

BRAUNSTONE TOWN COUNCIL

MINUTES OF PLANNING & ENVIRONMENT COMMITTEE

THURSDAY 13TH SEPTEMBER 2018

PRESENT: Councillor Robert Waterton (Chair), Councillor Bill Wright (Vice-Chair) and Councillors Anthea Ambrose, Parminder Basra, Roger Berrington, Phil Moitt 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.

49. Apologies

Apologies for absence were received from Councillors David Di Palma, Berneta Layne and Satindra Sangha.

50. Disclosures of Interest

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

51. 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.

52. Minutes of the Meeting held 9th August 2018

The Minutes of the Meeting held on 9th August 2018 were circulated (item 4 on the agenda).

RESOLVED that the Minutes of the meeting held on 9th August 2018 be approved and signed by the Chairperson as a correct record.

53. Air Quality Strategy and Improvement Initiatives

The Committee received a presentation from Anna Farish and David Gould, Environmental Health, Blaby District Council, concerning recent initiatives and the development of a strategy by Blaby District Council to deal with air quality issues (copy attached as an appendix).

RESOLVED

1. that Blaby District Council be asked to consider air quality monitoring at the following locations:
 - a) Priestman Road,

- b) Lubbesthorpe Way between Withers Way and the Braunstone Lane bridge,
 - c) adjacent to the schools (particularly Millfield Academy, Winstanley and Kingsway Primary); and
2. that reporting of the Air Quality Monitoring Annual Status Report feature as an annual item on the agenda.

Reasons for Decision

1. *To ensure that air quality data was collected in order to ensure the impact of traffic and congestion could be assessed:*
 - a) *while the developer of Lubbesthorpe was obliged to monitor the impact on air quality, the opening of the M1 bridge to Lubbesthorpe, which connected Meridian Way to Beggars Lane along with up to 4,000 new houses and a new employment park, would increase the amount of traffic on Meridian Way which potentially had an impact on the quality of air enjoyed by the residents of the adjacent housing,*
 - b) *there was regular congestion at peak times on the northbound carriageway of Lubbesthorpe Way towards Braunstone Way at the point the dual carriageway ended; risking increased air pollution and an adverse impact upon the health of residents living on Tillett Road, Collins Close, Kingsway North and Westover Road,*
 - c) *there were particular concerns about increases in both NO2 and PM2.5 around the M1 and A563, due to ongoing development in the area, and Millfield Academy, Winstanley and Kingsway Schools were in close proximity.*
2. *To engage with initiatives and keep up to date with progress with reducing roadside particulates.*

54. Planning and Licensing Applications dealt with under Delegated Authority

The Committee received and noted responses to planning applications taken under Delegated Authority (item 6 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:** 18/1038/HH
- Description:** Single storey side and rear extensions
- Location:** 65 Woodland Drive Braunstone Town Leicestershire LE3 3EB
- Response:** *Braunstone Town Council does not object to the application, subject to there being sufficient on-site parking for the number of bedrooms at the property in accordance with local plan policy T7.*
- Reason:** *The proposals were single storey mainly on the existing*

footprint with a small side extension and there was unlikely to be an adverse impact on the amenity enjoyed by the neighbouring properties. However, it was not possible to determine the number of on-site parking spaces nor the number of bedrooms at the property.

- 2. Application No:** 18/1035/DOC
- Description:** Discharge of condition 9 attached to planning permission 17/1053/RM - finished floor levels and drainage
- Location:** Parcel R2(1) Tay Road Lubbethorpe Enderby Leicestershire
- Response:** *Braunstone Town Council has no objections to the discharge of the condition, subject to approval by the relevant regulatory bodies.*
- Reason:** *The information required by the condition had been provided and the relevant regulatory bodies would be able to comment on the technical specifications.*
- 3. 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
- Location:** Aldi Meridian Way Braunstone Town Leicestershire LE19 1LW
- 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) *a comprehensive landscaping scheme, which must include along the western boundary adjacent to Owen Close, and to incorporate plant protection, to be submitted and approved by the Local Planning Authority and to 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;*
- e) *proposals for a Sustainable Urban Drainage System to be submitted and approved by the Local Planning Authority and implemented prior to the opening of the new store;*
- f) *signs not presenting any danger to highway users, nor obscuring visibility or hindering surveillance; being maintained in a good condition and the height, hours of use and maximum luminance levels being in accordance with the District Council's Lighting Policy; and*
- g) *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 enhance the local built environment, to reduce any adverse impact upon the amenity enjoyed by local residents in terms of noise, disturbance and nuisance;*
- e) *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;*
- f) *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
g) *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.*

- 4. Application No:** 18/1051/DOC
- Description:** Discharge of Condition 10, 11 and 12 (Masterplan and Design Code) Phase 1, Condition 21 (Construction Environment Management Plan) Phase 1, Condition 22 (Land Contamination) - Parcels R6(1) and R6(2) and Condition 43 (Archaeology) - Parcels R2(2), R2(3), R5(1), R5(2), R6(1), R6(2), R9(1) and R26 - attached to planning permission 11/0100/1/OX
- Location:** New Lubbesthorpe Lubbesthorpe Enderby
Leicestershire LE3 3PY
- Response:** *Braunstone Town Council has no objections to the discharge of the conditions, subject to approval by the relevant regulatory bodies.*
- Reason:** *The information required by the conditions had been provided and the relevant regulatory bodies would be able to comment on the technical specifications.*
- 5. Application No:** 18/1052/DOC
- Description:** Parcel R3(2) Lubbesthorpe Enderby Leicestershire
- Location:** Discharge of condition 4 attached to planning permission 15/0799/RM - Landscaping in relation to Parcel R3(2)
- Response:** *Braunstone Town Council has no objections to the discharge of the condition, subject to approval by the relevant regulatory bodies.*
- Reason:** *The information required by the condition had been provided and the relevant regulatory bodies would be able to comment on the technical specifications.*
- 6. Application No:** 18/1062/DOC
- Description:** Discharge of condition 4 attached to planning
6559

permission 15/0799/RM - Landscaping to Parcel R3(3)

Location: Parcel R3(3) Lubbesthorpe Enderby Leicestershire

Response: *Braunstone Town Council has no objections to the discharge of the condition, subject to approval by the relevant regulatory bodies.*

Reason: *The information required by the condition had been provided and the relevant regulatory bodies would be able to comment on the technical specifications.*

55. Planning Applications and Licensing Applications

The Committee received details of planning applications to be considered by Blaby District Council (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:

1. **Application No:** 18/1133/RM

Description: Revised reserved matters for the erection of 34 dwellings - appearance, landscaping, layout and scale (revisions to reserved matters approval 15/0832/RM in terms of house types, positions and materials relating to plots 201-216, 307 and 319 - 335 - in part retrospective)

Location: Tay Road Lubbesthorpe Enderby Leicestershire

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.*

2. **Application No:** 18/1019/DOC

Description: Discharge of condition 22 attached to planning permission 15/0577/FUL relating to remediation strategy

Location: Former Everards Brewery And Adjoining Land Everard Way Enderby Leicestershire

Response: *Braunstone Town Council has no objections to the discharging of condition 22, subject to:*
a) *the relevant regulatory bodies being satisfied that the geo environmental surveys, data collected and analysis was robust and that the conclusion that a formal remediation strategy was not required was*

- backed up by evidence; and*
- b) there being longer-term monitoring of pollutant linkages.*

Reasons: *Surveys had been undertaken and data collected and presented in detailed reports:*

- a) Relevant regulatory bodies would have the expertise to determine whether the data collected was relevant and robust, whether the analysis was sound and therefore whether the conclusion was reasonable; and*
- b) The testing was undertaken during June/July when there had been a low water table; the site had returned higher pollutant levels in the past when there had been a higher water table; longer term monitoring would allow for testing whether the pollutant levels were affected by water table levels.*

3. Application No: 18/1144/HH

Description: Erection of one and a half storey domestic outbuilding

Location: 1 Hat Road Braunstone Town Leicestershire LE3 2WF

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

- Reasons:**
- a) The proposed development would have an unsatisfactory relationship with other nearby residential properties, which would be significantly detrimental to the amenities enjoyed by the occupiers of those properties due to considerations of: noise, disturbance and overbearing effect.*
 - b) The proposed development would result in over-development of the site due to factors including scale and mass and would be significantly out of keeping with the character/appearance of the area since it would be visually intrusive and add a discordant element into the street scene.*
 - c) The proposals would result in the loss of the existing Garage parking provision with the potential to increase on street parking in an area which has on-street parking problems due to the nearby school.*
 - d) The building was not suitable for use as living accommodation, leisure nor business activities, which would result in noise and nuisance in a residential area.*
 - e) The proposals could result in tandem development.*

4. Application No: 18/1125/RM

Description: Erection of a Building comprising Brewery, Offices, Visitors Centre, Ancillary Uses, Brewery Tap (Public 6561

House) and associated Parking and Landscaping - Revised Reserved Matters for Phase 1B of the Everards Meadow Development related to application 15/0888/VAR and amending application 17/0461/RM

Location: Everards Meadow Narborough Road South / Soar Valley Way Enderby Leicestershire

Response: *Braunstone Town Council has no comments on the reserved matters application, subject to the technical specifications meeting the approval of the relevant regulating body:*

- a) *Building Control*
- b) *Environmental Health*
- c) *County Highways*
- d) *Environment Agency*
- e) *Severn Trent Water.*

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

5. **Application No:** 18/1146/DOC

Description: Discharge of Condition 8 (Site Wide Phasing Strategy), Condition 19 (Phase 1 Green Infrastructure and Biodiversity Management Plan) - Parcels comprising Phase 1 Sub Phase 2 and condition 22 (Contamination) - Parcel R9(1) - attached to planning permission 11/0100/1/OX

Location: New Lubbesthorpe Lubbesthorpe Enderby Leicestershire

Response: *Braunstone Town Council recommends:*

- a) *that discharging condition 8, revised Site Wide Phasing Strategy and Programme, be deferred until briefings on the proposed changes and consultation had taken place with District Councillors and the Lubbesthorpe Strategic Consultative Forum;*
- b) *that discharging of conditions 19 (Phase 1 Green Infrastructure and Biodiversity Management Plan) and 22 (Contamination) be 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.*

Reasons: a) *The Site Wide Phasing Strategy and Programme was pivotal to ensuring that appropriate housing and housing types was supplied and that public services*

and transport infrastructure was provided and improved; it was vitally important that local elected representatives and partners were briefed on the proposed changes and reasons for the changes in order to ensure that the Strategy and Programme delivered a sustainable development while avoiding adverse impact on the surrounding communities.

b) To ensure that the proposals complied with the relevant technical specifications.

- 6. Application No:** 18/0772/HH
- Description:** Two storey and single storey rear extension
- Location:** 21 Dunstall Avenue Braunstone Town Leicestershire LE3 3DP
- Response:** *Braunstone Town Council does not object to the application, subject to the condition that there be no windows in the side elevations without the explicit consent of the planning authority.*
- Reason:** *To avoid any adverse impact on the amenity enjoyed by the neighbouring property in terms of privacy.*

RESOLVED that in respect of resolution 5(a) above, 18/1146/DOC, Discharge of Condition 8 (Site Wide Phasing Strategy), New Lubbethorpe, a letter be sent to the secretary of the Lubbethorpe Strategic Consultative Forum asking that the Site Wide Phasing Strategy be considered by the Forum prior to a decision being made on discharging the condition.

Reason for Decision

The New Lubbethorpe Site Wide Phasing Strategy and Programme was pivotal to ensuring that appropriate housing and housing types was supplied and that public services and transport infrastructure was provided and improved; it was vitally important that the Lubbethorpe Strategic Consultative Forum were briefed on the proposed changes and reasons for the changes in order to ensure that the Strategy and Programme delivered a sustainable development while avoiding adverse impact on the surrounding communities.

56. Additional Planning and Licensing Applications

The Committee noted that there were no additional planning nor licensing applications.

57. Planning Decisions

The Committee received and noted planning decisions made by Blaby District Council (item 9 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.

58. Feedback on Planning Application Decisions

The Committee received feedback from Councillor Roger Berrington concerning a decision by Blaby District Council on Application No. 18/0693/FUL, 25 Larch Grove. Councillor Berrington talked through the planning history of the site and the Committee noted the various extensions which had been made to the dwelling. It was noted that condition 5 of the approval for application 18/0693/FUL approved the Drawing No. SK/PP-06924531/01 Courtyard & parking, which was for one on-site parking space.

RESOLVED that Councillor Bill Wright seek feedback from the planning case officer on the decision for planning application 18/0693/FUL, 25 Larch Grove, concerning only one on-site parking space being required.

Reason for Decision

The property had three bedrooms and there was currently over-parking on the street, including on the footway, close to a road junction and with a bend in the road.

59. Financial Comparisons

The Committee received Financial Comparisons for the period 1st April 2018 to 31st August 2018 (item 11 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.

60. Approval of Accounts

The Committee considered payments from 1st August 2018 until 3rd September 2018 (item 12 on the agenda).

RESOLVED that the list of Approved Expenditure Transactions for the Period 1st August 2018 until 3rd September 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.

61. Termination of the Meeting

The meeting closed at 9.15pm.

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: _____

APPENDIX

Agenda item 5
Air Quality Strategy
and Improvement
Initiatives
Anna Farish and David
Gould Blaby District
Council 13th
September 2018

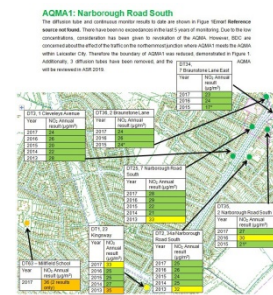
Today's briefing

- Annual Status Report
- Feasibility Study
- Air Quality Strategy
- Active Travel

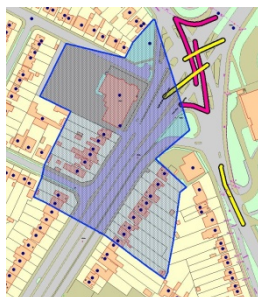
Annual Status Report 2018

- Submitted June 2018
- Defra satisfied with the report, supported changes to AQMAs and supported Air Quality Strategy
- Results for Braunstone Town for 2017

Results for 2017



Revised AQMA1



Feasibility Study

- European Directive definition of receptor is different to that in Local Air Quality Management :“ambient air” means outdoor air in the troposphere, excluding workplaces where members of the public do not have regular access;
- Limit value is 40 microgrammes per cubic metre
- Feasibility Study arose from legal

UK Level Plans (1)



UK Level Plans (2)

- Annex K – Local authorities with one or more roads with NO₂ concentrations forecast above statutory limits based on modelling
- Blaby listed as having no such roads after 2020

Since then....

- Further ClientEarth challenge of UK Government in High Court
- Government required to take a more formal approach with local authorities that would comply even in 2019
- Ministerial Direction March 2018 to undertake Feasibility Studies by 31st July 2018
- £50,000 funds and guidance/support

Road Links involved (1)



Road Links involved (2)



Road Links Involved (3)



Feasibility Study

- Exceedances of Ambient Air Quality Directive predicted based on modelling with 2015 baseline
- Provide local data and information on any schemes implemented after 2015
- Identify any measures that can be implemented before 2019 and so bring forward compliance
- Study submitted and waiting

Air Quality Strategy

- Approved by Full Council 24th July 2018
- 3 year strategy
- 5 themes
- Theme 1: Air Quality and Transport
- Theme 2: Air Quality and Planning
- Theme 3: Air Quality and Health
- Theme 4: Air Quality in the Junction 21 Area
- Theme 5: Air Quality Monitoring

Active Travel

- Focus on behavioural change – cycling, walking, travel plans
- Schools – Millfield, Ravenhurst
- Businesses – Fosse Park, Grove Park, etc.
- Work by Environmental Services, Sports and Physical Activity Team (BDC), Active Travel Team (LCC), Public Health, and other partners