

BRAUNSTONE TOWN COUNCIL

REPORT OF THE PLANS & ENVIRONMENT COMMITTEE

14TH AUGUST 2014 AT 7.30PM

Present: Mr G Sanders (In the Chair), Mr R Berrington, Miss S Betts, Mr J Dodd (Ex-Officio), Mr S Maxwell, Mrs I Whaling, Mr W Wright.

Officers in Attendance: Mr D Tilley, Executive Officer & Town Clerk.

Apologies: There were no apologies received.

1. Disclosures of Interest from Members

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

2. Public Participation

In accordance with Standing Orders 16f and 70 the meeting was adjourned to give an opportunity for members of the public present to raise matters of public interest for the purpose of making representations, giving evidence or answering questions.

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

3. Report of the Meetings held 10th July 2014

The Report of the Meeting held 10th July 2014 was taken as read and signed by the Chairperson.

4. Planning Applications – To Note the Action Taken Under Delegated Powers

RESOLVED: That the action taken under Standing Order No.71 (c) in forwarding the following observations to Blaby District Council be approved:-

14/0624/1/PX - Welcome Break M1 Northbound Leicester Forest East Services. Installation of one electric vehicle charging point. *No Observations.*

14/0570/1/HPX - 22 Percy Street. Side and rear extension to bungalow. *In accordance with the Local Plan Policy T7 replacement of on-site parking facilities should be provided:- dwellings with more than 4 bedrooms – 3 spaces, 3 or less bedrooms – 2 spaces, 1 bedroom flats/bedsits – 1 space.*

14/0654/1/HPX - 11 Murby Way, Thorpe Astley. Conversion of garage into habitable accommodation. *As there is no indication of the number of bedrooms in the property and in accordance with the Local Plan Policy T7 replacement of on-site parking facilities should be provided:- dwellings with more than 4 bedrooms – 3 spaces, 3 or less bedrooms – 2 spaces, 1 bedroom flats/bedsits – 1 space.*

14/0667/1/PX – Unit 8 and Unit 11 Fosse Park Avenue. External alterations, reallocation of existing mezzanine floorspace and addition of new mezzanine floorspace, installation of sprinkler tank and pump house, reconfiguration and provision of additional car parking spaces and enhancement of public realm. *Policy CS13 requires improvements to the wider transport network resulting from overdevelopment. The Highways Agency has identified a need for improvements to M1 Junction 21 and the A46 which has arisen through the cumulative impact of all the developments proposed and that need for improvements must be recognised. Mechanisms must be introduced to support the delivery of mitigation measures (both traffic congestion and air pollution) through developer contributions. Any Planning Consent should therefore be conditional upon the developers providing the*

purchase, installation, operation and maintenance of air quality monitoring equipment to help assess the impact of the development (and any future proposals) on local Air Quality Management Areas. We note that the Application states that it is proposed to introduce 24 additional car parking spaces; however, the information provided in the Transport Statement show that only 18 additional spaces are to be provided. Braunstone Town Council asks that any planning consent should be condition of the required 24 additional car parking spaces being provided.

14/0554/1/PX - 12/14 Ayston Road. Amended Plan. *Braunstone Town Council objects to this application for the following reasons. The proposed development would have an unsatisfactory relationship with other nearby uses that would be significantly detrimental to the amenities enjoyed by the occupiers of those properties, due to considerations of overbearing effect. The proposed development would result in the over-development of the site due to factors including scale and mass. The Braunstone Town Parish Plan survey revealed that 54.7% of residents thought that parked vehicles caused problems in this area, particularly for people with disabilities or with pushchairs. It is particularly important therefore that in accordance with Local Plan Policy T7, on-site parking facilities should be provided:- dwellings with more than 4 bedrooms – 3 spaces. Braunstone Town Council is concerned about the loss of parking spaces for the office accommodation. In accordance with Section CE25 of the Blaby District Local Plan the following crime prevention measures should be incorporated:- adequate boundary fences provided. The occupiers of neighbouring properties should be fully consulted in connection with the proposals.*

14/0679/1/WY – Drummond Estate - East of Beggars Lane and South of Lubbethorpe Bridle Road, Lubbethorpe. Removal of Hedgerow. *In accordance with the Wildlife and Countryside Act 1981 nesting birds and bats, their roosts and their access to these roosts are protected. Any consent must therefore be conditional upon comprehensive inspections for the presence of bats and nesting birds by a trained operative before the works commence. Should bats owls or nesting birds be discovered in the trees/hedgerows, Natural England must be informed immediately and no works permitted until necessary mitigation measures have been put in place.*

14/0676/1/AY – Bella Italia, Unit 2 Meridian Leisure Park. Display of illuminated and non-illuminated signage. *No Observations.*

5. Planning Applications

RESOLVED That the following observations be forwarded to Blaby District Council:-

14/0659/1/PX - 107 - 107A Turnbull Drive. Change of use of ground floor residential accommodation to Use Class A1 (Retail) and alterations to shop front, first floor side extension to create an additional flat and alterations to the rear of the property. *The occupiers of neighbouring properties should be fully consulted in connection with the proposals, since the proposed development could result in the over-development of the site due to factors including scale and mass.*

14/0701/1/PX - Asda Stores Ltd, Narborough Road South. Proposed outdoor trading unit. *No observations.*

14/0678/1/NMAT – Hallam Land Management etc. Application for amendments to planning permission Meridian Way to New Lubbethorpe. *Please refer to previous Braunstone Town Council comments on application 11/0100/1/OX, dated 26th April 2011. No observations on the amendments to the M1 Bridge Design. Local residents should be fully consulted in connection with the bridge construction activity (ref: 3.12 of the revised proposals). Construction access must be in accordance with the revised proposals (ref: 3.7 of the revised proposals). NOTE: that at a meeting of*

the Lubbesthorpe Strategic Consultative Board on 17th July 2014, an alternative access was considered for Lubbesthorpe construction traffic via Leicester Lane, Enderby. Should investigations suggest that this provides a suitable access to the site, then this option should be pursued.

14/0686/1/DOC – Burton Menswear Fosse Park Avenue. Discharge of condition 3 attached to planning permission 14/0413/1/PX. *No observations.*

NOTES:

LOCALISM ACT 2011 - SECTION 25

It was noted that in considering the above Planning Applications Town Councillors' could not be judged to have had a closed mind just because they had previously done anything that directly or indirectly indicated what view he/she took, or would or might take, in relation to a decision. Councillors who are also Members of Blaby District Council participated on the basis that they would keep an 'open mind' and reserved their final views until they were in full possession of all the relevant arguments for and against.

CRIME & DISORDER ACT 1998

When making observations in connection with the above applications, members considered crime reduction opportunities and the use of any appropriate 'planning gain'.

6. Planning Decisions

The following planning decisions from Blaby District Council were received and noted:-

- a) **14/0424/1/PY** – 9 Cyril Street. Change of use of retail unit to hot food takeaway (Class A5) including installation of flue to the rear. It was noted that the application had been refused planning permission since it would result in unacceptable levels of noise and disturbance to existing residents in the vicinity, and was contrary to Policy R2 of the Blaby District Local Plan (1999).
- b) **14/0338/1/MX** – Winstanley Community College. Application for a single story building comprising of five classrooms and ancillary facilities and provision of additional off street parking. It was noted that the application had been approved subject to conditions.
- c) **14/0514/1/HPX** – 2 Bolus Road. Conversion of existing garage into habitable accommodation and single story rear extension. It was noted that the application had been approved subject to conditions.

7. Riverside Pavilion – Premises Licence Application 061754

Mr. R. Berrington had attended a licensing hearing in Leicester on 23rd July, held to consider an application for a premises licence at Riverside Pavilion, Riverside Football Ground, Braunstone Lane East. Braunstone Town Council had objected to the premises licence application. A letter dated 25th July 2014 from Leicester City Council advising the Council of the outcome of the hearing, and detailing how to appeal the decision, was received.

RESOLVED

That no further action be taken and that the situation be monitored according to both the terms of the licence and the terms of planning consent.

8. Lubbesthorpe

- a) Lubbesthorpe Strategic Consultative Board – the first meeting of the Lubbesthorpe Strategic Consultative Board had been held on 17th July 2014. Mr. W. Wright had attended the meeting and discussions included the provision of services and amenities and that funding would be available from the sale of the first 300 houses. In addition, it had been highlighted that there was a possible alternative entrance to Lubbesthorpe from Leicester Lane, Enderby, for

construction traffic. Planning Officers at Blaby were in discussions with the County Council and the developer to ascertain whether the bridge over M69 was strong enough for construction traffic and whether this would provide a more appropriate access to the site.

RESOLVED

That should Leicester Lane, Enderby provide a suitable access to Lubbesthorpe for construction traffic, this option be pursued and supported.

- b) Letter from Thorpe Astley resident – a letter was received on 15th July 2014 from Alice, a resident of Thorpe Astley concerning the construction of the bridge over the M1 from Meridian Way to Lubbesthorpe. The letter called for a public consultation and it was noted that a public consultation was due to take place in September, which the Town Council would support in terms of raising public awareness.

RESOLVED

That the content of the letter be noted.

9. Footpath from Watergate Lane to Footpath W9 off Staplehurst Avenue

An application for a Definitive Map Modification Order was submitted to Leicestershire County Council on 20th June 2014. In addition to the Town Council's request, three witnesses had completed user evidence forms. The County Council had advised that the landowner was likely to object to the application and in such circumstances an application was only likely to be successful if it was supported by over 20 user evidence forms.

RESOLVED

That further user evidence forms be encouraged through publicity in the form of an article in the Braunstone Life, website, social media and press releases and supported by a statement from the Chair of the Committee.

10. Advance Notice of a Temporary Traffic Regulation Order – Colbert Drive, Narborough Road South (West Service Road) and Footpath W9

An advance notice of a Temporary Traffic Regulation Order from Leicestershire County Council was received with regard to the temporary closure of Colbert Drive and Narborough Road South West Service Road and Footpath W9 to facilitate Severn Trent Water installing a rising main under the dual carriageway.

RESOLVED

That the Temporary Traffic Regulation Order be noted.

11. Advance Notice of a Temporary Traffic Regulation Order – Withers Way

An advance notice of a Temporary Traffic Regulation Order from Leicestershire County Council was received with regard to the temporary closure of roundabouts on Withers Way to facilitate carriageway maintenance works.

RESOLVED

That the Temporary Traffic Regulation Order be noted.

12. **Termination of the Meeting**

The meeting closed at 8.30pm.

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 favorable 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.