

BRAUNSTONE TOWN COUNCIL

MINUTES OF PLANNING & ENVIRONMENT COMMITTEE

THURSDAY 18TH JANUARY 2018

PRESENT: Councillor Robert Waterton (Chair), Councillor Sharon Betts (Vice-Chair) and Councillors Parminder Basra, Roger Berrington, Darshan Singh and Bill Wright (Town Mayor ex-officio) 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.

105. Apologies

Apologies for absence were received from Councillors Berneta Layne and Tracey Shepherd.

106. Disclosures of Interest

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

107. 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.

108. Minutes of the Meeting held 14th December 2017

The Minutes of the Meeting held on 14th December 2017 were circulated (item 4 on the agenda).

RESOLVED that the Minutes of the meeting held on 14th December 2017 be approved and signed by the Chairperson as a correct record.

109. 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:** 17/1607/HH
- Description:** Extensions and alterations to existing bungalow
- Location:** 37 Pits Avenue Braunstone Town Leicestershire LE3 2XL
- Response:** *Braunstone Town Council has no objections to the application, subject to the three on-site parking spaces, shown in the plans, being available prior to the occupation of the extensions and remaining permanently available.*
- Reasons:** *To ensure that sufficient parking was provided for the size of the extended dwelling, which would increase the number of bedrooms from 2 to 4.*
2. **Application No:** 17/1629/HH
- Description:** Two storey side extension plus single storey rear extension
- Location:** 59 Watergate Lane Braunstone Town Leicestershire LE3 2XQ
- Response:** *Braunstone Town Council does not object to the application, subject to the following conditions:*
- a) on-site parking (including the garage) 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 have 4 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.*
3. **Application No:** 17/1636/HH
- Description:** Garage conversion into habitable living accommodation
- Location:** 24 Smart Close Thorpe Astley Braunstone Town Leicestershire

Response: *Braunstone Town Council has no objections to the application, subject to sufficient on-site parking spaces, in accordance with Local Plan Policy T7, being made available prior to work commencing on the garage conversion and remaining permanently available.*

Reasons: *To ensure that sufficient parking was provided for the size of the dwelling.*

110. 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 had been no licensing applications.

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

1. **Application No:** 17/1667/HH

Description: Single storey side rear extension

Location: 20 Kirkland Road Braunstone Town Leicestershire LE3 2JP

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

Reason: *The extension was single storey to the rear of the property and the property was on a large plot and neighbouring properties, many of which had also been extended, were also on large plots, therefore there was unlikely to be an impact on privacy nor any overbearing effect.*

2. **Application No:** 17/1630/DOC

Description: Application for the Discharge of Conditions 6 (Surface Water Drainage), Condition 7 (Management of Surface Water During Construction), Condition 8 (Surface Water Drainage Scheme Management), Condition 9 (Gas Protection Measures Implementation Plan) and Condition 10 (Surface Water Drainage from Hardstanding areas) attached to Planning Application 17/0431/FUL - Erection of two buildings for B2/B8 employment use with ancillary integral B1(a) office accommodation and associated parking, landscaping, drainage and infrastructure.

Location: Lubbethorpe Strategic Employment Site Leicester Lane Enderby Leicestershire

Response: *Braunstone Town Council does not object to the discharge of conditions, subject to:*

- a) *the four concerns raised by Highways England being suitably addressed to their satisfaction; and*
- b) *a condition requiring suitable interceptors for oil, petrol and diesel in respect of Condition 7 (Management of Surface Water During Construction) and these being maintained and inspected.*

Reasons:

- a) *Technical information had been supplied in accordance with the condition principles; however, there were specific concerns about issues raised by a statutory body which needed to be satisfied.*
- b) *To prevent accidental water pollution from oil, petrol and diesel.*

3. Application No: 17/1642/DEM

Description: Demolition of the Everard Brewery Buildings

Location: Tiger Brewer Everard Way Enderby Leicestershire LE19 1BY

Response: *Braunstone Town Council has no objections to the demolition application, subject to the conditions identified by Leicestershire County Council being applied:*

- a) *Highways – traffic management plan; and*
- b) *Ecology – construction outside breeding season or require a breeding survey to be undertaken.*

Reason:

Demolition needs to take place to construct the new shopping centre, which has received planning approval:

- a) *to reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area; and*
- b) *to protect any nests being used by breeding birds.*

4. Application No: 17/1656/NMAT

Description: Application for non-material amendments to planning permission 15/1577/FUL including external alterations

Location: Former Everards Brewery And Adjoining Land Everard Way Enderby Leicestershire LE19 1BY

Response: *Braunstone Town Council has no objections to the non-material amendments.*

Reason:

The proposed amendments related to the detailed layout and design of the units within the site and in themselves were not likely to have any adverse impact on the visual

amenity of the site or any additional adverse impact on the surrounding highway network.

5. Application No: 17/1658/NMAT

Description: Non Material Amendment to Castle Acres Application - Highways Works - Reconfiguration of Parking Area, Alterations to the access, Grove Way and Soar Valley Way and gate location

Location: Former Everards Brewery And Adjoining Land Everard Way Enderby Leicestershire LE19 1BY

Response: *Braunstone Town Council has no objections to the non-material amendments, subject to any changes to the accesses from the Highway meeting any conditions recommended by the County Highways Authority.*

Reason: *To ensure that entry points to the site did not present any safety issues to highway users nor have any additional adverse impact on the operation of the surrounding highway network.*

6. Application No: 17/1683/CLE

Description: Application for Lawful Development Certificate for proposed use as a care home (Use Class C2)

Location: 37 Narborough Road South Braunstone Town Leicestershire LE3 2HB

Response: *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.

Reasons: *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.

- 7. Application No:** 17/1675/FUL
- Description:** Change of use of ground floor residential accommodation to retail use (use class A1) with alterations to front elevation, single storey rear extension, covered bicycle and bin store to rear, first and second floor extension and alterations to create additional flats
- Location:** 107-107A Turnbull Drive Braunstone Town Leicestershire LE3 2JW
- Response:** *Braunstone Town Council supports the change of use of ground floor residential accommodation to retail use; however, it objects to the proposed parking layout in relation to the location of the customer entrance to the proposed retail unit; subject to this being resolved it is recommended the following conditions be applied:*
- a) on-site parking being provided prior to the occupation of the additional flats and permanently remaining in use; and*
 - b) the internal wall between the flats being suitably sound proofed and the hours of use of the retail unit being restricted to daytimes.*
- Reason:** *While supporting the sustainability of retail units in the Local Centre, the location of the customer entrance meant that the proposed location for the residential parking was on the premises forecourt, which would present safety issues for highway users and customers accessing the premises and present security risks to residents' vehicles.*
- a) To avoid over parking on the street, where parking was at a premium.*
 - b) To avoid to avoid any adverse impact on the amenity enjoyed by the residents of the flats in terms of noise and disturbance.*
- 8. 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 4 self-contained holiday lets, associated parking spaces (4 extra spaces) and formation of associated highway access to St Marys Avenue
- 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) *there was insufficient on-site parking provision.*

Reasons:

- a) *The extension to provide 4 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) *The plans provided for 13 bedrooms with 11 on-site parking places, leading to parking on the highway was impractical and disruptive given the traffic flows on Braunstone Lane and close proximity to the A47 junction and the bus stop and Holmfield Avenue East was a narrow street.*

9. Application No: 17/1647/FUL

Description: Erection of 3 bedroom detached dwelling

Location: 20 Hat Road Braunstone Town Leicestershire LE3 2WF

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

- a) *would be significantly out of keeping with the character and appearance of the area; and*
- b) *would result in over-development of the site due to factors including scale and mass.*

Reasons:

- a) *The proposed property with a first floor, albeit as part of the roof space, would be larger and of different character to the existing properties on the street introducing a discordant element to the street scene.*
- b) *The proposed property would impact on the amenity of the existing neighbouring bungalow in terms of privacy, noise, disturbance and overbearing effect.*

10. Application No: 17/1746/CLP

Description: Application for Certificate of Lawful Development in respect of proposed reconfiguration and insertion of floor space within food court

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

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

Reason: *The proposed changes to the Food Court were internal and within its intended use and was in keeping with the wider use of the site as a retail park.*

11. Application No: 18/0002/DOC

Description: Discharge of condition 7 attached to 17/0461/RM (Surface Water Drainage Scheme)

Location: Everards Meadows Land Off Soar Valley Way Enderby Leicestershire LE19 2BX

Response: *Braunstone Town Council has no objections to the discharge of the condition, subject to the proposals meeting the technical requirements of the relevant statutory bodies.*

Reason: *The information and designs appeared to meet the requirements of the condition; however, technical application would need to meet the approval of the relevant statutory bodies.*

111. 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 had been no licensing applications.

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

12. Application No: 17/1673/NMAT

Description: Application for non-material amendment to planning permission 17/0729/FUL.

Location: 2 Laversall Way Braunstone Town Leicester Leicestershire LE19 1DX

Response: *Braunstone Town Council does not object to this application.*

Reason: *The site was located in an industrial area which was landscaped and woodland separated the area from nearby residential housing, therefore there would be no impact upon the amenity enjoyed by residential properties.*

13. Application No: 17/1700/HH

Description: Single storey front side extension, two storey side extension plus a loft conversion

Location: 21 Stratford Road Braunstone Town Leicestershire LE3 2SW

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

- a) *on-site parking being provided for 3 vehicles prior to the occupation of the extension and conversion of the loft and to be retained 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 property would have 4 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.*

112. Local Plan: Delivery Development Plan Document - Consultation on Proposed Submission Version

The Committee considered whether to make representations on the 'soundness' and legal compliance of the Local Plan Delivery Development Plan Document before the document was submitted for Examination (item 8 on the agenda).

Kirby Muxloe Parish Council organised a meeting on 5th January which was attended by Councillors from Kirby Muxloe, Glenfield, Leicester Forest East and Braunstone Town. The meeting discussed whether a joint statement could be agreed for submission between the four Parishes and the draft statement proposed was included in the report. A final version was subsequently submitted and was circulated (filed with the archive copy of the agenda).

RESOLVED

1. that Braunstone Town Council submit the following responses to the Blaby District Local Plan Delivery DPD (Proposed Submission Version) consultation:
 - a) the soundness of Site Allocations Policy SA1, Land North of Hinckley Road, Kirby Muxloe, was questionable,
 - b) the boundary of Meridian Business Park should be amended to exclude Preferred Options sites BRA001, Land off Centurion Way, and BRA002, Land adjacent to McDonalds, since these are no longer preferred allocations in the Proposed Submission Version;
 - c) the soundness of policies on Local Centres and Neighbourhood Parades (DMP6) was questionable, as was the allocation of Ayston Road, Thorpe Astley and Turnbull Drive/Edward Avenue as

- Neighbourhood Parades rather than as Local Centres; and
- d) the soundness and legal compliance of Development Management Policy 8, Local Parking and Highway Design Standards, was questionable; and
2. that the final statement issued by Kirby Muxloe Parish Council on 16th January 2018 (following the joint meeting of Councillors from Kirby Muxloe, Glenfield, Leicester Forest East and Braunstone Town on 5th January 2018), which was circulated to the meeting, be supported by Braunstone Town Council and submitted as part of Braunstone Town Council's consultation response.

Reasons for Decision

1. *To identify issues which may affect the soundness and legal compliance of the plan:*
 - a) *development on Land North of Hinckley Road, Kirby Muxloe, particularly in the early part of the plan period and prior to the completion of the infrastructure improvements and provision of new services on the Lubbesthorpe Sustainable Urban Extension, could slow the phasing timetable for Lubbesthorpe delaying the highway mitigation measures and new services and putting additional pressure onto existing services;*
 - b) *to align the boundary shown on the map to the position taken by Blaby District Council that the two sites were not preferred options;*
 - c) *Blaby District Council did not consider the point made in the Town Council's consultation response that the long term sustainability of centres and parades would be assisted, and communities would be better served, by providing favourably for change of use from residential to A1 to A5 of adjacent properties outside the boundary of the local centre/neighbourhood parade where that would enhance the services of the local centre/neighbourhood parade, over a similar change of use in residential areas away from the centre/neighbourhood parade; and Blaby District Council merely restated its existing position; neither did Blaby District Council consider the proposals to amend some of the boundaries, stating the process for doing this, which was being requested by the Town Council; and*
 - d) *the 6Cs Design Guide deals with highways and transportation infrastructure for new developments, it was a technical design guide and not a document for the purposes of development control.*
2. *To highlight the disconnect between planning for housing and the likelihood of delay/non-delivery of the appropriate infrastructure.*

113. National Highways and Transport Public Satisfaction Survey

The Committee received and considered whether to respond to the National Highways and Transport Public Satisfaction survey (item 9 on the agenda).

The Chair of the Committee (Councillor Robert Waterton) had considered the survey and provided some answers to the questions, which he circulated for the Committee's consideration (filed with the archive copy of the agenda).

RESOLVED

1. that the proposed responses circulated by the Chair of the Committee be approved and submitted in response to the National Highways and Transport Public Satisfaction survey; and
2. that delegated authority be given to the Executive Officer & Town Clerk to respond to questions 12 and 12a and to submit the response to the National Highways and Transport Public Satisfaction survey on behalf of the Council.

Reasons for Decision

1. *To assist the County Council to monitor its performance on a number of highways and transport issues.*
2. *To identify the ways in which Braunstone Town Council had contacted Leicestershire County Council to raise highway issues and to ensure that the survey was submitted by the deadline.*

114. Planning Decisions

The Committee received and noted planning decisions made by Blaby District Council (item 10 on the agenda).

RESOLVED that feedback on the following decision be sought from Blaby District Council: 17/1290/FUL – Land Adjacent 82 Kingsway: Councillor Wright to arrange to meet the Planning Case Officer.

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 about over-development of the site due to factors including scale and mass.

115. Feedback on Planning Application Decisions

The Committee received feedback concerning planning application decisions by Blaby District Council where the Committee has queried the decision (item 11 on the agenda).

It was noted that there was currently no decisions on which feedback was sought.

116. Update on Highways Issues – Thorpe Astley

The Committee received and noted progress with addressing traffic, safety and parking issues in Thorpe Astley (item 12 on the agenda).

RESOLVED

1. that the report be received and noted;
2. that Town Council representatives on the Lubbethorpe Strategic Consultative Forum raise the Town Council's concerns that the access bridge across the M1 motorway opened in July 2017 and through traffic and

- construction traffic now uses Meridian Way but as yet there were no proposals for mitigation measures; and
3. that in the event that no progress was made as a result of 2 above, Braunstone Town Council make a formal written request to Blaby District Council to take enforcement action for breaches of condition 60 of the planning approval 11/0100/1/OX.

Reasons for Decision

1. *To note the progress made.*
2. *To seek assistance from the District Planning Authority with addressing traffic and safety issues along Meridian Way given the access bridge across the M1 motorway opened in July 2017 and through traffic and construction traffic was now using the route.*
3. *To enable the Town Council to pursue a formal course of action should there be insufficient progress on proposals for traffic mitigation and safety measures along Meridian Way.*

117. Financial Comparisons

The Committee received Financial Comparisons for the period 1st April 2017 to 31st December 2017 (item 13 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.

118. Approval of Accounts

The Committee considered payments from 1st November 2017 until 8th January 2018 (item 14 on the agenda).

RESOLVED that the list of Approved Expenditure Transactions for the Period 1st November 2017 until 8th January 2018 be approved.

Reason for Decision

To authorise payments in accordance with the Accounts & Audit Regulations and the Council's Financial Regulations.

119. 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: _____