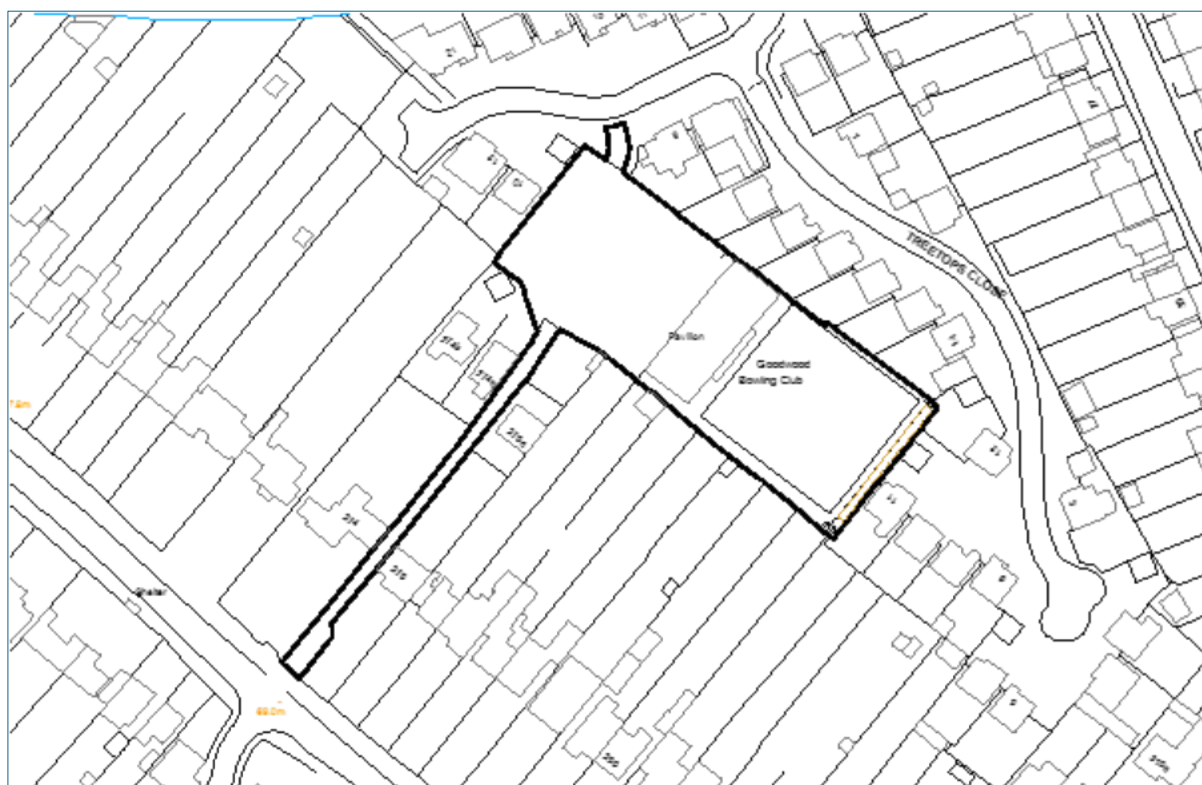


COMMITTEE REPORT

20252051	8A Crofters Drive, Goodwood Bowls and Social Club	
Proposal:	Variation of Conditions 2 of planning permission 20021239 to allow permanent opening hours of the clubhouse from 0800 to 2300 Mondays to Saturdays, 0800-2230 Sundays; variation of condition 4 to allow the use of clubhouse for uses not connected to Bowls Club during hours of 0800 to 2230 on Mondays to Saturdays and 0800 to 2030 on Sundays	
Applicant:	Mr John Steer	
App type:	Operational development - full application	
Status:	Change of use	
Expiry Date:	29 July 2026	
CH1	TEAM: PE	WARD: Thurncourt



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Summary

- Referred to committee at the request of Councillor Osman.
- The main issues raised are the impact on residential amenity,
- The application is recommended for refusal.

The Site

The application relates to a single storey building used as a club house for the associated bowling club. There is a vehicular access point to the site from Crofters Drive and a separate vehicular exit point onto Uppingham Road.

The site is located in a residential part of the city and within a critical drainage area.

Background

19970564	Variation of planning condition 5 of approval 95/0103/5 to allow the clubhouse to open between the hours of 0800-2300 Mondays to Saturdays, except for 8 Saturdays a year when the use shall not be carried on outside 0800 to 23.30 hrs, and between the hours of 0800 - 2230 on Sundays.	Temporary Conditional Approval
19981004	Variation of condition 1 of planning permission 19970564 to allow permanent use of the clubhouse between the hours of 0800 to 2230 on Sundays and from 0800 to 2300 hours Monday to Saturdays, except for 8 Saturdays per year, when the use will be carried on between 0800 to 2330 hours.	Conditional Approval
20011147	Variation of condition 1 attached to planning permission 19981004 (to allow opening hours of clubhouse 0800 to 2230 on Sundays; 0800 to 2300 from Monday to Saturday; 0800 to 2330 on 8 occasions per year; 0800 to 2400 hours on one Saturday in November and until 0100 hours on new years day).	Conditional Approval
20021239	Variation of condition 2 attached to planning consent 19981004 (as amended by planning permission 20011147) to allow permanent opening hours of clubhouse from 0800-2300 Mondays to Saturdays, 0800-2230 Sundays; 0800 to 2330 on 8 occasions per year; 0800 to 2400 hours on one Saturday in November and until 0100 hours on new years day.	Conditional Approval
20038009A	Variation of condition 2 attached to planning consent 19981004 (as amended by planning permission 20011147) to allow permanent opening hours of clubhouse from 0800-2300 Mondays to Saturdays, 0800-2230 Sundays; 0800 to 2330 on 8 occasions per year; 0800 to 2400 hours on one Saturday in November and until 0100 hours on new years day.	Appeal Dismissed

The Proposal

The application is submitted under s73 of The Town and Country Planning Act 1990 to vary Conditions 2 and 4 of planning permission 20021239 relating to the operating hours and the use of the building.

The application in question relates solely to the use of the building as a social club and does not have any control over the use of the site as a whole.

The currently applicable conditions state:

- 2.** The use shall not be carried on outside the hours of 0800 to 2230 on Sundays; 0800 to 2300 on Mondays to Saturdays; except for 10 occasions per year, when on 8 occasions the use shall not be carried on outside the hours of 0800 to 2330; on one Saturday in November when the use shall not be carried on outside the hours of 0800 to 2400 and on New Years Day when the use shall not be carried on after 0100 hours. The dates when the premises are to be used after 2300 hours shall be notified in advance with the City Council as Local Planning Authority in advance.
- 4.** The premises shall only be used for purposes associated with the use of the building as a bowls club and shall not be let out privately for weddings, parties or other functions.

The application seeks to vary the wording of these conditions to the below:

- 2.** The use shall not be carried on outside the hours of 0800 to 2230 on Sundays; 0800 to 2300 on Mondays to Saturdays.
- 4.** When the building is used for purposes other than associated with use as a bowls club the hours of use shall not be carried on outside the hours of 0800 to 2030 on Sundays; 0800 to 2230 on Mondays to Saturdays;

The application was originally submitted to also amend condition 3 of the parent application which related to amplified music and stated:

- 3.** There shall be no live or amplified music or voice played which would be detrimental to the amenities of occupiers of nearby properties.

It was proposed to amend the wording to the following to allow for a greater degree of enforceability and protection of the neighbouring properties:

- 3.** Any noise originating from the operation of the premises shall be inaudible within any noise sensitive premises. For the purposes of this condition, "noise-sensitive premises" includes, but is not necessarily limited to, any building, structure or other development the lawful use of which a) falls within Class C1 (Hotels & Hostels), Class C2/C2a (Residential Institutions) or Class C3 (Houses) of the Town and Country Planning (Use Classes) (England) Order 1987 (as amended), or b) is as a flat or static residential caravan.

However, following the receipt of an objection from the service director, Environmental Health regarding the lack of an acoustic assessment the decision was made by the agent and applicants to withdraw the proposal to amend this condition.

Policy Considerations

National Planning Policy Framework (NPPF) 2026

A new NPPF was published on 17 August 2026. [National Planning Policy Framework - GOV.UK](#) This has replaced paragraph numbers with policies. The relevant policies are listed below.

S3: Presumption in favour of sustainable development

1. Decisions on development proposals should apply a presumption in favour of sustainable development. This means:
 - a. Policy S4 in this Framework should be applied when considering development proposals within settlements;
 - b. Outside settlements, policy S5 should be applied; and
 - c. In all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in this Framework should be approved without delay.

DM3: Determining development proposals

1. When considering development proposals, local planning authorities should:
 - a. Work with the applicant in a positive and proactive manner, where necessary seeking solutions to problems arising from initial proposals, to enable a timely decision;
 - b. Take a proportionate approach to the consideration of the planning matters raised by the proposals, in a way that reflects their scale, complexity and potential impact;
 - c. Take account of planning matters raised during any pre-application engagement, including any positive responses to this engagement, as well as representations on the proposals;
 - d. Consult statutory or internal consultees only where it is necessary to do so. Decisions on development proposals should not be delayed in order to secure advice from a statutory or internal consultee beyond their statutory deadlines unless there is insufficient information to make the decision, there are public safety risks from proceeding without advice, or more detailed advice may enable an approval rather than a refusal;
 - e. Consider whether otherwise unacceptable development proposals could be made acceptable through the use of planning conditions or planning obligations; and
 - f. Not refuse applications for development which should clearly be approved, having regard to their accordance with the development plan, the policies in this Framework and any other material considerations.

DM6: Use of planning conditions and obligations

1. Planning conditions should only be attached to planning permissions and other associated consents for development where they are:
 - a. Necessary to make the development acceptable in planning terms;
 - b. Relevant to the development and to planning considerations generally;
 - c. Sufficiently precise to make them capable of being complied with and enforced; and
 - d. Reasonable in all other respects.
2. Conditions should not be used to:
 - a. Require payments of money; or
 - b. Require that land is formally given up to another party (such as highways to the local highway authority); or

c. Restrict national permitted development rights unless there is clear justification to do so.

3. Where national model conditions are relevant to the development, they should be used unless there are strong reasons for using a different condition. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification. Applications to discharge conditions should be dealt with in a timely manner to avoid unnecessary delays to development.

4. Planning obligations should only be used where it is not possible to address potential unacceptable impacts through a planning condition. Where national model planning obligations are relevant to the development, they should be used unless there are strong reasons for using a different planning obligation.

DM7: Relationship with other regulatory regimes

1. Development proposals should be assessed on the basis of whether they would be an acceptable use of land. Matters which are controlled by separate regulatory regimes may, in the context of a particular development proposal, be a material consideration where they have land-use implications. Decision-makers should assume, unless there is clear evidence to the contrary, that those separate regimes will operate effectively.

2. Planning decisions should not seek to duplicate or extend controls imposed by separate regulatory regimes other than where there is a development plan policy in place applying optional technical standards for the development proposed (see policy PM13).

3. The parallel processing of planning and other regulatory consents is encouraged where this can help to align and expedite the consenting of development.

4. Where compliance under a separate regulatory regime requires subsequent changes to an approved development proposal, such changes should be approved unless they would mean the development is no longer acceptable when assessed against development plan and national decision-making policies.

DP3: Key principles for well-designed places

1. Development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets. This should not preclude innovation or change where appropriate, especially where an increased scale or density of development is justified in accordance with policies L2 and L3.

2. To create well-designed places, development proposals should also reflect relevant aspects of the following principles, as appropriate to the nature of the development and its location:

a. Liveability: support healthy, mixed, vibrant and integrated communities, which will function well over the lifetime of the development, by incorporating a range of uses and tenures, employing features which promote social interaction, and which are

robust, durable and easy to look after;

b. Climate: contribute to climate change mitigation and adaptation and the transition to net zero by using building layouts, building orientation, massing, landscaping and materials which conserve energy and other resources, and which minimise risks from the impacts of climate change including overheating;

c. Nature: incorporate and/or connect to a network of high quality, accessible, multifunctional green infrastructure to provide opportunities for recreation and healthy living, strengthen habitats, improve climate change resilience and improve air and water quality. This should include maintaining and enhancing tree cover and incorporating sustainable drainage systems in accordance with policies N3 and F8;

d. Movement: provide transport infrastructure and choices which support the design vision for the site, provide good connections to the wider settlement (or those nearby), and prioritise walking, wheeling, cycling and public transport;

e. Built Form: use the pattern of buildings to define the arrangement of streets, squares and other spaces, promote compact forms of development to optimise the site's potential, distinguish between public and private areas, create focal points and, where appropriate, enhance views into and out of the scheme;

f. Public Space: include spaces that are safe, secure, inclusive, and accessible for all ages and abilities, including for groups such as women and girls; and which facilitate and encourage social interaction, play and healthy lifestyles (for example by providing high quality, clear and legible pedestrian and cycle routes, a variety of recreational spaces and places to meet, integrating lighting and making building entrances and windows face onto streets and other public spaces to provide natural surveillance); and

g. Identity: create visually attractive, distinctive and characterful development to establish

or maintain a strong sense of place and pride, including through the use of a coherent palette of materials, design features and planting.

3. Development proposals should be refused if, without clear justification, they conflict with paragraph 1 of this policy or relevant aspects of the principles in paragraph 2, or with any explicit design standards set out in the development plan (including those in locally specific policies, guides, codes or masterplans). Substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals.

4. The principles set out in the Design and Placemaking planning practice guidance should be used to inform how this policy is applied in the absence of locally-produced design policies, guides, codes or masterplans.

5. Substantial weight should also be given to outstanding or innovative designs which promote high levels of sustainability, or which help raise the standard of design more generally in an area, so long as they are consistent with the overall form and layout of their surroundings.

P3: Living conditions and pollution

1. Development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, whether these effects are on or off-site; and whether this is as a result of the development itself or the product of preexisting conditions in its

vicinity. In assessing the potential effects of pollution, consideration should be given to the potential sensitivity of the site, and its intended occupiers and users, as well as that of the environment and population in the surrounding area (including where certain groups could be particularly vulnerable to its effects, such as children and older people).

2. Within this context development proposals should:

- a. Provide healthy living conditions for occupiers and users in terms of adequate access to light and avoiding exposure to levels of air, noise, artificial light or other sources of pollution which could have an unacceptable adverse effect on health and the quality of life. Where necessary suitable mitigation measures should be incorporated to secure acceptable living conditions;
- b. Not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site. Adverse impacts of this nature should be avoided where possible, or else mitigated to an acceptable degree. Where possible, opportunities should be taken to reduce pollution affecting the wider area (such as through traffic and travel management or improved external lighting);
- c. Sustain and contribute to compliance with relevant limit values or national objectives and targets for air pollutants including PM2.5. Development proposals should take account of Air Quality Management Areas and be consistent with the objectives of relevant Air Quality Action Plans, Clean Air Plans and Local Air Quality Strategies;
- d. Mitigate and reduce to a minimum potential adverse impacts resulting from noise, not result in levels of noise exposure which would have a significant observed adverse effect, and maintain the character of tranquil areas (those areas that have remained relatively undisturbed by noise from human sources and are prized for their recreational and amenity value for this reason);
- e. Limit any adverse impact from artificial light on local amenity, intrinsically dark landscapes (those areas entirely, or largely, uninterrupted by artificial light) and nature; and
- f. Assess and mitigate impacts where the development could have an unacceptable adverse effect on water quality, especially in relation to sensitive water bodies such as chalk streams.

3. In applying this policy, it should be assumed, unless there is clear evidence to the contrary, that separate regulatory regimes for the control of pollution will operate effectively, as set out in policy DM7. This means that it will be appropriate to take into account emissions limits set through those other regimes.

TR6: Assessing transport impacts

1. Development proposals that are likely to generate significant amounts of movement should be supported by:

- a. A transport statement or transport assessment (depending on the extent and significance of the transport issues involved), which is proportionate to the nature and scale of the development, so that the likely impacts of the proposal for transport can be assessed and monitored; and
- b. A travel plan, which indicates how sustainable transport objectives will be delivered, monitored and managed over time.

2. Transport assessments and statements, and travel plans, should reflect the transport vision for the development and the transport strategy for the area in which it is located, and how these are intended to be achieved (including, in the case of travel plans, identifying fallback options if initial measures do not deliver the expected outcomes).

3. In assessing movement patterns and potential impacts, including whether they are considered to be severe, reasonable future scenarios should be considered, taking into account impacts at relevant times of the day, potential cumulative impacts, multimodal trip generation and the promotion of sustainable modes of travel, and realising the transport vision for the development itself. Development proposals should be considered having regard to these potential impacts and the other policies in this Framework which are relevant (including TR3, TR4 and DP3(2)(d)).

4. Development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion.

2026 Local Plan

[Policy VL01 Presumption in Favour of Sustainable Development](#)

[Policy CCFR05. Managing Flood Risk and Sustainable Drainage Systems \(SuDS\)](#)

[Policy DQP06. Residential Amenity](#)

[Policy CT01. Culture, Leisure and Tourism](#)

[Policy T06 Highways Infrastructure.](#)

Further Relevant Documents

GOV.UK Planning Practice Guidance – Noise <https://www.gov.uk/guidance/noise--2>
Planning Circular 11/95

Consultations

Noise and Pollution Control – Object as no acoustic assessment has been submitted with the application.

Representations

16 Objections have been received from twelve city addresses The objection comments are summarised below as follows:

- Impact from the additional noise created from non bowling activities,
- Impact of amplified music created from the events in question,
- Increase in traffic movements around the immediate area,
- Insufficient parking requirements within the site meaning visitors to the site park on the adjacent streets,
- Lack of traffic control,
- The current one way entry/exit system is not being adhered to,
- Impact on neighbour amenity from the extended operating hours,

- Additional light pollution,
- Increase in the number of non bowling related events,
- Potential increase in anti-social behaviour,
- Incorrect neighbour notification carried out regarding the application.

The following comments have been received which are not material planning considerations and are matters which the Local Planning Authority have no control over:

- Maintenance operators are attending the site outwith the set operating hours,
- Damage to neighbouring vehicles and property from users of the site,
- The members of the bowls club do not live on the adjacent streets,
- The operators of the bowls club are in breach of HSE and Fire Regulations,
- Requirement for Crofters Drive to be provided with double yellow line.

23 comments in support of the application have been received from 21 city addresses.

Cllr Osman has requested that the application be determined at the planning committee to assess the impact on residential amenity and has expressed his support.

Consideration

As this is an application for the variation/removal of conditions attached to a planning permission, the use of the building and site as a bowls club has already been established. The issues under consideration are the impact on residential amenity and the highway from the proposed non bowling activities.

Residential Amenity

Condition 2 Operating hours

Policy DQP06 of the Leicester Local Plan 2026 states that proposals should not cause unacceptable harm to the living conditions of existing and future residents and includes situations where the new use is more sensitive than nearby existing uses and could be adversely affected by them.

The following will be taken into account, both individually and cumulatively with the existing situation, in assessing impacts on residential amenity:

- a) Noise, light, vibrations, smell and pollution (air, water and ground) caused by the development and its use
- b) Any impact to the visual quality of the area
- c) The management of waste and potential litter problems
- d) Additional parking and vehicle manoeuvring
- e) Privacy, overshadowing, overlooking, overbearing impact and adequate natural light
- f) Safety and security

The proposal to amend condition 2 relating to the hours of operation of the building sets out to reduce the existing hours of operation of the building in relation to 8 occasions. As such it is considered that any potential impacts on the neighbouring properties would be reduced from the implementation of the amended condition.

Concerns have been raised by objectors regarding the proposed change to the operating hours of the building. However, these comments all relate to the extension of the operating hours whereas the proposal as amended seeks to reduce the permitted operating hours of the building.

Condition 4 Use of the Building

Policy CT01 (Culture, Leisure and Tourism) of the Leicester Local Plan state that Planning permission will be granted for cultural, leisure and tourism facilities where they do not generate significant volumes of additional traffic unless it can be demonstrated that the additional traffic can be appropriately mitigated and they do not have an adverse effect upon residential amenity

The building is currently conditioned that it can only be used for uses associated with the bowling club and no other use as specified below:

4. The premises shall only be used for purposes associated with the use of the building as a bowls club and shall not be let out privately for weddings, parties or other functions.

As such any function held within the property must be associated with the use of the site as a bowling club. This does allow live music events or parties to be held if they were run by the bowling club as fundraising events but does not allow the property to be hired out to any third parties for private functions.

It is proposed the building to be used for additional uses to this such as private functions and weddings to allow for increased revenue to be generated in respect of the ongoing financial viability of the bowls club. As such the applicant have requested the condition to be amended to the following;

4. When the building is used for purposes other than associated with use as a bowls club the hours of use shall not be carried on outside the hours of 0800 to 2030 on Sundays; 0800 to 2230 on Mondays to Saturdays;

This would allow for private functions to be held at the property during reduced hours to any other incidental use (by the bowls club). An objection comment has been received from Pollution (noise and light) due to the lack of submitted information in relation to any potential impact on the neighbouring properties in relation to noise. Several of the objections received have raised the concern of amplified music being heard from the building through any potential alternative uses of the site from weddings or parties. There is a condition on planning permission 20021239 relating to amplified noise being heard at the neighbouring properties which states:

3. There shall be no live or amplified music or voice played which would be detrimental to the amenities of occupiers of nearby properties.

However, due to the wording of the original condition lacking a clear definition of noise levels and properties affected it would not be possible to enforce against this. An acoustic assessment was requested from the noise and pollution team but due to the financial implications of obtaining such a report this was not considered to be viable by the applicants.

A noise assessment is required so that a specialist acoustic surveyor can carry out an assessment of the construction of the building and identify any potential conditions that can be attached to a planning permission to be able to control the impacts of the proposed additional events. The lack of submission of an assessment means that it is not possible to ascertain whether any additional private events would have a negative impact on the neighbouring properties. It is therefore considered that the proposal is contrary to Policy DQP06 (Residential Amenity) of the Leicester Local Plan 2026 and policies DP3 and P3 of the NPPF 2026.

Highways

Policy T06 of the Leicester Local Plan requires that the transport impact of development to be mitigated, through the appropriate parking provision as set out in the council's standards.

The use of the building for additional private events has the potential to intensify the use of the building through increased footfall of users within the site creating an unacceptable impact on neighbouring properties. However, the building will be limited to the number of users able to be in place at any one time within the building through separate legislations and licences already in place for incidental uses which could already be carried out within the confines of the existing condition. As such it is considered that any possible non bowling related activities held within the building would not significantly increase the potential users of the building than can already be permitted within the building.

The proposal could also generate additional parking requirements at the site. The car park currently has available spaces for 72 vehicles. The required standard as specified within the Vehicle parking standards SPG for a use of this nature would be 1 space per 22m² of floor area. Although this document is no longer in force, the calculations and information within can still be used as guidance for calculating requirements. Given the building in question measures approximately 484m² in floor area and taking the calculation of 1 space per 22m² of floor area, that would equate to a figure of 22 car parking spaces would be required for the use of the building. Allowing for additional spaces for the use of the bowling green, it is considered that the car park as it stands would be able to accommodate any additional parking requirement needed for alternative uses to be held within the building.

Comments have been received relating to users of the site parking out of the boundaries of the bowling club. Unfortunately, insisting on any user of the club having to park within the confines of the site is outwith the remit of the Local Authority and any condition as such would not meet the required tests as set out in policy DM6 of the National Planning Policy Framework and planning circular 11/95.

It is therefore considered that the proposal would not be contrary to policy T06 of the Leicester Local Plan 2026 or policy TR6 of the NPPF 2026 and refusal could not be justified for this reason.

Other matters

One comment has been received commenting on the neighbour notification process carried out by the Planning Authority. Section 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires the Local Authority to notify any adjoining neighbouring property. The comment received stated that their opinion was that all properties located on the adjacent streets should have been notified. From looking at the properties who received a notification I am content that the Authority carried out the notification process in line with the requirements of the above order.

Comments have been received relating to the existing access and exit arrangements and the use of these as a one-way system. The initial set up of the one-way system was the subject of a condition on planning permission 20021239. However, there was no requirement within the condition for the one-way system to be continued in perpetuity once it had been implemented and so the Planning Authority have no control over this matter.

Conclusion

Having regard to the above I consider that due to the lack of any acoustic reports relating to the potential noise from any private functions held within the building, it has not been possible to fully identify if there would be any unacceptable impact on the amenity of the neighbouring properties immediately adjacent to the site from any additional noise created from amplified music or voices. I therefore recommend REFUSAL for the following reason.

REASONS FOR REFUSAL

1. The proposed use of the building for additional non bowling related activities, by reason of the lack of an acoustic report, fails to address whether or not the use of the building for private functions would have any negative impact on the amenity of the occupiers of neighbouring properties from amplified sounds emanating from the building. As such the application is considered to be contrary to Policy DQP06 (Residential Amenity) of the Leicester Local Plan 2026 and policies DP3 and P3 of the National Planning Policy Framework 2026.

NOTES FOR APPLICANT

1. The City Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application advice was given during the application process. Notwithstanding that advice the City Council has determined this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been

received. As the proposal was clearly unacceptable and could not be reasonably amended it was considered that further discussions would be unnecessary and costly for all parties.