

BRAUNSTONE TOWN COUNCIL

MINUTES OF PLANNING & ENVIRONMENT COMMITTEE

HELD AT BRAUNSTONE CIVIC CENTRE

THURSDAY 18th APRIL 2024

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

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

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

77. Apologies

An apology for absence was received from Councillor Satindra Sangha.

78. Disclosures of Interest

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

79. 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 and revised timescales for the proposed Conservation Area review and public consultation.

Both members of the public raised concerns about the proposed planning applications for the land off Avon Road, which included an application to demolish a business unit and an application to build 13 houses. They were concerned that both planning applications, if approved, would be detrimental to any conservation area and as such impressed the importance of progressing the conservation area proposals prior to any determination of these planning applications.

80. Minutes of the Meeting held 15th February 2024

The Minutes of the Meeting held on 15th February 2024 were circulated (item 4 on the agenda).

RESOLVED that the Minutes of the meeting held on 15th February 2024 be approved and signed by the Chairperson as a correct record.

81. 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:** 24/0099/FUL
- Description:** Change of use of dwelling (use Class C3) to a Children's Residential Home (Use Class C2) for the care of up to 3 children
- Location:** 136 Narborough Road South Braunstone Town Leicestershire (Ravenhurst Ward)
- Response:** *Braunstone Town Council does not object to:*
1. *the proposed single storey rear extension; nor*
 2. *the proposed change of use, subject to:*
 - a) *no more than 3 children (i.e. up to the age of 18 years old) without the prior approval of the local planning authority;*
 - b) *the onsite car parking arrangements, for at least two vehicles, as set out in the submitted plans being provided prior to occupation and permanently available for use;*
 - c) *the onsite car parking (in b above) being surfaced with a hard bound material, either permeable or with drainage and permanently maintained; and*
 - d) *the installation of sound proofing measures, subject to the approval of the Environmental Health Authority, on the party wall with no. 134.*
- Reasons:**
1. *The property was on a large established plot and a single storey rear extension was unlikely to have an adverse impact on the amenity enjoyed by the neighbouring properties.*
 2. *The proposal would support vulnerable children in a community setting; however, it was important:*
 - a) *to ensure that the number of children cared for was appropriate to the size of the dwelling and its amenities;*
 - b) *to avoid parking on the narrow highway (including the footpath) close to a road*

- junction, which could present safety issues for highway users (including pedestrians);*
- c) *to ensure the parking area was suitable for parking while avoiding surface water run-off; and*
 - d) *to protect the amenity enjoyed by the occupants of the neighbouring property in terms of noise and disturbance.*

2. Application No: 24/0102/FUL

Description: Change of use from dwelling house (use class C3) to residential home for care of up to 2 children (use Class C2)

Location: 10 Millfield Crescent Braunstone Town Leicestershire (Millfield Ward)

Response: *Braunstone Town Council objects to the application due to insufficient private outdoor*

Reason: *The property does not contain any private and secure outdoor amenity space. To enclose the small space on the front would require fencing and this would be detrimental to the character and appearance of the street scene. Given the proposal was to care for two vulnerable children, the dwelling and curtilage was considered to be unfit for purpose.*

3. Application No: 24/0067/HH

Description: Single storey side and rear extension

Location: 10 Gwencole Avenue Braunstone Town Leicestershire (Ravenhurst Ward)

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

- a) *retention of the existing on-site parking for at least two vehicles, which must be able to park within the curtilage of the property; and*
- b) *no side windows in the side elevation of the proposed extension without the explicit consent of the local planning authority.*

Reasons:

- a) *To avoid additional parking on the highway, close to a road junction and the overhanging of vehicles which would obstruct the footway.*
- b) *To protect the amenity enjoyed by the neighbouring property in terms of noise and privacy.*

- 4. Application No:** 24/0168/FUL
- Description:** Erection of EV chargers & canopy, jet wash bays, sub station enclosure, LV panel, meter cabinet, plant room and associated forecourt works
- Location:** Osiers Travellers Check Lubbethorpe Way Braunstone Town Leicestershire (Thorpe Astley Ward)
- Response:** *Braunstone Town Council does not object to the proposals; subject to the retention and protection of trees as set out in the Tree Survey submitted with the application; and in particular compliance during construction with sections:*
- *5 – Arboricultural Impact Assessment,*
 - *6 – Tree Protection;*
 - *7 – Special Measures for working within a Root Protection Area;*
 - *8 – Arboricultural Method Statement.*
- Reasons:** *To support the provision of Electric Vehicle Charging Points; while avoiding an adverse impact on the local environment ensuring that trees important to bio-diversity and nature would be retained.*
- 5. Application No:** 24/0171/HH
- Description:** Conversion of garage to provide adapted living accommodation/ground floor bedroom
- Location:** 14 Farmway Braunstone Town Leicester Leicestershire (Millfield Ward)
- Response:** *Braunstone Town Council does not object to the application; subject to:*
- a) *retention of the existing on-site parking for three vehicles; and*
 - b) *no side windows, openings or ventilation in the side elevation of the property, adjacent to No.12, without the explicit consent of the local planning authority.*
- Reasons:**
- a) *To avoid additional parking on a narrow highway.*
 - b) *To protect the amenity enjoyed by the neighbouring property in terms of noise and privacy.*

Licensing Applications

There were no licensing applications to consider.

82. 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:** 24/0102/FUL

Description: Change of use from dwellinghouse (use class C3) to residential home for care of up to 2 children (use class C2), provision of a new hardstanding & vehicular access from Millfield Crescent.

Location: 10 Millfield Crescent Braunstone Town Leicestershire (Millfield Ward)

Response: *Braunstone Town Council objects to the application due to insufficient private outdoor amenity space for the proposed use.*

Reason: *Given the proposal was to care for two vulnerable children, the dwelling and curtilage was considered to be unfit for purpose since the property does not contain any private and secure outdoor amenity space. The revised parking plan would reduce the existing small outdoor amenity space on the front, which would require fencing to make it both private and secure and this would be detrimental to the character and appearance of the street scene.*
- 2. Application No:** 24/0221/HH

Description: Front porch and extension to the existing garage.

Location: 25 Percy Street Braunstone Town Leicestershire (Ravenhurst Ward)

Response: *Braunstone Town Council does not object to the application; subject to the retention of at least two on-site parking places (including the garage space).*

Reason: *The property was set back from the road compared to the neighbouring properties; therefore, the front porch was unlikely to add a discordant element to the street scene. The garage extension was single storey to the side, partly on an existing footprint, and adjacent to a garage and drive on the neighbouring property. There was unlikely to be any adverse impact on amenity. However, it was important to retain on-site parking to avoid highway parking at the*

turning point, which could potentially obstruct access to neighbouring properties.

- 3. Application No:** 24/0089/FUL
- Description:** Installation of external oxidiser to north side of existing industrial unit.
- Location:** Clifton Packaging Group Plc Meridian West Braunstone Town Leicester (Thorpe Astley Ward)
- Response:** *Braunstone Town Council does not object to the installation of an external oxidiser ; subject to:*
- i. details of the chemicals and associated processes used by the plant being submitted in writing;*
 - ii. appropriate mitigation measures being in place to ensure that the oxidiser would not be detrimental to the amenity of the surrounding area by reason of noise, vibration, smell, fumes or any other obnoxious substance; and*
 - iii. ongoing maintenance of the oxidiser, particularly those parts which need to be cleaned and replaced, in accordance with the manufacturer's instructions.*
- Reasons:**
- i. To ensure that the level of air pollution would not be increased by substituting the production line for substandard or cheaper chemical products.*
 - ii. To avoid any detriment to the local environment and amenity, which could adversely affect those working in the area and the local wildlife.*
 - iii. To ensure that the unit would be effective at removing hazardous chemical particles.*

83. Additional Planning and Licensing Applications

The Committee received details of additional planning applications to be considered by Blaby District Council (item 7 on the agenda). The Committee noted that there were no licensing applications.

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

- 4. Application No:** 24/0301/FUL
- Description:** Change of use from dwelling (C3) to residential children home (C2)
- Location:** 4 Mann Close Thorpe Astley Braunstone Town Leicestershire (Thorpe Astley Ward)

Response: *Braunstone Town Council does not object to the proposed change of use, subject to:*

- a) *only one child up to the age of 18 years old without the prior approval of the local planning authority;*
- b) *onsite car parking arrangements, for at least three vehicles (including the garage space), being provided prior to occupation and permanently available for use; and*
- c) *the operation of the facility being in strict accordance with the submitted planning statement and plans.*

Reason:

- a) *To ensure that the number of children cared for was appropriate to the size and layout of the dwelling and its amenities;*
- b) *to avoid parking in a small cul-de-sac, which could present safety issues for highway users (including pedestrians); and*
- c) *to protect the residential amenity enjoyed by the occupants of the neighbouring properties.*

5. **Application No:** 24/0088/FUL

Description: Retention of external oxidiser next to existing unit on north side of industrial unit

Location: Clifton Packaging Group Plc Centurion Way Meridian Business Park Braunstone Town (Thorpe Astley Ward)

Response: *Braunstone Town Council does not object to the installation of an external oxidiser; subject to:*

- i. *details of the chemicals and associated processes used by the plant being submitted in writing;*
- ii. *appropriate mitigation being in place to ensure that the oxidiser would not be detrimental to the amenity of the surrounding area by reason of noise, vibration, smell, fumes or any other obnoxious substance; and*
- iii. *ongoing maintenance of the oxidiser, particularly those parts which need to be cleaned and replaced, in accordance with the manufacturer's instructions.*

Reason:

- i. *To ensure that the level of air pollution would not be increased by submitting the production line for substandard or cheaper chemical products.*
- ii. *To avoid any detriment to the local environment and amenity, which could adversely affect those working in the area, those living in the nearby residential area and the local wildlife.*

- iii. *To ensure that the unit would be effective at removing hazardous chemical particles.*

84. Planning Decisions

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

RESOLVED that the planning decisions made by Blaby District Council be received and noted.

Reason for Decision

To keep a watching brief on the decisions and to review the impact of Town Council comments upon the decision making process.

85. Feedback on Planning Application Decisions

The Chair advised that Councillor Leanne Lee, a local Ward Councillor, was happy 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.

86. Braunstone Village Conservation Area Proposals

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, including revised timescales for the review (item 10 on the agenda).

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 16th May 2024 to consider the published report and recommendations being submitted to a meeting of Blaby District Council on 21st May 2024 on whether to undertake a public consultation;
3. that the *Outline Work Programme*, as set out in the report, and assuming that the full length of time would be needed to assess consultation responses, 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, assuming that the full length of time would be needed to assess consultation responses.*
4. *To progress the review process and work programme avoiding any further delay.*

87. Charges – Dog Waste Bags

The Committee considered a proposal to increase charges for dog waste bags and a framework for increasing the price to cover costs (item 11 on the agenda).

RESOLVED

1. that the price charged for 100 bio-degradable dog waste bags be increased to the next 5p above the purchase cost plus 20% VAT (currently the purchase cost plus 20% VAT was £1.58 per 100; therefore, the price charged to the customer would be £1.60 including VAT); and
2. that delegated authority be given to the Chief Executive & Town Clerk to determine the implementation date and to vary the future price charged to customers, as set out in resolution 1 above.

Reasons for Decision

1. *To provide alternative bio-degradable dog waste bags, ensuring that the Council provided access to products which were more environmentally friendly, while ensuring that purchase costs were covered by the resale price.*
2. *To set a specific date for timely implementation, allowing time for systems and publicity to be updated, and to ensure that future purchase costs were covered by the resale price.*

88. Dog Bin – Waste Collection Service

The Committee noted the outcome of a review of providers for Dog Bin Waste Collections (item 12 on the agenda).

RESOLVED that the current contractor for dog waste bin emptying be retained.

Reason for Decision

The only alternative waste contractor offering a dog waste bin emptying service to cover Leicestershire was more expensive than the current contractor being used by the Town Council.

89. Lubbesthorpe Impacts Group

The Committee received an update on progress concerning matters relating to the Lubbesthorpe development and to report on the recent meeting of the Lubbesthorpe Impacts Group (item 13 on the agenda).

The Chair, Councillor Robert Waterton, reported that on 31st January 2024 there were 1025 occupations (compared to 990 on 27th October 2023).

Phase 1 of the development would be complete at 1265 occupations. Work has commenced on Phase 2, which comprises 887 houses.

Blaby District Council's Planning Committee rejected an application to build logistics units on the land encompassed on two of its sides by St John's (B4114) and Leicester Lane. This project, known as the 'Enderby Hub', was opposed by many Enderby residents. The application may now go to appeal since the land was designated for employment purposes in the Local Plan. The 'Hub' has implications for traffic management and was consequently linked to the major infrastructure issues which have arisen around Lubbesthorpe, other large housing projects and the M1 Junction 21.

A start has been made on the construction of Local Centre 1 on Tay Road. The proposed Health Centre was on the first floor, with access via stairs or a lift.

The storms early in the year generated flooding on Beggar's Lane at the end of Tay Road. Blaby District Council were investigating whether a second pool to accommodate water run-off was needed.

The S106 situation continues to confuse. Section 106 commitments involving Leicestershire County Council are not monitored by Blaby District Council but by the County Council and there did not appear to be any liaison between the two authorities.

The next meeting was scheduled for 12th June 2024.

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.

90. Financial Comparisons

The Committee received Financial Comparisons for the period 1st April 2023 to 31st March 2024 (item 14 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.

91. Approval of Accounts

The Committee received payments from 6th February 2024 until 31st March 2024 (item 15 on the agenda).

RESOLVED that the list of Approved Expenditure Transactions for the Period 6th February 2024 until 31st March 2024 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 9.00pm.

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 currently proposed meeting scheduled for 6th June 2024.