

BRAUNSTONE TOWN COUNCIL

MINUTES OF PLANNING & ENVIRONMENT COMMITTEE

THURSDAY 7TH MARCH 2019

PRESENT: Councillor Robert Waterton (Chair), Councillor Bill Wright (Vice-Chair) and Councillors Anthea Ambrose, Roger Berrington, Berneta Layne and Darshan Singh and Mr John Dodd (Ex-Officio).

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

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

124. Apologies

Apologies for absence were received from Councillors Parminder Basra, Phil Moitt and Satindra Sangha.

125. Disclosures of Interest

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

126. 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 present.

127. Minutes of the Meeting held 7th February 2019

The Minutes of the Meeting held on 7th February 2019 were circulated (item 4 on the agenda).

RESOLVED that the Minutes of the meeting held on 7th February 2019 be approved and signed by the Chairperson as a correct record.

128. Planning and Licensing Applications dealt with under Delegated Authority

The Committee received and noted responses to planning applications taken under Delegated Authority (item 5 on the agenda). No licensing applications were received.

It was confirmed that planning application 18/1711/FUL, 51 Holmfield Avenue East, was a revised application detailing the car parking spaces at No. 51 Holmfield Avenue East and alterations to the front boundary treatments.

It was noted, that in the case of planning application 19/0085/HH, 3 Cooke Close, that where front driveways were extended to remove grassed areas, that a porous material should be used to prevent additional surface water run off when it rained.

Concerns were raised about planning application 18/1041/FUL, Aldi, Meridian Way. It was difficult to ascertain from the plans how the footway would not be obstructed. In addition the drainage plan was for the wrong store and further details were required for drainage, including SUDS and whether there would be interceptors for the surface water run-off from the car park.

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:** 19/0085/HH

Description: To tarmac the current front garden and grass verge to create an extra parking space

Location: 3 Cooke Close Thorpe Astley Braunstone Town Leicestershire

Response: *Braunstone Town Council has no objections to the proposal.*

Reasons: *The proposal would reduce the potential for on-street parking, which could present highway safety issues given the street was narrow and had no separate footpath.*

- 2. Application No:** 19/0142/HH

Description: Single storey side and rear extension and demolish conservatory, toilet and storage room

Location: 20 Woodland Drive Braunstone Town Leicestershire LE3 3EA

Response: *Braunstone Town Council has no objections to the proposal.*

Reason: *The proposal was single storey on a reasonable sized plot, garage space was provided and the rear extension was on a similar footprint to the existing. The proposals were unlikely to have an*

adverse impact on the amenity enjoyed by neighbouring properties.

3. Application No: 18/1711/FUL

Description: Erection of one detached bungalow.

The following amendments have been made to this application:

a revised drawing, reference 3157-01 Rev c has been submitted showing the following: Existing garage and car parking spaces at No. 51 Holmfield Avenue East and alterations to the front boundary treatments

Location: 51 Holmfield Avenue East Braunstone Town Leicestershire LE3 3FD

Response: *Braunstone Town Council objects to the proposals since it would result in overdevelopment of the site.*

Reasons: *The proposals would result in the loss of most of the rear garden space for 51 Holmfield Avenue East. The proposed bungalow would have limited garden space within its curtilage. The scale and mass of the proposals would be detrimental to the amenity enjoyed by the occupiers of both properties due to considerations of noise, light and privacy.*

4. Application No: 18/1041/FUL

Description: Demolition of existing food retail store (Class A1) and erection of new food retail store (Class A1) with associated car parking, servicing and landscaping.

The following amendments have been made to this application:

- 1 External cladding changed to brickwork
- 2 Landscaping added to northern and western boundaries and updated landscape plan submitted.
- 3 Drainage plan and calculations submitted

Location: Aldi Meridian Way Braunstone Town Leicestershire

Response:

Braunstone Town Council recommends that the following conditions be applied to any approval:

- a) a detailed demolition and construction plan to be submitted and approved by the Local Planning Authority setting out the method of construction and including an environmental and noise impact assessment, mitigating measures and measures to prevent pollution of water courses;*
- b) proposals being submitted to improve the pedestrian crossing points on the access road adjacent to the junction with Meridian Way, along with junction improvements, and junction and pedestrian crossing point improvements to the entrance to the adjacent public house; these measures to be fully implemented before the store opens for business;*
- c) the purchase, installation , operation and maintenance of air quality monitoring equipment;*
- d) the Public Rights of Way must not be re-routed, encroached upon or obstructed in any way without the explicit consent of the Local Highways Authority;*
- e) the landscaping proposals set out in the plans must incorporate plant protection and be completed within a year of the construction with any plants which either die or need to be removed for any reason within the first five years being replaced;*
- f) the drainage proposals set out in the plans must be completed prior to the opening of the new store;*
- g) signs must not present any danger to highway users, nor obscure visibility or hinder surveillance; be maintained in a good condition and the height, hours of use and maximum luminance levels be in accordance with the District Council's Lighting Policy; and*
- h) developer contributions towards improvements to local public open space / community facilities.*

Reasons:

- a) To ensure that any adverse impact upon the amenity enjoyed by local residents and upon the local environment would be mitigated and*

controlled;

- b) to mitigate the impact of increased traffic, from customers and deliveries, which would impact on pedestrian safety, including families with young children who walk to Meridian Leisure and public house, noting that the design and layout of the junction would need to be reviewed in light of increased traffic flows to the site and increased traffic flows on Meridian Way with the opening of the route over the M1 to Lubbethorpe;*
- c) to help assess the impact of the development (and any future proposals) on local Air Quality Management Areas;*
- d) to ensure the Public Right of Way would be safe and available during and after the period of construction;*
- e) to enhance the local built environment, to reduce any adverse impact upon the amenity enjoyed by local residents in terms of noise, disturbance and nuisance;*
- f) further development in this area may increase the risk of flooding further downstream, impede the flow of floodwater and result in a loss of floodwater storage capacity;*
- g) to avoid any adverse impact on highway users and to avoid hindrance to crime prevention measures, to maintain the visual amenity and to avoid adverse impact on highway users in terms of visibility and glare and unnecessary levels of light spillage; and*
- h) the extended area to the west of the site, at the rear of Owen Close, was currently Public Open Space and this would be lost under the proposals; therefore, in accordance with the original approval for the development of the site and provision of open space, compensatory developer contributions should be sought towards improvements to other areas of public open space and/or local community facilities.*

129. Planning Applications and Licensing Applications

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

It was noted that application 2, reference 19/0167/NMAT, Parcel R2(1) Tay Road Lubbesthorpe, Non-Material amendment to planning application 17/1053/RM - Removal of car ports to plots 241/242, 250/251, 281/282, 287/288 and 298 Parcel R2(1), had been determined by Blaby District Council.

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

Planning Applications

- 1. Application No:** 19/0153/HHPD
Description: The erection of a single storey rear extension which would extend beyond the rear wall of the original dwellinghouse by 6.0m, for which the maximum height would be 4.0m and the height to the eaves would be 3.0m
Location: 78 Watergate Lane Braunstone Town Leicestershire LE3 2XP
Response: *Braunstone Town Council does not object to the proposed single storey rear extension.*
Reason: *The rear extension was single storey on a large sized plot and therefore was unlikely to have an adverse impact on the amenity enjoyed by the neighbouring properties.*

Licensing Applications

- 3. Application No:** M&B Jackets
Description: Application Renewal
Location: Meridian Business Park
Response: *Braunstone Town Council does not object to the renewal of this street trading application, subject to any conditions applied to the original consent being applied to the renewal consent.*
Reason: *The Town Council was not aware of any public safety, health or environmental issues in relation to this trader; however, it was important that any*

conditions currently applied continued to be applied in order to meet these objectives.

- 4. Application No:** Burger World
- Description:** Application Renewal
- Location:** Meridian Business Park
- Response:** *Braunstone Town Council does not object to the renewal of this street trading application, subject to any conditions applied to the original consent being applied to the renewal consent.*
- Reason:** *The Town Council was not aware of any public safety, health or environmental issues in relation to this trader; however, it was important that any conditions currently applied continued to be applied in order to meet these objectives.*

130. Additional Planning and Licensing Applications

The Committee received details of planning applications received since the publication of the agenda (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:

- 5. Application No:** 19/0197/HH
- Description:** Two storey side extension and garage conversion
- Location:** 42 Goodheart Way Thorpe Astley Braunstone Town Leicester
- Response:** *Braunstone Town Council objects to the application, since the proposal does not meet the criteria set out in Development Management Policy 1.*
- Reason:** *The proposal would have an unsatisfactory relationship with nearby uses that would be significantly detrimental to the amenities enjoyed by the existing or new occupiers, due to considerations of noise, disturbance and overbearing effect on the neighbouring property. The design would be out of keeping with the character and appearance of the area since the*

proposal would join a detached property to a semi-detached property and would result in the overdevelopment of the site due to factors including footprint, scale and massing.

- 6. Application No:** 19/0179/FUL
- Description:** Construction of new public road from Warren Park Way/Harolds Lane to New Lubbesthorpe Strategic Employment Site
- Location:** Warren Park Way/Harolds Lane Enderby Leicestershire
- Response:** *Braunstone Town Council does not object to the proposals, subject to the following conditions:*
- a) *prior to commencement of any work, a detailed construction plan must to be submitted and approved by the Local Planning Authority setting out the method of construction and including details of a construction traffic route, an environmental and noise impact assessment, mitigating measures and measures to protect wildlife habitats, tress and water courses;*
 - b) *the decommissioned Leachate Treatment System Pipework be removed; and*
 - c) *the new road must not be opened to through traffic until junction improvements at Mill Hill (B582) and Warren Park Way had been approved, constructed and completed and confirmation received from the Local Highways Authority that the junction and new road met the relevant standards for a "B" road set out in the Leicestershire Highway Design Guide.*
- Reasons:** *The proposal would provide more capacity to the local highway network, which at peak times had reached its full capacity and additional capacity would be required as a result of ongoing growth in the area.*
- a) *To ensure that any adverse impact upon the amenity enjoyed by local residents and upon the local environment would be mitigated and controlled.*
 - b) *To ensure methane gas would not be retained in sealed pipework underground.*
 - c) *To ensure that use of the new road could be maximised in order to mitigate the impact of*

growth on the surrounding residential areas, enabling the road to be used both for access to the new developments and also for through traffic, including by Heavy Goods Vehicles.

- 7. Application No:** 19/0178/FUL
- Description:** Highway and junction improvement works at Mill Hill (B582) and Warren Park Way
- Location:** Junction Of Mill Hill (B582) And Warren Park Way
Enderby
Leicestershire
- Response:** *Braunstone Town Council does not object to the proposals, subject to the following conditions:*
- a) prior to commencement of any work, a tree survey should be undertaken to determine whether any trees within in the proposed site would be the subject of a preservation order and if so, these trees should be retained within the proposed scheme;*
 - b) no trees should be disturbed or felled during the breeding season for birds (February – June);*
 - c) additional tree planting being carried out elsewhere adjacent to the woodland or adjacent to the new road (proposed at application 19/01/79/FUL), the plans for which being submitted to and approved by the local planning authority; the additional trees should be planted within one-year of the removal of any trees and be replaced should they either die or be removed for any reason within 5 years; and*
 - d) the new road must not be opened to through traffic until confirmation had been received from the Local Highways Authority that the junction met the relevant standards for a “B” road set out in the Leicestershire Highway Design Guide.*
- Reasons:** *The proposal would provide more capacity to the local highway network, which at peak times had reached its full capacity and additional capacity would be required as a result of ongoing growth in the area.*
- a) To ensure that trees with high amenity and/or nature conservation value were*

protected.

- b) *To avoid impact on nesting birds and their young.*
- c) *To avoid the loss of trees in order to mitigate any loss of associated habitats and to assist with maintaining air quality.*
- d) *To ensure that use of the new road could be maximised in order to mitigate the impact of growth on the surrounding residential areas, enabling the road to be used both for access to the new developments and also for through traffic, including by Heavy Goods Vehicles.*

8. Application No: 19/0180/RM

Description: Reserved Matters application for the construction of new public road and roundabout to connect proposed road (19/0179/FUL) to New Lubbesthorpe Strategic Employment Site

Location: Land East Of Harolds Lane And North Of Leicester Lane Enderby Leicestershire

Response: *Braunstone Town Council does not object to the proposals, subject to the following conditions:*

- a) *prior to commencement of any work, a detailed construction plan must to be submitted and approved by the Local Planning Authority setting out the method of construction and including details of a construction traffic route, an environmental and noise impact assessment, mitigating measures and measures to protect wildlife habitats, tress and water courses;*
- b) *the decommissioned Leachate Treatment System Pipework be removed; and*
- c) *the new road must not be opened to through traffic until junction improvements at Mill Hill (B582) and Warren Park Way had been approved, constructed and completed and confirmation received from the Local Highways Authority that the junction and new road met the relevant standards for a "B" road set out in the Leicestershire Highway Design Guide.*

Reasons: *The proposal would provide more capacity to the local highway network, which at peak times had reached its full capacity and additional capacity*

would be required as a result of ongoing growth in the area.

- a) *To ensure that any adverse impact upon the amenity enjoyed by local residents and upon the local environment would be mitigated and controlled.*
- b) *To ensure methane gas would not be retained in sealed pipework underground.*
- c) *To ensure that use of the new road could be maximised in order to mitigate the impact of growth on the surrounding residential areas, enabling the road to be used both for access to the new developments and also for through traffic, including by Heavy Goods Vehicles.*

9. Application No: 19/0164/OUT

Description: Outline application for a commercial development consisting of the erection of x4 warehouse buildings with ancillary offices and gatehouses (Use Class B8) and x1 training and education centre (Use Class D1) including associated accesses off St Johns (B4114) and Leicester Lane

Location: Land To The West Of St Johns (B4114) Enderby Leicestershire LE19 2AB

Response: *Braunstone Town Council recommends that any approval be subject to the following conditions:*

- a) *prior to commencement of any work, a detailed construction plan must to be submitted and approved by the Local Planning Authority setting out the method of construction and including details of a construction traffic route, an environmental and noise impact assessment, mitigating measures and measures to protect wildlife habitats, tress and water courses;*
- b) *no construction work to be undertaken on the site until the proposed new road (application 19/0179/FUL & 19/0180/RM) and junction improvements (application 19/0178/FUL) had been approved, constructed and completed and confirmation received from the Local Highways Authority that the junction and new road met the relevant standards for a "B" road set out in the Leicestershire Highway Design Guide;*
- c) *no construction work to be undertaken until*

an application had been submitted to and discharged by the Local Planning Authority setting out how the development would meet the requirements a – n set out in the Site Allocations Policy SA3 of the Blaby District Local Plan (Delivery) Development Plan Document, adopted February 2019; and

- d) *the proposed units on the site must not be operational until the improvements to the junctions on Leicester Lane and St Johns and the site road layout, as set out in the submitted plans, had been approved, constructed and completed and confirmation received from the Local Highways Authority that these met the relevant standards set out in the Leicestershire Highway Design Guide.*

Reasons:

The site had been identified as new allocation for Employment in the Blaby District Local Plan (Delivery) Development Plan Document, adopted February 2019.

- a) *To ensure that any adverse impact upon the amenity enjoyed by local residents and upon the local environment would be mitigated and controlled.*
- b) *To mitigate the adverse impact on the capacity of the local highway network, reduction in air quality and the impact on the amenity enjoyed by residents in the surrounding residential areas.*
- c) *To ensure that the development provided for a mix of uses, provided transport infrastructure improvements, highway improvements, included sustainable transport measures, protected the environment, heritage, biodiversity and landscape and addressed surface water run off mitigating potential flooding.*
- d) *To mitigate the adverse impact on the capacity of the local highway network and reduction in air quality.*

10. Application No: 19/0208/HH

Description: Demolish existing conservatory and replace with a single storey rear extension, loft conversion with rear dormer, garage conversion with extension to the front of the garage

Location: 23 Murby Way Thorpe Astley Braunstone Town

Leicestershire

Response:

1. *Braunstone Town Council does not object to the extensions, nor the loft conversion; subject to replacement on-site parking in accordance with Development Management Policy 8; and*
2. *Braunstone Town Council objects to the dormer window in the loft conversion.*

Reasons:

1. *Murby Way was the main route providing access to the Thorpe Astley estate and local amenities, parking on the highway would present safety issues to highway users.*
2. *The dormer window in the loft conversion gave a viewpoint over neighbouring properties, which could result in an adverse impact on the amenity enjoyed by residents at these properties in terms of privacy.*

11. Application No: 19/0223/HH

Description: Two storey side extension with part render and demolish existing garage

Location: 43 Farmway Braunstone Town Leicestershire LE3 2XB

Response: *Braunstone Town Council does not object to the application; subject to:*

- a) *the replacement onsite parking for three vehicles, as detailed in the submitted plans, being porous, provided prior to the development and remaining permanently available; and*
- b) *the proposed window in the side elevation of the extension being of opaque glass and no additional windows in the side elevation, without the explicit consent of the local planning authority.*

Reasons:

- a) *The proposals would result in additional bedrooms, with the loss of the existing side parking provision, a porous surface would reduce additional surface water run-off.*
- b) *To avoid an adverse impact on the amenity enjoyed by the neighbouring property in terms of privacy.*

131. 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.

132. Feedback on Planning Application Decisions

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

Councillor Berrington provided feedback on planning application 18/1424/FUL – Land Rear of 23 Valley Drive, where the Committee had raised particular concerns about the access arrangements and that the proposals would be significantly detrimental to amenity. Councillor Berrington had visited the site and spoken with a planning officer, there were only two dwellings (semi-detached) on the site and this did not require separate footway access. There were five parking spaces and sufficient garden space at the rear of the properties. Therefore it had been considered acceptable in planning terms.

133. Consultation on Proposed Modifications to Leicestershire Minerals and Waste Local Plan to 2031

The Committee received and commented on the proposed main modifications, following the examination hearing sessions, to the proposed Leicestershire Minerals and Waste Local Plan to 2031 (item 10 on the agenda).

RESOLVED that the proposed main modifications to the Leicestershire Minerals and Waste Local Plan be noted and that no further response be given.

Reason for Decision

The Council had made representations and its recommendations had not been adopted by the Examination Inspector. The process of reviewing and adopting a Local Plan is set out in Acts of Parliament and various statutory guidance and re-stating previous representations and/or raising new objections to matters not covered by the Main Modifications, would not be admissible at this stage.

134. Lubbesthorpe Strategic Consultative Forum

The Committee reported on the meeting of the Lubbesthorpe Strategic Consultative Forum held on 27th February 2019 (item 11 on the agenda).

Councillors Waterton, Ambrose and Wright provided feedback on the recent meeting of the Forum, which they had attended.

On 4th February there were 255 occupations. There would be 56 Affordable Housing units in Phase 1A, which consisted of 40 two bed houses and 16 three bed houses. 45 were Affordable Rent and 11 Shared Ownership. Affordable Occupations was currently 23.

Concerning provision for the elderly it was anticipated that a facility would be built to house 60 – 70 residents. In addition, in a later phase bungalows would be built.

Concerning the scheme of works for Murby Way/Foxon Way, it was confirmed that this would entail installing tactile paving at the existing crossing points and no further work was anticipated. The developer had submitted proposals to the County Council for approval and the District Planning Authority had indicated that if it was approved, the condition would be discharged.

In respect of the Land Trust, the costs associated with maintaining the open space would only be underwritten by Drummond until the last house had been completed.

It was announced at the meeting that it would be the last meeting of the Forum, which was being discontinued. It had been suggested that this was because the new Parish Council for Lubbesthorpe would be established in May. However, Councillor Waterton had challenged this logic, given that most of the issues discussed at the Forum were wider locality issues.

RESOLVED that written confirmation be requested from Blaby District Council that the Lubbesthorpe Strategic Consultative Forum would be ended, including asking for the reasons for the decision and confirmation on the process for dealing with Lubbesthorpe related matters in the future.

Reason for Decision

Official confirmation would be required, since the Council made appointments to the Forum. The Council would also need to review how it engaged with Blaby District Council going forward on Lubbesthorpe related matters.

135. Financial Comparisons

The Committee received Financial Comparisons for the period 1st April 2018 to 26th February 2019 (item 12 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 2018/2019.

136. Approval of Accounts

The Committee considered payments from 9th January 2018 until 26th February 2019 (item 13 on the agenda).

RESOLVED that the list of Approved Expenditure Transactions for the Period 9th January 2018 until 26th February 2019 be approved.

Reason for Decision

To authorise payments in accordance with the Accounts & Audit Regulations and the Council's Financial Regulations and to ensure that the ledger was accurate in order that spend against the budget could be monitored effectively.

137. Termination of the Meeting

The meeting closed at 9.00pm.

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 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: _____

DATE: _____