

## **BRAUNSTONE TOWN COUNCIL**

### **REPORT OF THE PLANS & ENVIRONMENT COMMITTEE**

**19<sup>TH</sup> JUNE 2014 AT 7.30PM**

**Present:** Mr G Sanders (In the Chair), Miss A Ambrose, Mr R Berrington, Miss S Betts, Mr S Maxwell, Mrs I Whailing, Mr W Wright.

**Officers in Attendance:** Mr D Tilley, Executive Officer & Town Clerk, Miss J Leech, Assistant Executive Officer – Admin.

**Apologies:** Mr D Widdowson.

**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 was one member of the public present at the meeting, a local resident from Amy Street, to make representation on item 3, expressing her objection to the new Premises Licence Application for the Riverside Pavilion, Aylestone Meadows.

**3. Premises Licence – Riverside Pavilion, Aylestone Playing Fields**

A copy of correspondence from a resident of Amy Street regarding the New Premises Licence Application for the Riverside Pavilion, Aylestone Playing Fields, application number 20111654, was received. Based on the conditions of the planning approval for the application the following representation be submitted to Leicester City Council and copied into its planning department.

**RESOLVED**

*The Town Council's representations relate to the objective of prevention of public nuisance for the following reasons:-*

*The Licence application is contrary to the conditions set out in Condition 4 of the Planning Permission 2011654 dated 16<sup>th</sup> November 2011 which states that 'there shall be no live or amplified music or voice played which would be detrimental to the amenities of occupiers of nearby properties (in the interests of amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan).*

*Likewise, Condition 3 of the planning permission states that the clubhouse should not be used outside the hours of 0700 to 2300 daily. The Town Council therefore strongly objects to the proposed increased hours to 0200 hours.*

*The Town Council strongly objects to the proposed provision of late night refreshments and alcohol outdoors from the premises, again between the hours of 0900 to 0200 in the interests of the amenities of occupiers of nearby properties. It should be the case that temporary events licences are applied for to hold events outside of the premises as and when they arise.*

4. **Report of the Meetings held 5<sup>th</sup> June 2014**

The Report of the Meeting held 5<sup>th</sup> June 2014 was taken as read and signed by the Chairperson.

5. **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:-

There were no planning applications dealt with under delegated powers.

6. **Planning Applications**

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

**14/0514/1/HPX** Mr M Bailey and Mrs J Bone, 2 Bolus Road, Thorpe Astley. Conversion of existing garage into habitable accommodation and single storey rear extension. *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.*

**14/0524/1/HPX** Mr M Addy, 37 Tom Paine Close, Thorpe Astley. Two storey side extension. *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.*

**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'.

7. **Planning Decisions**

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

**14/0222/1/HPX** Mr P Rye, 24 Beech Drive. Two storey side extension, single storey rear extension and single storey detached out-building to rear (includes demolition of existing garage and glass house). It was noted that the application had been granted conditional approval by the District Council. Braunstone Town Council had objected to the application on the grounds that the proposals would result in tandem development and over-development of the site due to factors of scale and mass; the outbuilding should be used for storage only and non-business use and not as a separate unit; and that adequate on-site parking facilities should be provided. The only condition that met any of these objections had been the requirement for 2 off street parking spaces to be provided.

**8. Public Footpath from Watergate Lane to Footpath W9 off Staplehurst Avenue**

It was noted that the County Council's Senior Access & Development Officer (Rights of Way) had forwarded the Council further forms to complete with regard to the Council's request for a Definitive Map Modification Order to be applied to the area from Watergate Lane to Footpath W9 off Staplehurst Avenue. A copy of the Public Rights of Way Evidence Forms had been forwarded to the residents who had previously provided evidence, for completion, and the application would be resubmitted to Leicestershire County Council. Should there be any objection to the Council's Notice of intention to apply for a Definitive Map Modification Order then the decision would be made by an inquiry by the Secretary of State.

**9. Community Infrastructure Levy – Consultation of Preliminary Draft Charging Schedule**

A copy of a letter dated 28<sup>th</sup> May 2014 from Leicester City Council consulting on its Community Infrastructure Levy Charging Schedule was received and it was noted that further information could be obtained from their website at [www.leicester.gov.uk/your-council-services/ep/planning/plansandguidance/cil/](http://www.leicester.gov.uk/your-council-services/ep/planning/plansandguidance/cil/).

**RESOLVED**

*That a response be sent to Leicester City Council as part of its consultation expressing the Council's support of it introducing a Community Infrastructure Levy.*

**10. 3 Narborough Road South – Update**

A progress report on the District Council's disposal of 3 Narborough Road South was received. It was noted that the sealed bid process for the sale of the property had now been completed and the prospective purchaser had given assurance of their plans to return the property back into a habitable condition within a reasonable timeframe once the sale had been finalised.

**11. Template for Observations on Lubbethorpe Planning Applications**

A template observation form for the Plans & Environment Committee to consider on receipt of future planning applications for the Lubbethorpe Development, was received and noted. The observations had been extracted from the Town Council's observations to the original outline planning application and the conditions of the application's approval.

**RESOLVED**

*That following clarification on items relating to Highways and Affordable Housing that the observations be adopted for future reference.*

**12. Blaby District Council Planning Seminar**

It was noted that the Executive Officer & Town Clerk and Miss A Ambrose had attended the District Council's Planning Seminar on 20<sup>th</sup> May 2014. Miss Ambrose reported that there had been a good representation of local councils present and that the presentation had covered planning legislation. It was noted that the District Council was willing to provide similar events at other locations.

**13. Termination of the Meeting**

The meeting closed at 8.00pm.

**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 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.

