



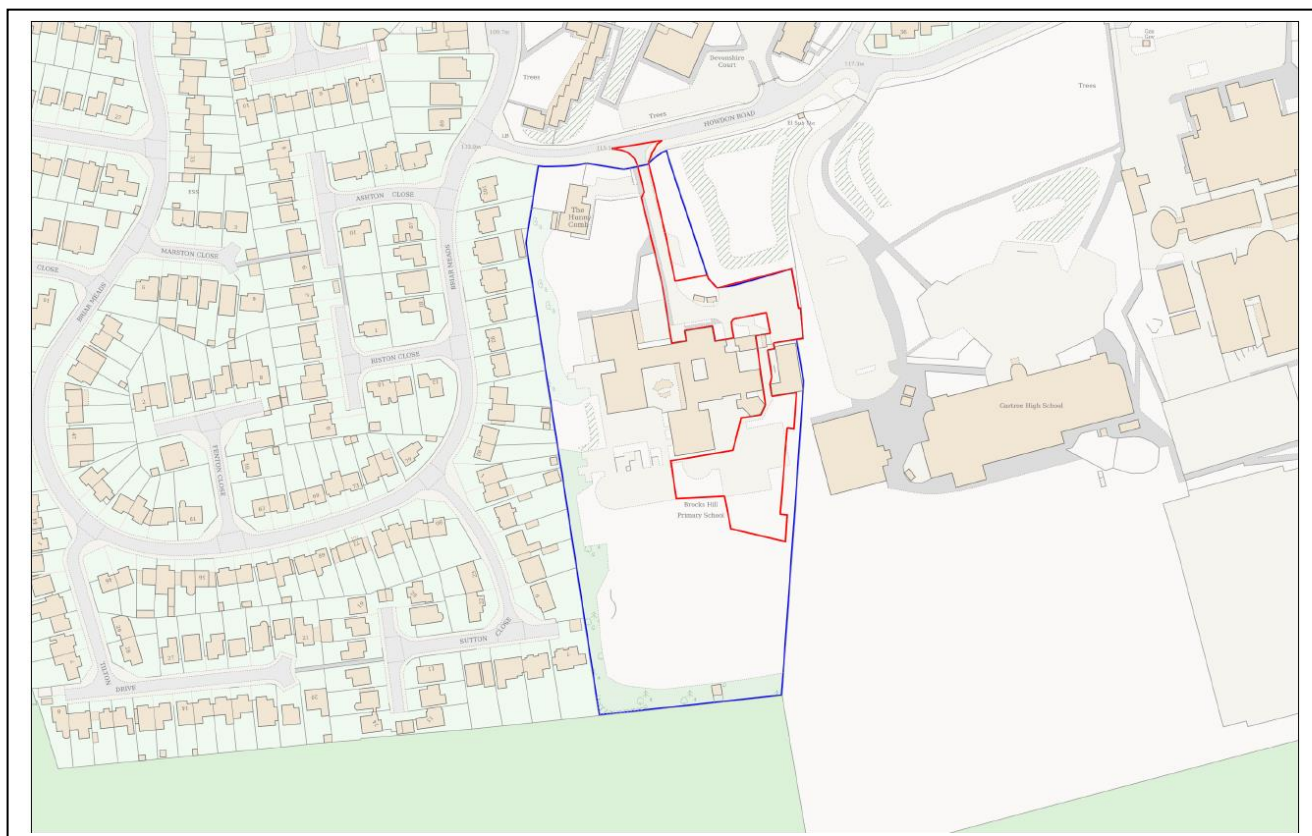
Development Control Committee	Thursday, 27 November 2025	Matter for Decision
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Report Title: **Brocks Hill Primary School, Howdon Road, Oadby, Leicestershire, LE2 5WP (Ref. No. 24/00433/FUL)**

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

Site Address:	Brocks Hill Primary School, Howdon Road, Oadby, Leicestershire, LE2 5WP
Application Description:	Erection of two storey teaching block, car parking, drop off area, cycle parking and new playgrounds including alterations to site access.
Purpose of Report:	To consider and determine the planning application accordingly. The application is brought before committee following a member call in on highways and access concerns.
Recommendation(s):	That the application be PERMITTED planning permission in accordance with the submitted documents and plans subject to the prescribed conditions and informatives.
Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):	Teresa Neal (Strategic Director) (0116) 288 8961 teresa.neal@oadby-wigston.gov.uk Adrian Thorpe (Head of the Built Environment) (0116) 0116 257 2645 adrian.thorpe@oadby-wigston.gov.uk Jamie Carr (Planning Policy & Development Manager) (0116) 257 2652 jamie.carr@oadby-wigston.gov.uk Max Heagin (Senior Development Control Officer) (0116) 257 2716 max.heagin@oadby-wigston.gov.uk
Consultees:	The consultee comments are as set out within section 4 of this report.
Background Papers:	Search application reference no. 24/00433/FUL via Public Access to access all available documents (e.g. assessments, plans, forms etc.)
Appendices:	1. Case Officer's Presentation (Ref. No. 24/00433/FUL)

1. Site and Location



- 1.1 The site is located to the south side of Howdon Road, a one-way road running to Briar Meads to the west. The development site accommodates Brocks Hill Primary School, the western most of a row of 3 schools with Beauchamp College and Gartree High School set to the east of the site and served off of Ridge Way a further one way road running from Coombe Rise to Howdon Road. The row of schools is set within a wider residential estate with agricultural fields and Coombe Park setting a break to the Cottage Farm development to the south. Resulting from the siting of 3 schools in close proximity there are existing traffic and parking issues at peak times which contributed historically to the imposition of a one way system for roads serving the schools to ease congestion.
- 1.2 Residential dwellings are set along the west boundary of the Brocks Hill Primary School site along Briar Meads and Sutton Close with the Devonshire Court Retirement Home to the north of the site adjacent to the site access. To the northeast of the site is an area of scrubland, to the side of the site access which forms part of the neighbouring Gartree High School site.
- 1.3 The wider site is comprised the main single storey school building formed of various flats roof elements at differing heights with a further single storey detached flat roof teaching block set to the east of the main building. The Hunny Comb Nursery is set to the north of the site close to the site access being developed and extended from the former caretaker's bungalow which is located to the north of the site. Various play areas and sports fields are accommodated to the south of the main school buildings.
- 1.4 Access is located to the north of the site from Howdon Road with a central vehicular access running up to the main building and serving an existing parking area set in front of the detached teaching block to the east of the main school providing a total of 37 parking bays. It is noted that the existing access road is quite narrow restricting two way vehicular

movement through the site whilst there is a lack of dedicated turning facilities within the site. A separate pedestrian access runs along the side of the scrub land to the north east of the site exiting close to a bus stop on Howdon Road.

2. Description of Proposal

- 2.1 The proposal is to accommodate an increase to the number of students at Brocks Hill with an additional form entry, increasing the pupil numbers by 210 students to 630 students as recommended by Leicestershire County Council as the statutory body responsible for provision of school places in the Borough.
- 2.2 To accommodate the proposed increase in student numbers and 9 additional staff a new two storey teaching block is proposed to the east of the main building requiring removal of part of the existing playground. The block would accommodate 6 classrooms, a ICT classroom and library. There will also be a hall available for indoor sports with small server and equipment storage. Additionally there will be offices, meeting rooms and other staff spaces as well as toilets sufficient for the increased number of students.
- 2.3 Externally, the area of playground removed to accommodate the teaching block is to be replaced by infilling around existing play spaces whilst encroaching as little as possible onto the playing field. The layout of playing field is to be amended to form a 9v9 football pitch which through a Community Use Agreement would be made available to the public.
- 2.4 The proposal also seeks to introduce new traffic management measures within site with
 - Eight drop-off spaces and area;
 - An additional 14 cycle spaces bringing the total to 30;
 - 9 additional car parking spaces bring the total to 46;
 - 1 additional accessibility space bringing the total to 2;
 - Turning area within the site in the form of a roundabout; and
 - Widening of internal access road from approximately 5m to 5.6m and access point on Howdon Road.
- 2.5 New secure fencing and gates are proposed within the site set back from the nursery whilst alterations to the pedestrian footpath are proposed in conjunction with the internal highways alterations.
- 2.6 The site would also be landscaped with new trees to improve biodiversity.

3. Relevant Planning History

16/00560/FUL - Erection of single storey classroom block and construction of 9 additional car parking spaces - Approved (16.02.2017)

17/00489/FUL - Single storey extensions and use of building as a day nursery (former caretakers bungalow) - Approved (21.12.2017)

22/00461/FUL - Single storey side extension - Approved (13.03.2023)

4. Key Consultations and Responses

- 4.1 Local Lead Flood Authority: confirmed that the site is located within Flood Zone 1 being at low risk of fluvial flooding and a low to medium risk of surface water flooding though requested provision of further information to assess the proposals including a supporting surface water strategy.

Following receipt of further requested information no further comments have been received.

4.2 Sport England: *"Sport England raises no objection to this application as it is considered to broadly meet exception 5 of our Playing Fields Policy and to accord with Paragraph 104 of the National Planning Policy Framework (NPPF), subject to conditions securing*

- the protection of the remaining playing field during construction of the proposed development; and,*
- A Community Use Agreement agreed and secured for the community use of the remaining playing field land at the site.*

Sport England – Statutory consultee role and policy

We understand that you have consulted us as a statutory consultee in line with the above Order. Therefore, we have considered the application in light of the National Planning Policy Framework (NPPF), in particular paragraph 104 (that playing fields should not be built on) and Sport England's Playing Fields Policy, which is presented within our 'Playing Fields Policy and Guidance Document': www.sportengland.org/playingfieldspolicy

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of:

- all or any part of a playing field, or*
- land which has been used as a playing field land remains undeveloped, or • land allocated for use as a playing field*

unless, in the judgement of Sport England the development as a whole meets with one or more of five specific exceptions. A summary of the exceptions is provided in the annex to this response.

The Proposal and its Impact on the playing field

The proposal relates to the construction of a detached teaching block containing 6 teaching classrooms, an ICT classroom, library and hall. The hall would have an internal floor area of some 188m² and would be used for PE teaching as well as assemblies and dining. A new playground would be constructed to replace the playground lost due to the development. Located on playing field, the proposed building and playground would result in the loss of playing field land.

The proposal would also involve the construction of additional car parking and a drop off area to the front of the existing school building. This element of the proposal would not involve the loss of playing field land.

Sport England has provided pre-application advice on a proposal to construct a teaching block at the school. Following this advice the applicant has prepared a Sport England Summary Document (August 2024) as part of the application submission.

The playing field is included in Oadby & Wigston BC's Playing Pitch and Outdoor Sport Strategy (PPOSS) (2024) which is the evidence base for the local plan. The PPOSS shows that the playing field, Brocks Hill Primary School, has one youth 9v9 football pitch. The action in the PPOSS is that the playing field is protected.

As part of the assessment of this application Sport England has sought the views of the Football Foundation (FF) who act as Sport England's technical advisor in relation to football and its facilities. Their comments are summarised below:

- The 9v9 football pitch can continue to be marked out. A minimum safety run-off of 3m must be provided from all perimeter lines which must be free from obstructions and be of the same surface as the playing area.*
- The PPOSS shows a future demand undersupply of two 9v9 pitches in the area. Community use of the pitch would be beneficial for future use.*

Assessment against Sport England's Playing Fields Policy and the NPPF

The construction of a detached school building and replacement playground would result in the loss of an area of the playing field. As discussed in the Sport England Summary Document (Summary Document), the proposed size of the building and playground extension have been reduced following receipt of pre-application advice from Sport England. When accounting for the playing field land which cannot be used as shown on Drw No: 23409-04-S2E-00-D-A-09-20, the total area of playing field lost would equate to some 250m².

The submission has been amended to now include a hall within the building with internal measurements of 16.6 x 11.3m to a height of 6.1 metres. With a floor area of 188m² the hall would be used for sport as well as for assemblies and dining. A gym storage area is provided accessed via double doors off the hall with an area of 20m².

This loss of playing field should be assessed against the exceptions in Sport England's Playing Fields Policy which are in accordance with the exceptions in Paragraph 104 of the NPPF (2024). An assessment against Exception 5 is the most relevant for this proposal. This exception allows the development of an indoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.

As included in the Sport England Summary Document with an internal height of 6.1 metres the hall could be used for a range of sports activities including gymnastics, five-a-side (softball) and short tennis. The hall would have sufficient space to mark out one badminton court, four table tennis tables and short mat bowls. However, the proposed measurements for the length of the hall would fall short of the required run-offs required for a badminton court by 0.8 metres and so a risk assessment would be required prior to use.

The Summary Document confirms that the lighting and internal surfaces would meet Sport England's guidance for Sports Hall. A storage area for equipment which would be accessed via double doors from the hall would be provided. The Summary Document concludes that the new hall would be of significant benefit to the school and its PE curriculum as the existing hall and PE provision is currently insufficient.

Two sets of unisex toilets would be provided on each floor of the building. The set on the ground floor would be accessible externally directly from the playing field and would be accessible for users of the hall.

The Summary Document includes the existing summer and winter pitch layouts on the playing field. Drw No: 23409-04-S2E-00-D-A-09-20 shows how the remaining playing field could accommodate the curriculum and extra-curriculum usage along with the marking out of a youth U11 and U12 (9 v 9) pitch – dimensions = 79.0 x 52.0m (inclusive of run-offs). The comments received from the Football Foundation confirm that this 9v9 pitch could continue to be marked out.

The PPOSS prioritises the need to secure formal Community Use Agreements with schools where feasible and appropriate. The Football Foundation has confirmed that the PPOSS shows a future demand undersupply of two 9v9 pitches in the area and so the community use of the pitch would be beneficial for future use.

The Summary Document includes text that the applicant is currently in the process of drafting a community use agreement (CUA) for comment. Whilst the school does not currently let out its facilities for sport, the applicant does let out the facilities at the adjoining Beauchamp College. A planning condition requiring a community use agreement to be agreed and implemented should be attached to the decision notice if the local planning authority is minded to grant approval to compensate against the loss of playing field and ensure that the remaining land is protected as required by the PPOSS and secured for community use to address one of the key issues highlighted in the PPOSS.

Sport England has produced guidance on drawing up a community use agreement - <https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport/community-use-agreements> Active Together can also assist schools with opening their existing sports facilities to the wider community - <https://www.active-together.org/openingschoolfacilities>

Based on the information submitted with the application, it is Sport England's opinion that the proposed development would broadly meet the requirements of exception 5 of Sport England's Playing Fields Policy subject to the imposition of planning conditions.

Sport England's Position

Given the above, Sport England raises no objection to the application because it is considered to broadly accord with exception 5 of our Playing Fields Policy and paragraph 104 of the NPPF in that the benefits to sport for the school by their use of the hall for PE would outweigh the loss of the area of playing field. The remaining area of playing field land would still accommodate a 9v9 pitch and this pitch would be available for use by the community as part of a CUA. The following planning conditions should be attached to the decision notice if the Council is minded to approve planning permission to ensure that the remaining playing field is protected as required by the Council's PPOSS and secured for community use to address one of the key issues highlighted in the PPOSS:

Protection of Playing Field Condition:

Condition ... Prior to the commencement of any development on the site, a construction fence shall be erected along the southern boundary of the proposed building and playground extension as shown on Drw No: D-A-03-XX Rev P05 (Proposed Site Plan).. This construction fence line (limit of works) shall remain in place throughout the duration of the construction activity and no works/storage shall take place on the playing field area which lies outside of this fence.

Reason..... To ensure that the retained playing field at the site is protected during construction of the approved development in accordance with the requirements of the NPPF (2024).

Justification - A pre-commencement condition is required so that this construction fence is in place prior to any development commencing on site to ensure that the construction activity does not encroach onto the adjoining playing field and impact its use.

Community Use Agreement Condition:

Condition... Prior to any works commencing on the sub-base of the development hereby approved a community use agreement prepared in consultation with Sport England shall be

submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement shall be provided to the Local Planning Authority. The agreement shall apply to the community use of the retained playing field land. The agreement shall include details of pricing policy, hours of use, access by community users to the land, ancillary facilities and car parking, management responsibilities and a mechanism for review. The development shall be used in compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facilities, to ensure sufficient benefit to the development of sport and to accord with the requirements of the NPPF.

Informative: More information on Community Use Agreements including a model template is available on Sport England's website:

<https://www.sportengland.org/how-we-can-help/facilities-andplanning/planning-for-sport/community-use-agreements>

4.3 Leicestershire County Council Ecology: Following receipt of additional information for Biodiversity Net Gain and Preliminary Ecological Appraisal and Preliminary Roost Assessment it was advised that Ecology had no objection subject to the following comments and conditions:

- We have reviewed the submitted Statutory Biodiversity Metric Condition Sheets and are now satisfied that there is sufficient ecological information available to support determination of this application.*
- This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.*
- The mitigation measures identified in the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech, April 2024) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly those recorded in the locality.*
- With regard to mandatory biodiversity net gains, it is highlighted that we support the submitted Revised Statutory Biodiversity Metric - Calculation Tool (Arbtech, October 2024), Revised Biodiversity Net Gain Assessment (Arbtech, March 2025) and Statutory Biodiversity Metric Condition Sheets. Biodiversity net gains is a statutory requirement set out under Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990 and we are satisfied that submitted information provides sufficient information at application stage. As a result, a Biodiversity Gain Plan should be submitted prior to commencement, which also includes the following:*
 - a) The completed metric calculation tool showing the calculations of the pre-development and post-intervention biodiversity values.*
 - b) Pre and post development habitat plans.*
 - c) Legal agreement(s)*
 - d) Biodiversity Gain Site Register reference numbers (if using off-site units).*
 - e) Proof of purchase (if buying statutory biodiversity credits at a last resort).*

- *We are generally satisfied that the post-intervention values are realistic and deliverable. However, it is recommended that the following matters will need to be considered by the applicant as part of the biodiversity gain condition:*

- *We note that the proposals include off-site enhancements within the blue line boundary.*

This will need to be registered with the biodiversity gain site register and will require a Habitat Management and Monitoring Plan (HMMP) and legal agreement to secure the enhancements for the 30-year period. As a result, the applicant is advised that it may be preferable to approach an off-site provider to meet the 10% biodiversity net gain requirement. This matter will need to be addressed as part of the biodiversity gain condition.

- *There is also an inconsistency between the metric and the Biodiversity Net Gain Assessment in regards to the created trees within the offsite area. The report proposed planting 58 small trees, whereas the number of proposed trees within the metric is 27. This difference also is reflected in the habitat units, with 0.66 units for the offsite habitat creation within the report and 0.31 within the metric.*

- *In addition, a Habitat Management and Monitoring Plan (HMMP) should be secured for all significant on-site enhancements. Based on the submitted post-intervention values, it is suggested that this includes the following habitats: Individual trees.*

- *The maintenance and monitoring outlined in the HMMP should be secured via planning obligation for a period of up to 30 years, which will be required to be submitted concurrent with the discharge of the biodiversity gain condition. Therefore, the LPA is encouraged to secure draft heads of terms for this planning obligation at application stage, to be finalised as part of the biodiversity gain condition. Alternatively, the management and monitoring of significant on-site enhancements could be secured as a condition of any consent. The monitoring of the post-development habitat creation / enhancement will need be provided to the LPA at years 1, 2, 5, 10, 15, 20, 25, 30, unless otherwise specified by the LPA. Any remedial action or adaptive management will then be agreed with the LPA during the monitoring period to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.*

- *We also support the proposed reasonable biodiversity enhancements for protected, Priority and threatened species, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024). The reasonable biodiversity enhancement measures should be outlined within a separate Biodiversity Enhancement Strategy and should be secured by a condition of any consent.*

- *This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended) and delivery of mandatory Biodiversity Net Gain.*

- *Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013. We recommend that submission for approval and implementation of the details below should be a condition of any planning consent.*

RECOMMENDED CONDITIONS TO BE APPLIED:

1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal and Preliminary Roost Assessment

(Arbtech, April 2024) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

2. PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY

Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Preliminary Ecological Appraisal and Preliminary Roost Assessment Arbtech, (April 2024), shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;*
- b) detailed designs or product descriptions to achieve stated objectives;*
- c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);*
- d) persons responsible for implementing the enhancement measures; and*
- e) details of initial aftercare and long-term maintenance (where relevant).*

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter."

Reason: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended).

3. PRIOR TO OCCUPATION: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

Prior to occupation, a "lighting design strategy for biodiversity" in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and*
- b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.*

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

Optional condition:

Management and monitoring for significant on-site enhancements should be secured by planning obligation as part of the biodiversity gain condition, to allow aftercare and monitoring to be secured for the 30-year period and the LPA to cover its monitoring costs. However, if the LPA would prefer that this is secured via a separate condition, the following pre-commencement condition could be used:

4. PRIOR TO COMMENCEMENT: HABITAT MANAGEMENT AND MONITORING PLAN (HMMP)

A Habitat Management and Monitoring Plan (HMMP) for significant on-site enhancements, prepared in accordance with the approved Biodiversity Gain Plan, shall be submitted to, and approved in writing by the local authority, prior to commencement of development, including:

- a) the roles and responsibilities of the people or organisation(s) delivering the HMMP;*
- b) the planned habitat creation and enhancement works to create or improve habitat to achieve the on-site significant enhancements in accordance with the approved Biodiversity Gain Plan;*
- c) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;*
- d) the monitoring methodology in respect of the created or enhanced habitat to be submitted to the local planning authority; and*
- e) details of the content of monitoring reports to be submitted to the LPA including details of adaptive management which will be undertaken to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.*

Notice in writing shall be given to the Council when the:

- initial enhancements, as set in the HMMP, have been implemented; and*
- habitat creation and enhancement works, as set out in the HMMP, have been completed after 30 years.*

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Unless otherwise agreed in writing, monitoring reports shall be submitted in years 1, 2, 5, 10, 15, 20, 25, and 30 to the Council, in accordance with the methodology specified in the approved HMMP.

Reason: To satisfy the requirement of Schedule 7A, Part 1, section 9(3) of the Town and Country Planning Act 1990 that significant on-site habitat is delivered, managed, and monitored for a period of at least 30 years from completion of development.

Biodiversity Gain condition

Natural England advises that the biodiversity gain condition has its own separate statutory basis, as a planning condition under paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990. The condition is deemed to apply to every planning permission granted for the development of land in England (unless exemptions or transitional provisions apply), and there are separate provisions governing the Biodiversity Gain Plan.

The local planning authority is strongly encouraged to not include the biodiversity gain condition, or the reasons for applying this, in the list of conditions imposed in the written notice when granting planning permission. However, it is highlighted that biodiversity gain condition could be added as an informative, using draft text provided by the Secretary of State:

Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and

(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be INSERT LPA.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply."

4.4 Leicestershire County Council Highways: Following receipt of additional information.

"The Local Highway Authority advice is that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with paragraph 116 of the National Planning Policy Framework (2024), subject to the conditions and/or planning obligations outlined in this report.

Background

The Local Highway Authority (LHA) has been re-consulted by the Local Planning Authority (LPA),

Oadby and Wigston Borough Council (OWBC), on a planning application which seeks the:

'Erection of two storey teaching block, car parking, drop off area, cycle parking and new playgrounds including alterations to site access.'

The proposals are at Brocks Hill Primary School, Howdon Road, Oadby, Leicestershire, LE2 5WP.

The LHA previously responded to the LPA on 3 March 2025 requesting further information, this included:

- Submission of a Stage One Road Safety Audit with Designers Response;*
- Existing and proposed trip rates to and from the site;*
- Junction capacity modelling; and*
- Re-consideration of proposed off-street parking provision.*

In response to the LHAs previous observations provided to the LPA on 3 March 2025, the Applicant has submitted the following documents:

- Revised School Travel Plan;*
- Construction Management Plan dated 5 March 2025;*
- Areas Comparison - New Car Park, drawing number 24366-GMB-XX-XX-DR-C-0305 Rev P01; and*
- Transport Assessment dated August 2025 (Contains modelling data, trip rates, stage one road safety audit, site plan etc.).*

Site Access / Off-Site Works

As part of the proposed off-site works a 'Stage One Road Safety Audit (RSA1)' is required. This should be accompanied with a designer's response and any amended plans that may be required. This has been provided and is contained within the 'Transport Assessment (TA) Appendix E'.

The RSA1 raised five problems, one was at the site access and four were within the site itself.

Problem 2 raised was within the public highway extents at the site access. The Auditor stated that there is no existing pick up / drop off area identified at the school for general use. The provision of such a facility is likely to result in a "free for all" where demand will exceed availability of the spaces, with parents not knowing this until they turn into the site. Vehicles queuing back onto Howdon Road risk shunt type collisions and blocking the pedestrian crossing at the access, resulting in pedestrians crossing between stopped vehicles and increasing the risk of vehicle to pedestrian collisions.

The Auditor recommended that the facility is moved further into the site such that queuing vehicles do not back onto Howdon Road or the pedestrian crossing at the junction. Alternatively, it is recommended that the use of the bays is highly restricted for use by a limited number of users with mobility impairment requirements.

The designer stated within their response that unfortunately this is not an option due to the site constraints site. The Applicant agrees that the proposed bays should be restricted to those with mobility issues in the first instance. The Applicant has also indicated that there may be opportunity in the future to allow use by parents of the smallest children e.g.

reception to also use the proposed bays as they are the mostly likely to need to walk to the classroom door, rather than make their own way to the playground/classroom.

Other incentives may be introduced to allow the use of the proposed bays e.g. priority for car sharing vehicles with more than two pupils.

In addition to restricting the use of the proposed bays, the Applicant has stated that the pedestrian crossing which is just ahead of the majority of the drop off bays, would stop traffic which in turn would allow the opportunity for vehicles to reverse out of the proposed bays. As the pedestrian crossing is between the only two pedestrian gates into the site, it is expected these will be manned with staff during drop off time. Therefore, there is likely to be staff supervision here to prevent collisions but also the enforce the restricted use of the bays.

The above is welcomed by the LHA.

It is also noted that the Applicant has addressed the four points identified within the site which is also welcomed by the LHA.

Given the above, the LHA considers the access proposals adequate for the scale of the proposals in these site-specific circumstances.

Junction Capacity Assessments / Trip Generation

Trip Generation

The Applicants undertook a travel survey at the school on 11 April 2025, this involved both staff and pupils. Older pupils who were driven to school were asked how many Brocks Hill pupils and how many pupils from neighbouring schools were in the car. It was assumed that younger pupils had similar travel patterns. Staff who drove to school were also asked how many pupils they transported, along with their arrival and departure times.

This survey was conducted under typical attendance conditions for both pupils and staff. Student attendance at the school generally ranges between 95% and 96%. On the day of the survey, the pupil attendance rate was 95%, consistent with the usual levels.

The total number of car trips to and from the existing school and the expanded school by parents/pupils and staff are shown in Figure 1 below.

AM: 0815 to 0915 PM: 14:45 to 15:45		Number	AM		PM	
			Arrive	Depart	Arrive	Depart
Current School	Staff	61	13	0	0	9
	Pupils	420	105	105	105	105
	Total		118	105	105	114
expanded school	Staff	70	14	0	0	10
	Pupils	630	159	159	159	159
	Total		173	159	159	169
Additional	Staff	9	2	0	0	1
	Pupils	210	54	54	54	54
	Total		56	54	54	55

Figure 1 - Trip generation, Brocks Hill Primary School

The above demonstrates that the expanded school would result in an estimated additional 110 car trips to and from the school in the morning and 109 trips in the afternoon.

Pedestrian counts at the school gates show the arrival and departure times of pupils and parents. For those that travel by car, the time in the car is assumed to be 10 minutes earlier for the arriving trips and 10 minutes later for the departing trips to account for parking, walking, and socialising.

With this adjustment, the AM peak hour for parent vehicles traffic associated with Brocks Hill Primary School is 08:15 – 09:15, and the PM peak hour is 14:45 – 15:45.

The proportion of these car trips arriving or departing in each of the 15-minute periods is shown in Figure 2 below.

Morning	Vehicles		
	arrivals	departures	Total
0815to 0830	10%	2%	6%
0830 to 0845	81%	1%	41%
0845 to 0900	8%	5%	6%
0900 to 0915	1%	92%	46%

Afternoon	Vehicles		
	arrivals	departures	Total
1445 to 1500	24%	0%	12%
1500 to 1515	68%	2%	35%
1515 to 1530	5%	11%	8%
1530 to 1545	2%	86%	44%

Figure 2 - Proportion of car trips arriving and departing in each 15-minute period

The Applicant states within the TA that the Applicant considers that it is likely that the number of new car trips on the network generated by the school expansion will be lower than the trips shown in Figure 1 above. The Applicant states that this would be because a number of the additional pupils will come from the recently approved Cottage Farm development (planning ref. 19/00356/OUT), which is within walking distance of the school. The proximity of this development would provide parents and pupils with sustainable, viable alternatives to single-occupancy vehicle trips. It is, therefore, reasonable to expect the proposed expansion to result in a lower average car trip rate than the existing scenario.

The LHA are aware that there is a pedestrian footpath proposed within the Cottage Farm site that links to the car parking area which in turn links to Coombe Rise, this however, would involve a walk of approximately 1km.

The LHA does however, concur with the Applicant that several existing vehicle trips on the network could be associated with children within the catchment area of Brocks Hill school who could be attending schools further afield, these trips could cease if the LPA were minded to grant these proposals.

Junction Capacity Assessment

Junction capacity assessments have been undertaken at the following junctions:

- 1. Ash Tree Road/Coombe Rise; and*
- 2. Howdon Road/Brocks Hill Primary School Access – Proposed Arrangements.*

The assessment of priority junctions has been undertaken using the 'Junctions 10' computer programme, which is the 'industry standard' traffic modelling computer software package used for assessing the capacity of priority junctions. Assessments have been undertaken for the AM peak period (08:15-09:15 hrs) only, this is because the PM network peak is between 17:00hrs and 18:00hrs.

The Ash Tree Road / Coombe Rise junction has been undertaken using both the 'DIRECT' method of inputting traffic flows in 15-minute intervals and the 'ONE HOUR' OD tab

method. The Howdon Road/Brocks Hill Primary School Access has been assessed using the 'ONE HOUR' method for inputting traffic flows for both existing and proposed arrangements.

The assessment has been provided utilising the following information:

- *Traffic flow and queue length information (as turning count matrices); and*
- *Base mapping.*

The following scenarios has been considered:

- *2025 Base Year;*
- *2025 Base Year plus Expansion;*
- *2030 Future Year; and*
- *2030 Future Year plus Expansion.*

Traffic growth factors for 2025 to 2030 have been derived using the DfT TEMPro 8.1 computer software, NTEM 8.0 NRTP 2022 Core Scenario, for the E02005412 Middle Super Output Area (MSOA).

The future year of 2030 represents five years post submission of a planning application in line with TA guidelines. The growth factor for the AM peak period is reproduced below:

- *Morning peak hour 2025–2030 = 1.04*

The growth factors have been applied to the 2025 base year traffic flows to give 2030 future year traffic flows.

The assessments for the AM peak period have been undertaken using Junctions 10, with the output results contained in Appendix A of the TA. The junction capacity assessments have been undertaken during the network peak period.

To note, for the Ash Tree Road / Coombe Rise junction capacity assessment, an adjustment to the stream intercept has been applied to take consideration of queueing at the junction into account, as captured within a queue length survey dated between 29th April 2025 to 1st May 2025 for the hours of 07:30 – 09:30 and 14:30 – 16:30.

The average queue length within the assessed morning peak period (08:15 – 09:15) was overall insignificant in impact and operations; however, the adjustments provide a worse-case scenario and therefore a robust assessment. The junction capacity assessment also takes in consideration the zebra crossing, approximately 50m east of the junction.

Capacity assessment results using the "Direct" method have been summarised in Table 1-1 of the TA for the Ash Tree Road / Coombe Rise junction during the AM peak period (08:15 – 09:15) only.

Ratio of Flow to Capacity (RFC) is a term used in Transport Modelling to assess the operation of a junction. The result provides an indication of the likely junction performance, with a value of 1 implying that the demand flow is equal to the capacity. Typically, a value of 0.85 is seen as the threshold of practical capacity, with results higher than this more likely to experience queuing or delay.

Having reviewed the data within Appendix H of the TA, the RFC of junctions 1, and 2 is not predicted to exceed 0.85 with the development in place in 2030. The LHA is satisfied these junctions will operate within capacity.

As such, the LHA considers the trip generation and junction capacity assessments to be acceptable in these site-specific circumstances.

Internal Layout

The Applicant previously offered:

- Eight drop-off spaces and area;*
- An additional 14 cycle spaces bringing the total to 30;*
- Six additional car parking spaces bringing the total to 43;*
- Three additional accessibility spaces bringing the total to four; and*
- Turning area within the site in the form of a roundabout.*

The LHA stated within their previous response to the LPA that a car parking space should be provided for each member of staff within the site. Whilst the Applicant has demonstrated nine additional parking spaces, it is noted that three of these were accessibility spaces which cannot be counted towards the parking provision. As such, the LHA requested the Application re-assesses the on-site parking provision.

The Applicant has provided a revised 'Proposed Site Plan', drawing number 23409-04 -S2E-00-D-A-03-XX Rev P07.

- Eight drop-off spaces and area;*
- An additional 14 cycle spaces bringing the total to 30;*
- Nine additional car parking spaces bring the total to 46;*
- One additional accessibility space bringing the total to two; and*
- Turning area within the site in the form of a roundabout.*

This is acceptable to the LHA, and no further information is required in this respect.

School Travel Plan

The Applicant has provided a revised School Travel Plan (STP). Having reviewed this document, the LHA finds the contents acceptable and has no further comments to make.

Construction Management Plan (CMP)

The Applicant has provided a CMP as part of this application, as such, the LHA have reviewed the document and provide the following comments.

The route to the site is identified within section 5.1, off the CMP and demonstrated within Appendix II and III. The LHA are satisfied that this is the most appropriate route to the site.

Section 5.3 of the CMP states that there will be an adequate amount of parking available on site for contractors and site operatives within the wider site area. Whilst this has not been

demonstrated on a plan, given the site distance from the public highway and the scale of the site, the LHA are satisfied that parking for contractors and site operatives can be achieved within the site.

The loading and unloading will be undertaken within the site as per section 6.3 of the CMP. Given the site distance from the public highway and the scale of the site boundary, the LHA are satisfied this can be achieved.

The storage of plant and materials will be within the site as per section 6.5 of the CMP. Given the site distance from the public highway and the scale of the site boundary, the LHA are satisfied this can be achieved.

The Applicant has stated with section 8.5 and Appendix III of the CMP that jet wash facilities will be located at the entrance to the site so that all vehicles leaving the site are clean. The water will then be filtered before being discharged into the site drainage system. This will prevent deleterious materials being deposited on the surrounding highways. In the event of deleterious material being deposited onto the road network, road sweepers will be engaged to carry out a sweep of the surrounding roads. The drawing titled 'Site Set Up Plan - Phase 1 (Ground Works)', drawing number 23409-04 -S2E-XX-X-X-01-XX Rev A contained within Appendix III of the TA demonstrates the wheel wash station to be approximately 10m away from the public highway which is welcomed by the LHA.

Section 4.2 of the CMP states delivery hours and waste collection will be between 09:30 and 14:30 Monday to Friday, to avoid peak travel times and not contribute to traffic congestion during rush hour times and school drop off / pick up times. On Saturday's deliveries will take place between 09:30 and 13:00. This will include waste collection, spoil removal and delivery of plant and general materials. This is acceptable to the LHA

The LHA are satisfied that the CMP has satisfactorily identified and mitigated all matters relating to the highway. However, the Applicant should ensure they always adhere to the contents of the CMP during the construction phase.

For the reasons set out above, the LHA would not seek to resist the development subject to the following conditions and contributions.

Conditions

1. No part of the development hereby permitted shall be brought into use until such time as the access arrangements shown on Site Access - General Arrangement, drawing number 24366-GMB-XX-XX-DR-C-0100 Rev P02 have been implemented in full.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2024).

2. The development hereby permitted shall not be brought into use until such time as the parking and turning facilities have been implemented in accordance with Proposed Site Plan', drawing number 23409-04 -S2E-00-D-A-03-XX Rev P07. Thereafter the onsite parking and turning provision shall be kept available for such use(s) 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 (2024).

3. The development hereby permitted shall not be brought into use until such time as secure cycle parking shall be provided in accordance with details first submitted to and

agreed in writing by the Local Planning Authority. Thereafter the onsite cycle parking provision shall be kept available for such use in perpetuity.

REASON: To promote travel by sustainable modes in accordance with the National Planning Policy Framework (2024).

4. The Applicant will comply with the details as set out within the Construction Management Plan dated 5 March 2025. 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.

Contributions

To comply with Government guidance in the National Planning Policy Framework (NPPF) and Leicestershire County Council Planning Obligations Policy the following contributions would be required in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets and mitigating the impacts of the development.

1. Six-month bus pass, one per new employee to encourage the new employee to use bus services, to establish changes in travel behaviour and promote usage of sustainable travel modes other than the car. These can be supplied through LCC at £450.00 per pass (subject to change).

Justification: In the interests of encouraging sustainable travel to and from the site, achieving modal shift targets, reducing car use.

Suggested trigger point: Prior to the development being brought into use.

Informative

• Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://www.leicestershirehighwaydesignguide.uk>

- 4.5 Leicestershire County Council School Organisation Service: this team are engaged with the applicant regarding provision and funding for additional school places and have advised the following:
- "There will be 105 pupils from the Cottage Farm development and a further 105 pupils from current housing in your catchment. This is borne out by the number of applications over the current Planned Admission Number (PAN) of 60 for 2025, which showed that the additional 30 applications were all within 600 metres of Brocks Hill."*
- 4.6 Oadby Civic Society: "wish to OBJECT to this application on the basis of the added traffic implications of a 50% increase in the school's size.

This neighbourhood is already inconvenienced by the amount of traffic generated in the early morning and school closing time every day of the week. Vehicles are already parking on both sides of Briar Mead causing an obstruction for emergency vehicles.

The proposal to include 9 drop-off spaces on the school driveway will be of little consequence.

I note that there is no statement of how the proposal will be constructed on such a confined site surrounded by active schools in use for most of the day and how material deliveries will be coordinated to avoid further disruption to traffic movements."

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

"The development, if approved, will require the submission of a construction management plan. This covers noise, vibration, air quality, dust, mud, lighting, traffic etc. and its control during construction. Guidance is attached.

A noise assessment will be required if any external plant and equipment is proposed from the new building (air conditioning units, air source heat pumps etc.). This will be used to determine what is required to ensure no additional noise impact will occur.

Given the location of the proposed new building and playgrounds (on the east of the site away from existing residential property) I do not consider any further controls will be necessary."

- 4.8 Oadby & Wigston Tree Officer: No comment.

5. Neighbour and Resident Responses

- 5.1 Neighbours have been notified by letter across two separate consultations and site notice with 14 objections (9 being the same template objection) being received at the time of writing this report.

- 5.2 The reasons for objection can be summarised as follows:

- Increased Traffic and associated highways issues.
- Severe pre existing highways issues.
- Creation of additional school places welcomed but area unsuitable.
- Lack of control of on street parking around the school.
- Parking provision within the site insufficient to meet increase in student numbers.
- Traffic backing up at the end of Howdon Road onto Briar Meads reducing visibility for pedestrians and cyclists.
- Does not take into account the needs of the adjacent retirement home or older residents of surrounding streets.
- Impact on local air quality.
- Result in overcrowding of the school.
- Council should consider building a new school as part of the Local Plan Spatial Strategy as a more strategic approach.
- Impact on quality of life for residents.
- Access for emergency vehicles, bin lorries and trade vans around the school at peak times.
- Does not align with net zero targets.
- Potential access from land to the south of Sutton Close would result in further traffic issues.

- School Travel Plan is inadequate and does not incorporate sufficient baseline statistics or the need for parents to take children to school by car and is vague on mitigation measures and targets.
- Overlooking from two storey building.
- Light spill from any flood lights.
- Impact of construction on neighbouring amenity.
- Proposals would see the loss of some area of playground and open space.
- Drop off area might reduce congestion but could also encourage more parents to travel by car.
- Application does not demonstrate a clear understanding of local transport policies, cycling strategies, or air quality plans.

6. Planning Policy Relevant to the Proposal

National Planning Policy Framework

- 6.1 The National Planning Policy Framework (NPPF) establishes the key principles for proactively delivering sustainable development through the development plan system and the determination of planning applications. It sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 6.2 Paragraph 2 of the NPPF states that '*Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise*'.
- 6.3 Paragraph 8 states that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). These objectives are:
- An economic objective
 - A social objective
 - An environmental objective
- 6.4 Paragraph 11 states that '*Plans and decisions should apply a presumption in favour of sustainable development...For decision-taking this means: c) approving development proposals that accord with an up-to-date development plan without delay*'.

Oadby & Wigston Local Plan

- Local Plan Policy 1 - Presumption in Favour of Sustainable Development
- Local Plan Policy 4 – Creating a Skilled Workforce
- Local Plan Policy 5 – Improving Health and Wellbeing
- Local Plan Policy 6 - High Quality Design and Materials
- Local Plan Policy 7 – Community Facilities
- Local Plan Policy 9 – Open Space, Sport and Recreation Facilities.
- Local Plan Policy 26 – Sustainable Transport and Initiatives
- Local Plan Policy 34 – Car Parking
- Local Plan Policy 37 – Biodiversity and Geodiversity
- Local Plan Policy 38 – Climate Change, Flood Risk and Renewable Low Carbon Energy
- Local Plan Policy 39 – Sustainable Drainage and Surface Water
- Local Plan Policy 44 – Landscape and Character

Supplementary Planning Document/Other Guidance

- Landscape Character Assessment (2018)
- Leicestershire Highways Design Guide (latest version)
- Residential Development Supplementary Planning Document (2019)
- Oadby & Wigston BC's Playing Pitch and Outdoor Sport Strategy (2024)

7. Planning Considerations

- 7.1 Planning applications must be determined in accordance with the provisions of the Development Plan unless there are material considerations which indicate otherwise and whether those material considerations are of such weight that the adopted policies of the Development Plan should not prevail in relation to any proposal.

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

- Principle of Development
- Impact of the Proposal on the Street Scene and Local Surroundings
- Impact of the Proposal on Neighbouring Properties
- Impact of the Proposal on the Local Highway Network
- Trees, Landscaping and Ecology
- Other Matters

Principle of Development

- 7.2 This section of the report is primarily concerned with identifying those policy areas or factors that provide demonstrable benefit weighing in favour of the development or where the proposals would be otherwise contrary to the development plan. In this it is noted that given the existing use of the site as a school the principle of the use of the site is established though the intensification of the use of the site still needs to be considered in line with relevant policies of the Oadby & Wigston Local Plan.
- 7.3 Policy 4 in respect of creating a skilled workforce outlines that "existing educational facilities (amongst other facilities) will be protected from potential loss through the Community Facilities Policy of this Local Plan and in principle support will be given to proposals that will result in improved educational facilities, including proposals to expand existing educational facilities or create new educational facilities". Consideration of this policy is intended to be considered in conjunction with policy 7 Community Facilities though it should be done so on the basis that provision of education facilities would be generally supported where appropriate.
- 7.4 Policy 5 broadly relates to improving the general health and wellbeing of residents of the borough including application relating to "existing services and facilities, specifically services and facilities relating to health, social wellbeing, culture and recreation". The provision of the amended altered playing field for public use as well as improved physical education facilities contributes positively to the aims of the policy.
- 7.5 Policy 7 promotes the provision, enhancement and retention of community facilities which are defined as facilities "occupied or used primarily by the voluntary and community sector" including "purpose-built structures such as community halls and village halls, places of worship, health centres, schools and cultural facilities such as museums, libraries, theatres, post offices and public houses". The policy further outlines that "development proposals must support and enhance community services and facilities where appropriate". The National Planning Policy Framework outlines that proposal must "ensure that established

community facilities are able to develop and modernise in a way that is sustainable, and be retained for the benefit of the community”.

- 7.6 The policy establishes that provision or enhancement of community facilities would be supported under the development plan in principle subject to meeting the below criteria:
- “- there is good access by pedestrian routes, cycle routes and public transport;
 - they encourage co-location of community uses;
 - sufficient car parking is already available or can be provided to meet the needs of the development;
 - residential amenity can be protected from any detrimental impact in terms of noise, traffic and hours of use; and
 - the external appearance of the building can provide a sense of place and can positively reflect the character and appearance of its surroundings.”
- 7.7 Issues around highways, amenity and design are covered later in the report though are viewed as material consideration in their own right. Essentially the provision of additional facilities to support the function of the existing Brocks Hill Primary School is supported in principle under policy 7. In order to meet the demands of the Borough’s growth the authority in conjunction with relevant departments within Leicestershire County Council and other relevant bodies must consider provision of supporting services to meet the needs of a growing population including provision of sufficient school places.
- 7.8 It was suggested in objections received on the application that the Council’s spatial strategy should be allocating land for provision of a new school as part of the development plan rather than extending school buildings. In the first instance the provision of school places is the responsibility of the County Council and falls outside of the remit of the development plan. Essentially the role of the local planning authority is to consider whether the provision of new school facilities is appropriate as with other types of application received by the authority.
- 7.9 It is noted that on advice from the Leicestershire County Council School Organisation Service who are involved with the planning and funding for school places in Oadby that the need for an additional 210 school places in the Brocks Hill catchment area is in part made up of 105 pupils from the Cottage Farm development.
- 7.10 The provision of additional school places is supported by the County Council and can be considered to be supported under policy 7 in principle subject to there being no overriding material consideration contrary to the outlined criteria.
- 7.11 The development of the two storey teaching block would remove part of the existing play area and open space to the rear of the main building which is to be replaced. Alterations would be made to the playing fields to form a 9v9 football pitch which would be made available for public use through a Community Use Agreement. Policy 9 of the Oadby & Wigston Local Plan seeks to protect existing open space, sports and recreational buildings and land, including playing fields unless:
- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements;
 - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; and

- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

- 7.12 Furthermore the Council's Playing Pitch and Outdoor Sport Strategy (2024) identifies an aim to protect the playing field at Brocks Hill Primary School. Whilst it is noted in the report that the playing field is not open to the public at present however it is identified as being suitable for public use in future.
- 7.13 In assessing the impact of the loss of the existing playing fields and play ground the advice of Sport England have been sought to ensure the proposed replacement would be sufficient to comply with the requirements of policy 9, Playing Pitch and Outdoor Sport Strategy (2024), Sport England Playing Field Strategy and paragraph 104 of the NPPF.
- 7.14 The comments received from Sport England confirmed that the proposed alterations to the playground and playing fields were considered to be acceptable subject to protective fencing for the playground and playing fields to ensure development and storage of materials is not undertaken on these sites and provision of a Community Use Agreement to allow for use of the playing fields by the public. Furthermore the comments provided confirmed the proposed internal hall including lighting and internal surfaces would meet Sport England's guidance for a sports hall and provide a betterment to the available facilities for physical education at the school. It was identified that the length of the hall would fall short of the required run-offs required for a badminton court by 0.8 metres and so a risk assessment would be required prior to use however this would fall outside of the remit of the planning process.
- 7.15 The provision of a Community Use Agreement for the playing field, which would need to be agreed with the Council among other parties, would cover among other factors hours of operation. Use of the playing field by the public would be naturally restricted by daylight hours as well as the operations of the school during term time. The proposal does not include provision of floodlights for which separate planning permission would be required. As such it is considered a hours of operation condition for use of the playing fields by the public is not necessary as part of the application as it would in the first instance be controlled under the associated Community Use Agreement for which a condition would already be imposed and further control could be imposed should external lighting be proposed subsequently.
- 7.16 The proposed alterations to the playground and playing fields are considered to be acceptable in principle with the provision of a 9v9 playing field to the public in line Playing Pitch and Outdoor Sport Strategy (2024) offering a benefit to the public. As such the proposal is considered to meet the requirements of policy 9.
- 7.17 Policy 38 encourages developments to incorporate "innovative ideas to be more sustainable" including "integrating renewable energy solutions into the development". Specific requirements of the policy in respect of renewable energy and sustainability relate to larger schemes than the proposal however the provision of solar panels to the roof of the teaching block would be supported under the policy.
- 7.18 In assessment of the above and subject to there being no material consideration to the contrary it is considered that the principle of development is considered to be acceptable and in accordance with the development plan with there being some associated public benefit weighing in favour of the proposal.

Impact of the Proposal on the Street Scene and Local Surroundings

- 7.19 Policy 6 of the Local Plan states regarding all new development: *'The Council will require the highest standards of inclusive design and use of the highest quality materials for all new development in the Borough. Proposals for new development must create a distinctive*

environment by respecting the existing local and historic character.' This is further highlighted in the policies supporting text as follows:

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

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

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

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

7.21 The proposed teaching block comprises a flat roof two-storey building to be erected in brickwork with vertical timber cladding on part of the first floor elevation. The flat roof appears to form a partial parapet wall screening views of solar panels and rooflights.

7.22 The existing school buildings are single-storey and provision of a two-storey building to the rear is considered to form a highly visible and incongruous feature when viewed from within the site. Despite this the appearance of the development is mitigated when viewed from public vantage points on Howdon Road by the distance from public vantage points at the accesses to the development site and soft landscaping of the scrubland to the north of the site.

7.23 Additionally the neighbouring Gartree High School is formed of multiple two storey buildings including a two-storey building set on the east boundary of the site close to the detached teaching block as shown in the image below.



7.24 In this context the presence of a flat roof two storey building would not appear out of place when viewed on the street scene and whilst not in keeping with the existing pattern of development of Brocks Hill Primary School it is not considered to detract from the character of the street scene as a whole. Furthermore the proposed parapet would largely screen the associated rooflights and solar panels proposed with the application.

- 7.25 The proposed materials of the two storey building similarly do not match the existing school buildings of Brocks Hill Primary School with use of vertical timber cladding and buff brickwork contrasting the primarily glazed fascias of the existing school building. Despite this the appearance of the existing school buildings is not considered to represent a high degree of design that would merit replication. As such the more contemporary design of the proposed two storey building is not considered to represent harm to the overall appearance of the site by virtue of the alternate materials proposed.
- 7.26 Details on the proposed secure fencing and gates within the site are sparse beyond the siting on the layout plan however given the utilitarian appearance of the existing boundary fencing it is considered unlikely that this feature would be out of character. Details of the gates and fencing should be ensured by condition prior to installation to exercise control on the overall appearance and height.
- 7.27 The alterations to the playing fields to the south of the main school block, parking layout and access alterations are considered to represent minor alterations to the appearance of the site much so which would not be discernible from public vantage points.
- 7.28 As such the proposals are considered to comply with the requirements of Policies 6 and 44 of the Oadby & Wigston Local Plan subject to condition to restrict materials to those proposed on the application.

Impact of the Proposal on Neighbouring Properties

- 7.29 The Council's Residential Development Supplementary Planning Document seeks to ensure that new development is designed so that it does not unacceptably affect the amenities enjoyed by the occupiers of neighbouring dwellings, particularly through loss of daylight or privacy.
- 7.30 The proposed two storey building is set to the east boundary away from the residential dwellings on Briar Meads and Sutton Close so would not result in a direct impact from overbearing or loss of light.
- 7.31 Though there would be some windows and a first floor terrace facing these dwellings the proposal is set at a significant distance away so it could not be substantiated that there would be a resulting impact on the privacy of these dwellings. It is further noted that the west boundary to the dwelling on Briar Meads and Sutton Close is marked by a mature tree line that is proposed to be retained and offers mitigation from the proposed development to nearby dwellings.
- 7.32 The teaching block is set in close proximity to a two-storey building within the boundary of Gartree High School which is understood to accommodate a sports hall. Given the use of this building including limited windows and oblique angle at which the proposal is set to this building it is not considered that there would be significant amenity issues arising in respect of the proximity to the Gartree High School site. Similarly, whilst there would be some east facing windows from the proposal these would look out over the playing fields of Gartree High School which given the use of both sites for education is not considered to constitute an unacceptable relationship.
- 7.33 An objection on the application raised concerns with regard to external lighting, particularly floodlighting, impacting neighbouring amenity. No floodlighting is proposed as part of the application which would require separate planning permission. Some lighting may be required in connection with the outside of the building or associated paths however as has been suggested by County Ecology final details can be secured by condition. Subject to an appropriate level of luminance being secured it is not considered that lighting associated with the proposals would result in undue harm to neighbouring amenity.

Impact of the Proposal on the Local Highway Network

- 7.34 Policy 26 of the Local Plan requires proposals “be located and designed to; reduce the need to travel by the private motor vehicle; enhance the safety of pedestrians and other road users; encourage the use of cycling as a sustainable mode of transport; and, improve accessibility for residents, particularly in locations where there is poor transport choice and availability”. The policy further sets out that “where new development is of a significant scale or type, a transport assessment and / or a travel plan, will be required”.
- 7.35 Policy 34 of the Local Plan seeks to ensure that there is adequate provision of car parking spaces and facilities across the Borough. It further sets out that parking provision should accord with Leicestershire Highways Design Guide (or equivalent) though does make allowance that “flexibility could be factored into the standards in relation to the specific local circumstances”.
- 7.36 Further to this Paragraph 115 of the NPPF states *‘development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.’*
- 7.37 As highlighted in the objections to the proposal there are existing issues on the local highway network relating to peak drop off times for the 3 schools. It should be noted that it is not within the purview of this application to resolve the existing highways issues associated with all 3 schools. Rather the proposals would need to demonstrate that the associated intensification of the site would not represent undue harm in excess of the existing highways issues in the local area.
- 7.38 To assess the associated highways impact resulting from the proposal the advice to County Highways has been sought. Following initial advice, the application has been supported by the submission of a Transport Assessment including a Stage One Road Safety Audit and revised School Travel Plan.
- 7.39 The full comments of County Highways are available in the consultation response section of the report however to summarize, the baseline data provided is accepted by County Highways who have advised “the impacts of the development on highway safety would not be unacceptable”. Subject to conditions and contributions outlined in the response they are not opposed to the proposed development.
- 7.40 As outlined in the development description a number of internal alterations to the site are proposed to facilitate the intensification of the site which in conjunction with the findings of the Stage One Road Safety Audit has seen some further alterations to the internal layout of the site.
- 7.41 In assessing the existing site it is observed that the narrow access road in conjunction with an absence of dedicated turning facilities and drop off point exacerbates the existing highways issues in the area as it becomes prohibitive for vehicle users to enter the site. It is therefore identified that there is a need for improvements to the site to facilitate the flow of vehicles within the site.
- 7.42 The proposals would see the provision of an additional 14 cycle spaces (bringing the total to 30), 9 additional car parking spaces (bringing the total to 46) 1 additional accessibility space (bringing the total to 2). Whilst there would be some availability for these spaces to be available in connection with drop off and collection times outside of solely accommodating staff parking this is not in isolation considered to address the increased needs resulting from additional students on site. All spaces provided accord with Leicestershire Highways design Guidance for space standards.

- 7.43 The primary betterment as it relates to peak times is the improvements to accessibility of the site in the form of widening of the site access & internal access road, provision of formal turning facilities in the form of a roundabout and a dedicated drop off point. In isolation given the existing layout largely discourages entry into the site for the purposes of drop off and collection given its tight confines and lack of dedicated turning and drop off facilities these proposals represent significant betterment to the existing site promoting free movement of vehicles within the site. It is difficult to quantify how many additional trips these changes would accommodate though it is asserted that it would be sufficient to accommodate the estimated 54 extra car trips each way without exacerbating existing highways issues.
- 7.44 Other improvements include the appointment of a travel coordinator to monitor & report on issues and engage with parents & stakeholders, management of drop off bays & internal flow of traffic by staff posted at the pedestrian access gates and a programme of remedial measures outlined in the School Travel Plan to address identified issues going forward. It is also acknowledged that the site is in a sustainable location with a bus stop located at the site access.
- 7.45 In view of the internal improvements County Highways advised it was considered "the access proposals adequate for the scale of the proposals in these site-specific circumstances" though did make a contribution request for six-month bus passes for new employees to promote sustainable travel.
- 7.46 In terms of impact on the wider highway network trip generation modelling and junction capacity assessments have been undertaken incorporating the proposed increase in students up to 2030. This incorporated assessment of the Ash Tree Road/Coombe Rise and Howdon Road/Brocks Hill Primary School Access junctions. Further adjustments were made to data collected on site to provide a 'worse-case scenario' and a more robust assessment.
- 7.47 It was assessed using Ratio of Flow to Capacity as a statistical measure that the junctions would operate within capacity which was accepted by highways.
- 7.48 In respect of the submitted construction management plan it was confirmed that the plan had "satisfactorily identified and mitigated all matters relating to the highway" though compliance with the submitted details particularly the times of delivery and waste collection to not coincide with peak times would need to be ensured by condition.
- 7.49 In the absence of an objection from County Highways as the relevant statutory consultee it is considered that refusal of the application on highways grounds could not be substantiated. Whilst the proposed improvements to vehicular access for the site would not address the existing issues observed on the local highway network they would represent significant betterment in terms of accessibility and flow of traffic into the site to off set the intensification of the use of the site resulting from the proposal.

Trees, Landscaping and Ecology

- 7.50 Policy 36 states that the authority will "support development proposals that proactively seek a net gain" and "conserve, protect and enhance biodiversity and geodiversity". The policy further sets out that the authority would look to "explore opportunities to restore, enhance, create or connect with established natural habitats as an integral feature of the proposed scheme".
- 7.51 Policy 44 of the Local Plan relating to Landscape and Character states that 'all development proposals with 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'. The

policy goes on to state that 'development proposals will only be permitted where it is in keeping with the area in which it is situated.'

- 7.52 Development of the site is largely restricted to an area of open grass and existing hardstanding such as the playground considered to be of little ecological value though some trees would be removed. In support of the application the proposals are accompanied by a Preliminary Ecological Appraisal, Biodiversity Net Gain Assessment including the associated metric, an Arboricultural Impact Assessment & Method Statement and a Landscaping Plan.
- 7.53 In considering the submitted Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment the advice of County Ecology has been sought for which full final comments are provided in the consultee section of the report. It was advised by Ecology that they agreed with the findings of the Preliminary Ecological Appraisal and that Biodiversity Net Gain Assessment was achievable as proposed.
- 7.54 The findings of the Preliminary Ecological Appraisal did not identify any ecological constraints which would restrict the development beyond remedial measures during the construction phase though did identify some opportunities for ecological enhancement which can be secured through condition.
- 7.55 The proposed works would primarily impact low value grass habitat units which can be compensated for within the Brocks Hill Primary School site to provide 11.24% net gain in habitat units. The land required to achieve Biodiversity Net Gain falls outside of the red line area of the development site though would still fall within the blue line area of the wider Brocks Hill Primary School Site. As such provision of BNG is to be secured through a section 106 agreement which is currently being worked on with the applicant.
- 7.56 The submitted Arboricultural Impact Assessment identified 4 trees to be removed (T4 Plum, T5 Hawthorn, T6 Whitebeam & T10 Willow) though these trees fall within categories C & U and are not considered to represent high value specimens. The remaining proposed works to the tree scape are for crown reduction to some trees on the grounds of which is considered to represent reasonable maintenance. Proposed protection measures for retained trees during the proposed works including the erection of protective fencing in line with the provided protection plan is considered to be appropriate.
- 7.57 To offset the loss of trees recommended in the Arboricultural Impact Assessment and contribute to improved amenity and meeting the Biodiversity Net Gain Requirements the application is accompanied by a landscaping scheme. The general layout would see the planting of additional tree along site boundaries and is considered to be acceptable in principle though final details of species would need to be provided though this can be ensured by condition.
- 7.58 The proposed works are not considered to unduly harm the overall ecological value or landscape character of the site to the extent that they would be contrary to policies 36 or 44 of the Oadby & Wigston Local Plan. Furthermore it is agreed that provision of 10% Biodiversity Net Gain can be achieved on the site hence it is considered that subject to conditions and section 106 agreement in respect of securing BNG the application is considered to be acceptable in ecological and landscape terms.

Other Matters

- 7.59 In comment from the Local Lead Flood Authority it was confirmed that the site is in Flood Zone 1 being at low risk of fluvial flooding and a low to medium risk of surface water flooding. It was requested that further information be provided to assess the proposals including a supporting surface water strategy though further comments have not been received.

- 7.60 Despite this it is considered that it has been demonstrated there are no further flood risk sources that would result in or exacerbated drainage on site and given the initial advice of the LLFA it is reasonable to conclude that sufficient surface water drainage could be achieved on site with full details secured by condition.

8. Conclusion

- 8.1 In summary, the provision of a new school block to accommodate up to 210 additional students would meet a growing need for school places in the local catchment area and is supported in principle by the development plan. Whilst there are existing highways issues related to peak times for the schools in the local area consideration of the application must be on the basis of the proposed development not exacerbating this existing issue to an unacceptable degree as it is not within the purview of this application to address these issues which at least in part relate to surrounding site in addition to the development site. The proposed alterations to the site frontage to facilitate greater ease of movement into and within the site would alleviate some of these issues where it would facilitate drop off within the site rather than parking up in the surrounding area. The findings of the Transport Assessment and associated documentation as well as the improvements to vehicular mobility and parking within the site have been accepted by County Highways and in the absence of any other substantive reason to resist the proposed development it is recommended for approval subject to the below conditions and satisfactory completion of a S.106 Agreement.

9. Recommendation, Proposed Conditions and Informatives

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

9.1.1 Recommended Conditions

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

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

2. 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:

Location Plan - Planning Portal Reference: PP-13367590v1 (received 30.10.2024)

Proposed Site Plan - 23409-04-S2E-00-D-A-03-XX Rev P08 (received 24.09.2025)

Proposed Ground Floor Plan - 23409-S2E-04-00-D-A-02-10 Rev P07 (received 16.12.2024)

Proposed First Floor Plan - 23409-S2E-04-00-D-A-02-11 Rev P07 (received 16.12.2024)

Proposed Elevations - 23409-S2E-04-00-D-A-03-ZZ Rev P06 (received 16.12.2024)

Proposed Roof Plan - 23409-S2E-04-00-D-A-02-12 Rev P06 (received 30.10.2024)

Site Access - General Arrangement - 24366-GMB-XX-XX-DR-C-0100 Rev P02 (received 04.09.2025)

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

3. All external materials used in the development hereby approved shall be in accordance with the details outlined on the application form unless otherwise first agreed in writing with the Local Planning Authority.

Reason: To safeguard the character and appearance of the building and its surroundings and in accordance with the aims and objectives of the National Planning Policy Framework, Policies 6 and 44 of the Oadby and Wigston Local Plan.

4. Prior to their first installation details of the fencing and entrance gates shall be submitted to and 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, Policies 6 and 44 of the Oadby and Wigston Local Plan.

5. Prior to the commencement of any development on the site, a construction fence shall be erected along the southern boundary of the proposed building and playground extension as shown on approved plan Proposed Site Plan - 23409-04-S2E-D-A-03-XX Rev P08 (received 24.09.2025). This construction fence line (limit of works) shall remain in place throughout the duration of the construction activity and no works/storage shall take place on the playing field area which lies outside of this fence.

Reason: To ensure that the retained playing field at the site is protected during construction of the approved development in accordance with the requirements of the NPPF (2024).

6. Prior to any works commencing on the sub-base of the development hereby approved a community use agreement prepared in consultation with Sport England shall be submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement shall be provided to the Local Planning Authority. The agreement shall apply to the community use of the retained playing field land. The agreement shall include details of pricing policy, hours of use, access by community users to the land, ancillary facilities and car parking, management responsibilities and a mechanism for review. The development shall be used in compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facilities, to ensure sufficient benefit to the development of sport and to accord with the requirements of the NPPF.

7. All mitigation measures and/or works during the construction phase shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech, April 2024).

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

8. Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Preliminary Ecological Appraisal and Preliminary Roost Assessment Arbtech, (April 2024), shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the enhancement measures; and
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

Reason: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended).

9. Prior to occupation, a "lighting design strategy for biodiversity" in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

- b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

10. A Habitat Management and Monitoring Plan (HMMP) for significant on-site enhancements, prepared in accordance with the approved Biodiversity Gain Plan, shall be submitted to, and approved in writing by the local authority, prior to commencement of development, including:

- a) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- b) the planned habitat creation and enhancement works to create or improve habitat to achieve the on-site significant enhancements in accordance with the approved Biodiversity Gain Plan;
- c) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;
- d) the monitoring methodology in respect of the created or enhanced habitat to be submitted to the local planning authority; and
- e) details of the content of monitoring reports to be submitted to the LPA including details of adaptive management which will be undertaken to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.

Notice in writing shall be given to the Council when the:

- initial enhancements, as set in the HMMP, have been implemented; and

- habitat creation and enhancement works, as set out in the HMMP, have been completed after 30 years.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Unless otherwise agreed in writing, monitoring reports shall be submitted in years 1, 2, 5, 10, 15, 20, 25, and 30 to the Council, in accordance with the methodology specified in the approved HMMP.

Reason: To satisfy the requirement of Schedule 7A, Part 1, section 9(3) of the Town and Country Planning Act 1990 that significant on-site habitat is delivered, managed, and monitored for a period of at least 30 years from completion of development.

11. No part of the development hereby permitted shall be brought into use until such time as the access arrangements shown on approved plan Site Access - General Arrangement - 24366-GMB-XX-XX-DR-C-0100 Rev P02 (received 04.09.2025) have been implemented in full.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2024).

12. The development hereby permitted shall not be brought into use until such time as the parking and turning facilities have been implemented in accordance with approved plan Proposed Site Plan - 23409-04-S2E-D-A-03-XX Rev P08 (received 24.09.2025). Thereafter the onsite parking and turning provision shall be kept available for such use(s) 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 (2024).

13. The development hereby permitted shall not be brought into use until such time as secure cycle parking shall be provided in accordance with details first submitted to and agreed in writing by the Local Planning Authority. Thereafter the onsite cycle parking provision shall be kept available for such use in perpetuity.

Reason: To promote travel by sustainable modes in accordance with the National Planning Policy Framework (2024).

14. The Applicant will comply with the details as set out within the Construction Management Plan dated 5 March 2025. 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 development approved by this planning permission 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. The development must be carried out in accordance with these approved details and completed prior to first occupation.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.

16. Notwithstanding the solar panels illustrated on the approved plans, no external plant or machinery (including air conditioning units, air source heat pumps or flues) shall be installed on the two-storey teaching block hereby approved without details (including noise and/or odour impact assessments when applicable) first being submitted to and agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of occupants and neighbouring sites possible adverse impacts from any external plant and machinery in accordance with Policy 6 of the Oadby and Wigston Local Plan (2019).

17. The works permitted shall be carried out in accordance with the recommendations and safety measures outlined within the Arboricultural Impact Assessment, Arboricultural Method Statement & Associated Tree Plans prepared by AA Tree Surgeons Arboricultural Consultancy – Ref 240827 Brocks Hill (received 20.12.2024) including provision of protective fencing in accordance with Appendix 2 Tree Survey and Protection Plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that all trees, shrubs and hedges to be retained are adequately protected during the construction of the development.

18. Prior to commencement of the development hereby permitted details of hard and soft landscaping including species, numbers and locations of tree planting, areas of turfing or modified grassland and materials for hardstood or laid surfaces shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure suitable landscaping is provided to enhance the development and in accordance with the aims and objectives of the National Planning Policy Framework and Policy 44 of the Oadby and Wigston Local Plan.

19. All planting, seeding or turfing comprised in the approved details of landscaping under condition 18 of this permission shall be carried out in the first planting and seeding season following the first occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants including those to be retained as part of the proposal 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 otherwise first agreed in writing with the Local Planning Authority.

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 and Policy 44 of the Oadby and Wigston Local Plan.

9.1.2 Proposed Informatives

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

2. If the proposal involves the carrying out of building work along or close to the boundary, you are advised that under the Party Wall Etc. Act 1996 you have a duty to give notice to the adjoining owner of your intentions before commencing this work.
3. For the avoidance of doubt this permission does not authorise any development outside the application site including any foundation, footings, fascias, eaves, soffits, verges or guttering.
4. You are advised that any amendments to the approved plans will require either a Non-Material amendment application, a Minor Material Amendment application or a new planning application. If this is the case then you should allow at least 8 weeks before the intended start date to gain approval for such amendments. Further advice can be obtained by contacting the Planning Section of the Council on any amendments (internal or external).
5. In dealing with the application, through ongoing negotiation the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application and this has resulted in the approval of the application. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.
6. More information on Community Use Agreements including a model template is available on Sport England's website: <https://www.sportengland.org/how-we-can-help/facilities-andplanning/planning-for-sport/community-use-agreements>.
7. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be INSERT LPA.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

8. Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where

the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://www.leicestershirehighwaydesignguide.uk>

9. Appeals to the Secretary of State

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

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

Appeals can be made online at: <https://www.gov.uk/appeal-planning-decision>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

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

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

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

Purchase Notices

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

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