

**BRAUNSTONE TOWN COUNCIL**

**REPORT OF THE PLANS & ENVIRONMENT COMMITTEE**

**27<sup>TH</sup> FEBRUARY 2014 AT 7.30PM**

**Present:** Mr G Sanders (In the Chair), Miss A Ambrose, Mr R Berrington, Miss S Betts, Mr J Dodd (Ex-Officio), Mrs I Whailing, Mr W Wright.

**Officers in Attendance:** Miss J Leech, Assistant Executive Officer – Admin.

**Apologies:** Mr S Maxwell, Mr D Widdowson.

**1. Disclosures of Interest from Members**

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

**2. Public Participation**

In accordance with Standing Orders 16f and 70 the meeting was adjourned to give an opportunity for members of the public present to raise matters of public interest for the purpose of making representations, giving evidence or answering questions.

There were six members of the public present at the meeting; five residents were present to make representation on the Planning Applications 14/0090/1/PX and 14/0091/1/PX, and one resident to make representation on items 6 and 7.

The key issues for concern for the residents making representation on the Radford Drive planning applications was loss of privacy from the proposed apartments overlooking their gardens and expressed a preference for bungalows as they felt apartment blocks were out of keeping with the area. They also expressed concern for potential increase in vehicular traffic from the site. They discussed the procedure for the selling process of the sites.

A resident made representation regarding whether the Town Council would support the introduction of a pedestrian link to Meridian Leisure. He was concerned that there was limited access from the east side of Lubbesthorpe Way onto the Thorpe Astley side other than the underpass by Winstanley College.

**3. Report of the Meetings held 6<sup>th</sup> February 2014**

The Report of the Meeting held 6<sup>th</sup> February 2014 was taken as read and signed by the Chairperson.

**4. Planning Applications – To Note the Action Taken Under Delegated Powers**

**RESOLVED:** That the action taken under Standing Order No.71 (c) in forwarding the following observations to Blaby District Council be approved:-

There were no planning applications dealt with under delegated powers.

**5. Planning Applications**

**RESOLVED** That the following observations be forwarded to Blaby District Council:-

**14/0031/1/AY** St Crispins Church, Turnbull Drive. Erection of signage to front elevation. *No observations.*

**14/0083/1/HPX** Mr S Basi, 43 Monica Road. Single storey rear extension (including demolition of existing conservatory). *The proposed development would result in the over-development of the site due to factors including scale and mass. In accordance with the Local Plan Policy T7 replacement of on-site parking facilities should be provided:- dwellings with more than 4 bedrooms – 3 spaces, 3 or less bedrooms – 2 spaces, 1 bedroom flats/bedsits – 1 space. The existing garage should not be used as living accommodation.*

**14/0082/1/HPX** Mr S Damania, 23 Darien Way. Single storey front extension to form porch. *No observations.*

**14/0090/1/PX** Abraham Properties LLP, Land to north of 10 Radford Drive. Erection of 1 block of 4 one bedroomed flats and 1 one bedroom bungalow and associated parking and amenity space.

*Braunstone Town Council objects to the application for the following reasons:- The proposed development would result in the over development of the site due to factors including scale and mass, and would be of an unsatisfactory design resulting in an overbearing visual impact for the proposed ground floor flat lounge areas having insufficient distance from the boundary.*

*Blaby District Council's Planning Committee should undertake a site visit. The occupiers of the neighbouring properties should be fully consulted in connection with the proposals.*

*The Town Council is concerned that overdevelopment of the site could lead to an increased risk of fire hazard, potentially spreading to the neighbouring property. The escape route from the proposed bungalow is very narrow and could easily be blocked if there was a fire in the block of flats. To comply with Building Regulations Document B, a Fire Appliance must be able to gain access to within 45m of any part of a building.*

*In accordance with Local Plan Policy T7 replacement of on-site parking facilities should be provided:- dwellings with more than 4 bedrooms – 3 spaces, 3 or less bedrooms – 2 spaces per property. The Town Council is concerned about the lack of visitor parking and turning spaces for the vehicles, which could lead to an overspill of vehicles being parked on the main Radford Drive. The proposed bungalow's dining room has potential to become a second bedroom, therefore necessitating in a further parking space being required.*

*Likewise, the Town Council notes the recommendations of the District Council's Waste Operations Manager in relation to the turning space required to accommodate Collection Vehicles. The proposal does not appear to meet these requirements and therefore the Town Council is concerned that waste bins could be required to be left on the main highway outside the existing properties on Radford Drive for collection, causing disruption to residents.*

*In accordance with Section CE25 of the Blaby District Local Plan the following crime prevention measures should be incorporated: - adequate boundary fences provided.*

*The Town Council is concerned about the limited access to the site for construction vehicles which would result in a detrimental effect on the adjoining properties due to considerations of disturbance, noise and vibration. Blaby District Council should apply restrictions on the hours of operation during the construction period to limit the disturbance on neighbouring properties.*

*That without prejudice to the Town Council's observations/objections to the application, the following be requested of Blaby District Council:-*

*In accordance with Policy CS15, Braunstone Town Council requests that the following commuted sums to improve the quality and/or access to existing spaces:- 1 bedroom x 5 = £7,306.65. The Open Spaces and Recreational improvements required are highlighted in Braunstone Town Council's 'Proposals and Priorities for Improvements' Report adopted on 11<sup>th</sup> April 2013. The Town Council requests that any commuted sums in connection with the application be specially allocated to the following improvements:- Holmfield Park – Balancing Equipment and Swings for 5-12 year olds.*

**14/0091/1/PX** Abraham Properties LLP, Land to north of 68 Radford Drive. Erection of 1 block of 4 one bedroom flats and 1 one bedroom bungalow and associated parking and amenity space.

*Braunstone Town Council objects to the application for the following reasons:- The proposed development could result in the over development of the site due to factors including scale and mass.*

*Blaby District Council's Planning Committee should undertake a site visit. The occupiers of the neighbouring properties should be fully consulted in connection with the proposals.*

*The Town Council is concerned that overdevelopment of the site could lead to an increased risk of fire hazard, potentially spreading to the neighbouring property. The escape route from the proposed bungalow is very narrow and could easily be blocked if there was a fire in the block of flats. To comply with Building Regulations Document B, a Fire Appliance must be able to gain access to within 45m of any part of a building.*

*In accordance with Local Plan Policy T7 replacement of on-site parking facilities should be provided:- dwellings with more than 4 bedrooms – 3 spaces, 3 or less bedrooms – 2 spaces per property. The proposed bungalow's dining room has potential to become a second bedroom, therefore necessitating in a further parking space being required.*

*Likewise, the Town Council notes the recommendations of the District Council's Waste Operations Manager in relation to the turning space required to accommodate Collection Vehicles. The proposal does not appear to meet these requirements and therefore the Town Council is concerned that waste bins could be required to be left on the main highway outside the existing properties on Radford Drive for collection, causing disruption to residents.*

*In accordance with Section CE25 of the Blaby District Local Plan the following crime prevention measures should be incorporated: - adequate boundary fences provided.*

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**13/0402/1/HPX** Mrs P Kaur, 4 Fernhurst Road. Retention of two storey side extension, single storey front and rear extensions, front boundary wall and detached outbuilding to rear (revised scheme). *Braunstone Town Council objects to the proposals for the following reasons:- The proposed development would result in the over-development of the site due to factors including scale and mass and would result in 'tandem development'. The proposed garden shed should be used for storage purpose only and not used for habitable space. In accordance with the Local Plan Policy T7 replacement of on-site parking facilities should be provided:- dwellings with more than 4 bedrooms – 3 spaces, 3 or less bedrooms – 2 spaces, 1 bedroom flats/bedsits – 1 space. There are only two on-site parking spaces identified on the plan.*

It was noted that Mr W Wright, in his capacity as a District Councillor had asked for the planning application to be called in by the District Council's Development Control Committee.

#### **NOTES:**

##### **LOCALISM ACT 2011 - SECTION 25**

It was noted that in considering the above Planning Applications Town Councillors' could not be judged to have had a closed mind just because they had previously done anything that directly or indirectly indicated what view he/she took, or would or might take, in relation to a decision. Councillors who are also Members of Blaby District Council participated on the basis that they would keep an 'open mind' and reserved their final views until they were in full possession of all the relevant arguments for and against.

##### **CRIME & DISORDER ACT 1998**

When making observations in connection with the above applications, members considered crime reduction opportunities and the use of any appropriate 'planning gain'.

#### **6. Pedestrian Access from Watergate Lane on land to east of Lubbesthorpe Way**

- a) It was noted that an article had been published in the Braunstone Life to encourage residents to provide evidence that there had been public access across the area of open land off Watergate Lane to the rear of Lubbesthorpe Road for a continuous period of twenty years, and Members received the copies of the responses from residents.
- b) A draft letter from the Town Council to Leicestershire County Council's Rights of Way Department making a formal request for the following was received:-
  - i) The reinstatement of the long established pedestrian right of way leading from the Watergate Lane field gate and onto open land to the north.
  - ii) The formal recognition as a Public Footpath the pedestrian route, from the Watergate Lane field gate to a point where it joins public footpath W9.
  - iii) Arrangements for the section of path between Watergate Lane and Public Footpath W9 to be included on the Definitive Map and the pedestrian access to be reinstated.
  - iv) That a Definitive Map Modification Order be applied for the W9 footpath.

#### **RESOLVED**

*That the letter be submitted to Leicestershire County Council.*

**7. Request for Footpath Link**

A letter dated 30<sup>th</sup> January 2014 from a local resident requesting the Town Council to support the introduction of a pedestrian access linking Braunstone Town to the Meridian Leisure, was received. Members noted that there had been ongoing problems with anti-social behaviour arising from the unofficial links to Meridian Leisure.

**RESOLVED**

*That the Town Council would not support any requests for a pedestrian link from Meridian Leisure onto Mossdale Meadows.*

**8. Planning Decisions**

The following planning decisions by Blaby District Council were received and noted:-

**13/0689/1/PX** Emerson Process Management, Meridian East, Meridian Business Park. Erection of industrial unit (Class B1, B2 & B8 use) with associated access, parking and landscaping. It was noted that the application had been granted conditional approval by the District Council. The Town Council had commented on the existing car parking problems on Meridian East and that insufficient car parking had been provided. It was a condition of the application that the applicant submit a Workplace Travel Plan to Blaby District Council.

**RESOLVED**

*That the Town Council request a copy of the Workplace Travel Plan to see if it identified any improved links to Braunstone Town.*

**9. Part Night Lighting Scheme**

A copy of a progress report from the Director of Environment and Transport to Leicestershire County Council's Highways Forum for Blaby held 15<sup>th</sup> January 2014, on the Part Night Lighting Scheme was received. It was noted that to date the responses from the emergency services and the LCC accident unit had indicated that the scheme had not led to an increase in crime or road traffic accidents.

**10. Statutory Undertaker Reinstatements**

A report from the Director of Environment and Transport to Leicestershire County Council's Highway Forum meeting held 15<sup>th</sup> January 2014 on Statutory Undertaker Re-instatements was received and noted for information. The report provided background on the statutory duties of 'undertakers, ie an organisation such as a utility company, that has the right to place, maintain apparatus on the highway, to meet required standards and deadlines for completing works.

**11. Highway Forums meeting**

The report of the meeting of Leicestershire County Council's Highway Forum for Blaby held 15<sup>th</sup> January 2014 was received and noted.

**12. Pedestrian and Cycling Signing**

An email correspondence dated 23<sup>rd</sup> December 2013 from Leicestershire County Council regarding the City Council's Local Sustainable Transport Fund programme which include a cycle and pedestrian route into the county was received along with plans showing the route.

**13. Litter, Thorpe Astley**

An email correspondence from a resident of Thorpe Astley regarding litter, was received. It was noted that the issues of litter related to areas of privately owned land and therefore the Town Council was not responsible for picking the litter.

**RESOLVED**

*That a response be sent to the resident advising them that the Town Council would be able to support a litter collection group by providing a community grant for the purchase of equipment, etc.*

**14. Temporary Footpath Closures – W3A, W4 and W7**

A notice dated 18<sup>th</sup> February 2014 from Leicestershire County Council's Clerk of Works advising of Temporary Traffic Regulations Orders to be put in place at footpaths W3A, W4 and W7, was received. The purpose of the Order was to facilitate the earthworks for the abutments and structural bridge works as part of the installation of the bridge over the M1 from Lubbethorpe. The duration of the Order was expected to commence on 19<sup>th</sup> May 2014 and not exceed 6 months.

**15. Termination of the Meeting**

The meeting closed at 8.30pm.

**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 favorable 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.