

BRAUNSTONE TOWN COUNCIL

MINUTES OF PLANNING & ENVIRONMENT COMMITTEE

THURSDAY 12TH APRIL 2018

PRESENT: Councillor Robert Waterton (Chair), Councillor Sharon Betts (Vice-Chair) and Councillors Anthea Ambrose, Roger Berrington, Sam Fox-Kennedy (substituting for Councillor Berneta Layne), Phil Moitt, Tracey Shepherd, Darshan Singh and Bill Wright (Town Mayor ex-officio).

Officers in attendance: Darren Tilley, Executive Officer & Town Clerk and Pauline Snow, Deputy Executive Officer & Community Services Manager.

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

143. Apologies

Apologies for absence were received from Councillors Parminder Basra and Berneta Layne.

144. Disclosures of Interest

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

145. 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.

146. Minutes of the Meeting held 8th March 2018

The Minutes of the Meeting held on 8th March 2018 were circulated (item 4 on the agenda).

RESOLVED that the Minutes of the meeting held on 8th March 2018 be approved and signed by the Chairperson as a correct record.

147. Planning and Licensing Applications dealt with under Delegated Authority

The Committee received and noted responses to planning and licensing 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:

Planning Applications

- 1. Application No:** 18/0223/FUL
- Description:** Change of Use from Class A3 (restaurant and cafe) to Class A5 (hot food takeaway) and associated works
- Location:** 7 Cyril Street Braunstone Town Leicestershire LE3 2FF
- Response:** *Braunstone Town Council does not object to the application, subject to the following conditions:*
- a) before the takeaway comes into use, a litter bin shall be provided on the forecourt to the property in a location approved by the local planning authority and shall be retained in perpetuity; and*
 - b) no noise or vibration from the operation of the flue shall be perceptible in any adjoining property.*
- Reasons:** *Cyril Street's Neighbourhood Shopping Area should be supported to ensure sustainability and continued access by the local community while:*
- a) taking steps to reduce the amount of litter in the area; and*
 - b) ensuring there would be no adverse impact on the amenity enjoyed by residents and users of neighbouring properties in terms of noise and vibration.*
- 2. Application No:** 18/0239/CLP
- Description:** Application for a Lawful Development Certificate for a proposed building for largely recreational uses incidental to the original bungalow to include exercise swimming pool, gym, studio, workshop and storage. It is not proposed to construct any additional hardstanding or vehicular access at this point but may do in the future
- Location:** 1 Hat Road Braunstone Town Leicestershire LE3 2WF
- Response:** *Braunstone Town Council does not object to the application, subject to the following conditions:*
- a) the proposed building must only be used for normal domestic uses related to the residential use of the main property, i.e. storage, summerhouse, hobby room;*
 - b) the property should be retained as non-business use;*
 - c) the proposed building must be single storey and no additional storeys or basement constructed without the explicit consent of the local planning authority;*
 - d) the proposed building should not be sold, or otherwise disposed of, separately to the main*

- dwelling; and*
- e) *no separate vehicular access should be created, without the explicit consent of the local planning authority.*

Reasons:

- a) *To ensure the building was not used to create a separate residential unit, which could lead to noise and disturbance.*
- b) *The proposal was situated in a predominantly residential area.*
- c) *To avoid over-development of the site and an unsatisfactory relationship with neighbouring properties in terms of privacy, noise, disturbance and overbearing effect.*
- d) *To ensure the building was not used to create a separate residential unit, which could lead to noise and disturbance.*
- e) *To avoid detrimental impact upon the highway in terms of safety and the creation of a separate residential unit.*

3. Application No: 18/0129/FUL

Description: 2 storey side extension and change of use from flat to HMO (with 4 single bedrooms)

Location: 1 Cleveleys Avenue Braunstone Town Leicestershire LE3 2GG

Response: *Braunstone Town Council objects to the change of use, from flat to HMO, on the following grounds:*

- a) *impact on the amenity enjoyed by the neighbouring residential properties; and*
- b) *insufficient on-site parking and safety concerns around access to the premises and ground floor retail units.*

Reasons:

- a) *The proposal would result in significant increased levels of noise and disturbance to the occupiers of neighbouring dwellings.*
- b) *There were five bedrooms at the property and since this would be a house in multiple occupation, the requirements of Local Plan Policy T7 in relation to bedsits should be applied – i.e. 5 parking spaces should be provided, otherwise there would be additional parking on this short section of street between two road junctions, which contains a retail unit and has limited availability for parking on the highway without any adverse impact on highway safety.*

- 4. Application No:** 18/0267/HH
- Description:** Single storey side and rear extensions
- Location:** 39 Pits Avenue Braunstone Town Leicestershire LE3 2XL
- Response:** *Braunstone Town Council has no objections to this application.*
- Reasons:** *The property was on a large plot, the extensions were single storey and the number of bedrooms remained the same; therefore there was unlikely to be an adverse impact on privacy nor any overbearing effect.*
- 5. Application No:** 18/0231/HH
- Description:** Two storey side extension
- Location:** 16 Evelyn Road Braunstone Town Leicestershire LE3 3BA
- Response:** *Braunstone Town Council does not object to the application, subject to the following conditions:*
- a) on-site parking being provided for a minimum of 3 vehicles prior to the occupation of the extensions and to be retained for use in perpetuity; and*
 - b) no first floor windows in the side elevation without the explicit consent of the local planning authority.*
- Reasons:**
- a) To avoid over parking on the street, the extended property would potentially have 5 bedrooms and in accordance with Local Plan Policy T7, 3 on-site parking spaces should be provided.*
 - b) To avoid any adverse impact on the amenity enjoyed by the neighbouring property in terms of privacy.*
- 6. Application No:** 18/0074/DOC
- Description:** Discharge of Condition 29 attached to Planning Application 17/0431/FUL - Details of Solar Thermal Equipment.
- Location:** Lubbethorpe Strategic Employment Site Land To The North Of Leicester Lane Enderby Leicestershire
- Response:** *Braunstone Town Council does not object to the application, subject to the following conditions:*
- a) the equipment being installed and maintained in accordance with the relevant technical standards; and*
 - b) the applicant demonstrating that the installations would have no adverse impact upon users of the*

surrounding highway network in terms of glare from light reflection.

- Reasons:**
- a) *To avoid an adverse impact on the character and amenity of the local area in terms of noise and visual amenity.*
 - b) *To avoid any detriment to highway safety.*

Licensing Applications

- 7. Application No:** Marriott Catering Services Ltd
- Description:** New application
- Location:** Tay Road
- Response:** *Braunstone Town Council does not object to the street trading application.*
- Reason:** *The Town Council was not aware of any public safety, health or environmental issues which would impact upon the amenity of Tay Road.*

148. 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.

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

Planning Applications

- 1. Application No:** 17/1683/FUL
- Description:** Change of use from Residential Dwelling (Use Class C3) to use as a Care Home (Use Class C2) for up to 5 residents
- Location:** 37 Narborough Road South Braunstone Town Leicestershire LE3 2HB
- Response:**
- 1. *Braunstone Town Council objects to the change of use, from class C3 Dwelling house to class C2 Residential Institution, on the following grounds:*
 - a) *impact on the amenity enjoyed by the neighbouring residential properties; and*
 - b) *insufficient on-site parking and safety concerns around access to the premises from the highway;*
 - 2. *the Town Council also urges that any decision on this application should be made in the context of the decision on application 18/0129/FUL – 2 storey side*

extension and change of use from flat to HMO (with 4 single bedrooms); 1 Cleveleys Avenue.

- Reasons:**
1. *There would be an adverse impact on the local amenity:*
 - a) *The proposal would result in significant increased levels of noise and disturbance to the occupiers of neighbouring dwellings, including evenings and weekends, from residents and staff and activity from visitors and deliveries.*
 - b) *Site access was between a traffic calming measure, which obscured views, and a road junction impacting on the safety of highway users. The site did not provide sufficient space for staff and visitors parking while catering for deliveries; with a retail unit on the adjacent street, there was limited availability for parking on the highway without any adverse impact on highway safety.*
 2. *To avoid any adverse cumulative impact.*

2. Application No: 18/0171/FUL

Description: 12 Avon Road Braunstone Town Leicestershire LE3 3AA

Location: Erection of one dwelling, including demolition of existing garage to No. 12 Avon Road

Response: *Braunstone Town Council has no objections to the application, subject to the following conditions:*

- a) *two on-site parking facilities to be provided for the existing dwelling prior to the demolition of the garage and to remain in use in perpetuity;*
- b) *two on-site parking facilities should be provided for the new dwelling prior to use and remain in use in perpetuity; and*
- c) *the windows in the facing side elevations of both properties being of opaque glass and remaining so, and not further windows without the specific consent of the local planning authority.*

Reasons:

- a) *The property had two bedrooms and in accordance with local plan policy T7, replacement on-site parking for two vehicles should be provided.*
- b) *The proposed new dwelling had three bedrooms and to avoid over parking on the highway close to a footpath and a park, in accordance with local plan policy T7, two on-site parking spaces should be provided.*
- c) *To avoid any adverse impact on the amenity enjoyed by the residents of the existing and new dwellings in terms of privacy.*

- 3. Application No:** 18/0275/HH
- Description:** Single storey front, side and rear extensions
- Location:** 113 Westover Road Braunstone Town Leicestershire
LE3 3DW
- Response:** *Braunstone Town Council has no objections to this application.*
- Reason:** *The side extensions were single storey, therefore there was unlikely to be an impact on privacy nor any overbearing effect. The number of bedrooms remained the same and there was sufficient off-street parking.*

149. 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.

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

Planning Applications

- 4. Application No:** 18/0299/FUL
- Description:** Installation of 2 no. roller shutter doors
- Location:** Woodside Centurion Way Meridian Business Park
Braunstone Town
- Response:** *Braunstone Town Council has no objections to the application.*
- Reason:** *The proposed installation of 2 roller shutter doors was in keeping with the employment designation and character and design of the site and was not likely to have any adverse impact upon the amenity enjoyed by neighbouring properties.*
- 5. Application No:** 17/1614/FUL
- Description:** Change of use of existing dwelling (C3 - dwelling house) to bed and breakfast accommodation, single storey rear extension to provide 2 self-contained holiday lets, associated parking spaces and formation of associated highway access to Holmfield Avenue East
- Location:** 518 Braunstone Lane Braunstone Town Leicestershire
LE3 3DH

Response: *Braunstone Town Council objects to this application since the proposals:*

- a) would be significantly out of keeping with the character of the residential area;*
- b) would result in over-development of the site due to factors including scale and mass; and*
- c) the layout of the parking at the front and rear of the site would result in vehicles reversing out onto the highway.*

Reasons:

- a) The extension to provide 2 self-contained holiday lets fronted Holmfield Avenue East and was out of keeping with the character of the existing properties on the street introducing a discordant element to the street scene.*
- b) The proposed use of the dwelling and extensions property would impact on the amenity of the neighbouring properties in terms of privacy, noise, and disturbance.*
- c) When the car parks were full, vehicles would not be able to manoeuvre on the site, meaning vehicles would be reversing out onto the highway presenting safety concerns for Highway Users, particularly pedestrians.*

150. Feedback on Planning Application Decisions

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

On 18th January 2018, the Committee had raised concerns about planning approval of application 17/1290/FUL – Land Adjacent 82 Kingsway, a particular concern was over-development of the site due to factors including scale and mass (Minute 114).

Councillor Wright advised that he would follow up on the matter and report to the next Committee meeting.

RESOLVED that feedback on the decision concerning planning application 17/1290/FUL – Land Adjacent 82 Kingsway, be deferred to the next available meeting.

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.

151. Lubbesthorpe Strategic Consultative Board

The Committee considered any items for the next meeting of the Lubbesthorpe Strategic Consultative Forum scheduled for 9th May 2018.

RESOLVED that the following matters be raised:

- a) background to traffic calming on Maytree Drive and Barry Drive in relation to Lubbethorpe Section 106 Highway Improvements; and
- b) potential impact of £250 Management Fee at new Lubbethorpe.

Reasons for Decision

- a) *To keep a watching brief on Highway Improvement priorities.*
- b) *To monitor whether the ongoing commitment to pay Management Fees was having an impact on the sale of houses.*

152. Financial Comparisons

The Committee received Financial Comparisons for the period 1st April 2017 to 31st March 2018 (item 10 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 2017/2018.

153. Approval of Accounts

The Committee noted that there had been no payments made from the Planning & Environment service between 28th February 2018 until 31st March 2018.

154. 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: _____

DATE: _____