

## **BRAUNSTONE TOWN COUNCIL**

### **MINUTES OF PLANNING & ENVIRONMENT COMMITTEE**

#### **HELD USING ZOOM VIDEO AND WEB CONFERENCING SOFTWARE**

**THURSDAY 11TH MARCH 2021**

**PRESENT:** Councillor Robert Waterton (Chair), Councillor Phil Moitt (Vice-Chair) and Councillors Anthea Ambrose, Sohan Johal, Leanne Lee, Dipen Nathwani, Satindra Sangha, 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 six members of the public present at the meeting.

#### **191. Apologies**

No apologies for absence were received.

#### **192. Disclosures of Interest**

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

#### **193. 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 six members of the public present.

In respect of Planning Application 20/1373/FUL, Erection of 16 dwellings with associated infrastructure, landscaping and access on land to rear of 27 to 45 Avon Road:

- (a) a couple of members of the public were particularly interested in the archaeological aspects of the site; and
- (b) one member of the public had recently written a book about Braunstone between 1532 and 1837 and the application site was part of the medieval village; the site was part of the curtilage of Manor Farm the first brick built property in the village and was a working farm used for cheese making; therefore, the site was likely to hold some interesting and important archaeological information.

#### **194. Minutes of the Meeting held 11th February 2021**

The Minutes of the Meeting held on 11th February 2021 were circulated (item 4 on the agenda).

**RESOLVED** that the Minutes of the meeting held on 11th February 2021 be approved and signed by the Chairperson as a correct record.

**195. 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 Application

- 1. Application No:** 21/0072/VAR
- Description:** Variation of condition 2 (Approved Drawings) & 11 (parking layout) of 20/0297/FUL
- Location:** Land Adjacent to McDonalds Meridian East Meridian Business Park Braunstone Town Leicestershire (Thorpe Astley Ward)
- Response:** *Braunstone Town Council supports the application to vary conditions 2 and 11 in order to redesign the layout of the car park*
- Reasons:** *The proposals would not reduce the number of spaces being provided and the relocation of 5 parking bays to the main car would reduce congestion at the entrance to the site and the "drive-thru" and therefore would reduce the likelihood on congestion on the highway network compared to the original approved design*

Licensing Application

- 2. Application:** M&B Jackets
- Description:** Application renewal
- Location:** Meridian East, 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.*
- Reasons:** *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.*

**196.  
Pla**

### **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).

Councillor Phil Moitt advised that he would not be voting on application 20/1373/FUL, Erection of 16 dwellings with associated infrastructure, landscaping and access, at Land to Rear of 27 to 45 Avon Road, since the application was due to be considered by Blaby District Council's Planning Committee of which he was a member. Councillor Phil Moitt felt it was important to consider all matters raised and presented before he made a judgement on the application.

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

#### **Planning Applications**

- 1. Application No:** 20/1373/FUL
- Description:** Erection of 16 dwellings with associated infrastructure, landscaping and access
- Location:** Land To Rear Of 27 To 45 Avon Road Braunstone Town Leicestershire (Winstanley Ward)
- 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, overbearing effect 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 16 properties, which could contain 16 families; resulting in overall cramped living conditions on the site. The Maisonettes had no private amenity space. The layout and parking was insufficient to accommodate visitors and larger emergency vehicles, which could result in additional parking on site and on Avon Road with the potential to cause obstruction and dangers for highway users.*
3. *16 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; Plots 1, 2, 15 and 16 presented an overbearing effect on the neighbouring bungalows; 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 and no consultation had taken place with the neighbouring local authority.*
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 removing trees and 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.*

- 2. Application No:** 20/1361/HH
- Description:** Retention of first floor rear extension and insertation of new first floor side window in western elevation
- Location:** 56 Maple Avenue Braunstone Town Leicestershire LE3 3FH (Winstanley Ward)
- Response:** *Braunstone Town Council does not object to the proposals; subject to:*
- a) *permanent provision of on-site parking for three vehicles; and*
  - b) *the new first floor side windows being of opaque glass and remaining so.*
- Reason:** *The property was on a large plot and adjacent to an access drive; however:*
- a) *with an additional bedroom; on-site parking should be provided for three vehicles to avoid over-parking on the highway adjacent to an access, which could present safety concerns for highway users; and*
  - b) *to avoid an adverse impact on the privacy enjoyed by the occupants of the neighbouring properties.*
- 3. Application No:** 20/1435/CLP
- Description:** Certificate of Lawfulness (proposed) for a single storey rear extension to replace existing conservatory
- Location:** 72 Ravenhurst Road Braunstone Town Leicestershire LE3 2PU (Ravenhurst & Fosse Ward).
- Response:** *Braunstone Town Council does not object to the certificate of lawfulness for a single storey rear extension to replace an existing conservatory.*

**Reason:** *The single storey rear extension was of a similar height and on the same footprint of the conservatory.*

Licensing Application

- 4. Application:** Southam Ice
- Description:** Application renewal
- Location:** Meridian Business Park & Thorpe Astley area
- 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.*

**197. 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:

- 5. Application:** 20/1357/HH
- Description:** Two storey side extension and single storey rear extension
- Location:** 9 Kingsway Braunstone Town Leicestershire LE3 2JL (Ravenhurst & Fosse Ward)
- Response:** *Braunstone Town Council does not object to the proposals; subject to:*
- a) *permanent on-site parking (including the garage space) being provided for three vehicles; and*
  - b) *no side windows, openings or mechanical ventilation in the side elevation of the side extension without prior approval.*

- Reasons:**
- a) *To prevent additional on-street parking adjacent to a bend and junction, which could present highway safety issues.*
  - b) *Due to the proximity of the proposed extension to the extension of the neighbouring property.*
- 6. Application:** 20/1415/FUL
- Description:** Demolition of existing forecourt shop building and construction of replacement building incorporating a coffee shop
- Location:** Osiers Service Station Lubbethorpe Way Braunstone Town Leicester (Millfield Ward)
- Response:** *Braunstone Town Council does not object to the application; subject to sustainability measures, for example solar panels and rainwater collection for use in flushing the toilets, being incorporated into the proposals.*
- Reason:** *The proposal provided for an enhancement of the services offered, which could be accommodated on the existing site; however, as a new build it should accommodate measures and technology to reduce demand on resources such as electricity and water.*
- 7. Application:** 20/1339/FUL
- Description:** Erection of one dwelling
- Location:** 10 Frankson Avenue Braunstone Town Leicestershire LE3 2GJ (Ravenhurst & Fosse Ward)
- Response:** *Braunstone Town Council objects to the application since the proposals would:*
- a) *result in over-development of the site due to factors including scale and mass; and*
  - b) *have an unsatisfactory relationship with the existing neighbouring properties, which would be significantly detrimental to the amenity enjoyed by the occupants of those properties due to considerations of disturbance, vibration and vehicular activity.*
- Reasons:**
- a) *The shape of the site and the size of the proposed dwelling would result in the property being close to the boundaries with limited useful amenity space.*
  - b) *The narrow entrance to the site, between two existing properties, would have an adverse*

*impact upon the neighbouring properties by creating an access across the front of the curtilage of these properties resulting in the loss of on-site parking and additional parking on the turning circle presenting safety concerns for highway users.*

- 8. Application:** 20/1366/HH
- Description:** Single storey rear extension, part two storey, part single storey side extension, linking to existing garage to be converted to habitable use, involving demolition of the existing car port and conservatory
- Location:** 29 Amy Street Braunstone Town Leicestershire LE3 2FA (Ravenhurst & Fosse Ward)
- Response:** *Braunstone Town Council does not object to the application; subject to:*
- a) permanent on-site parking (including the garage space) being provided for three vehicles; and*
  - b) no side windows or openings in the side elevation of the side extension without prior approval.*
- Reasons:**
- a) To prevent avoid on-street parking, which could present highway safety issues.*
  - b) To avoid an adverse impact on the amenity enjoyed by the neighbouring property in terms of privacy.*
- 9. Application:** 20/1110/HH
- Description:** Single storey side and rear extension with proposed ancillary outbuilding to the rear residential garden.
- a. Submission of amended plans
  - b. Change of application description to reflect amendments
- Location:** 93 Cleveleys Avenue (Ravenhurst & Fosse Ward)
- Response:** *Braunstone Town Council does not object to the proposals for a single storey side and rear extension with proposed ancillary outbuilding; subject to the following conditions:*
- a) on-site parking being provided as shown in the submitted plans and permanently retained for use; and*
  - b) the proposed outbuilding being ancillary to the*

*domestic use of the dwelling and not sold, let or separately disposed of.*

- Reason:**
- a) *To avoid on-street parking close to a bend, presenting highway safety issues.*
  - b) *To avoid noise and disturbance impacting on the amenity enjoyed by the neighbouring properties.*

#### Licensing Applications

There are no additional licensing applications.

#### **198. 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.*

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

The Committee noted that on 10th December 2020 it received details of recent Planning Decisions and had determined that a meeting (potentially via Zoom) should be requested between the Chair, Vice-Chair and Executive Officer & Town Clerk with the Planning Case Officer, in respect of the decision for application 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), at 3 Shottery Avenue. A response to this request was awaited from Blaby District Council.

**RESOLVED** that further efforts be made to obtain a meeting with the Planning Case Officer in respect of the decision for application 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), at 3 Shottery Avenue.

##### *Reason for Decision*

*To recognise 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, 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.*

**200. Blaby District Council: temporary arrangements for processing planning applications**

The Committee received and noted details of temporary arrangements for processing planning applications at Blaby District Council to address a growing backlog of applications (item 10 on the agenda).

**RESOLVED** that if and when Blaby District Council reviewed the operation of the temporary arrangement with a view to continuing in some form, that parishes be given the opportunity to comment on their experiences in order to inform the review process.

*Reason for Decision*

*To enable the District Council to take into account the experiences of parish councils in engaging and working with the planning service during the period temporary arrangements were in place, in order to ensure that these would be addressed if the arrangements were extended or made permanent.*

**201. Blaby District Local Plan Options Document Consultation**

The Committee received details of the Blaby District new Local Plan Options Document and considered whether to submit a consultation response (item 11 on the agenda).

**RESOLVED** that the following consultation response be submitted to Blaby District Council:

1. that development needed to be sustainable and the Climate Change/Sustainability Policy Objectives set out on pages 34 and 35 needed to be translated into an assessment criteria not just for the site as an option but in order to assess the specific development proposals which would subsequently be submitted for the site and the impact/loss of opportunity on the surrounding area; for example, potential housing site LFE18 was adjacent to the Motorway; this would expose residents to noise and pollution; this site should be used to plant trees to protect the amenity enjoyed by the residents of the existing housing in Leicester Forest East;
2. that the impact of the District meeting Leicester's unmet housing need (page 16 of the consultation document and question 2) needed to be revisited; Blaby District Council should seek a review with the Councils in the housing market area with a view to Leicester and towns in Leicestershire meeting a proportion of the housing and other employment needs in their Central Business Districts;
3. that developments in the Motorway Retail Area, which currently were required to be large units, be called into question; sites should be identified in towns, villages and neighbourhoods for local shops and other services, which could be accessed on foot or by other sustainable transport;
4. that sites be chosen in the context of a plan to deliver the associated infrastructure and Public Services; the District Council should invite and encourage the County Council to work up these plans in conjunction with the Local Plan making process; such plans should be available for

- consultation and implemented in conjunction with each other and covering the same plan period; and
5. that plans be developed to address the effect of the accumulation of smaller scale and infill developments upon the local transport network and the provision of local public services.

#### *Reasons for Decision*

1. *While there were no proposed sites in Braunstone Town; there were sites (housing, employment and mixed use) proposed in the surrounding area; including Enderby, Leicester Forest East, Kirby Muxloe and Lubbesthorpe. These proposals meant there would continue to be implications for the Town and the local neighbouring parishes from development in terms of traffic growth, air quality and pressure on services.*
2. *With climate change, online shopping and the significant impact of the Covid-19 pandemic on retail and working arrangements, many analysts were calling into question the future of the Central Business District in its current form. Town and City Centres were already undergoing rapid transformational change and in order for them to have a future, there were calls for them to become mixed use areas: housing, employment, leisure and retail.*
3. *In addition to the above, highlighting the impact of on-line shopping and the Covid-19 pandemic upon retail; with increased working from home, local sites needed to be identified for local shops and other services.*
4. *Local Plans and Local Transport Plans need to be more integrated into a local planning process. Too often the Highways and Transport Authority did not have strategic plans in place to deliver a fit for purpose transport network, including public transport and cycle routes, in response to growth in particular areas.*
5. *There were no plans to address the effect of the accumulation of smaller scale and infill developments upon the local transport network and the provision of local public services. Utilising Community Infrastructure Levy would be one way to address this type of development; which should be at least considered in the Principal Urban Area, even if it was less appropriate than Section 106 for the District as a whole.*

#### **202. Lubbesthorpe**

The Committee received a report on the recent meeting of local Parishes concerning matters relating to the Lubbesthorpe development (filed with these minutes).

#### **RESOLVED**

1. that Blaby District Council be asked to supply information on the projected rate of development at Lubbesthorpe, along with the information previously requested, for the next meeting of the Group scheduled for Wednesday 14th April 2021; and
2. that Councillor Robert Waterton write to Lubbesthorpe Parish Council to ask, if supported by Councillor Norma Beck (Kirby Muxloe Parish

Council), they could attend Lubbesthorpe Parish Council's next meeting to their involvement in the Group.

*Reasons for Decision*

1. *To ascertain timescales for the trigger points in the Section 106 agreements.*
2. *Lubbesthorpe Parish Council had indicated that they did not wish to attend the Group meetings since they felt it was out of their remit. It was felt that a presentation to Lubbesthorpe Parish Council setting out the Group's intentions and reasons for meeting may assist with understanding the importance of all local parishes, including Lubbesthorpe, being represented on the Group.*

**203. Financial Comparisons**

To receive Financial Comparisons for the period 1st April 2020 to 28th February 2021 (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 2021/2021.*

**204. Approval of Accounts**

To consider payments from 1st December 2020 until 28th February 2021 (item 14 on the agenda).

**RESOLVED** that the list of Approved Expenditure Transactions for the Period 1st December 2020 until 28th February 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 9.10pm.

**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: \_\_\_\_\_