

**BRAUNSTONE TOWN COUNCIL**

**MINUTES OF PLANNING & ENVIRONMENT COMMITTEE**

**HELD AT BRAUNSTONE CIVIC CENTRE**

**THURSDAY 15<sup>th</sup> FEBRUARY 2024**

**PRESENT:** Councillor Robert Waterton (Chair) and Councillors Anthea Ambrose, Gary Sanders, and Marion Waterton.

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

There were two members of the public present at the meeting.

**63. Apologies**

Apologies for absence were received from Councillors Richard Forrest, Sam Maxwell, Satindra Sangha, Darshan Singh, Imran Uddin and Mark Widdop.

**64. Disclosures of Interest**

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

**65. 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 two members of the public present, both of whom were interested in progress with the Braunstone Village Conservation Area (item 10 on the agenda). Questions concerned the process, including when the public would be involved and would have access to papers, and the potential scenarios.

**66. Minutes of the Meeting held 14<sup>th</sup> December 2023**

The Minutes of the Meeting held on 14<sup>th</sup> December 2023 were circulated (item 4 on the agenda).

**RESOLVED** that the Minutes of the meeting held on 14<sup>th</sup> December 2023 be approved and signed by the Chairperson as a correct record.

**67. 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:** 23/1041/FUL

**Description:** Single storey rear extension and new pitched roof Change of Use of the ground floor from Use Class E (g) Offices to Use Class E (e) Provision of Medical Services and Offices to allow occupation for an eye clinic.

**Location:** 6 Dominus Way Meridian Business Park Braunstone Town Leicestershire (Thorpe Astley Ward)

**Response:** *Braunstone Town Council does not object to the proposed change of use of the ground floor from Class E(g), Offices, to Class E(e), provision of medical services and offices.*

**Reason:** *The location contained a variety of commercial uses and sufficient on-site parking was provided for the proposed use as set out in the covering letter.*
- 2. Application No:** 23/1024/HH

**Description:** Two storey side extension, first floor side and rear extension (P&E Committee submitted response 18<sup>th</sup> December 2023)

Amendments received 20<sup>th</sup> December 2023

**Location:** 132 Kingsway Braunstone Town Leicestershire LE3 2TU (Millfield Ward)

**Response:** *Braunstone Town Council does not object to the application; subject to:*

  - 1. three off street car parking spaces being provided within the curtilage of the property, be available for use, and retained in perpetuity; and*
  - 2. no windows, vents or openings in the side elevation of the extended property without the prior consent of the local planning authority.*

**Reasons:**

  - 1. To avoid additional parking on a narrow highway (including the footway) or any overhang onto the footway; both of which would impact on the safety of highway users (including users of the footway).*

- To protect the amenity enjoyed by the occupants of the neighbouring property in terms of privacy and noise.*

- 3. Application No:** 23/0991/HH
- Description:** External wall cladding to front, rear and side of existing dwelling
- Location:** 9 Monica Road Braunstone Town Leicestershire LE3 2PR (Millfield Ward)
- Response:** *Braunstone Town Council does not object to the proposal.*
- Reason:** *While neighbouring properties were similar, there was a variety of feature designs and other neighbouring properties had render and external wall cladding; therefore, the proposals were unlikely to have an adverse impact on the character and visual appearance of the street scene.*
- 4. Application No:** 24/0003/FUL
- Description:** Change of use from Dwelling (C3) to Children's Care Home (C2): for two children aged between 5 and 17
- Location:** 46 Darien Way Thorpe Astley Braunstone Town Leicester (Thorpe Astley Ward)
- Response:** *Braunstone Town Council does not object to the change of use; subject to:*
- no more than two children aged between 5 and 17 (inclusive) at any one time;*
  - prior to first use, on-site parking on the front curtilage of the property being provided for at least three vehicles, which must be hard bound and either permeable or with appropriate drainage; and*
  - the garage not being converted or put to any alternative use that would prevent it being available as a garage for the parking of a motor vehicle.*

- Reasons:**
- 1. To avoid undue noise, disturbance and cramped living conditions.*
  - 2. To provide parking for two on-site staff along with parking for deliveries or visitors.*
  - 3. To ensure that an adequate level of off street car parking would be available and retained to serve the property and its use.*

**5. Application No:** 23/0189/HH

**Description:** First floor side extension and single storey rear extension

**Location:** 286 Braunstone Lane Braunstone Town  
Leicestershire LE3 2GA (Ravenhurst Ward)

**Response:** *Braunstone Town Council does not object to the application; subject to:*

- 1. the materials to be used in the construction matching those of the existing dwelling; and*
- 2. on-site parking, within the curtilage of the property, being provided for at least three vehicles and being permanently available by use.*

- Reasons:**
- 1. To retain the character and appearance of the property and the street scene.*
  - 2. To avoid additional parking on the highway, including the footway, which was a busy route and, due to the width of the road and the footway and with the bends in the carriageway, would result in compromising the safety of highway users.*

**6. Application No:** 24/0036/FUL

**Description:** Change of use from restaurant (coffee shop) to hot food takeaway (Sui Generis) and café/restaurant

**Location:** 9 Sun Way Braunstone Town Leicestershire LE3 3DS  
(St Mary's Ward)

**Response:** *Braunstone Town Council does not object to the proposals; subject to:*

- a) before the change of use commences, a litter bin shall be provided on the forecourt of the property and shall be serviced, maintained and retained by the occupier of the premises; and*
- b) no additional external fans, ventilation or extraction equipment to be installed without the prior agreement of the local planning authority.*

**Reasons:** *Expanding the use from restaurant (coffee shop) to hot food takeaway (Sui Generis) and café/restaurant, supported the sustainability of the business and the neighbourhood parade and therefore supported the objectives of Development Management Policy 6; however, it was important to:*

- a) maintain the cleanliness of the area in the interests of the amenity of the neighbourhood parade and the nearby domestic dwellings; and*
- b) protect the amenity enjoyed by neighbouring properties in terms of noise, vibration and disturbance.*

**7. Application No:** 24/0053/FUL

**Description:** Installation of two rapid electric vehicle charging stations

**Location:** McDonalds Restaurant Meridian East Business Park Braunstone Town (Thorpe Astley Ward)

**Response:** *Braunstone Town Council does not object to the application.*

**Reason:** *The provision of electric vehicle charging points expanded the network of chargers and therefore, supported the use of electric vehicles.*

**8. Application No:** 24/0063/HH

**Description:** Single storey side and rear extension

**Location:** 136 Edward Avenue Braunstone Town Leicestershire (Millfield Ward)

**Response:** *Braunstone Town Council does not object to the application; subject to at least three off street parking spaces being provided within the curtilage of the property.*

**Reason:** *The property was on a established plot and the proposed extensions covered part of the existing outbuilding footprint and were single storey. However, the number of bedrooms at the property would be increased to four and it was important to avoid additional parking on a narrow highway (including the footway) close to a road junction, which could present safety issues.*

- 9. Application No:** 24/0029/HH
- Description:** Proposed single storey side extension, front porch, removal of hedgerow and erection of 1.9m high timber fencing
- Location:** 36 Rosamund Avenue Braunstone Town Leicestershire (Ravenhurst Ward)
- Response:** *Braunstone Town Council does not object to the application.*
- Reason:** *The proposed extension was adjacent to a highway rather than a neighbouring property and was single storey. Sufficient on-site parking was available for the number of bedrooms.*
- 10. Application No:** 24/0054/HH
- Description:** Two storey and single storey extension to the side and rear, external rendering and single storey outbuilding
- Location:** 18 Stonehurst Road Braunstone Town Leicestershire (Ravenhurst Road)
- Response:** *Braunstone Town Council does not object to the proposals; subject to:*
- 1. before the proposed extension was brought into use; the three on-site parking spaces, shown in the plans must be available for use;*
  - 2. the on-site parking spaces provided must have a hard bound, permeable surface or have adequate drainage; which must be maintained and permanently available for use as parking;*
  - 3. the windows in the side elevation of the proposed extension must be of opaque glass and top opening only and must remain so in perpetuity; and*
  - 4. no additional windows, openings or vents in the side elevation of the extension without the explicit consent of the local planning authority.*
- Reasons:**
- 1. To ensure sufficient on-site parking was available, avoiding additional parking on a narrow highway at a bend, which could present safety issues.*
  - 2. To ensure the surface was suitable for permanent use for parking and to reduce water run-off onto the highway during periods of heavy rain.*
  - 3. To protect the amenity enjoyed by the occupants of the neighbouring property in terms of privacy.*

4. *To protect the amenity enjoyed by the occupants of the neighbouring property in terms of privacy and noise.*

### Licensing Applications

There were no licensing applications to consider.

### **68. 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.

In respect of the application on land to the West of St Johns (B4114), Enderby, Councillor Robert Waterton advised that he was a member of the Planning Committee at Blaby District Council and that application 19/0164/OUT had been turned down by the Committee. In respect of application 23/1006/OUT, this was likely to be considered by the Planning Committee at Blaby District Council. Councillor Waterton advised that he would be considering the presentation, officer advise and points of discussion in the meeting when determining how to vote. Similarly at Blaby District Council's Planning Committee, Councillor Waterton stated that he would have an open mind and would be considering the officer report, presentation and advice, along with the points of discussion in the meeting, when determining how to vote.

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

**1. Application No:** 23/1066/OUT

**Description:** Outline application for a commercial development consisting of the erection of x4 warehouse buildings with ancillary officer and gatehouses (Use Class B8) and 3x general industrial buildings (Use Class B2) including associated access off Leicester Lane (revised application following refusal 19/0164/OUT)

**Location:** Land to the West of St Johns (B4114) Enderby Leicestershire LE19 2AB

**Response:** *Braunstone Town Council recommends that any approval be subject to the following conditions:*  
*a) a connecting cycle / footpath be provided by the developer, adjacent and parallel to the northbound carriageway of St Johns (B4114) which connects the cycle/footpath by Barr Close, to the development via the 2019 proposed route of the vehicular access from St Johns (now removed), to the entrance of the Park & Ride, with associated improvements to the crossing points, and*

*connecting to the cycle/footpath by Leicester Lane;*

- b) prior to commencement of any work, a detailed construction plan must to be submitted and approved by the Local Planning Authority setting out the method of construction and including details of a construction traffic route, an environmental and noise impact assessment, mitigating measures and measures to protect wildlife habitats, trees and water courses;*
- c) no construction work to be undertaken on the site until the proposed new road (application 19/0179/FUL & 19/0180/RM) and junction improvements (application 19/0178/FUL) had been approved, constructed and completed and confirmation received from the Local Highways Authority that the junction and new road met the relevant standards for a “B” road set out in the Leicestershire Highway Design Guide;*
- d) no construction work to be undertaken until an application had been submitted to and discharged by the Local Planning Authority setting out how the development would meet the requirements a – n set out in the Site Allocations Policy SA3 of the Blaby District Local Plan (Delivery) Development Plan Document, adopted February 2019; and*
- e) the proposed units on the site must not be operational until the improvements to the junction on Leicester Lane, the cycle/footpath on St Johns (including site access and crossings) and the site road layout, as set out in the submitted plans, had been approved, constructed and completed, with confirmation received from the Local Highways Authority that these met the relevant standards set out in the Leicestershire Highway Design Guide.*

**Reasons:**

*The site had been identified as new allocation for Employment in the Blaby District Local Plan (Delivery) Development Plan Document, adopted February 2019.*

- a) To provide infrastructure to encourage walking and cycling to the site, avoiding obstructions and having to cross the main road multiple times. The enhancement adjacent to the site would connect two existing sections providing a link to Fosse Park/Grove Park and Enderby (albeit cyclists would have to cross the road at the crossing point by Barr Close). This would provide a balanced contribution to enhancing sustainable transport infrastructure and connections in line with growth.*
- b) To ensure that any adverse impact upon the amenity enjoyed by local residents and upon the*



*local environment would be mitigated and controlled.*

- c) To mitigate the adverse impact on the capacity of the local highway network, reduction in air quality and the impact on the amenity enjoyed by residents in the surrounding residential areas.*
- d) To ensure that the development provided for a mix of uses, provided transport infrastructure improvements, highway improvements, included sustainable transport measures, protected the environment, heritage, biodiversity and landscape and addressed surface water run off mitigating potential flooding.*
- e) To mitigate the adverse impact on the capacity of the local highway network and reduction in air quality.*

**2. Application No:** 24/0060/HH

**Description:** Part garage conversion (extension)

**Location:** 5 Tillett Road Braunstone Town Leicestershire (Thorpe Astley Ward)

**Response:** *Braunstone Town Council does not object to the application; subject to the provision of on-site parking for at least three vehicles within the curtilage of the property, which should be hardbound and contain drainage/or be of a permeable material, and such parking permanently remaining available for use.*

**Reason:** *A four-bedroom dwelling should have parking provision for three off-road spaces to be in accordance with Part 3, Paragraph 3.151 of the Leicestershire Highway Design Guide. There was limited available parking on highway due to the narrow road and the need to access residential properties; additional highway parking could cause obstruction and present highway safety issues.*

## **69. Additional Planning and Licensing Applications**

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

## **70. Planning Decisions**

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

**RESOLVED** that a member of the Committee for Millfield Ward be asked to pursue the following planning decisions with the relevant Planning Case Officer at Blaby District Council:

- 23/1006/HH; two storey side extension and two single storey rear extension including demolition of existing outbuilding (revised scheme to 22/1006/HH) at 31 Headley Road; and
- 23/1024/HH; two storey side extension, first floor side and rear extension; at 132 Kingsway.

*Reason for Decision*

*To understand why the Parking Standards in the Leicestershire Local Highway Design Guide had not been applied in these cases and whether Leicestershire County Council had been made aware of the Town Council's comments in relation to its local knowledge and the potential impact on highway safety.*

#### **71. Feedback on Planning Application Decisions**

The Committee noted that there was no feedback outstanding concerning planning application decisions by Blaby District Council where the Committee had queried the decision.

#### **72. Braunstone Village Conservation Area Extension**

The Committee received an update on the process to consider whether there would be a case to designate an area of Braunstone Village to the South of Braunstone Lane as a Conservation Area (item 10 on the agenda).

The Chief Executive & Town Clerk undertook to clarify whether Blaby District Council, scheduled for 16th April 2024, would receive a report concerning the proposed conservation area regardless of whether there was a recommendation to approve a consultation.

#### **RESOLVED**

1. that the approach to the *Review Process*, as set out in the report, be endorsed;
2. that an additional meeting of the Committee be scheduled for Thursday 11th April 2024 to consider the published report and recommendations being submitted to a meeting of Blaby District Council on 16th April 2024 on whether to undertake a public consultation;
3. that the *Outline Work Programme*, as set out in the report, be endorsed; and
4. that delegated authority be given to the Chief Executive & Town Clerk, in consultation with the Chair of Planning & Environment Committee, to:
  - (a) approve specific dates and milestones, including consultations and review, within the framework set out in the *Outline Work Programme* section of the report,
  - (b) approve revised milestones and timescales, subject to consideration by the Planning & Environment Committee at the next scheduled meeting,

- (c) to call additional meetings and/or reschedule meetings of Planning & Environment Committee to facilitate the *Review Process* and *Outline Work Programme*,
- (d) support the process using the Council's existing resources, including communications channels and premises, and
- (e) engage residents, stakeholders, partners and professional advisers, as appropriate.

*Reasons for Decision*

1. *To progress the proposals for considering the area of Braunstone Village to the south of Main Street/Braunstone Lane for designation as a Conservation Area.*
2. *To consider and comment on whether the evidence presented supported the recommendations to either proceed or not proceed to the statutory public consultation stage of the process.*
3. *To confirm the stages of the review, along with the anticipated dates upon which the detailed milestones and work would be programmed.*
4. *To progress the review process and work programme avoiding any further delay.*

**73. Care Homes**

The Committee received an update on number and location of Care Homes in former domestic dwellings in Braunstone Town and Thorpe Astley (item 11 on the agenda).

**RESOLVED**

1. that the report be noted; and
2. that a report be submitted to the meeting of the Committee, scheduled for February 2025, providing an update on the number and location of approved Care Homes in former domestic dwellings in Braunstone Town and Thorpe Astley.

*Reasons for Decision*

1. *To note the number and location of change of use applications from a domestic dwelling to a residential care home since 2016.*
2. *To monitor the expansion of residential care homes in residential areas in order to protect amenity and ensure provision was in the most appropriate location and to an appropriate standard.*

**74. Financial Comparisons**

The Committee received Financial Comparisons for the period 1st April 2023 to 31<sup>st</sup> January 2024 (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 2023/2024.*

**75. Approval of Accounts**

The Committee received payments from 6th December 2023 until 6th February 2024 (item 13 on the agenda).

**RESOLVED** that the list of Approved Expenditure Transactions for the Period 6th December 2023 until 6th February 2024 be approved.

*Reason for Decision*

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

**76. Houses in Multiple Occupation**

**RESOLVED** that in view of the special / confidential nature of the business to be transacted, the press/public be excluded and they be instructed to withdraw (Standing Orders 3.5 and 3.7 apply). *Reason for exception – Personal Information and Information provided in confidence.*

The Committee received a report providing an update on known and potential Houses in Multiple Occupation in Braunstone Town and Thorpe Astley; and setting out feedback and issues which had been identified (item 14 on the agenda).

**RESOLVED**

1. that the report be noted;
2. that an article be placed in the Council pages of the Braunstone Life inviting residents to notify the Council if they suspected any Houses in Multiple Occupation in their neighbourhood;
3. that Blaby District Council's Licensing Department be approached concerning the status of the existing suspected Houses in Multiple Occupation (identified in red at Appendix 2 of the confidential report); and
4. that a report be submitted to the meeting of the Committee, scheduled for February 2025, providing an update on known and potential Houses in Multiple Occupation in Braunstone Town and Thorpe Astley and setting out feedback and any issues which had been identified.

*Reasons for Decision*

1. *To monitor the growth in Houses in Multiple Occupation in order to protect amenity and ensure provision was in the most appropriate location and to an appropriate standard.*
2. *To ensure that all properties operating as Houses in Multiple Occupation were registered and complied with the regulations, including the safety*

standards.

3. *To determine whether the properties suspected of operating as a House in Multiple Occupation were being investigated or whether it had been confirmed that the properties were not operating as a House in Multiple Occupation.*
4. *To monitor the expansion of Houses in Multiple Occupation, to ensure that such properties were properly regulated and to ensure that communities were not adversely affected.*

The meeting closed at 9.05pm.

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 18<sup>th</sup> April 2024.*

SIGNED .....

DATE .....