

## **Matter 2 Hearing Statement submission Steven Walters and Sally-Ann Walters, Policy SL02**

### **MIQ 39, 40, 42, 42a & 42b**

#### **Highways - Policy SL02, Site 702**

Note: All 5 strategic sites are clustered in NW Leicester. (see Leicester Local Plan Policies Map 2023). This one sided approach will inevitably lead to considerable increases in local traffic flows, particularly in the NW.

see extracts below:

Para 3.5.2 “There are also significant changes in traffic flow around the proposed Western Park Golf Course development site, where additional traffic to and from this area puts pressure on the roundabout on Ratby Lane proposed to provide access to the west of this development.”

Para 3.5.5 “...the impact of the Western Park Golf Course development is also prominent...”

(see Doc ref EB/TR/1a PRTMv2)

“Development of the site will require natural resources and generate significant amount of new vehicle movements” (see Doc ref SD/4e SA Appendix D p5 para 8)

Para 3.6.2 “In the AM Peak, the largest increase in delay associated with the Local Plan development can be seen at the Ratby Lane roundabout...”

(see Doc ref EB/TR/1a PRTMv2)

Para 3.6.4 “In the PM peak, the largest increases in delay can again be seen to the West of the Western Park Golf Course development.”

(see Doc ref EB/TR/1a PRTMv2)

“Subject to...Comprehensive highways access for this and adjoining land in Blaby”

(see Doc ref SD/18 Strategic Sites page 5)

“Area 2: Northwest Leicester (Leicester City) and Area 3 (development sites within the City) In the current plan period the north, west and centre of Leicester are the focus of planned development and the delivery of transport infrastructure to support sustainable travel. At peak times and during the day the city is already congested and it is recognised that it is not possible, or desirable, to build capacity in this urban environment to support greater volumes of traffic. Therefore, to support the City Council’s sustainable travel policies and the emerging Climate Emergency Action Plan, the Council’s strategy is to seek to limit traffic growth and increase the amount of travel using sustainable modes recognising that this will complement national government

plans for the decarbonisation of vehicles through the banning of the sale of new fossil-fuel powered cars and vans by 2030.

Consequently, the City Council is not actively looking at major strategic interventions to increase the capacity of the highways network, but to ensure that there are attractive alternatives that do not involve the use of a car.” (see doc ref EB/TR/2 page 6 & 7)

“Public transport for NW Leicester: Generally the development sites in North West Leicester are far from the city centre and existing services, and located near the M1 and A46. Without very good public transport, these new sites are likely to be car dependent. Studies are still being carried out about public transport requirements for these sites, and how this can best be funded and delivered.” (see Doc Ref SD/4 Sustainability Appraisal of the Reg.19 Leicester Local Plan September 2022 page 10 & 85)

“The main negative long term impacts... in the North West Leicester area at least, increased traffic.” (see Doc Ref SD/4 Sustainability Appraisal Reg 19 Local Plan page 84)

“Negative indirect impacts include... and traffic generated by the new homes.” (see Sustainability Appraisal Reg 19 Local Plan page 83)  
Employment areas and waste sites will also generate additional traffic.

“The plan will have two key cumulative impacts... change the area from greenfield and Green Wedge to a large new community... it will also generate significant quantities of additional jobs and traffic.” (see Sustainability Appraisal Reg 19 Local Plan page 83)\*  
\*Only strategic sites 2 & 3 are mentioned in causing the impacts but all five strategic sites will cumulatively have an impact.

### **Proposed highways access for site 702**

The site is very restricted regarding highways access.

Current plans include an enlargement of the Ratby roundabout on Ratby Lane as the main site access.

“There is plenty of development and highway land available to increase the size of the Ratby Lane roundabout which provides the main access to the Western Park site, and hence its capacity, should this ultimately be considered preferable. This would help limit the impact of the development at this junction, together with others nearby which could be affected by re-routing traffic.” (see doc ref EB/TR/2 para 6.1.3).

Further access points may be added on to Scudamore Road.

**Note:** the potential secondary access from Ryder Road mentioned on the FOI, also feeds on to Scudamore Road. (see Doc Local Plan p297 and Doc FOIA 28467). The FOIA was submitted to clarify para 2.4.5 which states that site access points were provided by Leicester City Council to facilitate highways modelling. (see Doc ref EB/TR/1a PRTMv2)

Scudamore Road is already a busy road feeding onto an industrial estate and residential area. See Department of Transport survey carried out on 6th September 2019. A total of 4,034 PCU's were recorded between 7am and 7pm. I would expect a higher count if the survey was repeated.

(see Doc Traffic Levels 1 & 2 attached)

**SL02 Predicted site generated traffic**

AM Peak Hour 920 PCU's

PM Peak Hour 841 PCU's

A total of 1,761 PCU's over the two peak hours.

(see Doc Ref EB/TR/1a PRTM page 10)

**Additional site traffic not included in predicted PCU levels stated on Doc Ref EB/TR/1a PRTM page 10)**

The predicted golf course PCU levels stated in Doc Ref EB/TR/1a did not include traffic generated by the Household Waste Recycling Centre, as the report is dated 2021 and the HWRC wasn't added to the Local Plan until 2022.

Proposed Household Waste Recycling Centre – vehicle visits for new site, based on figures stated in 2016 for Leicester's two current HWRC's are:

2015/2016

Gypsum Close 132,234

Freeman's Common 76,401

Therefore, assuming an average of 104,317/year visits for the proposed site, equates to an average of 288/day visits based on the same number of opening days per year. (see Doc Leicester Waste Shts 1 & 2 attached)

**Note:** Site 525 Fulford Road Open Space – 58 dwellings, this will also feed on to Scudamore Road.

The main entrance via the Ratby roundabout will also come under additional traffic pressure from the adjacent sites just over the City boundary, listed in the Blaby Local Plan (see Blaby Local Plan Appendix 3 District wide maps of assessed sites).

Progression of the Blaby sites will have a further direct impact on traffic flows at the Blaby roundabout and surrounding road network. An example of a cross-boundary issue that I believe should be considered, can be seen on Blaby Local Plan Evidence Document Site Allocation Options para 5.2.10 page 19.

Regulation 19 comments by Leicestershire County Council

Para 10 "It is considered however, that the Plan could be strengthened in recognising the importance of:

a) effective transport connectivity and accessibility to the City for residents of Leicestershire.

**b) cumulative and cross-boundary transport impacts of growth."**

Para 12 "If certain matters are unaddressed there could be potential implications for the deliverability, and the soundness, of the Plan, should issues in respect of dealing with cumulative and/or cross boundary impacts ultimately come to delay or even fetter delivery of the proposed site allocations at the planning application stage."

See para's 15, 16 I,ii, iii, 20, 21, 22, 25 & 35 which provide further details of Leicestershire County Councils concerns.

(see Leicestershire County Council Regulation 19 representation)

The Local Plan's mitigation for the documented considerable traffic increases, particularly in the NW, sector and focussed on the former Western Park Golf Course, appear to be reliant on "good public transport" and "possibly car free housing" and seems oblivious to the level of infrastructure required for the amount of growth associated with the strategic and non-strategic sites.

There are numerous 'red flags' raised in the evidence base documents and the County Council Regulation 19 representation, warning of the implications of progressing the Regulation 19 Local Plan without appropriate cross-boundary highways studies.

Furthermore, in the Local Plan para 4.26, there is no resolution of issues, only a reference to a future Masterplan at the planning phase. Surely, it is essential these issues are thoroughly investigated at the Local Plan phase for it to be considered 'sound'?

# TRAFFIC LEVEL DETAILS - BY VEHICLE

## Scudamore Road, Kirby Frith, Leicester, LE3 1TZ



### Doc Traffic Levels p1 of 2



#### Introduction



Below are detailed traffic level statistics recorded at **Scudamore Road, Kirby Frith, Leicester, LE3 1TZ** by the Department of Transport.

Each count records pedal cycles, motor cycles, cars and taxis, buses and coaches, vans and other light good vehicles together with heavy good vehicles and lorries and counts are carried out between 7am and 7pm on weekdays during March and October.





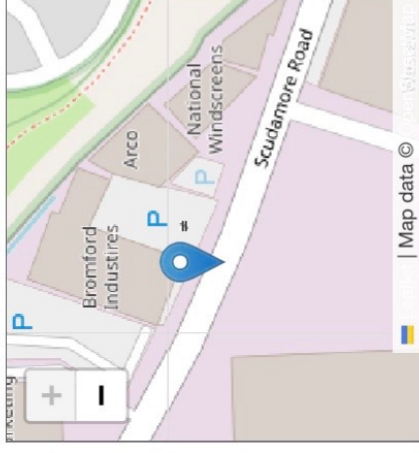
Enter a postcode...

# Doc Traffic Levels p2 of 2

## Traffic Counts Location Details

<b>1</b>	<b>Fri 6 Sep 2019</b>	<b>+</b>
	Pedal Cycles	87
	Motor Cycles	20
	Cars and Taxis	2,905
	Buses and Coaches	3
	Vans and LGVs	655
	HGVs	364
	<b>Totals</b>	<b>4,034</b>

## Count Location




**Latitude** 52.6345  
**Longitude** -1.20255

Telephone: 0116 454 1300  
Email: info.requests@leicester.gov.uk  
Website: [www.leicester.gov.uk](http://www.leicester.gov.uk)  
Our ref: FOIA 28467  
Date: 20 November 2023



**Steve Walters**  
[REDACTED]

**Doc FOIA 28467**

Dear Mr Walters

**Freedom of Information Act 2000/Environmental Information Regulations 2004  
re: Western Park Golf Course**

Your request for information has now been considered and the Council's response to your questions is shown below.

**You asked:**

**With reference to your Local Plan website:**

<https://www.leicester.gov.uk/content/leicester-local-plan-examination/leicester-local-plan-2020-2036-examination-contents/>

**Section: Evidence base and submission documents**

**Ref EB/TR/1a Pan Regional Transport Model v2 Leicester City Local Plan:  
Interim Forecasting Report (2022)**

**para 2.4.4 and 2.4.5 of the above document.**

**Re para 2.4.5, could you please supply me with all the access points that were indicated for Western Park Golf Course, zones 9046 & 9047.**

**Answer:**

The exact locations of the access for the Western Park Golf Course site will be subject to detailed master planning, but we currently consider that the two main access points will be from Ratby Lane and Scudamore Road, with potential for a possible secondary access point off Ryder Road.

**Also, please supply a copy of the highways access survey which was conducted in February 2023 on the former Western Park Golf Course.**

The Council is not aware of a highway access survey that was undertaken in February 2023 on the former Western Park Golf Course. This letter therefore acts as a refusal notice under Section 17(1) of the FOIA because, in accordance with

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**LEICESTER CITY COUNCIL**

Information Governance & Risk, Legal Services,  
4<sup>th</sup> Floor, City Hall, 115 Charles Street  
Leicester, LE1 1FZ  
[www.leicester.gov.uk](http://www.leicester.gov.uk)



Doc Leicester Waste Sht 1 of 2

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## **Consideration of Charging for DIY Waste at Household Waste Recycling Centres**

For consideration by:  
Neighbourhood Services and Community Involvement  
Scrutiny Commission

Date: 5<sup>th</sup> October 2016

Lead director: John Leach

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This document included as an indication of  
usage of the existing 2 waste recycling sites in  
Leicester



collection. These services are delivered through a 25 year PFI contract in partnership with Biffa Leicester, which commenced in 2003.

4.2 The Council currently operates two Household Waste Recycling Centres (HWRCs) which allow householders to dispose of household waste. The HWRCs are at Freeman’s Common and Gypsum Close. The HWRCs accept a wide range of materials from cardboard to furniture and garden waste to rubble.

**DIY waste** Doc Leicester Waste SHT 2 of 2  
**Current service and operations**

4.3 The Council has a duty to arrange “for places to be provided at which persons resident in its area may deposit their household waste and for the disposal of waste so deposited” under section 51 (1) (b) of the Environmental Protection Act 1990. Under this duty two HWRCs at Freeman’s Common and a new centre at Gypsum Close are provided for the disposal of a range of items including garden waste, domestic appliances, rubble and plasterboard.

4.4 HWRCs are for the deposit of Household Waste only. The exception to this is for small quantities of construction and demolition wastes (DIY waste) which are legally classified as Industrial Wastes, even if from a domestic property. These ‘exceptions’ were agreed with the Environment Agency. DIY waste consists of items such as hardcore, rubble, soil, concrete slabs, bathroom furniture, asbestos and plasterboard. These wastes have always been accepted at the HWRCs, however, such waste does not have to be accepted or a charge can be made for accepting such waste.

4.5 A permit system is operated to control the use of the centres and prevent abuse of the HWRCs by traders. Traders do not pay council tax and therefore do not contribute to the running costs of the HWRCs; use of the HWRCs gives traders an unfair competitive advantage over those legally disposing of their waste. Permit holders may only deposit their waste at Gypsum Close HWRC. Permits are only required by those customers using vans or trailers over 1.4m in length on the basis they are more likely to bring trade waste to the sites. The permit is limited to 15 visits per year.

4.6 The sites see considerable usage, as demonstrated in the table below:

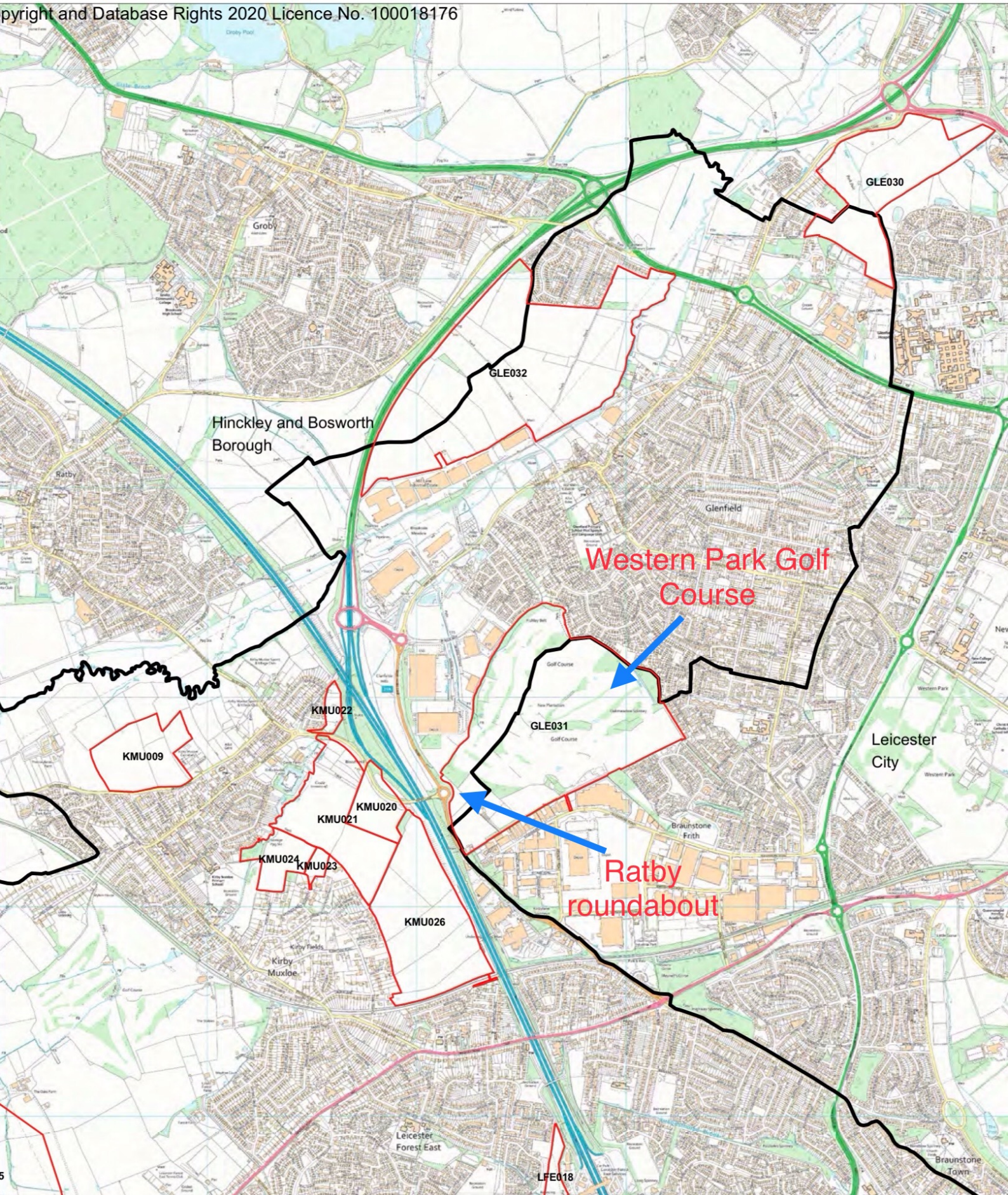
HWRC visitor numbers (2015/16)	
Gypsum Close	132,234 (actual)
Freeman’s Common	76,401 (based on annualised data due to breakdown of ANPR camera system)
Total	208,635

Proposed service change and context

4.7 Following a consultation on a variety of measures, Leicestershire County Council has implemented a chargeable system and Waste Management recommends mirroring their pricing structure, if a scheme was to be introduced. This would (if implemented) create a similar system throughout the City and County where some DIY waste is charged for. Leicestershire County Council are charging £3 per

# Blaby Local Plan Appendix 3 – District-wide Maps of Assessed Sites

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## Doc Blaby Site Allocations Options

see a reduction in traffic if it was assumed that the Lubbethorpe distributions were based upon those from the southern part of the Lubbethorpe development





- Leicester Lane/B4114 (-79 vehicles)
- A563/Penman Way (-48 vehicles)
- A563/B4114 (-84 vehicles)
- A563 (Pork Pie) (-16 vehicles)

5.2.9 In terms of mitigation to support development in Kirby Muxloe these results show that traffic increases associated with 500 dwellings in Kirby Muxloe might lead to the following being required:

- Measures to reduce or facilitate the movement of traffic though Kirby Muxloe including junctions and links associated with Kirby Lane, Station Road, High Street, Desford Road and Ratby Lane
- Improvement to A47 / Braunstone Lane / Ratby Lane junction
- Measures to facilitate movements along Ratby Lane between the A47 and Kirby Muxloe with the aim of encouraging traffic to use this route in preference to Kirby Lane
- Improvements to junctions on the A46. The junction with Ratby Lane has recently been improved in order to provide access to the Optimus Point and Glenfield developments. However, when designing these improvements, the scheme would not have considered the impact of development on the A47 or Kirby Muxloe.

5.2.10 In addition, the development at Kirby Muxloe would need to consider the potential impact of traffic routing through Kirby Road and Station Road in Glenfield to the A50, and orbital movements on the A46 to make use of radial routes such as the A50 and Anstey Lane to access the Northern Part of Leicester

5.2.11 Figure 8 summarises the key locations where the different highways authorities are likely to require details of the increased impact of any development and details of possible mitigation measures.

<ul style="list-style-type: none"> <li>• Kirby Muxloe                             <ul style="list-style-type: none"> <li>• Traffic Calming and other measures in Kirby Muxloe to reduce traffic on Main Street and Station Road/Kirby Lane.</li> <li>• Junctions and links associated with Kirby Lane, Station Road, Main Street, Desford Road and Ratby Lane.</li> <li>• Investigation into links and Junctions on Ratby Lane between Braunstone Crossroads and Kirby Muxloe to provide a more appropriate route</li> <li>• Ratby Lane/Station Road (towards Ratby)</li> <li>• Desford Lane (towards Desford)</li> </ul> </li> </ul>		<ul style="list-style-type: none"> <li>• County Council Highways Authority</li> </ul>
<ul style="list-style-type: none"> <li>• A46                             <ul style="list-style-type: none"> <li>• Ratby Lane roundabout</li> <li>• Ratby Lane / A46 junction</li> <li>• A46</li> </ul> </li> </ul>		<ul style="list-style-type: none"> <li>• County Council Highways Authority</li> <li>• Highways England</li> </ul>
<ul style="list-style-type: none"> <li>• A47                             <ul style="list-style-type: none"> <li>• All junctions and links between Beggars Lane and Braunstone Lane Crossroads</li> </ul> </li> </ul>		<ul style="list-style-type: none"> <li>• County Council Highways Authority</li> </ul>
<ul style="list-style-type: none"> <li>• Other Orbital and Radial Movements                             <ul style="list-style-type: none"> <li>• Station Road in Glenfield</li> <li>• A50</li> <li>• Anstey Lane</li> </ul> </li> </ul>		<ul style="list-style-type: none"> <li>• County Council Highways Authority</li> <li>• City Council Highways Authority</li> <li>• Highways England</li> </ul>

**Figure 8: Key locations where further investigation might be required for a development of 500 dwellings in Bloods Hill, Kirby Muxloe**

### **Public Open Space MIQ para 39**

Area of public open space is stated as 3.48ha on a site of 52.1ha (see Local Plan Policy SL02 page 40 and Doc Ref SD/18 Strategic Sites page 5). 3.48ha equals only 6.67% of the total site. There isn't any clarity in Policy SL02 regarding public open space. The site is extensively wooded with around 14ha of dense woodland and tree lines (calculated using Google Earth measuring tool). Natural open space as defined in a Leicester City Council study, can include "woodland and copse" (see Open Space, Sport and Recreation Study 2017). Therefore, clarification is needed as to the nature of the public open space, does it exclude or partly or wholly include wooded areas and to what extent will wooded areas be affected?

## **Matter 2 Para 40, 41, 42, 42a, 42b**

**Note:** The former Western Park Golf Course is unique amongst the four strategic sites in that, it is wholly Policy SL02, site 702 and the Kirby Frith Green Wedge.

This multi designation is important in identifying relevant information in the Local Plan and evidence base documents. (see Doc Ref SD/18 Strategic Sites page 4 & 5 and Doc Ref TP/3 Green Wedge Topic Paper page 16)

### **Loss of Green Space and Green Wedge**

It is also unique in that it is the only strategic site that hasn't received a comment in the MIQ's mentioning its SA score.

This is most likely attributed to Site 702 having an overall rating as code White (unique again of all the strategic sites).

Referring to Table 6.1 page 71, site 702 is rated as Red. The downgrading from Red to White in the two Site Appraisal tables is attributed in para 7.2 as fine-tuning of appraisal criteria. I would ask the inspectors to consider if this downgrading via fine-tuning is fair and justified?

(see Doc Ref SD/4 Sustainability Appraisal Table 6.1 & 7.2, Doc Ref SD/4e SA Appendix D site 702)

Table 6.2 states that many sites including site 702 have been **removed** from the Local Plan.

“Reason for removal: Sites are in a Green Wedge, allotment and/or Local Wildlife Site, and have been assessed by the planning team and this SA as having, cumulatively, significant sustainability issues.”

(see Doc Ref SD/4 Sustainability Appraisal Table 6.2, Doc Ref SD/4d SA Appendix C2)  
What is the explanation for this?

“The site is within a **high-scoring** portion of Green Wedge land”. (see Doc Ref SD/18 Strategic Sites 2023)

“The Kirby Frith Green Wedge, the entirety of which is allocated in the local plan as the former Western Park Golf Course site, has the **lowest average strength rating** of Leicester's green wedges.” (see Doc Ref TP/3 Green Wedge Topic Paper 2023, Doc Ref EB/OS/2 Green Wedge Review 2017 para 1.9)

Referring to the two statements above, there appears to have been a downgrading in the scoring from high to low.

The Green Wedge score calculation formula has I believe, unfairly downgraded the Kirby Frith Green Wedge, which is wholly the golf course (site 702) within the City boundary on the Local Plan.

Current Green Wedge status:

The Kirby Firth Green Wedge meets all four purposes of a Green Wedge.

(Green Wedge Review Addendum Report 2020 para 4.38)

“Suitability Summary... GW score = **4**” (see Strategic Sites proposed for allocation in the draft Leicester Local Plan page 5), however, Green Wedge Review Addendum Report 2020 para 4.37 states (by calculation) Average strength is **3**. The lower figure (3) has been used in Average Strength table (see Green Wedge Review July 2017 para 1.9) The course comprises of two Sub Areas A & B and breakdown of the scoring is shown on Green Wedge Review Addendum Report February 2020 page 33. Area A is a small area (by comparison) of adjacent farmland and achieves a low mark of 2.75.

#### Details

##### “AREA A

Does this green wedge provide recreational opportunities? (including footpaths / cycle ways / bridle paths) Answer YES” (see Green Wedge Review July 2017 page 147)

“To provide a recreational resource. WEAK

This area consists of farm land. There are footpaths through the area and recreational opportunities are therefore limited.” (see Green Wedge Review July 2017 page 52)

##### “AREA B

To provide a recreational resource. MODERATE

The area is accessible to the Public through footpaths providing recreational access for dog walkers, walkers and runners.”

As stated above. Page 147 states Yes to recreational opportunities but Page 52 score is Weak. Also, the presence of footpaths in area A, apparently limits recreational opportunities?, however, in area B, the footpaths provide recreational access! The low recreational score for area A, contributed to the low overall score for area A and hence, the low score for the Kirby Frith Green Wedge.

The golf course mark for Area B is 3.25.

Even though Area A is less than 10% the size of the golf course, the two marks have been combined, resulting of an average score of 3, the lowest of all the listed Green Wedges in the Local Plan. The crude averaging used, doesn’t take account of differences in area size. No weighting has been applied to the much smaller Area A. (see Doc Ref EB/OS/2 Green Wedge Review July 2017 para 1.9)

Furthermore, despite the statement at para 3.9: “Whilst this is a simple and easy way of comparing each green wedge, it should be noted that the figures are **not intended** to replace the qualitative assessment of each wedge...” (see Green Wedge Review Addendum Report February 2020 page 8)

Contradicting, there is this statement: “The Kirby Frith Green Wedge, the entirety of which is allocated in the Local Plan as the former Western Park Golf Course site, has

the lowest average strength rating of Leicester's green wedges" (see Doc Ref TP/3 Green Wedge Topic Paper 2023 para 4.11)

"Due regard will need to be given to the surrounding green wedge..."

There will be no "surrounding green wedge" remaining, as the golf course is wholly green wedge, and the only remaining section within Blaby District is pledged to also be developed i.e. 'The two councils plan to work together in bringing the wider piece of land forward for development.' (Local Plan para 4.24 & 4.26)

### **Proposed de-designation (see Local Plan para 14.10)**

#### **Historical note re adjacent Green Wedge referenced in evidence document\*:**

In 2011 Eric Pickles, Secretary of State, overruled Blaby District Councils planning refusal on 65ha adjacent to the golf course i.e. Glenfield Park Estate and Optimus Point.

"He agrees with the inspector that the evidence before the inquiry shows that the aim of preventing the merging of settlements would not be compromised."

"the development, despite bringing major change, could be accommodated without significant harm to the immediate locality or to the wider green wedge."

(see Decision Document APP/T2405/A/10/2138666 page 3 para 12, page 4 para 21) and (\*Doc Ref EB/OS/2 Green Wedge Review July 2017 para 5.89 page 48)

The Local Plan statements indicate that Leicester City Council do not intend to comply with the Secretary of States verdict...

"When considering the impacts on the green wedge area due to development in Blaby to the north, the contribution of Area B to preventing the merging of settlements and providing a green lung into the urban area are reduced."

"Overall, in conjunction with the adjoining green wedge in Blaby's administrative area, the Kirby Frith Green Wedge does contribute towards preventing the merging of settlements from east to west. However, when considering the continued function of this into Blaby's green wedge to the north of the area, this function has been significantly reduced because of the development that has taken place beyond Leicester's administrative boundary." (see Doc Ref EB/OS/2a Green Wedge Review Addendum Report February 2020)

### **Doc Ref TP/3 Green Wedge Topic Paper September 2023**

Para 1.5

States: "26% of the existing green wedge land is proposed for de-designation"

This would perhaps be an acceptable amount of reduction if it wasn't all concentrated in NW Leicester. For example, the Kirby Frith green wedge will suffer a reduction of over 93% (52.1ha reduced to 3.48ha of open space). Furthermore, the Blaby section of the golf course green wedge is also under threat (see Local Plan para 4.24, 4.25 & 4.26).

Para 4.7

“...the preferred option is to allow redevelopment or reuse of open space, sports, and recreation land/green wedge land on only the poorest quality land. The local plan has broadly followed this preferred path.

(Green Wedge Topic Paper)

Review of para 4.7.

The preferred option is to ‘redevelop’ on only the “poorest quality land” and that “the Local Plan has broadly followed this preferred path.” The word ‘redevelop’ implies the land is currently developed and will be subject to further development. The vast majority of green wedge is in fact greenfield.

Site 702 with its high RAG score certainly doesn’t conform to the “poorest quality land” claim.

Para 4.14.

“Where green wedges have been de-designated in total, these have been in locations which are deemed the most sustainable and where the benefits to the city through allocation of the land outweighs the benefits of retaining the land as undeveloped green wedge.”

I believe the proposed de-designation of the Kirby Frith Green Wedge isn’t in one of the most sustainable locations due to the unjustified low scores it attained. (as stated previously)

Para 5.2

“For the reasons described in Section 4 of this paper, the areas of green wedge land which the local plan proposes to de-designate and allocate for development are appropriate, justified, and informed by local plan evidence.”

I disagree that the de-designation of green wedges is justified and there is considerable local plan evidence which doesn’t support de-designation.

“Recommendation: considered for inclusion in the policy or subsequent master plan - Visual and biodiversity links to the wider countryside, to partly mitigate for the loss of the Green Wedge.”

Note that the wording is more robust in another Green Wedge document i.e. “Kirby Frith Green Wedge: However, the development is supposed to include green corridors within it that maintain physical connection to the wider green wedge”. (see Green Wedge Review Addendum Report February 2020)

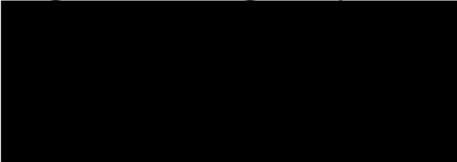
As the site is totally surrounded by highways, green corridors (or visual and biodiversity links) are not possible. Equally, there would be no surrounding green wedge left if de-designation is implemented.

(Doc Ref SD/4e Appendix D Detailed appraisal of Local Plan Policies page 6)



Mr Anthony Bateman  
Pegasus Planning Group

Our Ref: APP/T2405/A/10/2138666



24 October 2011

Dear Mr Bateman,

**TOWN AND COUNTRY PLANNING ACT 1990 (SECTION 78)  
APPEAL BY WILSON BOWDEN DEVELOPMENTS LIMITED  
APPLICATION REF: 10/0118/1/OX  
LAND AT KIRBY ROAD/RATBY LANE, GLENFIELD, LEICESTER, LE3 8DF**

1. I am directed by the Secretary of State to say that consideration has been given to the report of the Inspector, David M H Rose BA(Hons) MRTPI, who held a public local inquiry which opened on 15 March 2011, into your client's appeal under Section 78 of the Town and Country Planning Act 1990 against the decision of Blaby District Council to refuse outline planning permission for:-

- (a) Employment development incorporating a mix of B1(a), B1(b), B1(c), B2 and B8 up to a maximum of 30 hectares gross;
- (b) Residential development up to a maximum of 250 dwellings;
- (c) Local Centre up to a maximum of 1400 sqm (Classes A1 to A5 inclusive and D1);
- (d) An energy centre/primary sub-station and associated infrastructure;
- (e) Public open space including children's play area, allotments and a kickabout area;
- (f) New access roads, footpaths, cycleways;
- (g) Comprehensive green infrastructure including wildlife area; and
- (h) Ancillary infrastructure and ground remodelling,

in accordance with planning application ref:10/0118/1/OX, dated 17 May 2010.

2. The appeal was recovered for the Secretary of State's determination on 7 January 2011, in pursuance of section 79 of, and paragraph 3 of Schedule 6 to, the Town and Country Planning Act 1990, because the appeal involves proposals for residential development over 150 units or on sites of over 5 hectares which would significantly impact on the Government's objective to secure a better balance between housing demand and supply and create high quality, sustainable, mixed and inclusive communities.

**Inspector's recommendation and summary of the decision**

3. The Inspector, whose report is enclosed with this letter, recommended that the appeal be allowed and planning permission granted. For the reasons given in this



11. The draft National Planning Policy Framework which was published for consultation on 25 July 2011 is a material consideration. However, as this is a consultation document and is subject to change, he has given it little weight.

## **Main Issues**

## **App Ref 10/0118/1/OX SHT 3/95**

### **The impact of the proposed development on the Green Wedge**

12. The Secretary of State agrees with the Inspector's reasoning and conclusions on the impact of the proposed development on the Green Wedge as set out in IR9.7-9.42 and 9.90-9.97. He agrees with the Inspector that the evidence before the Inquiry shows that the aim of preventing the merging of settlements would not be compromised, nor does it function as a "green lung" (IR9.92). He also agrees that the proposal has been designed sensitively to fit comfortably within its surroundings; and landscaping as it matures would provide robust mitigation to the outline of the new buildings (IR9.38). Overall, he agrees that the appeal site does not fulfil a critical role in Green Wedge terms and the development, despite bringing major change, could be accommodated without significant harm to the immediate locality or to the wider Green Wedge consistent with Policies 1, 2, 12, Three Cities SRS 4 and Three Cities SRS 5 of the East Midlands Regional Plan (IR9.97).

### **The performance of the proposal against paragraph 69 of PPS3, particularly with regard to the objective of achieving high quality housing**

13. The Secretary of State agrees with the Inspector's reasoning and conclusions on the performance of the proposal against paragraph 69 of PPS3 as set out in IR9.43-9.52 and 9.98. He notes that there is a significant shortfall in the five year housing supply (including affordable housing) in Blaby District, and that in such circumstances favourable consideration should be given to planning applications for housing, having regard to the policies in PPS3 (IR9.43). Like the Inspector he is satisfied that the proposal would deliver a high quality environment with opportunities for sustainable travel (IR9.98).

### **The suitability of the site for the provision of a strategic employment site**

14. The Secretary of State agrees with the Inspector's reasoning and conclusions on the suitability of the site for the provision of a strategic employment site as set out in IR9.53-9.58 and 9.99. He agrees that the employment element would deliver much needed opportunities for the wider locality where there is marked deprivation, and that it would be well designed with proposals for sustainable transport (IR9.99).

## **Other matters**

15. The Secretary of State agrees with the Inspector's reasoning and conclusions on those other matters as set out in IR9.59-9.9.69. He notes that the highway authorities are satisfied with the proposals (IR4.63), and sees no reason to disagree with their endorsement. He also agrees with the Inspector that the proposal's relationship with established homes nearby would be satisfactory (including that the proposed landscaped area to the north-east of the residential estate road would provide a generous buffer) (IR9.62), and that there would be adequate amenities (IR9.66). He considers that the siting of the local centre would be less than perfect (IR9.61) and that there is some doubt about footpath linkages (IR9.103-9.104) –

though he does not consider that these are factors which, in themselves, are of such weight to justify refusing planning permission.

16. Like the Inspector, the Secretary of State has taken into account the views of local people in determining this appeal and appreciates their concerns. However, these concerns need to be balanced against those factors weighing in its favour, including the contribution the proposal would make to supporting economic growth (IR9.102).

## App Ref 10/0118/1/OX SHT 4/95

### Conditions and obligations

17. The Secretary of State agrees with the Inspector's reasoning and conclusions on conditions and obligations as set out in IR9.70-9.89 and IR8.1-8.39. He agrees that these meet the respective tests set out in Circular 11/95, and Circular 05/2005 and the CIL Regulations (IR9.89 and IR9.77).

### **Overall conclusion**

18. The Secretary of State agrees with the Inspector's overall conclusions at IR9.90-9.106.

19. The Secretary of State considers that the proposal would conflict with saved Policy C3 of the BDP, and that there are doubts about the provision of footpath linkages. He has also taken into account local opposition to the proposal.

20. However, these factors need to be balanced against the clear need for housing, including affordable housing, which would be delivered by way of a well designed, sustainable development, and that the proposal would also help meet an identified need for employment land, without precluding other planned employment development elsewhere. These factors would also help to support economic growth.

21. The Secretary of State is further satisfied that the appeal site does not fulfil a critical role in Green Wedge terms and the development, despite bringing major change, could be accommodated without significant harm to the immediate locality or to the wider Green Wedge.

22. Having weighed up all relevant considerations, the Secretary of State concludes that the factors which weigh in favour of the proposed development outweigh its shortcomings and overcome the limited conflicts with the development plan which he has identified. Therefore he does not consider that there are any material considerations of sufficient weight which would justify refusing planning permission.

### **Formal Decision**

23. Accordingly, for the reasons given above, the Secretary of State hereby allows your client's appeal and grants outline planning permission for:-

- (h) Employment development incorporating a mix of B1(a), B1(b), B1(c), B2 and B8 up to a maximum of 30 hectares gross;
- (i) Residential development up to a maximum of 250 dwellings;
- (j) Local Centre up to a maximum of 1400 sqm (Classes A1 to A5 inclusive and D1);

## **MIQ para 42a**

### **Policy SL02 former Western Park Golf Course**

#### **Pollution of ponds and Protected Species**

On site pollution risk to ponds and water courses. Recorded populations of great crested newts will be under threat during and post construction. There are 11 recorded ponds. (“Survey of Great Crested Newts in 2013 found GCNs in ponds around the site...”, see Doc Newt Survey 1 & 2)

Eliminating the potential for pond contamination will be extremely difficult as numerous land drains were installed during the construction of the golf course. It is obvious during wet weather that the surface water courses and land drains feed into the ponds.

Evidence: “The separate pond, which itself appeared to be modified at its eastern end with a bank had at least one drain discharging into it, this may represent attempts to drain the golf course using the existing earthwork.” (see Leicester Archaeology report Doc MLC475 on [www.heritagegateway.org.uk](http://www.heritagegateway.org.uk))

Furthermore, “Leicester City Council does not hold any information on land drains at the former Western Park Golf Course beyond those that can be viewed as a matter of public record such as on Ordnance Survey Maps.” (see Doc FOIA 29853)

I’ve checked the appropriate Ordnance Survey map 1:10,000 and there are no land drains shown on the golf course.

Conclusion: Without detailed knowledge of all the land drain locations it will be impossible to avoid pond and watercourse contamination.

“Protection of the ponds on site and any ditches/streams from run off and contamination”. A recommended mitigation measure. (see Doc Ref SD/4f Appendix E)

Telephone: 0116 454 1300  
Email: [info.requests@leicester.gov.uk](mailto:info.requests@leicester.gov.uk)  
Website: [www.leicester.gov.uk](http://www.leicester.gov.uk)  
Our ref: FOIA 29853  
Date: 25 January 2024



**Steve Walters**

**Doc FOIA 29853**

Dear Mr Walters

**Freedom of Information Act 2000/Environmental Information Regulations 2004  
re: Western Park Golf Course**

Your request for information has now been considered and the Council's response to your questions is shown below.

**You asked:**

**Can you please supply a map showing the location of land drains on the former Western Park Golf Course.**

**Answer:**

Following a review of information on file, the Council does not hold any information on land drains at the former Western Park Golf Course beyond those that can be viewed as a matter of public record such as on Ordinance Survey maps.

This letter therefore acts as a refusal notice under Section 17(1) of the FOIA and Regulation 14 of the EIR, because, in accordance with Section 1(1) of FOIA and Regulation 12(4)(a) of EIR, this information is not held by Leicester City Council.

If you are dissatisfied with the handling of your request, please write, explaining your grounds of appeal, to:

**Internal Review  
Information Governance & Risk  
Email: [info.requests@leicester.gov.uk](mailto:info.requests@leicester.gov.uk)**

Yours sincerely

**Information Governance & Risk  
Leicester City Council  
City Hall, 115 Charles Street  
Leicester LE1 1FZ**

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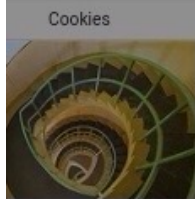
**LEICESTER CITY COUNCIL**

Information Governance & Risk, Legal Services,  
4<sup>th</sup> Floor, City Hall, 115 Charles Street  
Leicester, LE1 1FZ  
[www.leicester.gov.uk](http://www.leicester.gov.uk)



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**Name: Kirby Frith Hall**

**DOC MLC475**

**City:** Leicester

**Ward:** New Parks, Leicester

**Monument Number:** ( MLC475 )

**Monument Type:** ( COUNTRY HOUSE )

**Summary:-**

Kirby Frith Hall

Site of former country house

**Period:-**

between 1731 and 1931

**Description:-**

Country house, built c.1731, and known as Kirby Frith Hall. The hall passed through several owners and tenants, before being partially destroyed by fire in 1931.

Recent documentary and archival research has revealed the presence of an earlier hall, possibly dating to the 16th century or earlier, with fishponds, moat, lodge and gardener's cottage and dairy. This was rebuilt or replaced by the later hall c. 1731. The earlier hall was described as also having on its walls at tablet inscribed 'E.R.' and bearing the royal arms. An entrance gate was also recorded by Throsby and known as Queen's Gate. This house was constructed with a parlour, kitchen and upstairs accommodation.

A walkover visit by the city archaeologist in January 2022 identified two arms of the moat surviving within a stand of trees, one of which was waterfilled. The separate pond, which itself appeared to be modified at its eastern end with a bank had at least one drain discharging into it; this may represent attempts to drain the golf course using the existing earthwork. Extant ridge and furrow was also observed.

**Place:**

Easting: 453737

Northing: 304871

Lattitude: 52.6389502716292

Longitude: -1.20732822015879

Grid Ref: SK 537 048

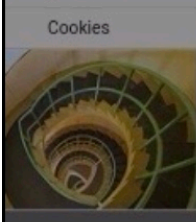
**MIQ 2 para 43****Historic Environment**

Monument number MLC475 not referenced in evidence base. Kirby Frith Hall and a previous building stood in the middle of the golf course.



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**Ward:** New Parks, Leicester

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## **MIQ 45, 46**

### **Household Waste Recycling Centre**

The HWRC listed for the golf course was not present in the Local Plan, up to and including Regulation 18. The first mention of a HWRC was on the Regulation 19 document. This meant that responders to the Regulation 18 consultation were denied the opportunity to make any comments regarding the HWRC. There were considerably fewer representations made on the Regulation 19 consultation compared with the Regulation 18 as the results indicate that many responders are only prepared to engage with one consultation due to the complexity of the process.

Para 1.8 of Local Plan states: “The Local Plan does not contain detailed policies for waste and materials. These will be set out in a separate Leicester Waste and Minerals Local Plan which will contain detailed guidance about the allocation of sites for waste disposal...”

Allocating a waste site on the golf course at this stage, is, I believe, outside the process. A HWRC will also bring a considerable amount of additional traffic (documented in Highways), dust and flies which will be hugely detrimental to the site and surrounding area.

MIQ 46 could perhaps be expanded to ask if the HWRC is compatible with the surrounding area. A nearby waste processing site on adjacent Scudamore Road is already creating an exceptional number of logs to the Environment Agency with regards to excessive flies. Geary’s bakery has a food production site adjacent to the golf course.

## **Matter 2 MIQ 37**

“The strategic development sites are on greenfield land, which will reduce the impacts of the development on nearby residents...”

There is no explanation of how this can be verified or how the alleged reduction of impact will be achieved.

(see Sustainability Appraisal of the Reg.19 Leicester Local Plan September 2022 page 83)

## **Matter 2 MIQ 42a**

### **Flood risk for Glenfield increased**

The golf course is predominately 30m above Kirby Road at its junction with Birch Lane, Glenfield (source - topography map, and Google Earth)

The course absorbs a considerable amount of rainfall, (site 702 defined as “marsh grassland” (Doc Ref SD/4d Sites Appraisal) and there is a serious concern that development will increase the risk of local run off flooding. This will put further pressure on the already inadequate SuDs existing on the lower levels of Glenfield near Kirby Road. The sustainable drainage systems installed for the nearby Glenfield Park and Optimus Point development have been overwhelmed on four occasions in the last year i.e. 20/10/22, 2/1/24, 9/2/24 and 19/2/24 (see Rothley brook river level docs and [Gov.uk](#) surface water map). This has caused flooding on Kirby Road and adjacent areas. The previous flood event was in July 2012. I note that part development Flood Risk Assessments is to establish “whether it will increase flood risk elsewhere”.

“The plan will help to redevelop the waterways and promotes the use of areas to soak up water. This could help to improve water quality and reduce flooding. However **flooding is likely to worsen** because the plan will develop 186 hectares of greenfield land, and the new homes will use more water.” (see Doc Ref SD/4 Sustainability Appraisal of the Reg.19 Leicester Local Plan September 2022 Table 1.3)

### **Contradictory statement**

“The allocations being brought forward as part of the local plan will have minimal impact on the environment, water quality, water resources, infrastructure, and flood risk...” (see Doc Ref TP/1 Climate Change Topic Paper para 3.5)