

BRAUNSTONE TOWN COUNCIL

MINUTES OF PLANNING & ENVIRONMENT COMMITTEE

HELD AT BRAUNSTONE CIVIC CENTRE

THURSDAY 8th JUNE 2023

PRESENT: Councillor Robert Waterton (Chair), Councillor Sam Maxwell (Vice-Chair) and Councillors Anthea Ambrose, Richard Forrest, Satindra Sangha, Gary Sanders, Darshan Singh, Imran Uddin, Marion Waterton and Mark Widdop.

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

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

1. Apologies

An apology for absence was received from Councillor Leanne Lee.

2. Disclosures of Interest

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

3. Public Participation

In accordance with Standing Order 3.6, members of the public may submit a petition and/or 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.

4. Minutes of the Meeting held 20th April 2023

The Minutes of the Meeting held on 20th April 2023 were circulated (item 4 on the agenda).

RESOLVED that the Minutes of the meeting held on 20th April 2023 be approved and signed by the Chairperson as a correct record.

5. 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:** 22/0827/RM

Description: Reserved matters application for the erection of Local Centre 1; amendments have been made to this application:

1. Revised description of development to include the provision of a new electricity substation.
2. Amended plans and details as set out within Planning Addendum V1 dated 14th March 2023, including;
 - Provision of electricity sub-station within care home site
 - Provision of solar panels
 - Amended Sustainability Statement P3
 - Additional surface water drainage details
 - Additional highways technical information & vehicle tracking
 - Revised Retail & Non Retail Strategy V6 dated April 23
 - Additional landscaping & tree pit details
 - Construction Management Plan Rev 5
 - Noise & odour operational details V3
 - Revised external lighting details
 - Revised boundary treatment details
 - Revised elevation design details
 - Additional materials details
 - Clarification of waste collection proposals
 - Removal of mobility hub from scheme

Location: Tay Road New Lubbethorpe Enderby Leicestershire

Response: *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 additional sustainability measures such as rainwater storage for the toilets 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.*

Reasons:

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) The installation of solar PV panels and air source heat pumps were supported; however, other measures could also be incorporated. Rainwater storage would be suitable to supply toilets even in a clinical setting. Electric Vehicle Charging point infrastructure needs to be rolled out to support expansion of electric vehicle provision.*
- 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.*

2. Application No: 23/0224/HH

Description: Single storey front extension

Location: 45 Bolus Road Thorpe Astley Braunstone Town Leicestershire (Thorpe Astley Ward)

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

- a) out of keeping with the character and appearance of the street scene; and*
- b) overdevelopment of the site due to factors including footprint and scale.*

- Reason:**
- a) *The property itself was closer to the highway than neighbouring properties and the proposed single storey front extension protrudes forward of the existing property significantly further than any front porch on the neighbouring properties; and therefore, adds a discordant element to the street scene.*
 - b) *The area of the front curtilage to be developed would bring the property significantly closer to the highway, compared to the other properties in the street, and would result in an overbearing and closing in effect on the street.*

3. Application No: 23/0236/HH

Description: Single storey front extension

Location: 57 St Mary's Avenue Braunstone Town Leicestershire LE3 3FU (St Mary's Ward)

Response: *Braunstone Town Council objects to the application on the grounds that it would be out of keeping with the character and appearance of the street scene.*

Reasons: *The proposed single storey front extension would protrude forward of the existing building line adding a discordant element to the street scene, which was of similar design and appearance. Any such development permitted could result in further applications from other neighbouring properties, such sporadic development would degrade the symmetry, character and appearance of the area over time.*

4. Application No: 23/0113/HH

Description: Single storey front extensions

Location: 7 Pits Avenue Braunstone Town Leicestershire LE3 2XL

Response: *Braunstone Town Council does not object to the proposal; subject to the proposed extension:*

- a) *Not protruding further forward (towards the highway) than that of the front extension of the neighbouring property at number 9 Pits Avenue; and*
- b) *Not impacting (i.e. reducing) the number of on-site parking spaces on the front curtilage of the property.*

- Reason:**
- a) *To ensure that the development would be in keeping with the design and appearance of the street scene, avoiding development that could degrade the symmetry, character and appearance of the area over time.*
 - b) *To avoid displacement of parking onto the highway (including the footway), which was narrow, and could result in obstruction or compromise the safety of users of the highway (including pedestrians).*

5. Application No: 23/0123/FUL

Description: Installation of boundary fence, including sliding gate for vehicle entrance, and pedestrian controlled access door. Replacement of window on ground floor with door for new delivery entrance.

Location: Millfield House 5 Ervington Court Meridian Business Park Braunstone Town (Thorpe Astley Ward)

Response: *Braunstone Town Council:*

1. *objects to the installation of boundary fence, including sliding gate, on the grounds that it would be out of keeping with the character and appearance of the street scene and be of unsatisfactory design and external appearance; and*
2. *does not object to the replacement of a window on ground floor with door for new delivery entrance.*

Reasons:

1. *The boundary treatments of Ervington Court and the wider Meridian South area were of natural landscaping and not physical barriers. Any such development permitted could result in further applications from other neighbouring properties, such sporadic development would degrade the symmetry, character and appearance of the area over time.*
2. *The building was commercial use on a reasonable sized plot, which would by its nature receive deliveries. The proposed alteration was unlikely to have any significant impact on the use of the site or on neighbouring properties.*

6. Application No: 23/0234/FUL

Description: Erection of Use Class B2/B8/Class E unit with associated access and parking

- Location:** Land to the West of Autoglass Ltd Meridian North Braunstone Town Leicestershire
- Response:** *Braunstone Town Council objects to the application due to the proposals:*
- a) resulting in over-development of the site due to scale and massing;*
 - b) being poorly designed and resulting in a cramped site layout;*
 - c) providing an additional highway access wedged between two existing site access points; and*
 - d) potentially compromising the development of the wider area.*
- Reasons:**
- a) The total floor space of the unit would be large compared to the site as a whole; 1957 square metres on half a hectare of land.*
 - b) The irregular shape of the plot meant that the unit and associated parking and access would be cramped; there would be significant conflicts between lorry, delivery, staff and visitor parking and pedestrian movements on the site, presenting safety concerns. There was a potential for back up onto the highway if several vehicles arrived/left and needed to manoeuvre at the same time.*
 - c) The neighbouring sites were of a significant size and operated with a significant amount of comings and goings; the provision of a new access wedged between both these access points close to a bend would present significant safety concerns for highway users, including pedestrians, and users of the three sites.*
 - d) Land north of Meridian North and South of Centurion Way around the Watergate Lane area has been left undeveloped. In the past various proposals utilising land in this area have been put forward to provide a direct link road from the M1 southbound onto the M69. Land on the other side of the M1 to the M69 was also being left undeveloped as part of the outline approval for New Lubbethorpe. Additional development in this area could prevent proposals to improve the motorway network in the future, thereby limiting economic growth and development in the area.*

Licensing Applications

There were no licensing applications to consider.

6. 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 the following responses be forwarded to Blaby District Council:

1. **Application No:** 23/0311/HH
Description: Front porch, two storey side extension and single storey rear extension
Location: 9 Thomas Close Braunstone Town Leicestershire (Ravenhurst Ward)
Response: *Braunstone Town Council:*
 - a) *does not object to the single storey rear extension;*
 - b) *does not object to a single storey side extension, subject to sufficient on-site parking, on a hard standing surface, being provided within the property's curtilage in accordance with the Leicestershire Local Highway Guidance; and*
 - c) *objects to a two storey side extension as currently designed since it would create an unsatisfactory relationship with the neighbouring property (10 Thomas Close), which would be detrimental to the amenities enjoyed by existing and new occupiers due to considerations of privacy.*
Reasons:
 - a) *The property had a reasonable amount of rear amenity space and there were no neighbouring properties at the rear of the premises which could be affected.*
 - b) *The neighbouring property was industrial and unlikely to be adversely affected. However, it was important to ensure there was sufficient on-site parking on the curtilage of the property, appropriate for the size of the property, to avoid overparking at the turning circle or obstruction to neighbouring properties.*
 - c) *The front upstairs windows would overlook the private rear amenity space of no. 10 Thomas Close and therefore would be detrimental to the amenity enjoyed by the occupiers of the property; a redesigned property which was single storey or had frosted/opaque glass in the windows potentially would address this issue.*
2. **Application No:** 23/0444/TEL

- Description:** Application to determine if prior approval is required for the installation of 15.0m Phase 8 Monopole and associated ancillary works and cabinets
- Location:** Lubbethorpe Way Thorpe Astley Braunstone Town Leicestershire
- Response:** *Braunstone Town Council objects to the application for prior approval for the installation, on the following grounds:*
- a) the equipment protrudes and significantly narrows the existing footpath/cycleway;*
 - b) in addition, the cabinet would open onto the footway/cycleway obstructing it further;*
 - c) there would be a barrier installed, which would further narrow/obstruct the footway/cycleway;*
 - d) there would be no provision for a hardstanding area off the highway (including off the footpath/cycleway) to provide an area for maintenance vehicles and maintenance work to be undertaken on the installation;*
- therefore, a full planning application should be submitted.*
- Reasons:** *The siting of the installation generally was considered acceptable and would not adversely impact on the visual amenity of the street scene; however,*
- a) no other street furniture is located on the footpath/cycleway, which was well used and built to standard, therefore any reduction in the width would hinder its effective and safe use by pedestrians and cyclists;*
 - b) maintenance workers would be on the footpath when accessing the cabinets causing additional obstruction to cyclists and pedestrians; and*
 - c) pedestrians and cyclists would be hemmed in between physical barriers bringing them into conflict causing safety concerns;*
 - d) the busy dual carriageway would make it difficult for maintenance vehicles to park on the carriageway; any parking on the footpath/cycleway would hinder the safe passage of pedestrians and cyclists raising safety concerns*
- therefore, the impact would be detrimental to the promotion and facilitation of safe active travel.*

7. Additional Planning and Licensing Applications

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

8. Planning Decisions

The Committee received and noted planning decisions made by Blaby District Council (item 8a on the agenda) and an Appeal Decision made by the Planning Inspector (item 8b on the agenda).

The Chair explained that in the previous Council, where the Committee had concerns about the Planning Authority's Decision, a Committee member who was also a Ward Councillor would pursue the reasons for the decision, including how the Town Council's comments were taken into account.

RESOLVED

1. that where the Committee had concerns with a Planning Decision by Blaby District Council, particularly where it appeared the Town Council's concerns had not been taken into account, then a Committee member, ideally a Ward Councillor, pursue the reasoning with the relevant Planning Case Officer;
2. that Councillor Mark Widdop contact the Planning Case Officer for more information behind the planning decision 23/0236/HH, Single storey front extension, at 57 St Mary's Avenue;
3. that Councillor Gary Sanders contact the Planning Case Officer for more information behind the planning decision 23/0224/HH, Single storey front extension, at 45 Bolus Road; and
4. that the Appeal Decision by the Planning Inspector, ref: APP/T2405/W/22/3309408, in respect of telecommunications installation 15m street pole and 3 additional ancillary equipment cabinets and associated ancillary works, at Turnbull Drive, be received and noted.

Reason for Decision

1. *To keep a watching brief on the decisions and to review the impact of Town Council comments upon the decision making process.*
2. *To understand why the Planning Officer did not consider the Town Council's concerns about the development adding a discordant element to the street scene and resulting in further applications from other neighbouring properties, degrading the symmetry, character and appearance of the area over time, to be material.*
3. *To understand why the Planning Officer did not consider the Town Council's concerns about the development adding a discordant element to the street scene and resulting in an overbearing and closing in effect on the street, to be material.*
4. *The Committee noted that the Planning Inspector's Decision is final; however, there was concern particularly around Reason 9 of the decision that where maintenance activities obstructed the footpath, the inspector felt pedestrians could cross the road and use the other side.*

9. Feedback on Planning Application Decisions

The Committee received feedback from Councillor Robert Waterton who had contacted a senior Planning Officer at Blaby District Council in respect of ensuring consistency of approach when applying conditions relating to off-road parking.

The Planning Authority had determined two planning applications, which would result in the properties concerned having four bedrooms, 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.

Councillor Waterton had managed to speak to the officer who had dealt with Application 22/1006/HH; 31 Headley Road. The Officer confirmed that County Highways was happy that there were no parking or highways implications resulting from the development.

Councillor Waterton added that he would be speaking with the Director at Blaby District Council concerning the matter.

RESOLVED that further feedback be provided at the next meeting of the Committee, scheduled for 24th August 2023.

Reason for Decision

To ensure consistency of approach when applying conditions relating to off-road parking.

10. 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 Blaby District Council were awaiting a detailed project proposal and costings from Leicester City Council for overseeing the review. The aim was to ensure that the proposed conservation area extension would be integrated into the City Council's review of the existing Conservation Area. It was noted that Leicester City Council had delayed the review of the existing Braunstone Village Conservation Area and revised timescales were awaited.

In the meantime, Blaby District Council were exploring whether they had capacity to review the draft Character Appraisal for the Conservation Area extension from a planning policy perspective, with a view to avoiding any delays once the City Council commenced its review.

RESOLVED

1. that the update be received and noted; and
2. that progress be reviewed at the next scheduled meeting of the Committee and if there was no further progress, the Committee determine its next steps.

Reasons for Decision

1. *To note that consideration of the proposals would be as an extension to the existing Braunstone Village Conservation Area.*
2. *To ensure that the proposals would be progressed and not unduly delayed.*

11. Lubbesthorpe Impacts Group

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

Councillor Robert Waterton updated the Committee on the number of housing occupations on the Lubbesthorpe development. On 30th April 2023 there were 907 occupations; compared to 885 on 31st March and 861 on 31st December. Councillor Waterton added that the speed of development and the number of occupations made a significant difference since the number of occupations triggered service and infrastructure improvements both within Lubbesthorpe and in the wider area.

The total number of houses would be 4250, once complete, 25% of which would be affordable. The total number of houses for phase 1 would be 1265.

RESOLVED that the update be received and noted.

Reason for Decision

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

12. Financial Comparisons

The Committee received Financial Comparisons for the period 1st April 2022 to 30th May 2023 (item 12 on the agenda).

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.

13. Approval of Accounts

The Committee received payments from 12th April 2023 until 30th May 2023 (item 13 on the agenda).

RESOLVED that the list of Approved Expenditure Transactions for the Period 12th April 2023 until 30th May 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 9.15pm.

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 24th August 2023.

SIGNED:

DATED: