

BRAUNSTONE TOWN COUNCIL

MINUTES OF PLANNING & ENVIRONMENT COMMITTEE

THURSDAY 5TH MARCH 2020

PRESENT: Councillor Robert Waterton (Chair), Councillor Phil Moitt (Vice-Chair) and Councillors Anthea Ambrose, Sohan Johal, Darshan Singh, Christiane Startin-Lorent and Marion Waterton and Mr John Dodd (Ex-Officio).

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

There were nine members of the public present at the meeting.

121. Apologies

Apologies for absence were received from Councillors Satindra Sangha and Imran Uddin.

122. Disclosures of Interest

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

123. 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 nine members of the public present.

Members of the public raised the following issues in relation to item 5 on the agenda, Houses in Multiple Occupation, which related to a potential conversion of a family home into a six to eight bedroom House in Multiple Occupation:

- (a) concern that the environmental impact was not being considered;
- (b) concern about damage to the road and pavements with an increase in the number of vehicles;
- (c) the potential impact upon the neighbouring family properties;
- (d) clarification on whether a landlord could extend a family home to 6 to 8 bedrooms and then fill all the rooms separately;
- (e) where should complaints about Houses in Multiple Occupation be directed;
- (f) concerns about house alterations but no evidence of planning permission; and
- (g) it was suggested that each of the rooms could be rented to a couple meaning there was the potential for 16 cars, with limited on-site parking, most vehicles would park on the road, potentially causing obstruction.

124. Minutes of the Meeting held 6th February 2020

The Minutes of the Meeting held on 6th February 2020 were circulated (item 4 on the agenda).

RESOLVED that the Minutes of the meeting held on 6th February 2020 be approved and signed by the Chairperson as a correct record.

125. Houses in Multiple Occupation

Caroline Harbour, Environmental Health Manager, Blaby District Council, attended the meeting to set out the regulatory framework and operational practices for regulating Houses in Multiple Occupation, and to answer any questions.

Houses in Multiple Occupation were licensed by the Environmental Health Department, as part of its responsibilities for regulating private sector housing. The Planning Department dealt with change of use applications and physical changes to the property, where these were outside the permitted development regulations. Building Control dealt with building standards. The Environmental Health and Planning departments had a close working relationship concerning their respective roles in regulating, monitoring and enforcement in respect of Houses in Multiple Occupation. Complaints for investigation and details of properties were passed between departments where it fell within the other's remit.

In 2018, new legislation required two storey Houses in Multiple Occupation with five or more bedrooms to be licensed, previously it only applied to houses with three stories and above. Two years were given for existing properties to complete their applications for a licence and most properties the District Council were aware of had completed their applications.

In response to Caroline Harbour's summary of the regulatory framework and operational practices and the issues raised during public participation, the following issues were identified:

- (a) if a complaint was received about a suspected house in multiple occupation, and was dealt with by one department, the other department would be consulted;
- (b) if a property required planning permission for change of use, this was not a reason to refuse a Licence; however, the Licence issued contained a paragraph advising that the landlord would need to obtain planning permission;
- (c) when a property required a licence, the issuing of a licence related to the number of bedrooms and the standard of the property for tenants; the licensing legislation did not allow external and local environmental standards, such as parking to be considered;

- (d) if the property was to contain eight or more bedrooms, then Planning Permission was required for change of use, the application would be assessed for external environmental factors such as parking;
- (e) details of licences issued to Houses in Multiple Occupation with 5 or more bedrooms were available on Blaby District Council's website;
- (f) if residents were concerned about the impact a house in multiple occupation was having on the surrounding area and the house did not require change of use and there was no breach of any regulations; the District Council would seek to cooperate with the landlord to address the issues; and
- (g) members of the public were encouraged to report properties suspected as operating as houses in multiple occupation, this could be done anonymously, and other information such as the electoral register and Council Tax records could be used as part of the investigation.

RESOLVED that the information be received and noted.

Reason for Decision

To work towards councils, residents and landlords working cooperatively to ensure Houses in Multiple Occupation met standards and regulations in order to protect tenants and the amenity enjoyed by the residents of neighbouring properties.

126. 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: 20/0129/HH

Description: Block paving to form vehicular hardstanding, paint rendered finish and door frame added to front elevation.

Location: 10 Woodcote Road (Millfield Ward)

Response: *Braunstone Town Council does not object to the application; subject to soft water drainage being installed within the block paved vehicular hardstanding.*

Reason: *Woodcote Road contained a mixture of dwelling types and designs and therefore the proposals were likely to be in keeping with the character and appearance of the street scene. However, it was important to mitigate surface water run-off which could have an adverse impact upon the highway and neighbouring properties.*

127. Planning Applications and Licensing Applications

The Committee received details of planning and licensing applications to be considered by Blaby District Council (item 7 on the agenda).

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

Planning Application

- 1. Application No:** 20/0193/OUT
- Description:** Proposed 3-bedroom detached dwelling, including demolition of existing garages
- Location:** Land Adjacent To 47 Henley Crescent (Ravenhurst & Fosse Ward)
- Response:** *Braunstone Town Council does not object to the application; subject to:*
- i. the design, layout, landscaping, appearance and access being in accordance with the Design & Access Statement;*
 - ii. no windows in the side elevation adjacent to 47 Henley Crescent without the explicit consent of the local planning authority;*
 - iii. the building line and positioning of the new property not adversely affecting the light to the facing side windows of 47 Henley Crescent; and*
 - iv. the on-site parking for two vehicles, meeting the minimum sizes set out in the Leicestershire Highway Design Guide and being made available for use prior to occupation and remaining available in perpetuity*
- Reasons:** *The proposed dwelling, which contained rear amenity space, would contribute towards housing supply while being in a sustainable location with access to services and public transport:*
- i. the design and features appeared to be in*

- ii. *keeping with the character of the area;*
- iii. *to avoid any adverse impact on the privacy enjoyed by the residents of 47 Henley Crescent;*
- iv. *to avoid a detriment to the residents of 47 Henley Crescent in terms of significantly reduced levels of light; and*
- v. *to prevent over parking on street, including the footway, close to a junction and a bend, which could impact adversely on highway safety.*

Licensing Application

- 2. Application No:** Southam Ice
- Description:** Application Renewal
- Location:** Thorpe Astley area & 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.*

128. Additional Planning and Licensing Applications

The Committee received details of a planning application received since the publication of the agenda (item 8 on the agenda). The Committee noted that there were no licensing applications.

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

- 3. Application No:** 20/0231/HH
- Description:** Single storey rear extension
- Location:** 2C Balmoral Drive (Winstanley Ward)
- Response:** *Braunstone Town Council does not object to the application.*

Reason: *The proposals were for a canopy at the rear of the property which did not protrude beyond the adjacent rear extension; therefore there would be limited impact on the amenity enjoyed by neighbouring properties.*

4. Application No: 20/0225/HHPD

Description: The erection of a single storey rear extension which would extend beyond the rear wall of the original house by 4.8m, for which the maximum height would be 3.4m and for which the height to the eaves would be 2.7m

Location: 16 Shottery Avenue (Ravenhurst & Fosse Ward)

Response: *Braunstone Town Council has no objections to the proposals set out in the application to determine prior approval for a proposed Larger Home Extension.*

Reason: *The proposals were to build a single-storey rear extension greater than three metres up to six metres at a semi-detached property and were in accordance with the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 1, Class A.*

129. 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.

130. Feedback on Planning Application Decisions

The Committee noted there was no outstanding feedback concerning planning application decisions by Blaby District Council where the Committee had queried the decision.

131. Blaby District Council - Planning Enforcement Policy Consultation

The Committee received an updated Planning Enforcement Policy for Blaby District for consultation and response (item 11 on the agenda).

RESOLVED that the following response to the Planning Enforcement Policy consultation be submitted to Blaby District Council:

- (a) paragraph 5.2, The Harm System, the “set format” needed to be expanded to set out how it would be applied; for example: the scoring range, weightings and variances etc;
- (b) paragraph 6.1, Principles of Enforcement – Targeting, clarity on whether “harm” was in a general form or specific to “The Harm System” described at paragraph 5;
- (c) paragraph 7.1 talks about not allowing enforcement action to be delayed and reasonable timescale, it would be useful for a time period to be set out either at paragraph 7.1 or at Appendix 1, Service Standards;
- (d) paragraph 7.2b, Taking Formal Action, referred to “s330 notices”; a short paragraph would be helpful describing a Section 330 Notice;
- (e) paragraphs 9.1 and 9.2, Performance Indicators; which Committee would the performance indicators be reported to and how often? In addition, it would be helpful for Councillors and Parish Councils to be provided with the information or alerted to its publication; and
- (f) paragraph 11.1, Anonymous Complaints, referred to “Article 4 Direction”; a short paragraph would be helpful describing an Article 4 Direction.

Reasons for Decision

- (a) *To provide understanding of the scoring system and to ensure consistency and transparency.*
- (b) *To understand whether harm in targeting was general or directly attributed to the “The Harm System” scoring.*
- (c) *To provide context and understanding of a reasonable timescale.*
- (d) *To provide meaning and context to terms, which were not often used outside the planning field.*
- (e) *To provide transparency and accountability.*
- (f) *To provide meaning and context to terms, which were not often used outside the planning field.*

132. Lubbesthorpe

The Committee received an update on how Braunstone Town Council should be involved in discussions relating to the impact of the New Lubbesthorpe development on the parish and the wider area, particularly concerning infrastructure improvements and housing and service provision.

A meeting had taken place on 9th October 2019, which had been organised by Leicester Forest East Parish Council and attended by representatives of Braunstone Town Council and Leicester Forest East Parish Council.

On 6th February 2020, the Committee agreed to explore whether local parishes would be interested in holding further regular meetings relating to the impact of the New Lubbesthorpe development on the area (minute 120).

A letter had been sent to Enderby, Kirby Muxloe, Leicester Forest East and Lubbesthorpe Parish Councils to ascertain interest and, to date, Enderby Parish Council had confirmed its interest.

Councillor Robert Waterton advised the Committee that he may make direct contact with the chair of Lubbesthorpe Parish Council.

RESOLVED that the update be received and noted.

Reason for Decision

To ensure that Braunstone Town Council could be involved in discussions relating to the impact of the New Lubbesthorpe development on the parish and the wider area, particularly concerning infrastructure improvements and housing and service provision.

133. Financial Comparisons

The Committee received Financial Comparisons for the period 1st April 2019 to 25th February 2020 (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 2019/2020.

134. Approval of Accounts

The Committee considered payments from 31st December 2019 until 25th February 2020 (item 14 on the agenda).

RESOLVED that the list of Approved Expenditure Transactions for the Period 31st December 2019 until 25th February 2020 be approved.

Reason for Decision

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

The meeting closed at 9.20pm.

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

SIGNED: _____

DATE: _____