

BRAUNSTONE TOWN COUNCIL

MINUTES OF PLANNING & ENVIRONMENT COMMITTEE

HELD AT BRAUNSTONE CIVIC CENTRE

THURSDAY 27th OCTOBER 2022

PRESENT: Councillor Robert Waterton (Chair), Councillor Parminder Basra (Vice-Chair) and Councillors Anthea Ambrose, Leanne Lee, 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.

29. Apologies

An apology for absence was received from Councillor Sohan Johal.

30. Disclosures of Interest

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

31. 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 in attendance.

32. Minutes of the Meeting held 25th August 2022

The Minutes of the Meeting held on 25th August 2022 were circulated (item 4 on the agenda).

RESOLVED that the Minutes of the meeting held on 25th August 2022 be approved and signed by the Chairperson as a correct record.

33. Air Quality Monitoring Annual Status Report 2022

The Committee received the Blaby District Air Quality Monitoring Annual Status Report for consideration (item 5 on the agenda).

RESOLVED that the following points and questions be submitted to Blaby District Council for a response:

- a) Under Actions to Improve Air Quality (page vi); there was a bulleted list of objectives;
 - i. what actions had been taken?

- ii. was there a copy of the Communications Plan?
 - iii. could further communication be developed concerning sustainable transport routes to and from Fosse Park?
 - iv. which Schools did Blaby District Council work with on the Citizens' Science Project? Were there any in Braunstone Town?
 - v. there was a significant amount of parking around Lubbesthorpe School already; was there a plan to address this?
 - vi. how could the short film around behavioural change be accessed?
- b) How does the colour coding of the NO₂ levels get determined and how do these compare to those recommended by the World Health Organisation?
 - c) The Withers Way access to Lubbesthorpe Way often backs up with traffic as early as 3 – 4pm on a weekday, this road was adjacent to housing. Could a monitor be located in this area?
 - d) How does the Council collect particulate matter and from which set of monitors?
 - e) The description of AQMA3 included Thorpe Astley but the area was around the A47 in Leicester Forest East and M1 in Kirby Muxloe.
 - f) There was often black dirt on windows in Thorpe Astley. Where did it come from? The Council would be interested to know if there were any organisations, e.g. Universities, undertaking air quality/pollution studies which could take a sample and analyse it in a laboratory?

Reasons for Decision

- a) *To understand and support local engagement with the community, organisations and schools to improve air quality and encourage sustainable travel.*
- b) *To understand and seek reassurance that the colour coding used related to scientific evidence of safe and unsafe levels of NO₂.*
- c) *To ascertain whether there was an adverse impact on the level of air quality in the adjacent residential dwellings.*
- d) *The report included data but it was unclear from which locations the data had been collected.*
- e) *The description of Thorpe Astley didn't appear to be accurate.*
- f) *To understand the source of the black dirt, whether or not it was safe and to assist with greater scientific understanding of the source and impact of air pollution.*

34. 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 6 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:** 22/0933/DOC

Description: Application to discharge conditions 3 (external materials), 4 (programme of archaeological works), 7 (soft & hard landscaping), 13 (construction management plan), 15 (foul & surface water drainage) and 16 (long term maintenance of surface water management) to application 20/0573/FUL

Location: Shakespeare Inn 226 Braunstone Lane Braunstone Town Leicestershire (Winstanley Ward).

Response:

1. *Braunstone Town Council does not object to the discharge of the following conditions:*
 - a) *4 – programme of archaeological works;*
 - b) *15 – foul & surface water drainage;*
 - c) *16 – long term maintenance of surface water management; and*
2. *Braunstone Town Council recommends that the following conditions not be discharged until amendments had been incorporated as follows:*
 - a) *3 – external materials: replace white upvc windows on the front elevation with oak or other darker colour;*
 - b) *7 – soft & hard landscaping: include trees to the front and rear of the properties; and landscape inside the rear boundary;*
 - c) *13 – construction management plan: 3.4 Noise Actions under requirements amend “It is not anticipated that there will be any activities undertaken outside of these hours or over night” to “There will be no activities undertaken outside of these hours”.*

Reasons:

1. *The information submitted with the application and in the plans appeared to meet the requirements of the conditions. In the case of the programme of archaeological works; it had been recommended that no further investigations would be necessary.*
2. *The information submitted with the application and in the plans broadly dealt with the main issues set out in the conditions; however:*
 - a) *White UPVC windows on the front elevation would be less in keeping with the character and appearance of the area, particularly the adjacent grade II listed building; an alternative colour should be used that would be in keeping with the proposed oak colour of the front doors, black guttering and roof slate;*

- b) trees to the front of the property would integrate the development into the character of the wider street scene; similarly trees to the rear would provide both privacy screening for the dwellings and integration with the visual amenity enjoyed on open space to the rear; landscaping inside the rear boundary would provide less opportunities for crime and protect the amenity of the dwellings in terms of privacy and noise; and
- c) to protect the amenity of the neighbouring dwellings and users of the public open space in terms of avoiding noise and disruption in the evenings and for most of the weekend.

- 2. Application No:** 22/0601/HH
- Description:** Single storey rear extension and conversion of garage to form habitable room including air conditioning unit to side elevation (Revised Scheme).
- Location:** 5 Darwin Close Thorpe Astley Braunstone Town Leicestershire (Thorpe Astley Ward)
- Response:** *Braunstone Town Council does not object to the proposals; subject to:*
- a) *replacement on-site parking for the loss of the garage space, being of hard bound permeable material, and being permanently available for use;*
 - b) *no windows in the side elevation of the extension without the explicit consent of the local planning authority; and*
 - c) *no noise or vibration from the air conditioning unit being perceptible inside any adjacent property and the noise and vibration levels being in accordance with the regulations; and*
 - d) *the air conditioning unit only being installed, used, and must be maintained, in accordance with the manufacturer's instructions.*
- Reason:**
- a) *To avoid additional parking on a narrow access, which could result in obstruction and present highway safety issues.*
 - b) *To protect the amenity enjoyed by the neighbouring property in terms of privacy.*
 - c) *To protect the amenity enjoyed by the neighbouring properties in terms of noise and vibration nuisance.*
 - d) *To ensure that the unit was fit for purpose both in terms of providing air and heat to the converted*

garage but also in terms of where on the building the external unit would be installed and located.

- 3. Application No:** 22/0839/HH
- Description:** Conversion and extension to detached garage to form residential annex
- Location:** 38 Francis Avenue, Braunstone Town, Leicestershire LE3 2PH (Ravenhurst & Fosse Ward)
- Response:** *Braunstone Town Council objects to the proposed conversion and extension of the detached garage to form a residential annex; due to:*
- a) insufficient on-site parking provision;*
 - b) cramped and substandard living conditions; and*
 - c) adverse impact on the amenity enjoyed by neighbouring properties in terms of noise, privacy and increased comings and goings.*
- Reasons:**
- a) The proposals result in a net loss of onsite parking for the property while increasing the number of bedrooms at the property; any increase in the number of residents could result in additional on-street parking close to a bend on Francis Avenue, or close to access and a turning circle on Edenhurst Avenue, presenting highway safety issues.*
 - b) The size, design, location and layout of the accommodation was cramped, would lack light and would lack basic living amenities such as kitchen and storage facilities.*
 - c) Use of the converted garage for sleeping and living accommodation would result in additional noise and disturbance late at night impacting on the amenity enjoyed by the neighbouring properties.*

Licensing Applications

There were no licensing applications.

35. Planning Applications and Licensing Applications

The Committee received details of a 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:

1. **Application No:** 22/0931/FUL
- Description:** Erection of 1x four bedroom detached dwelling and 2x four bedroom semi-detached dwellings.
- Location:** 64 Amy Street Braunstone Town Leicestershire LE3 2FB (Ravenhurst & Fosse Ward)
- Response:** *Braunstone Town Council objects to the application; due to the development resulting in:*
- a) overdevelopment of the site due to scale and mass; and*
 - b) insufficient on-site parking provision for the semi-detached properties.*
- Reasons:**
- a) The proposal involved building a detached 4 bedroom dwelling and a semi-detached property with 4 bedrooms in each dwelling on a plot size similar to 3 bedroomed semi-detached dwelling. This would result in cramped living.*
 - b) The semi-detached properties have four bedrooms each but only provision for two on-site parking spaces; this was partly due to the size of the plot and cramped design (as set out in a above). Additional parking on the highway close to a sharp bend would present safety concerns for highway users (including pedestrians using the footway).*
2. **Application No:** 22/0977/HH
- Description:** First Floor side extension
- Location:** 1 Colbert Drive Braunstone Town Leicestershire LE3 2JB (Ravenhurst & Fosse Ward)
- Response:** *Braunstone Town Council does not object to the proposed first floor side extension; subject to on-site parking being provided for 3 vehicles, surfaced with a hardbound permeable material, and permanently available for use.*
- Reason:** *The proposed first floor side extension provided for an additional bedroom at the property and it was important to avoid additional parking on a narrow highway close to road junctions; and to provide a suitable surface for parking while avoiding flooding and surfaced water run-off.*

36. **Additional Planning and Licensing Applications**

The Committee noted that there were no additional planning or licensing applications received since the publication of the agenda.

37. Planning Decisions

The Committee received and noted planning decisions made by Blaby District Council (item 9 on the agenda).

RESOLVED

1. that Councillor Phil Moitt contact the Planning Case Officer for more information behind the planning decision 22/0407/HH, Single storey rear extension and conversion of side garage including raising of existing roof, at 50 Kirkland Road;
2. that Councillor Leanne Lee contact the Planning Case Officer for more information behind the conditions applied to Planning Decision 22/0123/FUL, Erection of 1 semi detached dwelling including alterations and extensions to No. 2 Pinfold, at Land adjacent 2 Pinfold; and
3. that the Chief Executive & Town Clerk seek clarification from the Planning Department on where the Planning Officer Delegated Decisions could be found.

Reasons for Decision

1. *To understand why the conversion of the side garage was approved when there appeared to be insufficient alternative on-site parking.*
2. *To understand why the Town Council's objections were not considered to be material in this case.*
3. *To ascertain whether the Town Council could access the relevant documentation to further understand the rationale behind particular planning decisions.*

38. Feedback on Planning Application Decisions

The Committee received feedback concerning planning application decisions by Blaby District Council where the Committee had queried the decision as follows:

- a) *21/1439/HH, Two storey side and single story rear extensions and rendering of existing property, at 7 Edward Avenue; Councillor Leanne Lee reported that a response had been received from the Planning Department that the officer who dealt with the application had left and that the report contained no information to answer the Council's query.*
- b) *22/0297/HH, demolition of existing extensions and erection of single storey rear extension, at 58 Amy Street; Councillor Robert Waterton reported that a response had been received from the Planning Officer (Item 10.2 on the agenda). In summary the Officer had stated that the impact of a side window was limited due to the extension being single storey and the in situ boundary treatments. In respect of the use of the extension, use as a separate dwelling would require planning permission. Finally, the floor levels had been confirmed as the same as those in a previous approved extension, which had been considered acceptable and therefore, no further conditions were necessary. In all cases the development had to be built in accordance with the plans.*

39. **Proposed Conservation Area For Braunstone Village**

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 (item 11 on the agenda).

RESOLVED that delegated authority be given to the Chief Executive & Town Clerk, in consultation with the Chair of Planning & Environment Committee, to approve revised milestones and timescales; subject to consideration by the Planning & Environment Committee at the next scheduled meeting; and

Reasons for Decision

To progress and appraise the proposals for the extension to the Braunstone Village Conservation Area, avoiding any further delay.

40. **Neighbourhood Planning**

The Committee reviewed the position concerning whether the Parish should be designated as a Neighbourhood for the purposes of undertaking a Neighbourhood Plan (item 12 on the agenda).

RESOLVED that Braunstone Town Council does not undertake a Neighbourhood Plan or any of the Neighbourhood Planning tools at the present time.

Reason for Decision

Successful Neighbourhood Planning required the leaderships and involvement of the Town Council and Town Councillors and an indication of a wider community desire to undertake neighbourhood planning; while there was evidence of support, this was not sufficiently widespread to justify the resources to facilitate the process, including engaging the community and making the necessary applications and applying for funding. Key areas such as Open Spaces and Neighbourhood Shopping Areas are protected by existing policies. Areas of historic or special character, such as Braunstone Village, could be protected and enhanced by designating as a conservation area.

41. **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 on 24th October 2022 (item 13 on the agenda).

The Chair, Councillor Robert Waterton, advised there was slow progress with housing completions and as a result delays with delivering the affordable housing allocation. The proposed relocation of the new Health Centre to Tay Road had resulted in a request for mitigation measures to be included outside the School on Tay Road; however, until a planning application had been submitted, these could not be considered. The next monitoring report was due soon and this would be publicly available.

RESOLVED that the update be noted.

Reason for Decision

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

42. Financial Comparisons

The Committee received Financial Comparisons for the period 1st April 2022 to 30th September 2022 (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 2022/2023.

43. Approval of Accounts

The Committee received payments from 17th August 2022 until 18th October 2022 (item 15 on the agenda).

RESOLVED that the list of Approved Expenditure Transactions for the Period 17th August 2022 until 18th October 2022 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 9.05pm.

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 on 8th December 2022.

SIGNED:

DATED: