment/Minor Material Amendment or a new Planning Permission) by the Local Planning Authority the development hereby permitted shall be carried out in accordance with the approved plans and particulars listed in the schedule below:

SSL 2521 01 Site Location; SSL2521 02 Block Plan REV2; SSL 2521 03 Site Plan REV1;SSL 2521 04 AGP Plan REV1; SSL 2521 05 Tennis Court Plan REV1; SSL 2521 06 Proposed Elevations; SSL 2521 07 Proposed Flood Lighting Scheme; ALSO , Appendices A; B; C; D; E and F to the submitted Design and Access Statement. (All as received by the Council on 17/12/2018).

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 Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications/> For artificial grass pitches it is recommended that you seek guidance from the Football Association/England Hockey/Rugby Football Union on pitch construction when determining the community use hours the artificial pitch can accommodate
- 2 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 (paragraph 38) 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.

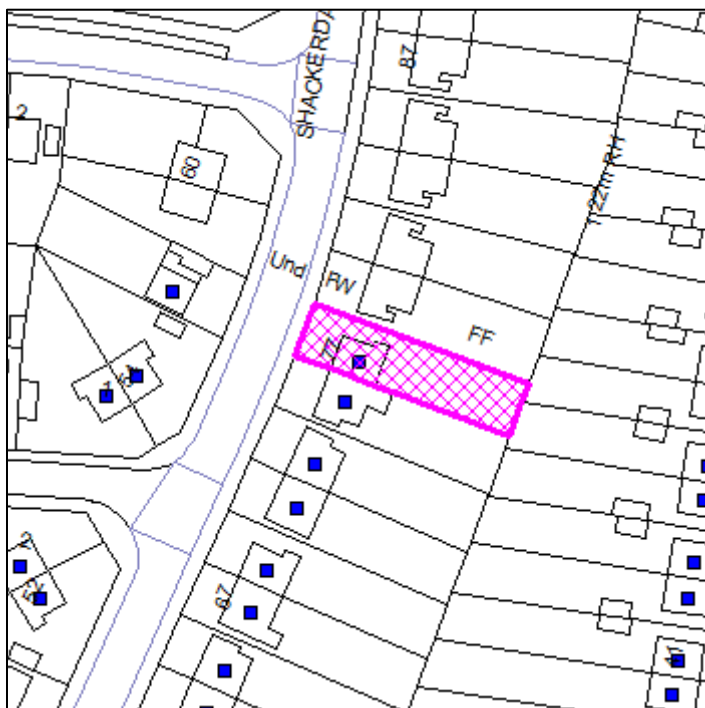
The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements,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

c.	18/00555/FUL	77 Shackerdale Road Wigston Leicestershire LE18 1BR
	8 January 2019	Erection of a two storey side extension and a single storey rear extension.
	Case Officer	Alex Matthews



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Site & Location

No.77 Shackerdale Road, Wigston is a two storey semi-detached dwellinghouse situated on the east side of Shackerdale Road. The property is situated amongst other residential properties of varying design styles. The existing property is set back from the roadside, with an open fronted driveway area. The materials and finishes of the existing property include brickwork, roof tiles, and white Upvc windows and doors. The site of No.77 Shackerdale Road, Wigston is not listed and is not situated within a conservation area.

Description of Proposal

The applicant is seeking planning permission for the erection of a two storey side extension and a single storey rear extension at the property of No.77 Shackerdale Road, Wigston.

Amendments to the proposed scheme of development as originally submitted have been made and received by the Local Planning Authority. These amendments have been requested to ensure that the proposed double storey side extension is subservient in relation to the existing property. The proposed scheme has been altered from that originally submitted with the first floor element of the double storey side extension being set back further from the main front wall resulting in a drop in the ridge height of the proposal from that of the existing property. The amended scheme of development was received by the Local Planning Authority on 25 February 2019.

The two storey side extension is proposed to extend out from the north facing side elevation of the existing property by approximately 2.6m. The first floor element has been set back from the existing first floor front elevation of the existing property by approximately 0.5m, and this element presents a depth of approximately 7.2m (at first floor) from front to back. Like that of the existing property a hipped roof design has been incorporated. The ridge height has been set down by approximately 0.5m from the existing ridge to ensure subservience. The proposed double storey side extension has been set inside the boundary shared with No.79 Shackerdale Road by approximately 0.8m.

The proposed single storey rear element presents a depth of approximately 3.0m beyond the rear elevation of the existing property. A width of approximately 8.8m is proposed extending from the boundary shared with No.75 Shackerdale Road to the side elevation of proposed double storey side element. This proposed rear extension presents a pitched roof sloping away from the existing property with a maximum height of approximately 3.5m above ground floor level and an eaves height of approximately 2.5m above ground floor level.

The applicant is proposing to alter the existing three bedroomed property to a four bedroomed property.

The applicant has stated within the submitted planning application form that the materials and finishes for the proposed scheme of development will include brickwork to match the existing, roof tiles to match the existing, and white Upvc windows and doors.

An extension of time up to and including Friday 15 March 2019 has been agreed with the applicant to accommodate the amendments which have been received and to ensure a decision can be issued on the day following the Development Control Committee.

The application is being presented to the Development Control Committee for determination as the applicant is a Council employee.

Relevant Planning History

None Relevant

Consultations

Highways (Leicestershire County Council) - "... given the location of the site being close to public transport and local amenities and the fact two car parking spaces can be provided it would be difficult for the Local Highway Authority to demonstrate that if permitted the proposal would have a severe impact onto the highway in accordance with the NPPF."

Representations

Neighbours have been informed and site notice placed with no letters of representation being received in response to such.

The date for the receipt of comments expired on the 14 February 2019.

Relevant Planning Policies

National Planning Policy Framework (2019)

Oadby & Wigston Core Strategy

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

Local Plan Submission Document (2018) (Material Consideration)

Supplementary Planning Document/ Other Guidance

Residential Development Supplementary Planning Documentation (2005)
Landscape Character Assessment (2018)

Planning Considerations

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

- * Design, Character & Appearance
- * Neighbour Amenity
- * Highways/ Access Issues
- * Other Issues

Design, Character & Appearance:

No.77 Shackerdale Road, Wigston is a two storey semi-detached dwellinghouse situated on the east side of Shackerdale Road. The property is situated amongst other residential properties of varying design styles. The existing property is set back from the roadside, with an open fronted driveway area. The materials and finishes of the existing property include brickwork, roof tiles, and white

Upvc windows and doors. The site of No.77 Shackerdale Road, Wigston is not listed and is not situated within a conservation area.

The design, character and appearance implications of the scheme of development have been thoroughly considered. The Local Planning Authority considers the scheme of development to be reasonable in terms of design, character and appearance. The proposed scheme is considered not 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 proposal is considered to be subservient and relatively in-keeping. The materials and finishes for the proposed scheme of development are considered by the Local Planning Authority to be reasonable. Overall the proposed scheme is considered to be acceptable with regards to design, character and appearance.

Neighbour Amenities:

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 the design and appearance, and also any potential impact on the neighbouring properties with regards to loss of daylight/sunlight, overlooking or providing an overbearing feel.

The proposed development scheme is considered by the Local Planning Authority not to cause a substantial impact on neighbouring amenity. The Local Planning Authority considers this development scheme not to significantly detract from neighbouring amenity. The proposed scheme of development is, therefore, considered by the Local Planning Authority to be acceptable on neighbour amenity grounds.

Highways/ Access Issues:

The Local Planning Authority has considered the proposed scheme and any potential issues in relation to highways and access. The proposed scheme of development as presented proposes extensions to convert the existing three bedroomed property into a four bedroomed property. The frontage of the site is sufficient in accommodating two off-street car parking spaces, however, three would not be able to be accommodated.

The Highways team at Leicestershire County Council have informed the Local Planning Authority that given the location of the site being close to public transport and local amenities, and the fact two car parking spaces can be provided it would be difficult for the Local Highway Authority to demonstrate that if permitted the proposal would have a severe impact onto the highway in accordance with the NPPF. The Local Planning Authority has considered this comment and deems the proposed scheme of development to be acceptable on highways and access grounds.

Other Issues:

No other matters need to be considered.

Conclusion

In summary, the Local Planning Authority have considered this planning application on the grounds of Design, Character & Appearance; Neighbour Amenities; Highways/ Access Issues; and Other Issues. The scheme of development is considered not to compromise design, character and appearance, impact upon neighbouring residential properties, or adversely impact upon highways and access. 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

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:

Application Form - Ref: N/A - Provided by: Val Harding - Received by the Council:
17/12/2018

Proposed Scheme - Ref: 1757/8/18 - Provided by: Val Harding - Dated: 08/2018 - Received by the Council: 25/02/2019

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 In dealing with the application, through ongoing negotiation the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application and this has resulted in the approval of the application. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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.

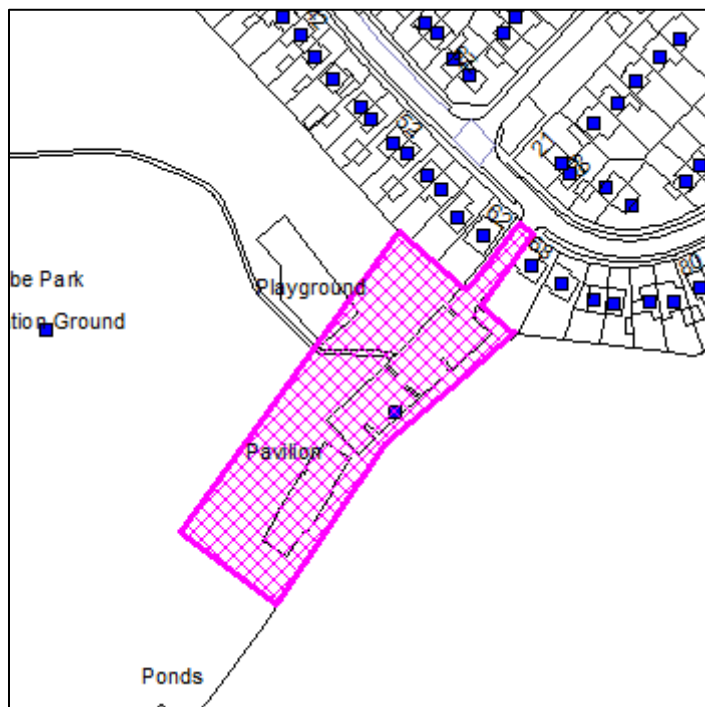
The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements,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

d.	18/00562/FUL	John Monks Pavilion Coombe Park Coombe Rise Oadby Leicestershire
	11 January 2019	Extension to the side of the sports pavilion and erection of lean-to timber store to the rear
	Case Officer	Mrs Tracey Carey



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Site and Location

The site is located within a predominantly residential area and is accessed via a driveway located between numbers 62 and 68 Coombe Rise. At the end of the access drive the site opens out and comprises a car park, a brick built pavilion building located at the head of the car park with a play area and recreation ground to the west.

Description of proposal

The application proposes a single storey extension to the far end of the existing pavilion measuring 15.4m long x 9.8m deep (approx.) x 5.1m high. The extension will provide a players lounge with a kitchen, bar, store and disabled W.C.

The store in the existing building is to be converted to Male and Female toilet facilities. The extension is to be constructed in materials to match the existing building (ie: facing brickwork and concrete tile effect metal sheeting, Upvc windows and timber doors).

The application as submitted included the installation of a new steel storage container to replace the existing store, however, this has now been replaced with a timber lean-to structure (stained dark grey) attached to the rear of the extension. This measures (approx.) 13.7m long x 3.1m wide with a height of 2.4m (max).

The statutory determination period for this application expired on the 8 March 2019 and it is intended to issue a decision as soon as practicably possible after the Committee meeting.

Relevant Planning History

03/00276/8M - Proposed new sports pavilion with extension and alterations to car park – Withdrawn

05/00599/FUL - Proposed new sports pavilion with extension and alterations to car park - Withdrawn

05/00676/R3FUL - Proposed new sports pavilion with extension and alterations to car park – Approved

Consultations

Leicestershire County Council (Highways) – Consideration should be given to the number of parking spaces provided.

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

OWBC Tree Officer - Incorporated within the report

OWBC Facilities Department - No comments received at the time of writing this report.

Sport England – Having assessed the application, Sport England is satisfied that the proposed development meets exception 2 of our playing fields policy, in that:

'The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.'

This being the case, Sport England does not wish to raise an objection to this application.

Representations

Neighbours have been informed and a site notice placed with two letters of representation being received at the time of writing this report. The date for the receipt of comments expired on the 4 February 2019.

The reasons for objection can be summarised as follows: -

- * Unsuccessfully challenged the right of Bloor Homes to develop the land adjacent to our garden.
- * They start work before 8am and have cut down a neighbour's hedge without notice and have sited their concrete plant at the bottom of a neighbour's garden.
- * The proposed new work will take place opposite our back garden, spoil our view and we are concerned about the possibility of a car park at the bottom of our garden – we request the concrete plant for this work be sited as far away from our garden as possible otherwise the garden is effectively useless for the duration of the works.
- * Car park near our back garden will increase noise and pollution, there will be a lot of comings and goings.
- * Already hear loud music from present car park when youths playing loud music, particularly in the summer.
- * I spend a lot of time in my garden and wonder what redress we have for increasing the nuisance value of living near a car park.
- * The 300 houses proposed in phase 2 are not mentioned, but surely we need to see the impacts of phase 1 on the infrastructure of traffic, schools and doctors before rushing in with phase 2 which proposes double the amount of houses in phase 1.
- * I am opposed to a car park near to our back garden. There is already a car park next to the park.
- * I request you consider the needs of local residents and don't just consider the wants of local developers.
- * In addition to this proposal I believe there are plans to develop at least one or two fields near the part. I am challenging the entire proposal. 150 houses was initially rejected and overruled. In spite of this rejection by the local community there has been a new proposal of 350 more houses, which is not taking the community into account. The fact that the first one was overruled is enough without adding another even bigger proposal. Statement of compromise are clearly not being met.

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 Sustainable Construction
Core Strategy Policy 15	:	Landscape and Character
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.

Emerging Local Plan

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

Planning Considerations

As part of the original application in 2005 for the construction of the pavilion the use of the building is restricted for use as a '*crèche area for match days and any other community crèche need, providing a meeting facility for the proposed Friends of the Park, meeting facility for other community groups ie: environmental, civic society, wildlife/conservation, possible playgroup, presentations for club matches, summer activities, refreshment room, small exercise/art or youth group ie: painting, yoga, model making, young peoples' outreach advice.*' As part of the same application the hours of use are restricted to 08:00am and 9:30pm Monday to Sunday.

Design and Character

The design, scale and materials of the extension are in keeping with that of the existing pavilion. The development is sited in excess of 130m from the street and given its siting to the rear of the extension views of the lean-to are restricted. In view of this, together with the existing elements of screening along the boundary, it is considered that the proposal will have limited impact on the street scene.

The impact of the proposal on neighbouring residential properties.

The proposal is for an extension to an existing facility and is in excess of 115m away from the nearest residential property. The site currently has approx. 40 car parking spaces and whilst no additional parking is proposed the Club has an existing agreement with both Beauchamp College and Gartree School to use their parking facilities. The information submitted does suggest that the only increase would be when they hold club events, which is normally 3 times a year. No representations have been received which would suggest that parking is an issue.

The application proposes the use of the extension for their Saturday academy, club events and match days on Saturdays 9am – 12 noon and Sundays 9am – 2pm. The proposed use and hours of use are in keeping with the existing use and hours although the applicant has indicated that it is envisaged the hours could increase. Providing these are still within the previously approved hours (which will be re-imposed if Members are minded to approve the application) and given the proposal is an extension to an existing facility it is not considered that the proposal will significantly impact on the amenity of neighbouring residents.

Trees

The Council's Tree Officer identifies two features of interest for this application; the boundary hedgerow and a large Oak tree due south of the proposed extension.

A Tree Report has been submitted in support of the application which identifies an encroachment of approximately 1m into the 13.5m Root Protection Area (RPA) of the oak tree. There is also a minor intrusion into the RPA of the hedgerow.

The encroachment of the extension and store into the RPA's of the nearby trees is only very slight (less than roughly 10% of the overall RPA mass). The report suggests that the proposal is, therefore, unlikely to impact greatly on the health and vigour of the nearby trees. It is, however, suggested that the retained tree and hedgerow should be protected during the construction process in accordance with the method statement provided.

The Council's Tree Officer has been consulted on the report and has commented that the minor intrusion into the RPA is broadly acceptable within BS58367:2012 and that the development should be carried out in strict accordance with the submitted report.

Other Matters

The representations received relate mainly to the development on the neighbouring site to that of the application. There is no extension to the car park proposed as part of this current application and the proposed works are in excess of 100m from the rear boundaries of the nearest residential properties.

Conclusion

In summary, the proposed development is not considered to harm the character and appearance of the existing building 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 the approved drawings (drawing number 3253.PL04 Rev E) 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 Policy 14 and Landscape Proposal 1 of the Oadby and Wigston Local Plan.
- 3 The building shall only be used between the hours of 8:00am to 9.30pm Monday to Sunday.
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.

- 4 The use of the building shall be limited to a crèche area for match days and any other community crèche need, a meeting facility for the proposed Friends of the Park, meeting facility for other community groups ie: environmental, civic society, wildlife/conservation, playgroup, presentations for club matches, summer activities, refreshment room, small exercise/art or youth group ie: painting, yoga, model making, young peoples' outreach advice, Saturday academy, club events and match days.
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.
- 5 The development shall be carried out in strict accordance with the details contained within the Tree Report dated 6 February 2019 and shown on approved drawing 'Tree Survey and Protection Plan 01', unless the Local Planning Authority gives written consent to any variation.
Reason: To ensure that adequate measures are taken to preserve trees and hedges and their root systems whilst construction work is progressing on site in accordance with Landscape Proposal 1 of the Oadby and Wigston Local Plan.
- 6 Unless otherwise first approved in writing (by means of a Non-material Amendment/Minor Material Amendment or a new Planning Permission) by the Local Planning Authority the development hereby permitted shall be carried out in accordance with the approved plans and particulars listed in the schedule below.

Application Form, submitted to and received by the Local Planning Authority on 27 December 2018.

Location Plan, Drg No. 3253.PL01 Rev A submitted to and received by the Local Planning Authority on 11 January 2019.

Existing and Proposed Site Layout, Drg No. 3253.PL02 Rev C submitted to and received by the Local Planning Authority on 6 February 2019.

Proposed Floor Plans and Elevations, Drg No. 3253.PL04 Rev E submitted to and received by the Local Planning Authority on 19 February 2019.

Tree Survey and Protection Plan 01, submitted to and received by the Local Planning Authority on 6 February 2019.

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 In dealing with the application, through ongoing negotiation the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application and this has resulted in the approval of the application. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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. 18/00533/FUL

b. 18/00552/FUL

c. 18/00555/FUL

d. 18/00562/FUL