

BRAUNSTONE TOWN COUNCIL

MINUTES OF PLANNING & ENVIRONMENT COMMITTEE

HELD AT BRAUNSTONE CIVIC CENTRE

THURSDAY 20th APRIL 2023

PRESENT: Councillor Robert Waterton (Chair) and Councillors Anthea Ambrose, Sohan Johal, Becca Lunn Scoppie, Phil Moitt, Darshan Singh, Christiane Startin-Lorent and Marion Waterton.

Officers in attendance: Darren Tilley, Chief Executive & Town Clerk.

There were no members of the public present at the meeting.

76. Apologies

An apology for absence was received from Councillor Leanne Lee.

77. Disclosures of Interest

There were no disclosures of any Disclosable Pecuniary or Non-Pecuniary Interests by Members.

78. Public Participation

In accordance with Standing Order 3.6, members of the public may attend the meeting for the purpose of making representations, giving evidence or answering questions in respect of any item of business included on the agenda.

There were no members of the public present.

79. Minutes of the Meeting held 16th February 2023

The Minutes of the Meeting held on 16th February 2023 were circulated (item 4 on the agenda).

RESOLVED that the Minutes of the meeting held on 16th February 2023 be approved and signed by the Chairperson as a correct record.

80. Planning and Licensing Applications dealt with under Delegated Authority

The Committee received and noted responses to planning and licensing applications taken under Delegated Authority (item 5 on the agenda).

RESOLVED that the action taken by the Chief Executive & Town Clerk under delegated authority in forwarding the following observations to Blaby District Council be noted:

Planning Applications

1. **Application No:** 23/0109/FUL
- Description:** Demolition of existing workshop and erection of a 2 storey detached dwelling with associated garden and parking (revised scheme).
- Location:** 31 Edenhurst Avenue Braunstone Town Leicestershire LE3 2FA (Ravenhurst & Fosse Ward)
- Response:** *Braunstone Town Council objects to the proposal on the following grounds:*
- a) *out of keeping with the character and appearance of the area;*
 - b) *insufficient on-site parking provision for the proposed new property and insufficient space to accommodate two vehicles on the curtilage of the existing property;*
 - c) *lack of private amenity space for the proposed new dwelling and overdevelopment of the site due to footprint, scale and massing; and*
 - d) *significantly detrimental to the amenities enjoyed by existing and new occupiers due to considerations of privacy, light, noise and overbearing effect.*
- Reasons:**
- a) *Development on this corner plot would add a discordant element to the street scene with housing cluttered around one corner with garages on the opposite side of the road.*
 - b) *The proposed new property had two bedrooms, however, there was only one on-site parking place proposed. The existing property proposed two on-site parking spaces, however, due to the irregular angle and tight fit and access it was questionable whether there was sufficient space and in fact a parked vehicle would protrude onto the footway. In accordance with the local highway design guide, properties with up to and including 3 bedrooms should provide for two parking spaces within the curtilage of the site.*
 - c) *The new property would be squeezed into the curtilage of an existing semi-detached property at right angles where the land had little depth; resulting in insufficient and odd shaped outdoor private amenity space.*

d) *The additional property on this corner location would result in cramped living conditions for the occupants of the new property. In addition, there would be an adverse impact on the occupants of the new property and both neighbouring existing properties in terms of noise and overbearing effect.*

- 2. Application No:** 23/0067/HH
- Description:** Single storey front extension
- Location:** 486 Braunstone Lane Braunstone Town Leicestershire LE3 3DG (Winstanley Ward)
- Response:** *Braunstone Town Council does not object to the single storey front extension; subject to:*
- a) *the front elevation of the proposed single storey front extension not protruding forward of the front building line of the neighbouring properties in the row (i.e. between Beech Drive and St Mary's Avenue); and*
 - b) *the materials being used (roof, type of brick, fenestration) matching those of the existing property.*
- Reason:**
- a) *There remained sufficient on-site parking availability. Properties in the area were of different style and the front of the dwelling at different distances to the road. Protruding forward of the existing front was considered reasonable in terms of the visual amenity of the streetscene provided it did not encroach any further than the front of the neighbouring dwellings. It was important to ensure that properties did not have unlimited rights to build on the front curtilage, which would destroy the open and landscaped nature of the row and the wider streetscene.*
 - b) *To ensure that the front extension would not look out of place, complimented the front of the property and visually fitted in with the appearance of the area.*
- 3. Application No:** 23/0087/HH
- Description:** Single storey rear extension and two storey side extension with store and archive to loft
- Location:** 8 Cranberry Close Braunstone Town Leicestershire LE3 3DL (Winstanley Ward)

Response: *Braunstone Town Council objects to the application on the following grounds:*

- 1. the proposed development would have an unsatisfactory relationship with the neighbouring property, no. 6, that would be significantly detrimental to the amenities enjoyed by the occupiers of the neighbouring property; and*
- 2. the proposed on-site parking for two vehicles would be insufficient for a development containing five bedrooms*

Reasons:

- 1. Due to the gradient of Cranberry Close, no. 8 was higher than no.6; this means that the two storey side extension, which would be built to the boundary between the two dwellings would have an overbearing effect on no.6 and an adverse impact on the light, which would be enjoyed from the side windows of no.6.*
- 2. Due to the design and gradient, only two on-site parking spaces were proposed for a five bedroomed property; this could result in additional parking on the highway, including the footway, presenting safety issues and potential obstruction. In accordance with the Leicestershire Highway Design Guide, 3 on-site parking spaces should be provided.*

Licensing Applications

There were no licensing applications to consider.

81. Planning Applications and Licensing Applications

The Committee received details of a planning applications to be considered by Blaby District Council (item 6 on the agenda). The Committee noted that there were no licensing applications.

RESOLVED that delegated authority be given to the Chief Executive & Town Clerk, in consultation with the Chair of the Committee, to finalise the response to planning application 2 of item 6: 22/0827/RM, amended Reserved Matters application for the erection of Local Centre 1, at Tay Road, Lubbethorpe, following consideration of the Amended Sustainability Statement P3 and taking into account the following resolution of the Committee:

Braunstone Town Council has the following comments, which need to be addressed, and recommended that the plans and documents be modified accordingly and re-submitted for consideration:

- a) the trip generation figures in the transport surveys need to be reviewed and clarified; since the number of journeys by particular modes of transport did not appear to relate to the type and scale of the proposed development;*
- b) the proposed location of the Health Centre solely on the first floor of the commercial units presented accessibility concerns both in terms of stair and*

- lift access for elderly and disabled users and over intensification of this area of the site;*
- c) the design of the car park to the rear of the commercial units needed to properly facilitate deliveries and collections; the number of parking spaces would also need to be reviewed (in relation to (a) above) since the proposed provision seemed insufficient for both the commercial units and the Health Centre;*
 - d) the site and buildings should include sustainability measures such as low carbon heating, rainwater storage and electric vehicle charging points;*
 - e) the area for deliveries (currently a layby adjacent to the access road) would conflict with other users and uses of the car park and footways;*
 - f) the road junction with Tay Road needed to be redesigned given the addition to the site of the Health Facility; options could include a signal controlled junction, a second access (either to provide a one way system or separate access for deliveries), or separate access to the Care Home; and*
 - g) pedestrian walking routes and additional pedestrian crossing points needed to be included in the public car park.*

The reasons for the Committee's recommendation were that: *the Town Council had raised these matters previously and the revised application did not suitably address them; the Town Council remained interested in ensuring the site was sustainable, usable and also accessible to local residents to avoid unnecessary vehicle journeys out of Lubbesthorpe and any adverse impact on the climate and air quality.*

- a) The daily trip generation figures included a significant number of journeys by "Train" (GP Surgery 23, Care Home 2, Mixed Use 105) and "passenger in a car or van" (GP 114, Care Home 11, Mixed Use 640).*
- b) Many patients with mobility issues would struggle to access a first floor health facility; the proposed access to the facility was among the rear accesses to the commercial units, where deliveries and collections would be undertaken; raising concerns about the suitability of the access both from a health & safety perspective and an accessibility perspective. An alternative could be that half the unit on both floors be reserved for the Health Centre and some of the other commercial units be located on the first floor above the grocery store.*
- c) Large delivery vehicles would not be able to use the parking spaces. There was no turning area for refuse and delivery vehicles, these vehicles were expected to do a three point turn at the junction at the top of the car park, presenting safety concerns. Parking provision of 63 spaces for a grocery store, four other retail units plus a health facility accommodating 6 GPs, 4 nurses, 5 consulting rooms and potential expansion was unlikely to satisfactorily provide for employee, patient and customer parking.*
- d) To ensure the site and buildings have a low carbon impact and to mitigate the effects of climate change.*
- e) The delivery layby was disconnected from the retail unit and other local centre units by the public areas and footways. The service area for the commercial units was also the front access to the Health Centre resulting in a conflict of use and users and raising health and safety concerns.*
- f) While it was understood that the junction with Tay Road had been approved as part of the wider Lubbesthorpe Transport Assessment; the services at the site had subsequently been increased as a result of planning application 22/0057/NMAT. Therefore, the design of the junction needed to be reviewed*

and potentially remodelled to ensure the safety of vehicles (including cyclists) entering and leaving the site, along with those on Tay Road and to ensure pedestrian safety, including safe crossing across the entrance and Tay Road.

- g) *It was unclear how pedestrians who had parked their vehicles on the northern side of the public car park would safely access the facilities on site, there appeared to be a lack of connecting footways and safe crossing points.*

Reason for Decision

To further examine the Amended Sustainability Statement to ascertain whether the Committee's concerns in respect of sustainability had been adequately addressed.

RESOLVED that the following responses be forwarded to Blaby District Council:

1. **Application No:** 23/0117/FUL
Description: Erection of semi-detached dwelling associated storage and car parking to include alterations to host dwelling (Revised Scheme).
Location: Land Adjacent 2 Pinfold Braunstone Town Leicestershire (Millfield Ward)
Response: *Braunstone Town Council:*
 1. *does not object to the proposed two additional on-site parking spaces; and*
 2. *objects to the proposed garage / outbuilding.*
Reasons:
 1. *Given the scheme had received planning approval; the amendment to include two additional on-site parking spaces accessed from Watergate Lane would suitably address the poorly designed access arrangements to the approved off road parking accessed from Pinfold; and*
 2. *The inclusion of a garage / outbuilding would result in a lack of private amenity space for the proposed new dwelling and constitute overdevelopment of the site due to footprint, scale and massing.*

3. **Application No:** 23/0055/HH
Description: Conversion of existing garage and single storey side extension
Location: 42 Shakespeare Drive Braunstone Town Leicestershire LE3 2SP (Winstanley Ward)

- Response:** *Braunstone Town Council does not object to the application; subject to:*
- a) on-site parking for 3 vehicles being provided prior to occupation, being surfaced with a hardbound permeable material, and permanently available for use;*
 - b) no windows, doors or openings in the side elevation of the proposed side extension without the explicit consent of the local planning authority; and*
 - c) the proposed garage conversion and side extension being ancillary to the domestic use of the dwelling and not sold, let or separately disposed of.*

- Reasons:**
- a) To avoid on-street parking at a road junction, presenting highway safety issues.*
 - b) To avoid an adverse impact on the amenity enjoyed by the neighbouring property in terms of privacy and noise.*
 - c) To avoid noise, disturbance and overdevelopment of the site/tandem development.*

82. Additional Planning and Licensing Applications

The Committee noted that no planning or licensing applications had been received since the publication of the agenda.

83. Planning Decisions

The Committee received and noted planning decisions made by Blaby District Council (item 8 on the agenda).

RESOLVED that Councillor Robert Waterton contact a senior Planning Officer at Blaby District Council in respect of ensuring consistency of approach when applying conditions relating to off-road parking.

Reason for Decision

To understand why two planning applications, which would result in the properties concerned having four bedrooms, had been determined differently:

- Application 22/1006/HH; 31 Headley Road, had been approved with 2 on-site parking spaces; while*
- Application 23/00871/HH; 8 Cranberry Close, had been rejected for not providing 3 on-site parking spaces but 2 and therefore not complying with the Parking Policy.*

84. Feedback on Planning Application Decisions

The Committee received feedback from Councillor Anthea Ambrose concerning planning decision 22/1141/HH; Single storey side and rear extension (revised scheme of 22/0539/HH), at 32 Charlecote Avenue. The Planning Officer delegated decision report was circulated to the Committee (filed with these minutes).

RESOLVED that the Highway considerations set out in the Planning Officer delegated decision report be noted.

Reason for Decision

The delegated decision report clarified the position concerning the development, the number of bedrooms and therefore the impact on parking.

85. Braunstone Village Conservation Area Extension

The Committee received an update on the timetable for the process to consider whether to extend the Braunstone Village Conservation Area to the South of Braunstone Lane.

The Chief Executive & Town Clerk advised that Leicester City Council were planning a review of the Braunstone Village Conservation Area in the Summer of 2023. The City Council were planning to incorporate the proposal to extend the conservation area to the South of Braunstone Lane in the consultation. The Project Specification and arrangements needed approval from the appropriate Head of Service at both Leicester City Council and Blaby District Council.

RESOLVED that Blaby District Council's Head of Planning be contacted to ask that the project be agreed with Leicester City Council and progressed in order for an outline plan to be received by the Committee at its meeting scheduled for June 2023.

Reason for Decision

To ensure that the proposals would be progressed and not unduly delayed.

86. Lubbesthorpe Impacts Group

The Committee received an update on progress concerning matters relating to the Lubbesthorpe development.

The Committee noted that the meeting of the Group scheduled for 19th April had been postponed to 24th May.

Councillor Robert Waterton updated the Committee on the following matters in respect of the Lubbesthorpe development:

- a) on 31st March 2023 there were 885 occupations;
- b) the Chair had written to the County Council and District Council to ascertain how Section 106 highways improvements were likely to be scheduled

- ahead of trigger points being met for schemes proposed for Enderby and the A47; and
- c) the responses of both authorities on the process for delivering Section 106 Highways Improvements was unclear and Councillor Waterton would be seeking clarification.

RESOLVED that the update be received and noted.

Reason for Decision

To receive details of current and ongoing matters discussed relating to the new Lubbethorpe development and its impact.

87. Financial Comparisons

The Committee received Financial Comparisons for the period 1st April 2022 to 31st March 2023 (item 12 on the agenda).

The Chief Executive & Town Clerk advised that transaction 18190 for £500 net had been incorrectly coded to Planning & Environment budget 8190, Professional Fees (see agenda item 13). As a result, the actual net for budget heading 8190 was £0 and the Balance £250. Therefore, total budget expenditure was £12,584.32 with a balance of -£244.32.

RESOLVED that the report be noted.

Reason for Decision

There were no issues of concern with the income and expenditure against the budget for 2022/2023.

88. Approval of Accounts

The Committee received payments from 8th February 2023 until 31st March 2023 (item 13 on the agenda).

It was noted that

RESOLVED that, subject to the removal of transaction 18190 for £500 net, the list of Approved Expenditure Transactions for the Period 8th February 2023 until 31st March 2023 be approved.

Reason for Decision

To authorise payments in accordance with the Accounts & Audit Regulations and the Council's Financial Regulations.

The meeting closed at 8.45pm.

NOTE:

CRIME & DISORDER ACT 1998 (SECTION 17) – The Council has an obligation to consider Crime & Disorder implications of all its activities and to do all that it can to prevent Crime and Disorder in its area.

EQUALITIES ACT 2010

Braunstone Town Council has a duty in carrying out its functions to have due regard to:-

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between different groups; and;
- foster good relations between different groups

To ensure that no person receives less favourable treatment on the basis of race, disability, sex, gender re-assignment, sexual orientation, age, religion or belief, marriage or civil partnership, pregnancy or maternity.

These issues were considered in connection with each of the above decisions. Unless otherwise stated under each item of this report, there were no implications.

These minutes are a draft and are subject to consideration for approval at the next meeting scheduled 8th June 2023.

SIGNED:

DATED: