

BRAUNSTONE TOWN COUNCIL

MINUTES OF PLANS & ENVIRONMENT COMMITTEE

THURSDAY 17TH DECEMBER 2015

PRESENT: Councillor Gary Sanders (Chair), Councillor Bill Wright (Vice-Chair) and Councillors Roger Berrington, Stuart Maxwell, Phil Moitt, Chetan Parmar and Robert Waterton.

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

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

70. Apologies

Apologies for absence were received from Councillor Berneta Layne and Mr John Dodd (Ex-Officio).

71. Disclosures of Interest

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

72. 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 answer questions in respect of any item of business included on the agenda.

There were no members of the public present.

73. Minutes of the Meeting held 19th November 2015

The Minutes of the Meeting held on 19th November 2015 were circulated (item 4 on the agenda).

RESOLVED that the Minutes of the meeting held on 19th November 2015 be approved and signed by the Chairperson as a correct record.

74. Planning Applications dealt with under Delegated Authority

The Committee received and noted responses to planning applications taken under Delegated Authority (item 5 on the agenda).

RESOLVED that the action taken by the Executive Officer & Town Clerk under delegated authority in forwarding the following observations to Blaby District Council be noted:

- 1. Application No:** 15/1406/LBC
Description: Change of use to include ancillary A5 Use (Hot Food Takeaway) (Retrospective). Listed Building Consent.
Location: Shakespeare Inn Braunstone Lane Braunstone Town Leicestershire
- Response:** *Braunstone Town Council wishes to make the following comment: that a condition of consent should be that any changes/additions to signage on the exterior of the building and premises must receive the prior consent of the Local Planning Authority.*
- Reason:** *The change of use was contained entirely within the interior of the building, however, providing a take away may result in changes to exterior signage and any such changes would have an impact upon the Listed Building.*
- 2. Application No:** 15/1405/FUL
Description: Change of use to include ancillary A5 Use (Hot Food Takeaway) (Retrospective). Retrospective Planning Consent.
Location: Shakespeare Inn Braunstone Lane Braunstone Town Leicestershire
- Response:** *Braunstone Town Council wishes to make the following comments:*
- a) there was an inconsistency between the closing times on Friday and Saturday listed on the application form and that of paragraph 12 of the design and access statement, no decision should be made until the precise opening hours have been clarified; and*
 - b) a condition of consent should be that a litter bin must be provided on the car park forecourt and should be retained.*
- Reasons:**
- a) To ensure no ambiguity around the opening hours upon which consent had been granted.*
 - b) To ensure that the impact of rubbish upon Shakespeare Park and Highway would be mitigated.*
- 3. Application No:** 15/1421/HH
Description: Single storey side and rear extensions
Location: 7 Hilcot Green Braunstone Town Leicestershire LE3 3SY
- Response:** *Braunstone Town Council wishes to make the following comment: that the occupiers of neighbouring properties should be fully consulted in connection with the proposals.*
- Reason:** *The side extension would be close to the boundary of the neighbouring property and may impact upon the amenity*

of this property.

- 4. Application No:** 15/0832/RM
Description: Revised layout with revised house types.
Location: North & South Of The M69 Motorway, West Of The M1 Motorway And East Of Beggars Lane Lubbesthorpe Leicester

Response: *Braunstone Town Council wishes to make the following comments:*

- a) Applications for the site now exceed 565 houses, the Planning Authority should ensure that the developer has advanced plans and a timetable for ensuring the first Primary School is built;*
- b) the land around the deserted medieval village of Lubbesthorpe should not be used as land for community purposes, but should be retained as farmland;*
- c) the design of Main Street should either take into account traffic calming measures and a weight limit in order to reduce the amount of through traffic or the District Centre and the School should be located off Main Street on a separate side street and an appropriate traffic junction and crossing facilities installed at Main Street;*
- d) small areas of green space within Housing Developments, which are not recreational nor play space should not be designated open space but included as shared space, along with the access and parking, within the title deeds of the residential properties;*
- e) boundaries between residential properties and public open space should be the responsibility of the individual residential units; and*
- f) the Landscape Plans should only include indigenous species recommended by the Royal Horticultural Society for use in sustainable urban developments.*

- Reasons:**
- a) To ensure compliance with the Section 106 agreement of January 2014 requiring the school to be available for the first day of the September term prior to the occupation of the 300th dwelling.*
 - b) To prevent a loss of open space to the development should the land be required for a direct link road from the M1 south onto the M69;*
 - c) Main Street had the potential to become a rat-run, therefore either mitigation measures should be taken to prevent this or if the route forms part of a wider access from the west into the principal urban area, then the location of the school and community facilities along it should be relocated in order to ensure the safety of users;*

- d) *the Thorpe Astley development included a number of small parcels of open space which due to the small size had no recreation/play purpose or value but had not been included as part of the shared responsibilities of the surrounding properties, this land has become the responsibility of the Parish Council but has limited wider community value;*
- e) *the Thorpe Astley development boundaries between residential properties and public open space were all designated as shared, however, the fences are to protect the privacy and security of the residential dwellings and should be the responsibility of the individual residential units; and*
- f) *Some of the species listed was foreign and would be inappropriate for use since they were invasive species which could spread unsustainably if not regularly maintained at a significant cost.*

- 5. Application No:** 15/0799/RM
- Description:** Revised layout with revised house types.
- Location:** Land To The North And South Of The M69 Motorway, West Of The M1 Motorway And East Of Beggars Lane, Lubbesthorpe
- Response:** *Braunstone Town Council wishes to make the following comments:*
- a) *the land around the deserted medieval village of Lubbesthorpe should not be used as land for community purposes, but should be retained as farmland;*
 - b) *the design of Main Street should either take into account traffic calming measures and a weight limit in order to reduce the amount of through traffic or the District Centre and the School should be located off Main Street on a separate side street and an appropriate traffic junction and crossing facilities installed at Main Street;*
 - c) *small areas of green space within Housing Developments, which are not recreational nor play space should not be designated open space but included as shared space, along with the access and parking, within the title deeds of the residential properties;*
 - d) *boundaries between residential properties and public open space should be the responsibility of the individual residential units; and*
 - e) *the Landscape Plans should only include indigenous species recommended by the Royal Horticultural Society for use in sustainable urban developments.*
- Reasons:**
- a) *To prevent a loss of open space to the development should the land be required for a direct link road from*

- the M1 south onto the M69;*
- b) Main Street had the potential to become a rat-run, therefore either mitigation measures should be taken to prevent this or if the route forms part of a wider access from the west into the principal urban area, then the location of the school and community facilities along it should be relocated in order to ensure the safety of users;*
 - c) the Thorpe Astley development included a number of small parcels of open space which due to the small size had no recreation/play purpose or value but had not been included as part of the shared responsibilities of the surrounding properties, this land has become the responsibility of the Parish Council but has limited wider community value;*
 - d) the Thorpe Astley development boundaries between residential properties and public open space were all designated as shared, however, the fences are to protect the privacy and security of the residential dwellings and should be the responsibility of the individual residential units; and*
 - e) Some of the species listed was foreign and would be inappropriate for use since they were invasive species which could spread unsustainably if not regularly maintained at a significant cost.*

- 6. Application No:** 15/0873/RM
- Description:** Revisions to Landscaping layout including relocation of footpaths and redesign of drainage ponds.
- Location:** North And South Of The M69 Motorway, West Of The M1 Motorway And East Of Beggars Lane, Lubbethorpe Leicester
- Response:** *Braunstone Town Council wishes to make the following comments:*
- 1. the Landscape Plans should only include indigenous species recommended by the Royal Horticultural Society for use in sustainable urban developments, Bryony was not suitable for use in public open spaces; and*
 - 2. the details, timescales and works for the Landscaping taking place east of the M1 adjacent to Meridian Way should be undertaken in consultation and liaison with Braunstone Town Council and arrangements for the future management and legal transfer (along with associated commuted sums) should be undertaken in consultation and liaison with Braunstone Town Council.*
- Reasons:**
- 1. Some of the species listed was foreign and would be inappropriate for use since they were invasive species which could spread unsustainably if not*

regularly maintained at a significant cost. Bryony grows rapidly and would swamp other plants, it is poisonous and the sap it produces reacts with human skin.

2. *While it was understood that a Community Trust may manage the Lubbesthorpe Open Spaces; the landscaping on land to the East of the M1 was adjacent to Thorpe Astley and within the Parish of Braunstone, which currently had operational arrangements in place for managing Thorpe Astley Open Spaces. The involvement of Braunstone Town Council in the landscaping arrangements and future of the land adjacent to Meridian Way would ensure that the interests of the residents adjacent to the site were represented.*

75. Planning Applications

The Committee received details of planning applications to be considered by Blaby District Council (item 6 on the agenda).

The Executive Officer & Town Clerk advised that the Town Council had received notification of the 2nd planning application on the list for consideration, 15/1466/DOC, Request for confirmation that conditions be discharged from 02/0795/1/PX in respect of Development At Watergate Lane Braunstone Town Leicestershire; however, the plans were still unavailable for viewing. Once the plans became available, the item would be rescheduled for the forthcoming Committee or taken under delegated powers as appropriate.

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

1. **Application No:** 15/1415/DOC
Description: Discharge of conditions 3, 4, and 5 attached to planning permission 15/0821/FUL.
Location: 16 Bidford Road Braunstone Town Leicestershire LE3 3AE
Response: *Braunstone Town Council wishes to make the following comments:*
 - i. *that condition 3, Internal Floor Layout should only be discharged subject to a fire safety audit and the full implication of the recommendations;*
 - ii. *that Condition 4, Noise/Insulation Proposals, should not be discharged; and*
 - iii. *that Condition 5, extraction equipment, be discharged.*

- Reasons:**
 - i. *While suitable internal layouts showing signage, doors and exit routes had been submitted, it was unclear whether there were alternative fire exits from the upper floors, e.g. via the back of the building; the use of the premises would require heat producing electrical equipment, which posed a fire risk and*

- should be mitigated;*
- ii. the documentation submitted was a company brochure, not as required by the condition a scheme of works for the party wall at these premises; and*
- iii. the applicant had confirmed no extraction equipment would be required.*

76. Additional Planning Applications

The Committee received details of planning applications received since the publication of the agenda (item 7 on the agenda).

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

- 1. Application No:** 15/1510/HH
- Description:** Single storey side and rear extension, additions to the roof space and extension of existing dropped kerb
- Location:** 20 Percy Street Braunstone Town Leicestershire LE3 2FL
- Response:**
1. *Braunstone Town Council wishes to object to this application because 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 Privacy; and*
 2. *Braunstone Town Council wishes to make the following comments:*
 - i. in accordance with Local Plan Policy T7 replacement of on-site parking facilities should be provided – dwellings with 3 bedrooms – 2 spaces; and*
 - ii. the occupiers of neighbouring properties should be fully consulted in connection with the proposals.*
- Reasons:**
1. *The proposed rear elevation contained doors onto an outside upper level patio, which would overlook neighbouring properties and the side elevation upper window overlooked number 22 and would be intrusive to the amenity enjoyed by that property.*
 2. *There would be 3 bedrooms at the property and the location of windows and a balcony in the proposals could impact the amenity of the neighbouring properties.*
- 2. Application No:** 15/1523/FUL
- Description:** External access ramp.
- Location:** 532 Braunstone Lane Braunstone Town Leicestershire LE3 3DH

Response: *Braunstone Town Council wishes to support the application, subject to the following observation: that should the installation of the ramp affect the number of car parking spaces, then the car park should be reorganised in order to retain the existing number of parking spaces.*

Reason: *The Town Council fully supports and encourages the provision of access to shops and services for those with disabilities. The shop was located at a busy junction where parking was potentially difficult and steps should be taken to ensure existing parking provision was retained.*

3. **Application No:** 15/1380/HH
Description: Two storey side extension and demolition of existing conservatory.

Location: 68 Tuffleys Way Thorpe Astley Leicester LE3 3UT

Response: *Braunstone Town Council objects to this application since the proposed development would result in over-development of the site due to scale and mass and provided insufficient parking provision.*

Reason: *The proposed development would be detrimental to the amenities enjoyed by the occupants of neighbouring properties due to over-bearing effect and the plans contain four bedrooms, while there was no provision for three off road parking spaces.*

4. **Application No:** 15/1522/ADV

Description: Display of internally illuminated fascia sign and digital display screen within store window. Repositioning of existing pharmacy sign.

Location: 532 Braunstone Lane Braunstone Town Leicestershire LE3 3DH

Response: *Braunstone Town Council supports this application.*

Reason: *The proposed signage was in keeping with the shops and services provided at this Neighbourhood Services and Shopping location.*

77. Planning Decisions

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

RESOLVED that the decisions be 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.

78. Transport Scheme Improvements - Narborough Road South - West Service Road

The Committee considered issues raised concerning safety and traffic calming on Narborough Road South West Service Road, since the Fosse Park Roundabout Improvement Scheme and to request a stage 4 safety audit be undertaken to assess the effectiveness of the scheme and amended calming measures in relation to the Service Road. (Item 9 on the agenda).

RESOLVED

1. that the Town Council formally write to Leicestershire County Council expressing its concern and requesting that options 1 to 6 above be considered and actioned; and
2. **that it be recommended to Community Development Committee** that the Town Council's Speed Sign be allocated on the Narborough Road South West Service Road south of Lubbesthorpe Road to assess the level of traffic flow and speed.

Reasons for Decision

1. *It appeared that the traffic calming scheme had become unbalanced following the improvements to Fosse Park Island and this had resulted in adverse speed and problems with traffic flows; these issues needed to be assessed and mitigated since there would be a risk of fatalities.*
2. *To enable the Town Council to assess the level of traffic flow and speed and where issues were identified to address these in partnership with the Police and County Council*

79. Lubbesthorpe and M1 Bridge Construction

The Committee received issues highlighted by residents, concerning the Lubbesthorpe Development Construction and M1 Bridge Construction and considered arrangements for seeking to resolve the issues raised (item 10 on the agenda).

RESOLVED

1. that the issues highlighted from the engagement session and online form be pursued by the Town Council as follows:
 - a) Future Highways Improvements – issues to be raised and options explored with Leicestershire County Council Transport Policy & Strategy Officers;
 - b) Watergate Lane – reassurance and full details of the scheme be sought from Blaby District Council Planning Officers; and

- c) Construction of the M1 Bridge (traffic, noise, privacy, timings) – a meeting be held between the Executive Officer & Town Clerk and the Public Liaison Officer for the M1 Bridge construction work to seek to resolve the issues raised; and
2. that progress reports be given to future meetings of Plans & Environment Committee, setting out where appropriate, further action and decisions to be made by the Town Council.

Reasons for Decision

1. *To ensure that relevant bodies were aware of the issues raised and to enable the Town Council to constructively work with each relevant organisation as appropriate to resolve these issues.*
2. *To keep a watching brief on progress and to enable further decisions to be made where necessary to facilitate a resolution.*

80. Blaby District Council Consultation - Draft Gambling Act Statement of Licensing Principles 2016 – 2019

The Committee considered the Draft Blaby District Gambling Act Statement of Licensing Principles 2016-2019 and whether to respond to the consultation (item 11 on the agenda).

RESOLVED that the Draft Blaby District Gambling Act Statement of Licensing Principles 2016-2019 be noted.

Reason for Decision

The Statement of Licensing Principles proposed seemed reasonable, proportionate and comprehensive.

81. Feedback from Planning Nuts and Bolts Training

The Committee received feedback from Councillor Waterton on the Planning Nuts and Bolts Training held on 26th November 2015.

A copy of the slides from the training undertaken by Lance Wiggins of Landmark Planning, were circulated.

Councillor Waterton made the following points:

- a) the National Planning Policy Framework had been introduced and guided planning strategies and decisions, previously covered by a number of statements and guidance notes;
- b) Regional Strategies and Plans had been abolished, however, there remained a requirement to have full regard to the need for housing;
- c) Neighbourhood Planning was encouraged as a way in which Parishes could direct development and identify sites for each type of development and service within the Parish;
- d) undertaking site visits was a way in which members of the Committee could appreciate impact of a development on the surrounding community in terms of size and character; and

- e) additional ways Parishes could get involved in Planning included participation in appeal hearings.

82. Feedback on Planning Application Comments

The Committee received an update on whether feedback could be provided by the District Planning Authority on comments made by the Town Council on Planning Applications.

The Chair advised the Committee that an offer had been made by the Director of Place and the Director of People at Blaby District Council to attend a future meeting of the Committee to understand and discuss the Committee's needs.

RESOLVED that an invitation be sent to the Director of Place and the Director of People at Blaby District Council to attend a future meeting of the Committee.

Reason for Decision

To enable the Town Council to seek a response from the District Planning Authority on planning applications where the Town Council's comments had not been accommodated into the decision, so that the Town Council was aware of why this was the case and could inform residents and engage effectively with the consultation for future planning applications.

83. Lubbesthorpe Strategic Consultative Board

The Committee considered any items for the next meeting of the Lubbesthorpe Strategic Consultative Board, which was scheduled for Thursday 14th January 2016.

RESOLVED that issues highlighted by residents, concerning the Lubbesthorpe Development Construction and M1 Bridge Construction be brought to the attention of the Group alongside how the Town Council was seeking to resolve these.

Reason for Decision

To ensure that all relevant stakeholders were aware of the issues raised and how the Town Council was seeking to work with each relevant organisation as appropriate to resolve the issues.

84. Financial Comparisons

The Committee received Financial Comparisons for the period 1st April 2015 to 30th November 2015 (item 15 on the agenda).

RESOLVED that the report be noted.

Reason for Decision

The Council's actual income was higher than predicted for the period and expenditure was lower than predicted for the period.

85. Capital Plan and Budget Estimates 2016/17

The Committee considered a statement of Expenditure for 1st April 2014 to 31st March 2015, a list of capital projects for 2016/2017 and beyond, and a proposed budget for 2016/2017 for recommendation to Policy & Resources Committee (item 16 on the agenda).

RESOLVED that it be recommended to Policy and Resources Committee that the draft Estimates for the Plans and Environment Committee, as attached at Appendix 2, be included in the Budget Estimates for 2016/2017.

Reason for Decision

To ensure appropriate resources for Planning and Environment Services.

86. Termination of the Meeting

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.

SIGNED _____

DATED _____