

**BRAUNSTONE TOWN COUNCIL**

**MINUTES OF PLANNING & ENVIRONMENT COMMITTEE**

**HELD AT BRAUNSTONE CIVIC CENTRE**

**THURSDAY 9TH SEPTEMBER 2021**

**PRESENT:** Councillor Robert Waterton (Chair) and Councillors Anthea Ambrose, Sohan Johal, Leanne Lee, Satindra Sangha, Marion Waterton and John Dodd (Ex-Officio).

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

There was one member of the public present at the meeting.

**34. Apologies**

Apologies for absence were received from Councillors Parminder Basra, Dipen Nathwani and Christiane Startin-Lorent.

**35. Disclosures of Interest**

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

**36. 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.

**37. Minutes of the Meeting held 12th August 2021**

The Minutes of the Meeting held on 12th August 2021 were circulated (item 4 on the agenda).

**RESOLVED** that the Minutes of the meeting held on 12th August 2021 be approved and signed by the Chairperson as a correct record.

**38. 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:** 21/0629/HH

**Description:** Retention of a single storey side/rear extension.

**Location:** 1 Home Avenue Thorpe Astley Braunstone Town Leicester Leicestershire LE3 3UR (Thorpe Astley Ward).

**Response:** *Braunstone Town Council does not object to the application; subject to no further extension or modification without the prior approval of the local planning authority.*

**Reason:** *To avoid the cumulative impact of ad-hoc extensions on the amenity enjoyed by neighbouring properties, to retain the existing on-site parking and to avoid the potential over-development of the site in terms of scale and mass.*
- 2. Application No:** 21/1012/VAR

**Description:** Variation of condition 5 attached to planning permission 20/1002/FUL to vary the approved operating hours of a nail bar and beauty salon (Sui Generis class use).

**Location:** 3 Shottery Avenue Braunstone Town Leicestershire LE3 2ST (Winstanley Ward)

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

**Reason:** *The applicant already had permission to operate between the hours of 10am and 8pm, Monday to Saturday between 1st May and the end of September but were required to close at 5.00pm in winter.*

**39. Planning Applications and Licensing Applications**

The Committee received details of planning and licensing applications to be considered by Blaby District Council (item 6 on the agenda). The Committee noted that there were no licensing applications.

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

Planning Applications

1. **Application No:** 21/1011/DOC
- Description:** Discharge of conditions 5 (additional tree planting), 8 (surface water drainage scheme), 9 (management of surface water during construction), 11 (Construction Method Statement), 17 (Footpath Management Plan), and 18 (details of repositioned footpath) attached to planning permission 18/1041/FUL.
- Location:** Aldi Meridian Way Braunstone Town Leicestershire LE19 1LW (Thorpe Astley Ward)
- Response:**
1. *Braunstone Town Council objects to the discharge of conditions 17 (Footpath Management Plan) and 18 (details of repositioned footpath) due to insufficient design and construction information;*
  2. *Braunstone Town Council recommends that the following conditions be applied:*
    - a) *Discharge of Condition 5 (additional tree planting): must incorporate plant protection and 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;*
    - b) *Discharge of Condition 8 (surface water drainage scheme): the drainage proposals set out in the plans must be completed and approved as meeting the required standard prior to the opening of the new store;*
    - c) *Discharge of Condition 9 (management of surface water during construction): measures to prevent pollution of water courses must be included; and*
    - d) *Discharge of Condition 11 (Construction Method Statement): all vehicles attending and operating on the site, including worker's private cars, visitors, deliveries and collections must be accommodated within the site boundary, as shown on the CEMP Drawing in the Construction Method Statement and there must not be any parking or use of the highway or adjacent public open space at any time.*

**Reasons:**

1. *The Footpath Management Plan did not contain any reference to protecting the adjacent public open space and hedgerows, which were not within the site boundary, nor was there any timetable. The details of the repositioned footpath did not provide any information with regards to the gradients or changes in levels given the proposed repositioned footpath would be routed through the sump area provided to deal with flooding of the brook, therefore, in order to meet accessibility standards, the sump would either need to be filled in and an alternative provided or the repositioned footpath would need to be bridged across the sump. In addition, there were no details of the surfacing of the repositioned footpath or details of repositioned lighting.*
2. *To protect the local amenity and environment:*
  - a) *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;*
  - b) *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;*
  - c) *to ensure that any adverse impact upon the local environment would be mitigated and controlled; and*
  - d) *to avoid any adverse impact on highway safety and users; to avoid damage to public open space; and to protect the amenity enjoyed by residents of Owen Close.*

2.     **Application No:**     21/0782/HH
- Description:**     Single storey front and side extension and associated alterations
- Location:**         8A Narborough Road South Braunstone Town  
                                  Leicester Leicestershire LE3 2FN (Ravenhurst & Fosse 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.*

**Reasons:** *There were other similar front and side extensions in the locality; however,*  
a) *it was important to ensure parking onsite was retained for 3 vehicles, which did not obstruct the footway, to avoid highway parking on a narrow highway close to a junction, and*  
b) *to protect the amenity enjoyed by the neighbouring property in terms of privacy.*

**3. Application No:** 21/1067/HHPD

**Description:** The erection of a single storey rear extension which would extend beyond the rear wall of the original dwellinghouse by 5.0m, for which the maximum height would be 2.83m and the height to the eaves would be 2.83m

**Location:** 3 Fairbourne Road Braunstone Town Leicestershire LE3 2SL (Ravenhurst & Fosse Ward)

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

**Reason:** *The proposed extension was single storey, at the rear on a large plot; there were similar extensions on neighbouring properties and therefore, there was unlikely to be a significant adverse effect on the amenity enjoyed by the occupiers of neighbouring properties.*

#### Licensing Applications

The Committee noted that there were no licensing applications.

#### **40. Additional Planning and Licensing Applications**

The Committee received details of planning applications received since the publication of the agenda (item 7 on the agenda). The Committee noted that there were no additional licensing applications.

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

**4. Application No:** 21/0807/HH

**Description:** Single storey front, side and rear extensions, conversion of garage into habitable room and alterations

**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;*
- c) *no windows or openings in the side elevation of the converted garage, without the explicit consent of the local planning authority; and*
- d) *The converted garage only being used in connection with the domestic use of the property and should not be separately sold, let or otherwise disposed of.*

**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 property in terms of noise and privacy.*
- d) *To avoid overdevelopment / tandem development.*

**5. Application No:** 21/0613/HH

**Description:** Erection of 2-metre-high boundary fence

**Location:** 7 Wilson Close Thorpe Astley Braunstone Town  
Leicestershire (Thorpe Astley Ward)

**Response:** *Braunstone Town Council objects to the application since the erection of a 2-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.*

### Licensing Applications

The Committee noted that there were no licensing applications.

## **15. 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.*

## **41. Feedback on Planning Application Decisions**

The Committee received feedback from the Executive Officer & Town Clerk concerning planning decision 20/1002/FUL; Change of use of an existing outbuilding from ancillary residential use to that of a nail bar and beauty salon (Sui Generis class use); 3 Shottery Avenue.

Braunstone Town Council recognised that the business environment for retail, hospitality and personal services was rapidly changing and in anticipation of similar changes of use applications in the future, the Committee had sought a meeting with the Planning Case Officer to understand the relevant planning provisions which could be applied in a predominantly residential area to strike a balance between sustainable business activity and residential use.

The following feedback had been received from the Planning Case Officer:

*“For ease of reference for an application of this type, within the settlement boundaries, the breakdown of what is to be considered for such an application is detailed in Policy DM1 of the Blaby District Local Plan Delivery DPD (2019). Planning applications in compliance with Policy DM1 must meet all the criterion (a) through to e)) detailed”.*

*“For the District Planning Authority to refuse an application it must demonstrate that the relationship would not be satisfactory or that the proposal does not satisfy the other criterion contained within the policy”.*

#### **42. Braunstone Village Conservation Area**

The Committee received a report from the Braunstone Town Heritage Warden concerning 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 representations should be made to Blaby District Council in support of the proposal (item 10 on the agenda).

#### **RESOLVED**

1. that the principle of designating the southern (Town/District) side of Braunstone Village as a Conservation Area, including the proposed area for designation, as outlined in the report of the Braunstone Town Heritage Warden, be supported;
2. that the offer from the Heritage Warden to draft a conservation area character appraisal for the Town/District side of Braunstone Village for consideration by the Committee be welcomed and accepted;
3. that subject to comments and amendments to the draft character appraisal (in 2 above), a consultation on the proposals and merits of proposed conservation area designation be undertaken; and
4. that the Town Council seek input into the Leicester City Character Appraisal of the northern (City) side of Braunstone Village and offer its communication channels to assist with the City Council's consultation.

#### *Reasons for Decision*

1. *To manage and protect the special architectural and historic features of Braunstone Village.*
2. *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.*
3. *To ensure that residents, partners and stakeholders could input their knowledge and be fully engaged with the proposals.*
4. *To support the protection and enhancement of the City side of Braunstone Village and ensure that Town residents could input their knowledge and be fully engaged with the proposals.*

#### **43. Lubbesthorpe**

The Committee received an update on progress concerning matters relating to the Lubbesthorpe development.

Councillor Robert Waterton reported that the next meeting of the Lubbesthorpe Parishes Group would be at the end of September. Blaby District Council only collected the figure for the total number of houses built; they had advised that there was no need to collect a break down (for example, private, social, affordable, four bed, three bed etc). It had been noted that the provider of social housing would be appointed by the builder, although the District Council would advise on suitable providers. There remained concern about proposals to close primary care services at Forest House and move these to Lubbesthorpe Health Centre.

**RESOLVED** that the update be noted.

*Reason for Decision*

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

**44. Financial Comparisons**

The Committee received Financial Comparisons for the period 1st April 2021 to 31st August 2021 (item 12 on the agenda).

It was noted, with reference to Paid Expenditure Transactions (enclosed at item 13), that the actual spend for heading 8440, Waste Services (Dog Bins) was £1,283.10

**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.*

**45. Approval of Accounts**

The Committee received payments 4th August 2021 until 31st August 2021 (item 13 on the agenda).

**RESOLVED** that the list of Approved Expenditure Transactions for the Period 4th August 2021 until 31st August 2021 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 stated under each item of this report, there were no implications.

SIGNED: \_\_\_\_\_

DATE: \_\_\_\_\_