

**BRAUNSTONE TOWN COUNCIL**

**MINUTES OF PLANS & ENVIRONMENT COMMITTEE**

**THURSDAY 24th SEPTEMBER 2015 AT 7.00PM**

**PRESENT:** Councillor Gary Sanders (Chair) and Councillors Roger Berrington, Paul Kennedy (Substitute for Stuart Maxwell), Bernetta Layne and Robert Waterton.

**Officers in attendance:** Darren Tilley, Executive Officer & Town Clerk, Pauline Hurd, Deputy Executive Officer & Community Services Manager

There were no members of the public present at the meeting

**41. Apologies**

Apologies for absence were received from Councillors Stuart Maxwell and Bill Wright and from Mr John Dodd (ex-officio).

**42. Disclosures of Interest**

A disclosure of Non-Pecuniary interest was made by Councillors Roger Berrington and Bernetta Layne in agenda item 5, planning application 4, Social Centre, St Marys Avenue, as trustees of Braunstone West Social Centre.

**43. 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.

**44. Minutes of the Meeting held 13th August 2015**

The Minutes of the Meeting held on 13th August 2015 were circulated (item 4 on the agenda).

**RESOLVED** that the Minutes of the meeting held on 13<sup>th</sup> August 2015 be approved and signed by the Chairperson as a correct record.

**45. 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:** 15/0884/HH  
**Description:** First floor and single storey rear extensions  
**Location:** 14 Gwencole Avenue Braunstone Town Leicestershire LE3 2FG.

**Response:** *Braunstone Town Council has no observations.*

**Reason:** *The extension did not include extra bedrooms, therefore there was no impact upon car parking and there were no adjacent properties overlooked.*
- 2. Application No:** 15/0964/FUL & 15/0965/ADV  
**Description:** New boundary treatments and alterations to the exterior of the building. Erection of new branded panelling as part of boundary treatment.  
**Location:** Frankie & Bennys Unit C Meridian Leisure Park Braunstone Town.

**Response:** *Braunstone Town Council objects to this application since it appears from the plans, photo and diagrams that the proposal would be to install an outdoor seating area immediately adjacent to a service road taking out an area where pedestrians could walk and wait safely outside the restaurant prior to crossing the road. (the branded panelling was objected to simply because of the existence of the panelling in this area).*

**Reason:** *The apparent enclosure of a safe paved area immediately outside the restaurant and adjacent to the service road presented pedestrian safety issues as well as the safety of diners in close proximity to the road.*
- 3. Application No:** 15/0950/FUL  
**Description:** Amendments to Proposals - Subdivision and part change of use of cinema to create two restaurant units (Use Class A3) including external alterations to entrances and creation of bin stores, hard landscaping and outdoor seating areas.  
**Location:** Vue Cinema Unit A Meridian Leisure Park Braunstone Town.

**Response:** *Braunstone Town Council wishes to make the following comment that the size of the bin area at the back of the site should be suitable and also enclosed, the enclosure fence being able to retain any loose rubbish (no comments on the amendments, our comments being the same as our response to the initial application).*

**Reason:** *There were problems with loose rubbish and litter currently at the back of the cinema and in the hedgerows and*

*landscaping at the back of the site, which was impacting upon the amenity of Mosssdale Meadows.*

4. **Application No:** 15/0912/FUL  
**Description:** Replacement of windows (Retrospective)  
**Location:** Social Centre St Marys Avenue Braunstone Town Leicestershire

**Response:** *Braunstone Town Council has no objections.*

**Reason:** *The windows were replacements to the existing windows and were in keeping with the building. Given the Community Centre was located within a site for that purpose, the replacement windows posed no detriment to the surrounding amenity.*

5. **Application No:** 15/1045/FUL  
**Description:** New canopy roof over side entrance.  
**Location:** Winstanley Arms The Glade Braunstone Town Leicestershire

**Response:** *Braunstone Town Council has no objections.*

**Reason:** *The canopy was located over an entrance where there was a smaller canopy and adjacent to an area also covered by canopy. Given the building was located within a reasonable sized site, the new canopy posed no detriment to the surrounding amenity.*

#### 46. Planning Applications

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

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

1. **Application No:** 15/1051/HH  
**Description:** Two storey rear extension  
**Location:** 130 Narborough Road South Braunstone Town Leicestershire LE3 2FQ

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

- i. In accordance with Local Plan Policy T7 replacement on-site parking facilities should be provided: dwellings with more than 4 bedrooms – 3 spaces, 3 or less bedrooms – 2 spaces.*
- ii. The occupiers of neighbouring properties should be fully consulted in connection with the proposals.*

**Reasons:** *i. The proposals provided for 4 upstairs rooms, the plans provide no indication of the number of parking*

spaces.

- ii. *It was difficult to ascertain from the location plan whether any neighbouring properties would be overlooked.*

2. **Application No:** 15/1080/FUL  
**Description:** Initial alterations and insertion of new window in north elevation.  
**Location:** Unit D Tiber Way Meridian Business Park Braunstone Town.  
**Response:** *Braunstone Town Council has no observations.*  
**Reason:** *The proposed replacement windows were in keeping with the site.*
  
3. **Application No:** 15/0832/RM  
**Description:** Reserved Matters Application for the Erection of 248 Dwellings associated highways and public open space.  
**Location:** North & 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:*
  - i. *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;*
  - ii. *the land around the deserted medieval village of Lubbethorpe should not be used as land for community purposes, but should be retained as farmland;*
  - iii. *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;*
  - iv. *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;*
  - v. *boundaries between residential properties and public open space should be the responsibility of the individual residential units; and*
  - vi. *the Landscape Plans should only include indigenous species recommended by the Royal Horticultural Society for use in sustainable urban developments.*

- Reasons:**
- i. 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.
  - ii. 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;
  - iii. 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;
  - iv. 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;
  - v. 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
  - vi. 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.

- 4. Application No:** 15/0987/DOC
- Description:** Discharge of condition 5 attached to planning application 14/0527/1/PX.
- Location:** Asda Petrol Filling Station Fosse Park Avenue Enderby Leicestershire.
- Response:** *Braunstone Town Council wishes to support the comments of the Environment Agency and Blaby District Council Environmental Services.*
- Reason:** *The report recommended a watching brief should be maintained during decommissioning of existing tanks in order to facilitate the inspection and appraisal of any unforeseen contamination; this must be adhered to.*

#### **47. 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:

5. **Application No:** 15/1078/FUL  
**Description:** Retention of 1.8m high gates and fencing.  
**Location:** 64 Amy Street Braunstone Town Leicestershire LE3 2FB
- Response:** *Braunstone Town Council objects to this application since the proposed vmesh fencing and gates at 1.8 metres was too high and the material not appropriate to border a residential street.*
- Reason:** *The fencing and gates were significantly out of keeping with the character / appearance of the residential area.*
6. **Application No:** 15/1107/HHPD  
**Description:** The erection of a single storey rear extension which would extend beyond the rear wall of the original house by 4m for which the maximum height would be 3.7m and for which the height of the eaves would be 2.5m.  
**Location:** 53 Woodland Drive Braunstone Town Leicestershire LE3 2EB
- Response:** *Braunstone Town Council has no observations*
- Reason:** *There appeared to be no issues concerning parking requirements nor was the proposal over-bearing.*
7. **Application No:** 15/09/EIASCR  
**Description:** Environmental Impact Assessment Screening Opinion.  
**Location:** Land At Jct Of Soar Valley Way & Narborough Road South Enderby Leicestershire
- Response:** *Braunstone Town Council did not have enough information to respond to the application and recommends it is deferred and information about the application provided.*
- Reason:** *There were no documents available on the District Council's website relating to this application.*
8. **Application No:** 15/0950/FUL  
**Description:**
- Amended floor plans to show extent of mezzanine floor in Unit B;
  - Amended description to the proposal to now include: Subdivision and part change of use of cinema to create two restaurant units (Use Class A3) including provision of an internal mezzanine floors to Units A and B, external alterations to entrances and creation of bin stores, hard landscaping and outdoor seating areas

- Location:** Vue Cinema Unit A Meridian Leisure Park Braunstone Town
- Response:** *Braunstone Town Council wishes to make the following comment that the size of the bin area at the back of the site should be suitable and also enclosed, the enclosure fence being able to retain any loose rubbish.*
- Reason:** *There were problems with loose rubbish and litter currently at the back of the cinema and in the hedgerows and landscaping at the back of the site, which was impacting upon the amenity of Mossdale Meadows.*
- 9. Application No:** 15/1137/FUL
- Description:** Refurbishment of front, side and part of the rear elevations, alterations and improvements to the public realm including hard and soft landscaping and alterations to vehicular and pedestrian routing and other ancillary works.
- Location:** Fosse Park North Fosse Park Avenue Enderby Leicestershire.
- Response:** *Braunstone Town Council has no observations.*
- Reason:** *The Town Council supports the proposals which would greatly improve the visual appearance and amenity of the Shopping Centre.*
- 10. Application No:** 15/1139/FUL
- Description:** Change of use of the ground floor to form residential accommodation (Use Class C3) including extensions and alterations.
- Location:** 12 -14 Ayston Road Braunstone Town Leicestershire LE3 2GA Leicestershire.
- Response:** *Braunstone Town Council wishes to make the following comments:*
- i. In accordance with Local Plan Policy T7 replacement on-site parking facilities should be provided: dwellings with more than 4 bedrooms – 3 spaces, 3 or less bedrooms – 2 spaces.*
  - ii. The occupiers of neighbouring properties should be fully consulted in connection with the proposals.*
- Reasons:**
- i. The Parish Plan revealed that 54.7% of residents thought that parked vehicles caused problems in this area.*
  - ii. To avoid overdevelopment of the site or a development that has an overbearing effect.*

- 11. Application No:** 15/0743/DOC
- Description:** Discharge of conditions 21 construction Environmental Management Plan, 22 Geo-Environmental, 27 Noise Assessment Primary School, 28 Noise Assessment Residential Plots.
- 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:*
- i. Discharge of condition 21, construction Environmental Management Plan – the condition should not be discharged until all key project contacts have been confirmed (2.1.3); normal working hours for all construction activities should be amended to Monday – Friday 7.30 – 18.00, instead of 16.30 and removing Saturday 7.30 – 13.00 (para 2.3.1);*
  - ii. Discharge of condition 22, Geo-Environmental – subject to assessment by Blaby District Council Environmental Health, the Environment Agency and Leicestershire County Council Flood Authority of the technical specifications and identification of risks, the condition be discharged;*
  - iii. Discharge of condition 27, Noise Assessment Primary School – subject to the final sentence of 6.2 Car Park reading “Landscaping should also be used to provide some screening from this source to the nearest future NSR”, and subject to assessment by Blaby District Council Environmental Health, the condition be discharged; and*
  - iv. Discharge of condition 28, Noise Assessment Residential Plots – the condition not be discharged until details of a scheme of sound insulation to provide internal noise levels in habitable rooms with windows closed was submitted and had been assessed by Blaby District Council Environmental Health.*
- Reason:**
- i. To ensure that all key contacts were in place in order to ensure compliance with the construction environmental management plan and to ensure that normal construction hours were during times when most residents would be at work/school in order to minimise the impact upon quality of life (extension to 18.00 will allow work to be carried out longer in the summer months in compensation for the darker evenings during the winter avoiding the need to carry out work on Saturday mornings.*
  - ii. All items required by the condition were covered; however, the Town Council was not able to comment on the technical conclusions drawn.*
  - iii. A reasonable mitigation measure had been identified*



*to reduce noise from the car park, which needed to be implemented; in addition the Town Council was not able to comment on the technical conclusions drawn.*  
*iv. Among the documentation submitted with the application it was not clear whether this aspect of the condition had been addressed.*

- 12. Application No:** 15/1142/FUL  
**Description:** Installation of external plant on roof.  
**Location:** Unit 8 Fosse Park Avenue Enderby Leicestershire.
- Response:** *Braunstone Town Council has no observations.*
- Reason:** *The proposals seemed in keeping with the use of the building and the site.*
- 13. Application No:** 15/1140/ADV  
**Description:** Display of 6 internally illuminated freestanding fascia signs and the display of 6 internally illuminated fascia signs.  
**Location:** Unit 8 Fosse Park Avenue Enderby Leicestershire.
- Response:** *Braunstone Town Council has no observations.*
- Reason:** *The proposals seemed in keeping with the use of the building and the site.*

#### **48. New M1 Bridge: Thorpe Astley to Lubbethorpe – Construction**

The Committee considered issues relating to the M1 Bridge construction in order to determine if any further action should be taken (item 8 on the agenda).

Local Councillors have received and observed issues concerning the construction of the new M1 Bridge from Thorpe Astley to Lubbethorpe and this was identified at Council on Thursday 10th September 2015.

Among the issues are the number of hours, including through the night, the work is being undertaken and the noise, particularly at night, which is being generated which is considered a nuisance to local residents. Members were also concerned about the lack of information provided by Leicestershire County Council regarding the work.

#### **RESOLVED**

1. that the issue be raised at the next meeting of the Lubbethorpe Strategic Consultative Board (scheduled for 8th October 2015);
2. that a Councillors site visit be arranged;
3. that a meeting/engagement session be planning to engage the residents of Thorpe Astley; and
4. that a meeting with representatives from Leicestershire County Council and the developers be arranged to discuss the issues raised.

*Reasons for Decision*

1. To ensure that the District Planning Authority was fully aware of the issues and to ascertain whether other communities felt affected.
2. To view the work being undertaken.
3. To ensure that all issues and perspectives were gathered in order that they could be considered in the round and suitably and effectively resolved.
4. To ensure that all the issues raised were presented and to enable all parties and the Town Council to constructively work together to solve issues.

**49. Termination of the Meeting**

The meeting closed at 7.40pm

**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 \_\_\_\_\_ (CHAIR)

DATED \_\_\_\_\_