

BRAUNSTONE TOWN COUNCIL

MINUTES OF PLANNING & ENVIRONMENT COMMITTEE

HELD AT BRAUNSTONE CIVIC CENTRE

THURSDAY 4TH NOVEMBER 2021

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

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

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

46. Apologies

Apologies for absence were received from Councillors Dipen Nathwani and Satindra Sangha.

47. Disclosures of Interest

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

48. 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 in attendance.

49. Minutes of the Meeting held 9th September 2021

The Minutes of the Meeting held on 9th September 2021 were circulated (item 4 on the agenda).

RESOLVED that the Minutes of the meeting held on 9th September 2021 be approved and signed by the Chairperson as a correct record.

50. 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:

Planning Applications

1. Application No: 21/1110/LBC

Description: Demolition of existing building

Location: Unit 4 254 Braunstone Lane Braunstone Town Leicestershire (Winstanley Ward)

Response: *Braunstone Town Council recommends that the following conditions should be applied in the event of any approval:*

- (a) no demolition to take place unless the associated planning application 20/1373/FUL, referred to in the reason for making the Listed Building Consent Application, was approved;*
- (b) in respect of (a) above, demolition must be necessary to facilitate the development and evidenced in a construction method statement submitted as part of application 20/1373/FUL; and*
- (c) in the event that the application 20/1373/FUL was rejected, no demolition nor any further external alterations being permitted to any building within the curtilage of 254 Braunstone Lane without a specific Listed Building Consent application being submitted and approved.*

Reasons: *While the building subject to this application was a 20th Century construction with little heritage value, 254 Braunstone Lane itself was a Grade 2 listed building; therefore:*

- (a) a full heritage impact assessment would need to be carried out on the impact of the proposed development (20/1373/FUL) on the heritage assets and local distinctiveness of Braunstone Village, including the impact resulting from any demolition of the building identified in this Listed Building Consent Application, in order to ensure the protection of these heritage assets;*
- (b) to avoid any adverse impact on the listed buildings of Braunstone Village from construction, vibration and heavy machinery and to ensure the preservation of these heritage assets; and*
- (c) to ensure that design solutions would preserve and enhance the heritage and local distinctiveness of Braunstone Village.*

- 2. Application No:** 21/0865/HH
- Description:** Conversion of integral garage to habitable room
- Location:** 29 Burchnall Road Thorpe Astley Braunstone Town Leicestershire LE3 3TA (Thorpe Astley Ward)
- Response:** *Braunstone Town Council does not object to the proposed conversion of the garage; subject to:*
- (a) permanent provision of on-site parking for three vehicles, which must be provided prior to occupation of the converted garage;*
 - (b) the materials, including fenestration, being the same as the existing; and*
 - (c) no windows in the side elevation of the converted garage without the prior consent of the local planning authority.*
- Reasons:**
- (a) To avoid additional parking on the highway, which already has significant on street parking, close to an access and footpath crossing; which could present highway safety concerns.*
 - (b) To avoid any impact on the visual amenity of the street scene.*
 - (c) To avoid any adverse impact on the amenity enjoyed by the occupants of the neighbouring property in terms of noise and privacy.*
- 3. Application No:** 21/0824/HH
- Description:** Single storey detached building to form annex
- Location:** 58 Beech Drive Braunstone Town Leicestershire LE3 3DA (Winstanley Ward)
- Response:** *Braunstone Town Council recommends that the following conditions be applied to any approval of the Single storey detached building to form annex:*
- (a) being used for normal domestic uses related to the residential use of the dwelling;*
 - (b) not being used to create a separate residential unit;*
 - (c) not being separately sold, let or otherwise disposed of;*
 - (d) no windows or openings in the rear or side elevations of the outbuilding without the explicit consent of the local planning authority;*
 - (e) permanent on-site parking for the property for at least three vehicles, which must be surface with hardbound permeable material, along with provision of a lowered kerb;*
 - (f) no separate rear access being created; and*

(g) *no barriers or fencing dividing the existing curtilage of 58 Beech Drive into separate plots.*

Reasons:

- (a) *To avoid noise and disturbance impacting on the amenity enjoyed by the neighbouring properties;*
- (b) *the outbuilding's layout would provide cramped living conditions and limited internal amenities or separate external amenity space;*
- (c) *to avoid overdevelopment of the site/tandem development;*
- (d) *to avoid any adverse impact on the amenity enjoyed by neighbouring properties in terms of privacy and noise;*
- (e) *the proposed annex contained an additional bedroom and sufficient on-site parking should be provided, which needed to be accessed safely and usable all year round, to avoid additional on-street parking adversely impacting on highway safety, while ensuring there would be no additional surface water run-off;*
- (f) *to avoid tandem development and the annex becoming a separate living dwelling; and*
- (g) *to ensure that the usage of the building remained that of an annex to the existing residential use of 58 Beech Drive.*

4. Application No: 21/0874/HH

Description: Single storey front and side extensions and conversion of garage into habitable room

Location: 3 Fernhurst Road Braunstone Town Leicestershire LE3 2PG (Ravenhurst & Fosse Ward)

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

- (a) *permanent on-site parking for two vehicles, which must be provided prior to occupation of the converted garage and retained; and*
- (b) *no windows in the side elevation of the converted garage without the prior consent of the local planning authority.*

Reasons:

- (a) *To avoid additional parking on the highway, close to a junction and primary school, which could present highway safety concerns.*
- (b) *To avoid any adverse impact on the amenity enjoyed by the occupants of the neighbouring property in terms of noise and privacy.*

5. **Application No:** 21/0947/OUT
- Description:** Outline planning application (with all matters reserved) for the construction of a single dwelling.
- Location:** 2 Pinfold Braunstone Town Leicestershire LE3 2UW (Millfield Ward)
- Response:** *Braunstone Town Council objects to the proposal on the following grounds:*
- (a) out of keeping with the character and appearance of the area;*
 - (b) overdevelopment of the site due to footprint, scale and massing; and*
 - (c) significantly detrimental to the amenities enjoyed by existing and new occupiers due to considerations of privacy, light, noise and overbearing effect.*
- Reasons:**
- (a) Development on this corner plot next to a junction would add a discordant element to the street scene since the visual effect would no longer mirror the opposite side of the junction and also due to the gradient changes on both Pinfold and Watergate Lane.*
 - (b) To fit in with the building line on Watergate Lane, the new property would be built on to an existing semi-detached property resulting in insufficient space for outdoor amenity, parking and access.*
 - (c) The additional property on this corner location would result in cramped living conditions for the occupants of the new property and the existing property, 2 Pinfold. In addition, there would be an adverse impact on the occupants of both properties in terms of noise and overbearing effect, which dependent upon the design may also impact on 45 Watergate Lane*
6. **Application No:** 21/0943/HH
- Description:** Two storey side and rear extension
- Location:** 454 Braunstone Lane Braunstone Town Leicestershire LE3 3DG (Winstanley Ward)
- Response:** *Braunstone Town Council does not object to the application; subject to:*
- (a) on-site parking within the curtilage of the property being retained for three vehicles in perpetuity; and*
 - (b) no windows in the side elevation, without the*

explicit consent of the local planning authority.

Reason: *There were other similar front and side extensions in the locality; however,*
(a) with a larger property there was a need to ensure parking onsite was retained for 3 vehicles, to avoid highway parking on a main highway and/or obstructing a narrow footway, and
(b) to protect the amenity enjoyed by the neighbouring property in terms of privacy.

7. Application No: 21/0807/HH

Description: Single storey front, side and rear extensions

Location: 47 Kingsway North Braunstone Town Leicestershire LE3 3BD (Winstanley Ward)

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

- a) the onsite car parking for three vehicles, as shown in the plans being provided prior to occupation of the extension and remaining available for use;*
- b) the parking area in a above being surfaced with hardbound permeable material or with drainage installed, which did not drain onto the highway; and*
- c) no windows or openings in the side elevations of the proposed extension and converted garage, without the explicit consent of the local planning authority.*

Reasons:

- a) To avoid additional parking on the highway (including the footway), close to schools, which would have an adverse impact on safety.*
- b) To avoid surface water run-off and flooding, particularly on the highway, due to the gradient.*
- c) To protect the amenity enjoyed by the occupiers of the neighbouring properties in terms of noise and privacy.*

8. Application No: 21/1096/FUL

Description: Erection of x1 detached one and half storey dwelling (Re-submission)

Location: 1 Hat Road Braunstone Town Leicestershire LE3 2WF (Millfield Ward)

Response: *Braunstone Town Council objects to this application due to the proposed development resulting in:*

- (a) overdevelopment of the site due to consideration of scale and mass;*
- (b) insufficient amenity space for both the new and existing dwelling; and*
- (c) insufficient on-site parking provision for both the new and existing dwellings.*

Reasons:

- (a) The proposed dwelling's size on a plot with little depth would result in it being built in close proximity to both 1 and 3 Hat Road resulting in cramped living conditions.*
- (b) The proposed dwelling was built on the existing amenity space for 1 Hat Road and the creation of the new dwelling would result in cramped living conditions for both dwellings which would have little useable amenity space.*
- (c) The proposal would result in parking for both 1 Hat Road and the new dwelling being on the highway, close to a junction and a local school; a school clear zone was in operation in this area, due to access and highway safety concerns, as a result of over-parking on these narrow roads.*

9. Application No: 21/0813/PT14J

Description: Application to determine if prior approval is required for the installation of 212.63 kwp Solar PV system

Location: Unit 21 Centurion Way Meridian Business Park Braunstone Town Leicestershire LE19 1WH (Thorpe Astley Ward)

Response: *Braunstone Town Council does not object to the application; subject to the Civil Aviation Authority being given the opportunity to comment on the proposals and technical assessment.*

Reason: *The Solar PV system was proposed for the roof of a large building which had a low pitch; therefore, there was no impact on the local amenity in terms of visual impact or glare. The most likely impact would be on users of the airspace in terms of potential glare.*

10. Application No: 21/1131/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 3.9 metres and for which the height to eaves would be 2.5 metres

Location: 47 Edward Avenue Braunstone Town Leicestershire LE3 2PF (Ravenhurst & Fosse Ward)

Response: *Braunstone Town Council does not object to the application; subject to no windows, openings or mechanical ventilation in the side elevation of the proposed extension facing No. 45 Edward Avenue.*

Reason: *To protect the amenity enjoyed by the occupiers of 45 Edward Avenue in terms of privacy and noise.*

11. Application No: 20/1373/FUL

Description: Erection of 13 dwellings with associated infrastructure, landscaping and access. The following amendments have been made to this application:

1. new covering letter, amended dwelling plans, site layout and street scene plans, landscaping plans, materials and boundary treatment plans, bat survey and design statement
2. change of proposal description from proposed 16 dwellings down to 13 dwellings

Location: Land To Rear Of 27 To 45 Avon Road Braunstone Town Leicestershire

Response: *Braunstone Town Council objects to the proposal and recommends refusal, since the proposals:*

1. *were located on an unsustainable and unreasonable site for development;*
2. *would result in overdevelopment of the site due to factors including scale and mass;*
3. *have an unsatisfactory relationship with nearby uses that would be significantly detrimental to the amenity enjoyed by the occupiers of those properties, due to considerations of privacy, noise, and vehicular activity;*
4. *were significantly out of keeping with the character and the appearance of the area, particularly the neighbouring Conservation Area and listed buildings in the vicinity;*
5. *would result in the potential loss of an archeologically important site;*
6. *were not designed to address climate change and provide for sustainable living;*

7. *would present dangers to the safety of highway users on Avon Road; and*
8. *would result in surface water run off towards Braunstone Lane / Main Street.*

Reasons:

1. *The site had not been included in the emerging Blaby District Local Plan Options; which sets out options for the location of development and identified reasonable site options.*
2. *The proposal was for 13 properties, which could contain 13 families; resulting in overall cramped living conditions on the site. The Maisonettes had no private amenity space.*
3. *13 properties would be located close together on a small plot of land, which was surrounded by established housing on Avon Road, Bidford Road and Balmoral Drive; the single narrow access would provide for significant vehicular movements between properties*
4. *The site was close to an ancient barn and Manor House presenting a threat to its setting; Manor Farm was a Grade 2 listed building; these properties were at risk from the impact of the construction and from surface water run-off. The proposals would impact on the setting of Braunstone Village.*
5. *A previous planning application for this site contained an archaeological assessment which indicated there was potential for archaeology on this site. The area was part of a medieval farm curtilage. Manor Farm was the first brick-built farm in the village and had been a working farm which produced cheese. The proposed development and finish floor levels were likely to result in excavations to a level which would compromise and destroy the archaeology below the surface.*
6. *The design and layout were contrary to addressing climate change and were not in keeping with the Environment and Sustainability Policies set out in the emerging Local Plan; for example not installing solar panels. The proposals also didn't provide for sustainable living with a lack of private or communal amenity space.*
7. *The proposed exit on to Avon Road would add to traffic problems, Avon Road had a significant amount of on-street parking, especially at the times when children were being taken to or collected from school.*
8. *The plans were not clear on how drainage away from Braunstone Lane (Main Street) and*

towards Avon Road would be secured; the intention seems to be to utilise the sewage system on Avon Road but the site slopes significantly downwards from Avon Road towards Braunstone Lane.

12. Application No: 21/0613/HH

Description: Erection of 1.8-metre-high boundary fence. The following amendments have been made to this application: elevation plan, site plan and site location plan (to scale).

Location: 7 Wilson Close Thorpe Astley Braunstone Town Leicestershire.

Response: *Braunstone Town Council objects to the application since the erection of a 1.8-metre-high fence in the proposed location would be out of keeping with the character and appearance of the area*

Reason: *The fence would protrude the building line narrowing the open aspect of the street scene. This could set a precedent with the property on the opposite side of the road making a similar application, which would result in the bottom end of the street next to the turning circle being boxed in. Similarly, properties which face the street could argue that they could similarly enclose the front curtilage of their properties. 7 Wilson Close had an enclosed rear amenity area and had suitably enclosed the area which the application related to with a hedgerow.*

51. Planning Applications and Licensing Applications

The Committee noted no planning and licensing applications had been received.

52. 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 response be forwarded to Leicestershire County Council:

Planning Applications

1. **Application No:** 21/1321/CC
County Council Identity Number:
2021/CM/0155/LCC
- Description:** A new public park north of Meridian Way, Braunstone comprising earthworks to create a central mound, paths and landscaping including new woodlands, hedges and tree planting, drainage works including swales/channel and attenuation pond and a fenced dog walking area.
- Location:** The Drummond Estate - Land North of Meridian Way Braunstone LE3 3UJ (Thorpe Astley Ward)
- Response:** *Braunstone Town Council supports the proposed new public park, along with the proposed construction method; subject to:*
(a) *the local flood authority and Environment Agency response on the Drainage & SuDS Strategy Report; and*
(b) *approval of the safety fencing to be used around the pond area.*
- Reasons:** *The proposed new parkland would convert unused waste land into a usable local recreational amenity, which would also improve biodiversity, along with screening Thorpe Astley from Meridian Way, the Motorway and the Motorway bridge; however:*
(a) *the features of the parkland aim to improve drainage and reduce surface water run off; therefore, it was important that the technical details were considered by the relevant authorities to ensure that the proposals effectively achieve this aim; and*
(b) *to ensure that appropriate safety measures would be in place around the pond while not detracting from its setting.*

Licensing Applications

The Committee noted that there were no licensing applications.

53. 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.

54. Feedback on Planning Application Decisions

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

- (a) 21/0443/FUL, *Change of use of two houses from residential dwelling (C3) to care home (C2) including extensions and alterations (Revised Scheme), at 89 and 91 Narborough Road South* – Councillor Phil Moitt reported that the Committee at Blaby District Council had taken into account the points made by the Town Council but on balance had considered the impact on neighbouring properties and the visual amenity to be limited and that the design and layout was suitable and did not constitute overdevelopment.
- (b) 21/0671/FUL, *Erection of 4 vertical extraction flues, at Unit 4 Vitruvius Way Meridian Business Park* – Councillor Christiane Startin-Lorent reported that the Planning Case Officer had advised that the proposed flues were required in connection with moving a wet paint line from the neighbouring building for which planning permission was previously granted. The District Council's Environmental Services team had advised that the extraction equipment required a minimum flow rate and that all equipment should be maintained in accordance with the manufacturer's instructions. No advice had been given in relation to restricting the use of paints or chemicals to those specified in the application. The Officer suspected that separate environmental protection legislation exercised control over the use of toxic products in industrial settings.

RESOLVED that the feedback 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.

55. Air Quality Monitoring Annual Status Report 2021

The Committee received the Blaby District Air Quality Monitoring Annual Status Report for consideration (item 10 on the agenda).

RESOLVED that an appropriate Officer from Blaby District Council be invited to attend a future meeting of the Committee to engage the Council on the Air Quality Action Plan.

Reasons for Decision

To assist with and input into the:

- (a) *local engagement link with schools;*
- (b) *aborted actions in the Action Plan; and*
- (c) *funding grants for behavioural change.*

56. Draft Character Appraisal for Braunstone Village

The Committee received a draft Character Appraisal of Braunstone Village prepared by the Heritage Warden in order to consider the merits of designating as a conservation area, the area of Braunstone Village to the south of Braunstone Lane to coincide with the already designated conservation area within the Leicester City boundary and to determine whether a public consultation should be undertaken on the proposals (item 11 on the agenda).

RESOLVED

1. that the draft Character Assessment of the proposed extension to Braunstone Village Conservation Area, including the proposed area for designation, as set out at Appendix 1, be approved for consultation and engagement with residents and partners;
2. that the proposed arrangements for consultation and engagement, as outlined in the *Consultation* section of the report be approved;
3. that the *Proposed Next Stages and Timescales* as set out in the report be approved; and
4. that delegated authority be given to the Executive Officer & Town Clerk, in consultation with the Chair of Planning & Environment Committee, to determine:
 - (a) the form of the Consultation Survey and questions;
 - (b) the specific dates for the consultations and exhibitions, within the framework set out in the *Proposed Next Stages and Timescales* section of the report;
 - (c) the stakeholders and partners to be engaged; and
 - (d) whether planning consultants should be commissioned to review and offer advice on the character appraisal and proposed consultation.

Reasons for Decision

1. *To identify Braunstone Village's special character and appearance in order to help inform the design of any future development proposals so that they preserve and enhance the Village and acknowledge its features.*
2. *To ensure that residents, partners and stakeholders could input their knowledge and be fully engaged with the proposals.*
3. *To provide timescales for engagement, review and amendment in order to shape proposals and enable the Committee to determine whether or not to submit proposals to Blaby District Council to designate the Town/District side of Braunstone Village as a Conservation Area, and if so in what form.*
4. *To enable the detailed arrangements for consultation, engagement and exhibitions, along with obtaining professional support, to be determined and implemented in a timely manner.*

57. 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 12 on the agenda).

RESOLVED that the report be noted; and the next review of Neighbourhood Planning be scheduled for November 2022.

Reason for Decision

There was insufficient information available at the current time to determine whether the Council should reconsider its position on Neighbourhood Planning; given the UK Government had not published the consultation results nor the post consultation proposals following publication of its White Paper in August 2020: "Planning for the Future".

58. Lubbesthorpe

The Committee received an update on progress concerning matters relating to the Lubbesthorpe development and a report on the recent meetings of local Parishes held on 29th September 2021 (item 13 on the agenda) and 3rd November 2021.

The Chair, Councillor Robert Waterton, updated the Committee as follows:

- (a) on 30th September 2021, 610 homes were occupied; which would mean that plans to build the health centre would need to be submitted to ensure the Section 106 trigger point was met;
- (b) the Group on 3rd November 2021 had received a presentation from John Crane, Housing Officer, on the housing (including affordable) mix for the first phase; the presentation would be included with the agenda papers for the next Committee meeting;
- (c) the Group were currently focussing on Highways issues and it was hoped to invite the County Councillors to the next Group meeting to discuss further; and
- (d) there was concern expressed that Blaby District Council had withdrawn the automatic notification to surrounding parishes concerning planning applications relating to Lubbesthorpe.

RESOLVED

1. that the update be noted;
2. that presentation on the housing mix for the first phase be included with the agenda papers for the next Committee meeting; and
3. that a communication be sent to the District Planning Department setting out the importance of continuing to notify surrounding parishes of planning applications for Lubbesthorpe.

Reasons for Decision

1. *To receive details of current and ongoing matters discussed relating to the new Lubbesthorpe development and its impact.*

2. *To enable the Committee to be fully informed of the housing (including affordable) mix.*
3. *To impress upon the District Council that significant changes to the Lubbesthorpe development, delivery of the Section 106 agreement and the rate at which housing (including its type) became available, impacted upon the surrounding area.*

59. Financial Comparisons

The Committee received Financial Comparisons for the period 1st April 2021 to 26th October 2021 (item 14 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 2021/2022.

60. Approval of Accounts

The Committee noted there were no payments from 1st September 2021 until 26th October 2021 to receive.

The meeting closed at 9.10pm.

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: _____