

BRAUNSTONE TOWN COUNCIL

MINUTES OF PLANNING & ENVIRONMENT COMMITTEE

THURSDAY 8TH NOVEMBER 2018

PRESENT: Councillor Robert Waterton (Chair) and Councillors Anthea Ambrose, Parminder Basra, Roger Berrington, Berneta Layne, Phil Moitt, Satindra Sangha, 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.

72. Apologies

An apology for absence was received from Councillor Bill Wright.

73. Disclosures of Interest

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

74. 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.

75. Minutes of the Meeting held 11th October 2018

The Minutes of the Meeting held on 11th October 2018 were circulated (item 4 on the agenda).

RESOLVED that the Minutes of the meeting held on 11th October 2018 be approved and signed by the Chairperson as a correct record.

76. 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.

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: 18/1321/HH

Description: Single storey side and rear extension, and store at rear

Location: 12 Gayhurst Close Braunstone Town Leicestershire
LE3 2UP

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

- i. onsite parking being provided for three vehicles;*
- ii. no windows in the side elevation of the extension, without the explicit consent of the local planning authority; and*
- iii. both the extension and outbuilding should only being used in connection with the domestic use of the main dwelling, must not be used for any business activity, and must not be sold or otherwise disposed of.*

Reasons:

- i. The proposals would result in an additional bedroom, with the loss of the existing Garage parking provision.*
- ii. To avoid an adverse impact on the amenity enjoyed by the neighbouring property in terms of privacy.
To avoid noise and nuisance caused by business activity in a residential area and to avoid overdevelopment of the site.*

2. Application No: 18/0433/RM

Description: Extension to Lubbesthorpe Road 2 to provide links to parcels R8 pt 2 and R9 pt 1. Creation of 2 detention basins and swale (Reserved Matters).

Location: Road 2 Lubbesthorpe Enderby Leicestershire

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

Reason: *The road extension, detention basins and swale appeared to be in accordance with the overall framework and design for the development.*

3. Application No: 18/1319/HH

Description: Single storey side extension

Location: 82 Kingsway Braunstone Town Leicestershire LE3 2JJ

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

- i. replacement onsite parking being provided in accordance with Local Plan Policy T7; and*
- ii. no windows in the side elevation of the extension, without the explicit consent of the*

local planning authority.

- Reasons:**
- i. The proposals would result in the loss of the existing Garage parking provision.*
 - ii. To avoid an adverse impact on the amenity enjoyed by the neighbouring property in terms of privacy.*

4. Application No: 18/1368/HH

Description: Single storey rear extension

Location: 32 Foxon Way Thorpe Astley Braunstone Town Leicestershire

Response: *Braunstone Town Council recommends that further details of the use of the Single storey rear extension and the layout of the rooms in relation to the existing property and garage was obtained before the application could be determined.*

Reason: *There were no floor plans submitted with the application. The proposed single storey rear extension looked like a Garden Room; however, the house already has a conservatory and this new extension would be linked to the existing garage with the rear wall of the garage being removed.*

5. Application No: 18/1317/HH

Description: Garage conversion

Location: 39 Jewsbury Way Thorpe Astley Braunstone Town Leicestershire LE3 3RR

Response: *Braunstone Town Council has no objections to this application.*

Reason: *The property was at the end of a shared drive, where there was ample off road parking to compensate for the loss of garage space.*

6. Application No: 18/1329/HH

Description: Single storey extension and new roof over existing building

Location: 15 Bidford Road Braunstone Town Leicestershire LE3 3AE

Response: *Braunstone Town Council has no objections to this*

application.

Reason: *The proposals were single storey, along the side on the existing footprint with a small rear extension and there was unlikely to be an adverse impact on the amenity enjoyed by the neighbouring properties.*

7. Application No: 18/1370/DOC

Description: Discharge of conditions 10 (disposal of foul sewage), 15 (surface water drainage) and 16 (maintenance of sustainable surface water drainage system) attached to planning permission 18/0550/FUL

Location: The Food Court Fosse Park Avenue Enderby Leicestershire LE19 1HY

Response: *Braunstone Town Council does not object to the discharging of the conditions; subject to the technical specifications meeting the approval of the relevant regulating body:*

- i. Building Control*
- ii. Environmental Health*
- iii. County Highways*
- iv. Environment Agency*
- v. Severn Trent Water.*

Reason: *To ensure that the proposals complied with the relevant technical specifications.*

8. Application No: 18/1349/DOC

Description: Discharge of conditions 31 and 33 attached to planning permission 11/0100/1/OX relating to disposal of foul drainage and design strategy for the provision of Sustainable Drainage Systems (SuDS) - Parcels R5(1), R5(2), R6(1), R6(2), R9(1), R9(2) and District Centre 2

Location: New Lubbesthorpe Lubbesthorpe Beggars Lane Lubbesthorpe Enderby Leicestershire

Response: *Braunstone Town Council does not object to the discharging of the conditions; subject to the technical specifications meeting the approval of the relevant regulating body:*

- i. Building Control*
- ii. Environmental Health*
- iii. County Highways*
- iv. Environment Agency*
- v. Severn Trent Water.*

Reason: *To ensure that the proposals complied with the relevant*

technical specifications.

77. Planning Applications and Licensing Applications

The Committee received details of planning applications to be considered by Blaby District Council (item 6 on the agenda). The Committee noted that there were no licensing applications.

It was noted that application 7, reference 18/1326/HHPD, 31 Braunstone Lane East, for the erection of a single storey rear extension which would extend beyond the rear wall of the original dwellinghouse by 4 metres, for which the maximum height would be 3 metres to its flat roof, had been determined by Blaby District Council.

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

- 1. Application No:** 18/1369/HH

Description: Retention of single storey front and rear extensions

Location: 8 Dunstall Avenue Braunstone Town Leicestershire LE3 3DN

Response: *Braunstone Town Council:*

 - (i) objects to the retention of the single storey front extension; and*
 - (ii) does not object to the retention of the single storey rear extension.*

Reasons:

 - (i) The front extension would be significantly out of keeping with the character, design and appearance of the area and would a discordant element into the street scene.*
 - (ii) 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.*

- 2. Application No:** 18/1392/HHPD

Description: The erection of a single storey rear extension which would extend beyond the rear wall of the original dwellinghouse by 6 metres, for which the maximum height would be 3 metres, with an eaves height of 2.7 metres

Location: 41 Turnbull Drive Braunstone Town Leicestershire LE3 2JU

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.

- 3. Application No:** 18/1401/DOC
- Description:** Discharge of condition 17 attached to planning permission 15/0577/FUL relating to Construction Environment Management Plan
- Location:** Former Everards Brewery Everard Way Enderby Leicestershire LE19 1BY
- Response:** *Braunstone Town Council does not object to the discharging of condition 17 (Construction Environment Management Plan); subject to the technical specifications meeting the approval of the relevant regulating body:*
- i. Building Control*
 - ii. Environmental Health*
 - iii. County Highways*
 - iv. Environment Agency*
 - v. Severn Trent Water.*
- Reason:** *To ensure that the proposals complied with the relevant technical specifications.*
- 4. Application No:** 18/1288/HH
- Description:** First storey side extension and dormer extension
- Location:** 2C Balmoral Drive Braunstone Town Leicestershire LE3 3AD
- Response:** *Braunstone Town Council objects to the proposals since it would result in overdevelopment of the site.*
- Reason:** *The proposals 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 and privacy. The proposals would result in an additional bedroom at the property with inadequate on-site parking, resulting in additional on street parking issues.*
- 5. Application No:** 18/1393/HH
- Description:** 1 bedroom annexe
- Location:** 26 Gwencole Crescent Braunstone Town Leicestershire LE3 2FH

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

- i. onsite parking being provided for three vehicles; and*
- ii. the annexe only being used in connection with the domestic use of the main dwelling, it must not be used for any business activity, and must not be sold, let or otherwise disposed of.*

Reasons:

- i. The proposals would result in an additional bedroom, at the property.*
- ii. To avoid noise and nuisance caused by business activity in a residential area and to avoid overdevelopment of the site.*

6. Application No: 18/1419/HH

Description: Single storey side extension

Location: 6 Seacole Close Thorpe Astley Braunstone Town Leicestershire

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

- i. onsite parking being provided for three vehicles; and*
- ii. the extension only being used in connection with the domestic use of the main dwelling, it must not be used for any business activity, and must not be sold, let or otherwise disposed of.*

Reasons:

- i. The proposals would result in an additional bedroom, at the property.*
- ii. To avoid noise and nuisance caused by business activity in a residential area and to avoid overdevelopment of the site.*

8. Application No: 18/1417/HH

Description: Garage conversion, two storey side extension, part two storey rear extension and part single storey rear extension

Location: 30 Jewsbury Way Thorpe Astley Braunstone Town Leicestershire

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

- i. The onsite parking for three vehicles, as shown on the submitted plans, remaining permanently available for use; and*
- ii. the window in the side elevation being of opaque glass and remaining so, and no additional*

windows, without the explicit consent of the local planning authority.

- Reasons:**
- i. The proposals would result in the loss of the existing Garage parking provision.*
 - ii. To avoid an adverse impact on the amenity enjoyed by the neighbouring properties in terms of privacy.*

9. Application No: 18/1424/FUL

Description: Construction of 1 pair of semi-detached dwellings

Location: Land Rear Of 23 Valley Drive Braunstone Town Leicestershire LE3 3EE

- Response:** *Braunstone Town Council objects to the proposals since:*
- i. it would have an unsatisfactory relationship with other nearby uses that would be significantly detrimental to the amenities enjoyed by the occupiers of those properties,*
 - ii. it would result in overdevelopment of the site, and*
 - iii. the access to the site from Valley Drive presents safety issues since it was narrow and there was no provision for a footway.*

- Reasons:**
- i. Due to considerations of privacy and overbearing effect.*
 - ii. The two properties would be located in a small rear access area, at the rear of existing properties, resulting in overdevelopment of the site due to factors including scale and mass.*
 - iii. The access point was only 3.3 metres wide and would cause problems with access for emergency and delivery vehicles and present highway safety issues, particularly for pedestrians.*

78. 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 additional licensing applications. The Committee noted that there were no licensing applications.

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

10. Application No: 18/1442/FUL

Description: Retention of a garage conversion into habitable living accommodation

Location: 62 Darien Way Thorpe Astley Braunstone Town Leicestershire

- Response:** *Braunstone Town Council does not object to the application; subject to replacement onsite parking being provided for three vehicles, as shown in the submitted plans, and to remain permanently available for use.*
- Reason:** *The proposals would result in the loss of the Garage for parking provision, which could result in over-parking on the highway (including the footway) close to a road junction and causing obstruction to highway users (including pedestrians).*
- 11. Application No:** 18/1403/RM
- Description:** Revised reserved matters for the erection of 30 dwellings - appearance, landscaping, layout and scale (revisions to reserved matters approval 15/0832/RM relating to plots 224-226, 229-239 and 291-306 - in part retrospective)
- Location:** Parcel R2(1) Tay Road Lubbesthorpe Enderby
- Response:** *Braunstone Town Council has no objections provided that the revisions related to the design of the building, positions and materials, and did not reduce the number of 2 and 3 bedroomed houses provided within the parcel.*
- Reason:** *To prevent any reduction in the rate at which affordable housing would be provided.*
- 12. Application No:** 18/1415/HH
- Description:** Two storey side extension and loft conversion with rear dormer
- Location:** 474 Braunstone Lane Braunstone Town Leicestershire LE3 3DG
- Response:** *Braunstone Town Council does not object to the two storey side extension, nor the loft conversion; however, Braunstone Town Council objects to the opening dormer in the loft conversion.*
- Reason:** *The dwelling was on a large plot, which was landscaped; however, the opening dormer 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.*
- 13. Application No:** 18/1458/HH
- Description:** Conversion of existing garage to self-contained granny

annexe

Location: The Garage 91 Narborough Road South Braunstone Town Leicestershire

Response: *Braunstone Town Council objects to the application and recommends refusal.*

Reason: *The conversion of the existing detached garage into a dwelling would represent an unsatisfactory, cramped form of over-development which would be out of keeping with the character of the locality, with unacceptable levels of overlooking of its immediate rear amenity space being afforded from existing first floor rear elevation windows of Nos. 89 and 91 Narborough Road South. Consequently, the living conditions of any future occupiers of the proposed dwelling would be unacceptably compromised.*

14. Application No: 18/1448/DOC

Description: Discharge of condition 10 attached to 15/0832/RM relating to finished floor levels and drainage Parcel R3(1)

Location: Parcel R3(1) Tay Road Lubbesthorpe Enderby Leicestershire

Response: *Braunstone Town Council does not object to the discharging of condition 10 attached to 15/0832/RM relating to finished floor levels and drainage.*

Reason: *The documents submitted provided information on finished floor levels and drainage as required by the condition.*

79. 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: particular concerns were that the application did not detail arrangements for storage and disposal of chemicals and trade materials.

80. Feedback on Planning Application Decisions

Feedback on planning decision 18/0693/FUL, 25 Larch Grove (minute 58) would be considered at a future meeting, since Councillor Bill Wright had submitted his apologies.

81. Feedback on Consultation Response to Proposed Stopping up of Highway at 7 Sun Way

The Committee received feedback from the Department of Transport concerning the Town Council's consultation response to the Proposed Stopping up of Highway at 7 Sun Way (item 10 on the agenda).

RESOLVED that mitigating measures such as bollards and/or raised kerbs, to prevent vehicles parking on the footway at 7 Sun Way, once the Stopping Up Order has been confirmed, be raised with Leicestershire County Council.

Reason for Decision

The footway would be narrowed at the corner of Sun Way and Woodland Drive, given the retail usage of the area and proposals for additional residential units, there was a potential for parking of the footway to increase causing obstruction and danger to highway users, including pedestrians and particularly those with mobility issues and those with young children.

82. Blaby District Council Consultation - Draft Gambling Act Statement of Licensing Principles 2019 – 2022

The Committee received the Draft Gambling Act Statement of Licensing Principles 2019 - 2022 and considered whether the Town Council had any comments in response to the consultation (item 11 on the agenda).

The Chair noted that it would be useful to understand the size and scale of the Licensing Authority's functions in relation to the activities listed under section 8 on page 9. In addition, the chair noted that it would be useful to understand the size and scale of the test purchasing activities, referred to on page 8, used to measure compliance of licensed operators.

RESOLVED the draft Gambling Act Statement of Licensing Principles 2019 – 2022 be supported.

Reason for Decision

The document was thorough and covered the main licensing principles relating to gambling.

83. Leicester Forest East Draft Neighbourhood Plan – Statutory Consultation

The Committee received the Leicester Forest East Draft Neighbourhood Plan and determined whether to make representations as a stakeholder to the Statutory Consultation (item 12 on the agenda).

RESOLVED that the following response be submitted to the statutory consultation on the Leicester Forest East Draft Neighbourhood Plan:

- a) the draft policies, particularly concerning Housing and Transport be supported, and
- b) the description of the Leicester Forest East Motorway Services be reviewed for accuracy and amended as appropriate.

Reasons for Decision

- a) *The draft plan was very thorough and the policies covered the relevant areas, particularly Housing and Transport, which continued to have a significant impact on the area.*
- b) *It was understood that the five service stations on the first section of the M1 opened prior to Leicester Forest East Services; however, it was understood that Leicester Forest East Services was the first services with a bridge connecting the two sites featuring a restaurant.*

84. Neighbourhood Planning

The Committee reviewed the position concerning whether the Town should be designated as a Neighbourhood for the purposes of undertaking a Neighbourhood Plan (item 13 on the agenda).

RESOLVED that Braunstone Town Council does not undertake a Neighbourhood Plan or any of the Neighbourhood Planning tools at the present time.

Reason for Decision

Successful Neighbourhood Planning required the leadership and involvement of the Town Council and Town Councillors and an indication of a wider community desire to undertake neighbourhood planning; while there was some evidence of support, this was not sufficiently widespread to justify the resources to facilitate the process, including engaging the community and making the necessary applications and applying for funding. Key areas such as Open Spaces are protected and an emerging Retail Study being undertaken by the District Council may provide for the protections the Town needs for its Community and Neighbourhood Shopping areas.

85. Lubbesthorpe Strategic Consultative Forum

The Committee considered any items for the next meeting of the Lubbesthorpe Strategic Consultative Forum scheduled for 14th November 2018 (item 14 on the agenda).

RESOLVED that the following issues be raised:

- a) progress with a scheme of works to improve the crossing points on Meridian Way at Foxon Way and Murby Way,
- b) the operation of the £250 charge for the open space and clarification on how the cost of operating the open space would be underwritten,
- c) measures to prevent vehicles driving on the footway at Tay Road, and
- d) clarification on whether Old Warren Farm was due to be demolished and if not, how would Abbey Farm be renovated.

Reasons for Decision

- a) *To ensure that condition 60 of the planning consent for Lubbethorpe was fully implemented now that the bridge over the M1 had opened.*
- b) *To clarify how the charge operated and how the Land Trust would ensure that it operated within budget.*
- c) *Vehicles were travelling along the footways in order to avoid the traffic calming on the road.*
- d) *The planning application to demolish Old Warren Farm stated that the materials would be used to renovate Abbey Farm. If Old Warren Farm did not get demolished, clarification was needed as to how Abbey Farm would be renovated.*

86. Financial Comparisons

The Committee received Financial Comparisons for the period 1st April 2018 to 30th October 2018 (item 15 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.

87. Approval of Accounts

The Committee considered payments from 4th September 2018 until 30th October 2018 (item 16 on the agenda).

RESOLVED that the list of Approved Expenditure Transactions for the Period 4th September 2018 until 30th October 2018 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.

88. Termination of the Meeting

The meeting closed at 8.45pm.

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: _____