

# BRAUNSTONE TOWN COUNCIL

*Darren Tilley - Executive Officer & Town Clerk*

Braunstone Civic Centre, Kingsway,  
Braunstone Town, Leicester LE3 2PP  
Tel: (0116) 2899270 Fax: (0116) 2824785 (24hr answerphone)

## NOTICE OF MEETING

### PUBLIC INSPECTION OF PLANS AND PARTICIPATION

1. The Planning Applications can be inspected at the offices of Blaby District Council to whom representations should be made and they are also available Blaby District Council's website at [www.blaby.gov.uk](http://www.blaby.gov.uk) under Planning Application Search
2. A list of the applications to be considered by the Town Council's Plans & Environment Committee are listed on the Town Council's website [www.braunstonetowncouncil.org.uk](http://www.braunstonetowncouncil.org.uk) under Planning & Environment Services, Inspection of Local Planning Applications.
3. The applications will be considered by the Braunstone Town Council's Plans and Environment Committee, which may make its own observations and forward them to the relevant Planning Authority.
4. Braunstone Town Council and Blaby District Council have introduced procedures to enable applicants, objectors and supporters to speak on applications brought before their relevant Committees.

19<sup>th</sup> February 2015

Dear Member

The next meeting of Braunstone Town Council's Plans & Environment Committee will be held Thursday 26<sup>th</sup> February 2015 at 7.30pm for the transaction of the business as set out below.

Yours sincerely,



Executive Officer & Town Clerk

### AGENDA

1. Apologies

2. Disclosures of Interest

To receive Disclosures of Interest (not previously disclosed) in respect of items on this Agenda:- i) Disclosable Pecuniary Interests, ii) Other Interests (Non-Pecuniary)

3. Public Participation

Members of the public may make representations, give evidence or answer questions in connection with items included on the agenda (Standing Order 13f and 75). At the discretion of the Chairperson the meeting may be adjourned to give members of the public present an opportunity to raise other matters of public interest.

The time allowed for each member of the public to make representation, give evidence, or ask questions will be restricted to 3 minutes. Where there is a group of members of public wishing to make the same representations, present the same evidence or ask the same questions, the group must appoint one representative to speak on their behalf and he/she will be restricted to within 3 minutes.

Public participation sessions will be ordered by the Chairperson as part of his/her role in presiding over the meeting and conducted in accordance with the Council's Standing Orders.

4. **Report of the Meeting held 5<sup>th</sup> February 2015**  
To receive the Report of the Meeting held on 5<sup>th</sup> February 2015 (Enclosed)
5. **Planning Applications – To Note the Action Taken Under Delegated Powers**  
**RECOMMENDED:** That the action taken under Standing Order No.71(c) in forwarding observations to Blaby District Council be approved (Enclosed)
6. **Planning Applications**  
To agree observations on planning applications received (Enclosed)
7. **Licensing Act 2013 – Licence Applications**  
To consider observations on the following Street trading renewal
  - a) Jiko Grill – Meridian West
8. **Decision Notices**  
To receive and note the following Decision Notices:- (Enclosed – along with copy of Braunstone Town Council's observations)
  - a) 14/0429/1/PX 50 Narborough Road, conversion of garage into granny annexe.
  - b) 14/1037/1/UX 12 Ayston Road, Certificate of Lawful Use or Development – single storey detached swimming pool building.
  - c) 14/1047/1/HPX 6 Morris Close, Two storey side/rear extension and single storey rear extension.
  - d) 14/1015/1/PY 29 Watergate Lane, Change of use of existing unit to a Café/Sandwich Bar (Use Class A3)
  - e) 14/0946/1/AY Harvester, Meridian Leisure Park, Display of 4 internally illuminated fascias & 1 post sign and 1 non-illuminated post sign.
9. **Lubbesthorpe Strategic Group - Lubbesthorpe Design Codes**  
To receive feedback from the Lubbesthorpe Design Codes briefing held 12<sup>th</sup> February 2015 and to determine whether the Town Council has any formal comments to submit.
10. **Leicester City Council – Community Infrastructure Levy – Consultation on draft charging schedule – Notice of consultation**
11. **Termination of the Meeting**

**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.

**BRAUNSTONE TOWN COUNCIL**

**REPORT of the PLANS & ENVIRONMENT MEETING**

**THURSDAY 5<sup>TH</sup> FEBRUARY 2015 AT 7.00PM**

**PRESENT:** Mr G Sanders (In the Chair), Mr R Berrington, Miss S Betts, Mrs S Maxwell, Mr P Moitt, Mrs I Whailing, Mr W Wright.

**OFFICERS IN ATTENDANCE:** Mr D Tilley, Executive Officer & Town Clerk, Miss J Leech, Assistant Executive Officer (Admin)

**APOLOGIES:** Mr J Dodd (Ex-officio)

**1. Disclosure 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 no members of the public present at the meeting.

**3. Report of the Meeting held on 18<sup>th</sup> December 2014**

The Report of the Meeting held on 18<sup>th</sup> December 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:-

**14/1098/1/HPY** 20 Wilnicott Road. Single storey extension to form conservatory. *No observations.*

**14/1106/1/IPX** 84 Cleveleys Avenue. Erection of detached store (retrospective). *The outbuilding must only be used for normal domestic uses related to the residential use of the main property, ie storage, summerhouse, hobby room, etc providing that it is used in conjunction with the main house. The outbuilding should not be used to create a separate residential unit which could lead to noise and disturbance and overdevelopment of the site/tandem development. The property should be retained as non-business use.*

**14/1115/1/HPX** 1 Arden Avenue. Two storey and single storey rear extension. *The occupiers of the neighbouring properties should be fully consulted in connection with the proposals.*

**14/1102/1/CX** Severn Trent Water Ltd. Lubbethorpe Sewage Pumping Station Meridian Way. Non-material amendment to application reference number 2014/0781/01 for the installation of x1 chemical dosing rig. *No observations.*

**14/1122/1/HPX** 32 Woodcote Road. Single storey front extension. *No observations.*

**14/1127/1/HPX** 90 Kingsway. First floor side and two storey and single storey rear extensions. *The Braunstone Town Parish Plan survey revealed that 54.7% of residents thought that parked vehicles caused problems in this area, particularly for*

people with disabilities or with pushchairs. 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 occupiers of the neighbouring properties should be fully consulted in connection with the proposals.

14/1125/1/HPX 47 Watergate Lane. Single storey rear extension. 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 occupiers of the neighbouring properties should be fully consulted in connection with the proposals.

5. **Planning Applications**

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

15/0087/1/HH M Kelly, 1 Evelyn Road. Two storey side and single storey rear extension. 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.

15/0108/HH Mr A Assi, 8 Wilson Close. Conversion of existing garage into habitable accommodation. 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.

15/0111/1HPD Mr D Sharman, 45 Cleveleys Avenue. Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 3.7m for which the maximum height would be 3.4m and for which the height of the eaves would be 2.5m. 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. There is insufficient information in the plans for the Town Council to make any further comment.

Members noted that Mr W Wright would call-in the planning application under his capacity as a Blaby District Councillor owing to the lack of information provided by the application.

15/0054/1/DOC Lubbethorpe Development. Discharge of conditions 10,11,12,13,18,22,29,31,33,34,32 and 43 attached to the planning permission 11/0100/1/OX (Phase 1).

**DISCHARGE OF CONDITION 10 and 11**

**HIGHWAYS**

No more than 301 dwellings shall be occupied until the M1 over-bridge has been constructed (Condition 46 – Planning Consent 11/0100/1/OX)

Until the construction of the M1 bridge, all construction traffic shall access the site via the A47 and either Beggars Lane or Baines Lane. Once the bridge has been completed all construction traffic shall access the site from the Bridge. (Para. 1a Section 106 Agreement dated 13/1/2014).

It is noted that not more than 300 Dwellings shall be occupied until the Developer has submitted and had approved by the County Council a Highways Delivery Strategy. (Page 44, Para 1.3 - Section 106 Agreement dated 13/1/2014). Braunstone Town Council requests that the following Highway Works are completed during the early stages of the development:-

Meridian South/A563 roundabout signalisation. (Page 54 Item 14. Section 106 Agreement dated 13/1/2014)

Withers Way/A563 Improvement – A scheme to help development traffic merge with traffic on Lubbesthorpe Way. (Page 55 Item 16 - 106 Agreement dated 13/1/2014)

#### **MURBY WAY & FOXON WAY**

A Scheme of Works including improvements to existing crossing points between Murby Way and Foxon Way shall be submitted to and approved in writing with the District Planning Authority. The agreed scheme shall be implemented in accordance with the site wide Phasing Programme. (Condition 60 – Planning Consent 11/0100/1/OX)

Braunstone Town Council requests that the District Planning Authority ensure that there are safe crossing provisions for the disabled, including pedestrian controlled crossings, giving access to the existing bus stop on the south side of Meridian Way.

#### **WATERGATE LANE**

There must be no access whatsoever for construction vehicles via Watergate Lane. In accordance with Condition No 68 – Planning Consent 11/0100/1/OX, where vehicular access becomes redundant as a result of the proposal a scheme to secure the closure of the relevant highway shall be submitted and approved in writing. The agreed scheme shall be implemented within one month of the new access being brought into use.

#### **PEDESTRIAN & CYCLE STRATEGY**

No more than 50 dwellings will be occupied until the developer has submitted a Pedestrian and cycle strategy and has had it approved by the County Council. This shall include:-

**Route 1** - 3m wide footway cycleway surfaced track from the existing M1 footbridge to Meridian Way

**Route 3** - Improvements to Footpath W7 from site boundary to existing cycle way on Withers Way

**Route 4** - Improvements to Bridleway W5 between Watergate Lane and Centurian Way

**Route 5** - Provision of 3m wide footway/cycleway surfaced track from Watergate Lane to surfaced section of W5

**Route 6** - Provision of 3m wide footway/cycleway surfaced track from Watergate Lane to south of the Watergate Lane Bridge over Lubbesthorpe Way

(Page 46 Para 6.1 - Section 106 Agreement dated 13/1/2014).

#### **PUBLIC FOOTPATHS**

Public footpaths/bridleways must not be obstructed or diverted without obtaining separate consent from Leicestershire County Council. (Note 7 Planning Consent 11/0100/1/OX).

#### **DISCHARGE OF CONDITION 13**

The District Council should ensure the following conditions are met:-

#### **PRIMARY SCHOOL 1**

Premises for the first form of entry of Primary School 1 providing a pupil capacity of 210 will be available for use by the first day of term in the September prior to the occupation of the 300<sup>th</sup> dwelling. (Page 38 Para 1.7(b)(i) - Section 106 Agreement dated 13/1/2014).

A sum of £5.35M shall be paid to the County Council for the provision of premises for Primary School 1. Phase 1 – parcel of land 1.93 hectares will also be provided. (Pages 15 & 16 - Section 106 Agreement dated 13/1/2014).

## **PRIMARY SCHOOL 2**

Premises for the first form of entry of Primary School 2 providing a pupil capacity of 210 will be available for use by the first day of term in the September prior to the occupation of the 1,650th dwelling. (Page 40 Para 1.17(b)(i) - Section 106 Agreement dated 13/1/2014).

## **SECONDARY SCHOOL**

Premises for the first phase of the Secondary School 1 providing a pupil capacity of 500 will be available for use by the first day of term in the September prior to the occupation of the 2000th dwelling. (Page 42 Para 2.10(b)(i) - Section 106 Agreement dated 13/1/2014).

## **DISCHARGE OF CONDITION 18**

### **HEDGEROWS**

In accordance with the Wildlife and Countryside Act 1981 nesting birds and bats, their roosts and their access to these roosts are protected. Any consent must therefore be conditional upon comprehensive inspections for the presence of bats and nesting birds by a trained operative before the works commence. Should bats or nesting birds be discovered in the trees/hedgerows, Natural England must be informed immediately and no works permitted until necessary mitigation measures have been put in place.

The application covers most of the issues raised under this section but with one major exception. The mechanics of maintaining the Green Infrastructure are not clearly defined bearing in mind the recommendations of English Heritage's Submission dated 4<sup>th</sup> July 2012 ref No P00100733:

*c) We have particular concerns as to the long term grassland management of the scheduled monument and more broadly the realistic delivery of environmental management through the construction and permanent occupation of the development. We recommend that the delivery of these environmental goods both for wildlife habitat and the preservation and enhancement of the historic environment are secured through an environmentally and economically sustainable grazing based farm business. Whilst such a business might not be economic on its own feet we do not consider this an obstacle to its implementation since it is the developer's responsibility to secure the delivery of these long term environmental goods and therefore to set in place such supplementary funding measures as may be necessary (for instance through an endowed trust) to ensure delivery. Contract or local authority based mowing and grounds maintenance solutions will we believe be manifestly less secure and deliver lower quality and less environmental outcomes than a sensitively managed and environmentally orientated grazing business.*

*This option allows for the continued use of Abbey Farm (and Hopyard Farm) complexes in their original and preferable agrarian use. The maintenance of the farmsteads associated with scheduled monument in integrated working and dwelling use is we believe more likely to sustain their significance and character (of the historic buildings and the ancient monument) than either a residential conversion or a works yard solution. Across the development as a whole the developer will we assume be committing to a long term environmental management of woods and water bodies as well as grassland. These obligations would we advise be best vested in a farm business model endowed through a trust."*

## **DISCHARGE OF CONDITION 22**

No comment

### **DISCHARGE OF CONDITION 29**

Braunstone Town Council supports the proposals for the Continuous Monitoring Stations and for the information to be shared with the District Council. The Town Council objects to the District Council's observations in the Air Quality Monitoring Strategy that there is no requirement for the monitoring of particulate matter.

### **DISCHARGE OF CONDITION 32, 33, 34**

#### **FLOODING - Lubbesthorpe Brook**

Braunstone Town Council has longstanding concerns about the increased risk of downstream flooding particularly in the Lubbesthorpe Road/Watergate Lane area of Braunstone Town.

It is noted that no development shall commence on any Sub-Phase until there has been submitted and approved a Construction Environmental Management Plan which will include an overall strategy for the management of surface water run off etc. (Para 21 - Planning Consent 11/0100/1/OX). There does not appear to be a document with this application that refers specifically to the installation of a SUDs system.

Braunstone Town Council requests that it be consulted and kept fully informed about the Construction Environmental Management Plan and the Design Strategies for Sustainable Drainage Systems. Mitigation measures must be implemented before the commencement of each phase of the development.

The application has failed to take notice of English Heritage concerns as show in paragraph "e)" of their Submission dated 4<sup>th</sup> July 2012 ref No P00100733:

*"We note with concern the proposed ponds to the south west of Hopyard Farm and associated woodland appear to be superimposed on the surviving ridge and furrow / meadowland interface which preserve in earthworks the edge between medieval plough land and meadow. This is a very important area for maintaining the legibility and coherence of the historic landscape. Ridge and furrow is a system for the drainage of the ridges into the furrows and it would seem possible for the existing earthworks to be retained, perhaps with the careful blocking of the clay under-drainage pipes which are almost certain to have been inserted in the furrows (in the 18<sup>th</sup> / 19<sup>th</sup> centuries) to create seasonal wet habitat without the loss of the landscape features. Whilst we appreciate the benefits of woodland both for habitat and noise absorption its interaction with earthworks should be closely controlled."*

### **DISCHARGE OF CONDITION 43 and 12**

No comments

### **DISCHARGE OF CONDITION 31**

There does not appear to be a document with this application that refers specifically to a detailed sewage disposal system.

Comments on the application by the Braunstone Town Heritage Warden were received and noted and incorporated into the Town Council's observations.

#### **6. Street Lighting Consultation**

A letter dated 17<sup>th</sup> December 2014 from Leicestershire County Council with regard to its annual review of the Part Night Lighting Scheme was received. Members received the maps of the schemes across the Town for information. It was noted from the letter that the County had received no specific concerns from the police and the County Council following the introduction of the scheme.

**RESOLVED**

*That the content of the letter be noted and that there were no further comments in relation to highways and transport matters.*

**7. Leicestershire County Council Highways Forums**

For Members' information, reports that had been received by the meeting of the County Council's Highways Forum on 12<sup>th</sup> January 2015 were received.

- a) Report of the Director of Environment and Transport – Enforcement Policy  
It was noted from the report that the County Council had identified the possible transfer of responsibility to parish councils for the enforcement of notices on the obstruction of pavements by overhanging shrubbery from private residences.
- b) Report of the Director of Environment and Transport – Lead Local Flood Authority (LLFA) Update  
It was noted from the report that the responsibility for ensuring the arrangements for SuDs as part of developments would be held by the District Planning Authority.

**8. Termination of Meeting**

The meeting closed at 7.30pm.

**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.



**BRAUNSTONE TOWN COUNCIL**

**CURRENT PLANNING APPLICATIONS**

**PLANS & ENVIRONMENT COMMITTEE, 26<sup>TH</sup> FEBRUARY 2015**

**5. Planning Applications dealt with Under Delegated Powers**

No applications dealt with under delegated powers

**6. Planning Applications**

**15/0159/FUL** Premier Inn, Meridian Way. Two bedroomed extension to existing hotel to provide 24 additional bedrooms associated air conditioning compounds and alterations to car parking. (Revised Scheme)

**15/0164/HH** 118 Turnbull Drive. Single storey side extension (including demolition of existing garage and store)

**15/0192/HH** 4 Darwin Close. Part single storey, part two storey rear extension.





Council Offices, Desford Road, Narborough, Leicester, LE19 2EP

**NOTICE OF DECISION ON PLANNING APPLICATION  
TOWN AND COUNTRY PLANNING ACT 1990**

**PLANNING PERMISSION**

**Name and Address of Applicant**

Mr Mohammed Lambat  
50 Narborough Road South  
Braunstone Town  
Leicestershire  
LE3 2FN

**Name and Address of Agent**

Masterplan Design Limited  
23 Vulcan Road  
Leicester  
LE5 3EF

**Part -1 Particulars of Application**

Date of Application 6 October 2014

Application No. 14/0429/1/HPX

**Particulars and Location of Development**

Conversion of garage into granny annexe

50 Narborough Road South Braunstone Town Leicestershire LE3 2FN

**Part -2 Particulars of Decision**

In pursuance of its powers under the Town and Country Planning Act 1990, the Blaby District Council **GRANTS** planning permission for the carrying out of the development referred to in PART -1 hereto in accordance with the application and plans submitted, subject to the following conditions:

Conditions attached to the planning permission and reasons for those conditions are:-

**CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. This permission shall relate to the application as amended by plan 14/0429A/1/HPX and by the e-mail from the agent dated 30 June 2014, copies of which are attached to and form part of this planning permission.

Date: 23 January 2015  
14/0429/1/HPX

  
Proper Officer of the Council




3. All external materials used in the proposed development shall match those used in the existing building unless otherwise agreed in writing by the District Planning Authority.
4. The occupation of the proposed granny annex shall be ancillary to the residential occupation of the main dwelling. It shall not be occupied as a separate living unit and should not be sold, let or otherwise disposed of.
5. At all times, a minimum of 3 off-street parking spaces shall be retained within the curtilage of the dwelling.
6. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA:
  1. Identification and provision of safe route(s) into and out of the site to appropriate safe haven;
  2. Finished floor levels are set no lower than 60.775m above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the District Planning Authority.

#### **REASONS**

1. To prevent the unnecessary accumulation of unimplemented permissions, to encourage early implementation and to enable the District Planning Authority to review the consent if a further application is made.
2. For the avoidance of doubt.
3. To ensure that the external materials are not detrimental to the building or character and appearance of the area
4. The proposed development would not form an acceptable separate living unit.
5. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking problems in the area.

Date: 23 January 2015  
14/0429/1/HPX

  
Proper Officer of the Council



6. To ensure safe access and egress from and to the site and to reduce the risk of flooding to the proposed development and future occupants.

**NOTES TO APPLICANT**

1. The development hereby permitted must be carried out in complete accordance with the approved plans. If changes are made to the approved scheme, whether INTERNALLY or EXTERNALLY, the development will not be in accordance with this grant of planning permission, it therefore would not benefit from planning permission and may result in enforcement action.
2. If the plans approved involve the carrying out of building work along or close to the boundary, you are advised that under the Party Wall Act 1996 you have a duty to give notice to the adjoining owner of your intentions before commencing this work.
3. This grant of planning permission does not authorise any development outside the application site including any foundation, footings, fascias, eaves, soffits, verges or guttering.

**SUMMARY OF REASONS FOR RECOMMENDATION AND RELEVANT DEVELOPMENT PLAN POLICIES**

1. The District Planning Authority has reached its decision taking into account the advice contained within paragraphs 186-187 of the National Planning Policy Framework and, where possible, has worked proactively with the applicants to seek solutions to problems arising in relation to dealing with the planning application.

Date: 23 January 2015  
14/0429/1/HPX

  
Proper Officer of the Council

11





*the heart of Leicestershire*

Council Offices, Desford Road, Narborough, Leicester, LE19 2EP

**CERTIFICATE OF LAWFUL USE OR DEVELOPMENT**

**TOWN AND COUNTRY PLANNING ACT 1990 : SECTION 192**  
**(AS AMENDED BY SECTION 10 OF THE PLANNING AND**  
**COMPENSATION ACT 1991)**

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)**  
**(ENGLAND) ORDER 2010**

**CERTIFICATE OF LAWFUL USE OR DEVELOPMENT –**  
**14/1037/1/UX**

Blaby District Council hereby certify that on 15 January 2015 the development described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged red on the submitted site plan attached to this Certificate would **not be lawful** within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended) for the following reason:

The site is in mixed use, being part A2 use (with a financial services use at ground floor) and part C3 use (a dwellinghouse). Therefore, the proposed development is not considered to be development permitted by Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 1995, as amended by (Amendment) (No. 2) (England) Order 2008.

Signed  
On behalf of Blaby District Council

Date 16 January 2015

**FIRST SCHEDULE**

Single storey detached swimming pool building, as detailed on the submitted application documents including the plan reference 001 "existing and proposed plans" and plan reference 002 "proposed elevations" dated October 2014

**SECOND SCHEDULE**

12 Ayston Road, Braunstone Town, Leicestershire, LE3 2GA







Council Offices, Desford Road, Narborough, Leicester, LE19 2EP

**NOTICE OF DECISION ON PLANNING APPLICATION  
TOWN AND COUNTRY PLANNING ACT 1990**

**PLANNING PERMISSION**

**Name and Address of Applicant**

Ms Sam Herbert  
6 Morris Close  
Thorpe Astley  
Braunstone Town  
Leicestershire  
LE3 3TU

**Name and Address of Agent**

D T Designs Limited  
74 Wyvern Avenue  
Leicester  
LE4 7HH

**Part -1 Particulars of Application**

Date of Application 3 December 2014 Application No. 14/1047/1/HPX

**Particulars and Location of Development**

Two storey side/rear extension and single storey rear extension

6 Morris Close Thorpe Astley Braunstone Town Leicestershire

**Part -2 Particulars of Decision**

In pursuance of its powers under the Town and Country Planning Act 1990, the Blaby District Council **GRANTS** planning permission for the carrying out of the development referred to in PART -1 hereto in accordance with the application and plans submitted, subject to the following conditions:

Conditions attached to the planning permission and reasons for those conditions are:-

**CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The Development hereby approved shall be built in strict accordance with the following approved plans:

Drawings 2014/10/206

Date: 12 January 2015  
14/1047/1/HPX

  
Proper Officer of the Council



3. All external materials used in the proposed development shall match those used in the existing building unless otherwise agreed in writing by the District Planning Authority.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any subsequent re-enactment with or without modification), no further openings shall be constructed at any time within the extension without the prior permission of the District Planning Authority on an application submitted in that regard.
5. The development hereby permitted shall not be occupied until 2 off-street parking spaces have been provided and made available for use within the curtilage of the dwelling with the extended parking area surfaced in a permeable material. The parking spaces shall thereafter be retained available for such use.
6. The occupation of the proposed extension shall be ancillary to the residential occupation of the main dwelling. It shall not be occupied as a separate living unit and should not be sold, let or otherwise disposed of.

**REASONS**

1. To prevent the unnecessary accumulation of unimplemented permissions, to encourage early implementation and to enable the District Planning Authority to review the consent if a further application is made.
2. For the avoidance of doubt.
3. To ensure that the external materials are not detrimental to the building or character and appearance of the area
4. To safeguard the privacy and living conditions of nearby residents.
5. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking problems in the area and to reduce the scope of surface water from the site creating or exacerbating a flooding problem and to minimise the risk of pollution.
6. The proposed development would not form an acceptable separate living unit.

**NOTES TO APPLICANT**

1. The development hereby permitted must be carried out in complete accordance with the approved plans. If changes are made to the approved scheme, whether INTERNALLY or EXTERNALLY, the development will not be in accordance with this grant of planning permission, it therefore would not benefit from planning permission and may result in enforcement action.
2. This grant of planning permission does not authorise any development outside the application site including any foundation, footings, fascias, eaves, soffits, verges or guttering.
3. If the plans approved involve the carrying out of building work along or close to the boundary, you are advised that under the Party Wall Act 1996 you have a duty to give notice to the adjoining owner of your intentions before commencing this work.
4. Lofts and roof spaces are often used by bats, owls and nesting birds for roosting and nesting. Nesting birds and bats, their roosts and their access to these roosts are protected by Law under the Wildlife and Countryside Act 1981 (with amendments).

When work is to be carried out on a built structure it is recommended that the structure is visited and inspected for the presence of bats and birds by a trained operative before development is commenced.

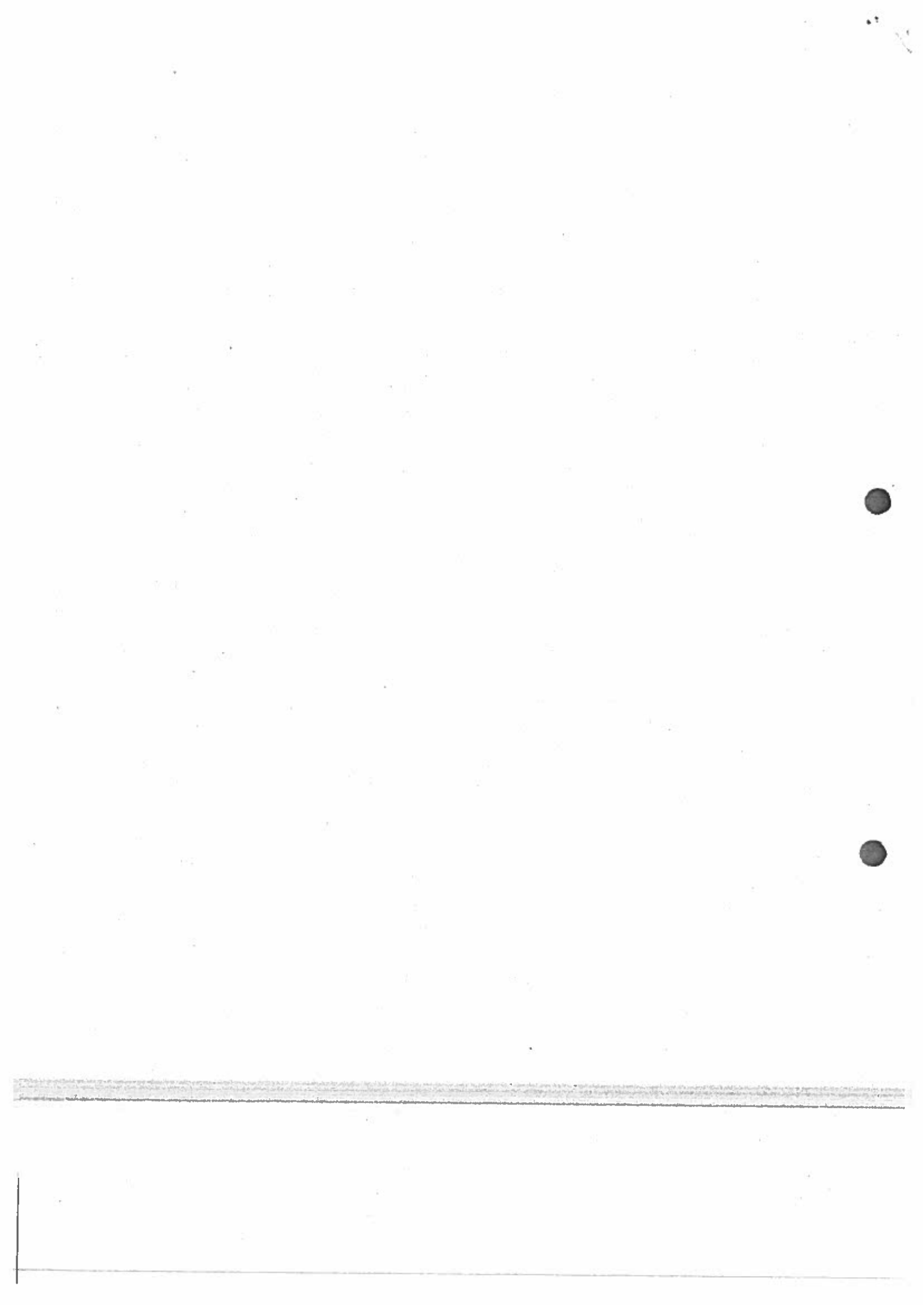
Should bats, owls or nesting birds be discovered in the structure concerned in the application, Natural England must be informed immediately and no works permitted until any necessary mitigation measures have been put in place.

**SUMMARY OF REASONS FOR RECOMMENDATION AND RELEVANT DEVELOPMENT PLAN POLICIES**

1. The District Planning Authority has reached its decision taking into account the advice contained within paragraphs 186-187 of the National Planning Policy Framework and, where possible, has worked proactively with the applicants to seek solutions to problems arising in relation to dealing with the planning application.

Date: 12 January 2015  
14/1047/1/HPX

  
Proper Officer of the Council





Council Offices, Desford Road, Narborough, Leicester, LE19 2EP

**NOTICE OF DECISION ON PLANNING APPLICATION  
TOWN AND COUNTRY PLANNING ACT 1990**

**PLANNING PERMISSION**

**Name and Address of Applicant**

Mr Carl Gilbert  
Gillys Sandwich Bar Ltd  
80 Little Mill Close  
Barlestone  
Leicester  
CV13 0HW

**Name and Address of Agent**

**Part -1 Particulars of Application**

Date of Application 11 November 2014 Application No. 14/1015/1/PY

**Particulars and Location of Development**

Change of use of existing unit to a Cafe/Sandwich bar (Use Class A3)

29 Watergate Lane Braunstone Town Leicestershire LE3 2XQ

**Part -2 Particulars of Decision**

In pursuance of its powers under the Town and Country Planning Act 1990, the Blaby District Council **GRANTS** planning permission for the carrying out of the development referred to in PART -1 hereto in accordance with the application and plans submitted, subject to the following conditions:

Conditions attached to the planning permission and reasons for those conditions are:-

**CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Before the development is brought into use, details of any extraction equipment shall be submitted to and approved in writing by the District Planning Authority and carried out and maintained in accordance with the approved details.

Date: 23 December 2014  
14/1015/1/PY

Proper Officer of the Council



3. The premises shall not be used for the purposes approved other than between the hours of 07.00 to 15.00 Monday to Friday and 07.00 to 12.00 (noon) Saturday and at no time on Sunday or Public Holidays.

**REASONS**

1. To prevent the unnecessary accumulation of unimplemented permissions, to encourage early implementation and to enable the District Planning Authority to review the consent if a further application is made.
2. In the interests of residential amenity and for the avoidance of doubt.
3. To safeguard the living conditions of nearby residents.

**NOTES TO APPLICANT**

1. You are reminded that any material alterations to the shop front are likely to require further separate planning permission. You are advised to discuss such matters first with the Planning Department.
2. This permission does not grant or imply consent for any advertisements to the premises which may require further separate consent. You are advised to discuss any intended signage first with the Planning Department.
3. With regard to Condition 2, the details should include appropriate filtration to render the fumes odourless, an appropriate discharge arrangement and noise attenuation to ensure that the system does not interfere with the amenity of residents and any fixtures should be designed to prevent vibration from being transferred into the building structure.
4. You are advised of the need to comply with other legislation including food safety and licensing. Further advice can be sought from the Environmental Health Department of Blaby District Council.

**SUMMARY OF REASONS FOR RECOMMENDATION AND RELEVANT DEVELOPMENT PLAN POLICIES**

1. The District Planning Authority has reached its decision taking into account the advice contained within paragraphs 186-187 of the National Planning Policy Framework and, where possible, has worked proactively with the applicants to seek solutions to problems arising in relation to dealing with the planning application.

Date: 23 December 2014  
14/1015/1/PY

Proper Officer of the Council

Council Offices, Desford Road, Narborough, Leicester, LE19 2EP

**TOWN AND COUNTRY PLANNING ACT 1990**

**TOWN AND COUNTRY PLANNING  
(CONTROL OF ADVERTISEMENT) (ENGLAND REGULATIONS 2007)**

**CONSENT TO DISPLAY AN ADVERTISEMENT**

**Name and Address of Applicant**  
Mitchells And Butlers  
27 Fleet Street  
Birmingham  
Warwickshire  
B3 1JP

**Name and Address of Agent**  
Ashleigh Signs Limited  
Ashleigh House  
Marsh Street  
Rothwell  
Leeds  
LS26 0AG

**Part -1 Particulars of Location of Advertisement**

Application No: 14/0946/1/AY  
Date of Application: 20 October 2014  
Description of Application: Display of 4 internally illuminated fascias & 1 post sign and 1 non-illuminated post sign & 2 non illuminated awnings (8 in total)  
Location of Development: Harvester, Meridian Leisure Park, Braunstone Town, Leicester

**Part -2 Particulars of Decision**

In pursuance of the above mentioned Regulations, the Blaby District Council **CONSENTS** to the display of the advertisement referred to in Part 1 hereof, in accordance with the application and plans submitted, subject to compliance with the following conditions:

**CONDITIONS**

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
2. No advertisement shall be sited or displayed so as to:-

Date: 11 December 2014  
14/0946/1/AY



Proper Officer of the Council

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
  - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
  - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
3. Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
  4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
  5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
  6. This permission relates to the following plans: OS Plan, Block Plan (1:500); 106145 (REVISION B) SHEETS 1, 2, 3 & 4.
  7. The illumination for the signage hereby approved shall be shielded to prevent light spillage onto the public highway.

#### REASONS

1. Conditions 1, 2, 3, 4 & 5 are standard conditions under the provisions of the Town and Country (Control of Advertisements) (England) Regulations 2007.
6. For the avoidance of doubt.
7. In the interests of highway safety.

#### NOTES TO APPLICANT

1. The development hereby permitted must be carried out in complete accordance with the approved plans. If changes are made to the approved scheme, whether INTERNALLY or EXTERNALLY, the development will not be in accordance with this grant of planning permission, it therefore would not benefit from planning permission and may result in enforcement action.

Date: 11 December 2014  
14/0946/1/AY

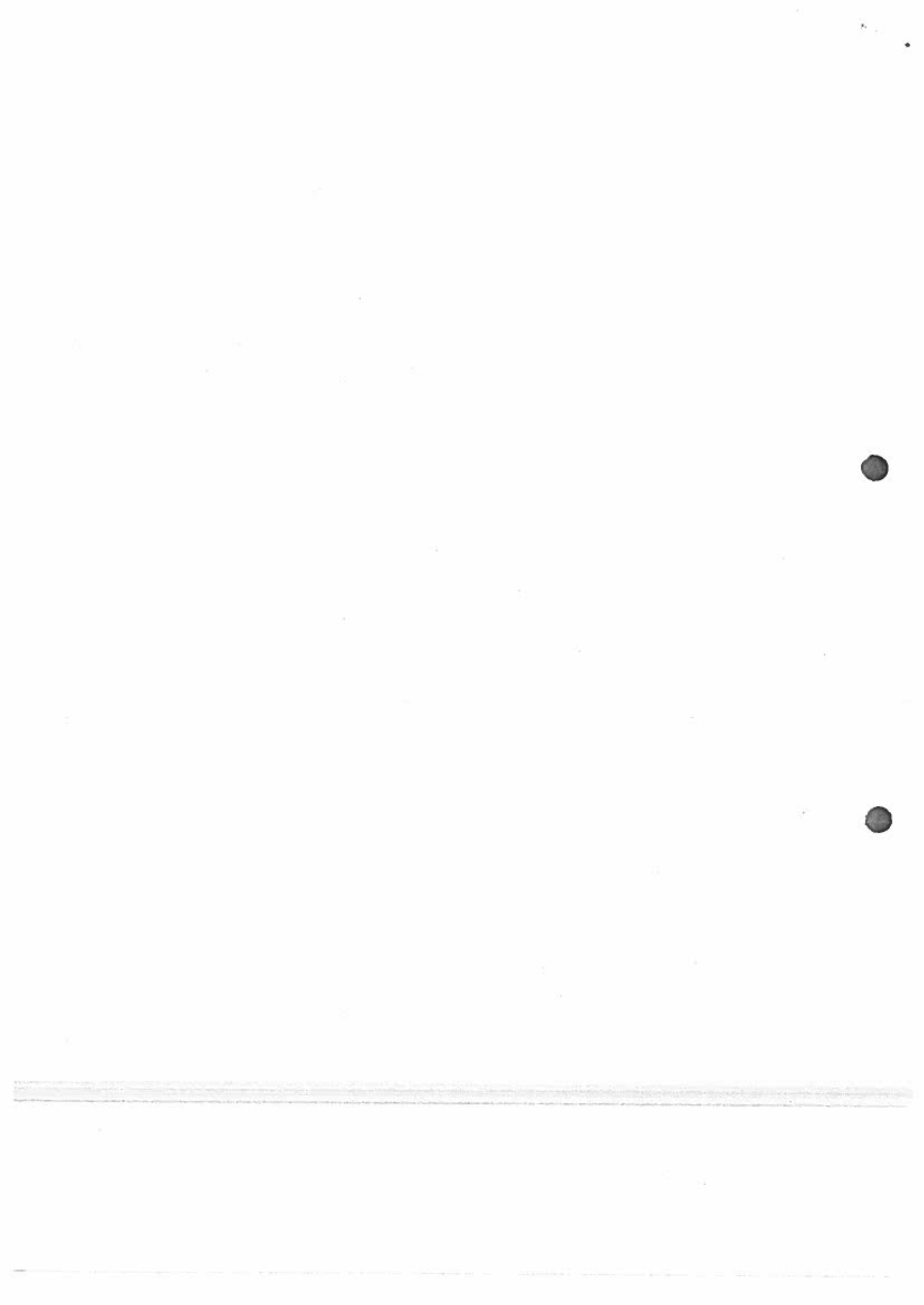


Proper Officer of the Council



**SUMMARY OF REASONS FOR RECOMMENDATION AND RELEVANT DEVELOPMENT PLAN POLICIES**

1. The District Planning Authority has reached its decision taking into account the advice contained within paragraphs 186-187 of the National Planning Policy Framework and, where possible, has worked proactively with the applicants to seek solutions to problems arising in relation to dealing with the planning application.



## ITEM 8 DECISION NOTICES

### BTC'S RESPONSES

**14/0429/1/PX** 50 Narborough Road, conversion of garage into granny annexe.

As there is no indication in the application to the number of bedrooms and the potential to create a living 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. The proposed development could result in tandem development and set a precedent with neighbouring properties. The outbuilding must only be used for normal domestic uses related to the residential use of the main property, ie storage, summerhouse, hobby room, etc providing that it is used in conjunction with the main house. The outbuilding should not be used to create a separate residential unit which could lead to noise and disturbance and overdevelopment of the site. The property should be retained as non-business use.

**14/1037/1/UX** 12 Ayston Road, Certificate of Lawful Use or Development – single storey detached swimming pool building.

Braunstone Town Council wishes to make the following comments as set out below:

i. That the property 12-14 Ayston Road is currently Class A2 Use (Financial and Professional Services) and is not a Class C3 Use (dwelling houses), therefore any permitted development must be in accordance with permitted development rights for Class A2 Use.

ii. Since the proposed outbuilding exceeds further than 4 metres beyond the rear wall of the property, the occupiers of neighbouring properties should be fully consulted in connection with the proposals.

iii. The Braunstone Town Parish Plan survey revealed that 54.7% of residents thought that parked vehicles caused problems in this area, particularly for people with disabilities or with pushchairs. The application indicates that there is no change of use as part of the application with the property currently Class A2 Use. Therefore the Town Council asks that the District Council ensures the provision of five off-street car parking spaces to accommodate the Class Use, for reasons as per the previous planning approval for application 14/0554/1/PX.

iv. The outbuilding must only be used in connection with the Use Class of the main property, e.g. storage and should not be used to create a separate residential unit which could lead to noise and disturbance and overdevelopment of the site/tandem development.

**14/1047/1/HPX** 6 Morris Close, Two storey side/rear extension and single storey rear extension.

Braunstone Town Council objects to this application for the following reasons:- The proposed development would have an unsatisfactory relationship with other nearby uses that would be significantly detrimental to the amenities enjoyed by the occupiers of those properties due to considerations of privacy and overbearing effect. 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 occupiers of neighbouring properties should be fully consulted in connection with the proposals.

**14/1015/1/PY** 29 Watergate Lane, Change of use of existing unit to a Café/Sandwich Bar (Use Class A3) Policy S15 of the Blaby Local Plan (September 1999) allows for non-retail uses providing it would not unacceptably reduce the ability of the centre to meet local shopping needs. It should be noted that, should the application go ahead this would lead to 5 out of the 8 outlets being Class A3 or A5 therefore the proposed development would result in an unacceptable proliferation of those classes. This also results in an unsatisfactory relationship with other nearby uses that would be significantly detrimental to the amenities enjoyed by the occupiers of those properties due to considerations of disturbance, hours of

working, noise and litter. In particular, the potential increase in vehicular activity would result in an adverse impact on neighbouring properties, again, with the proliferation of Class Use A3 potentially attracting additional custom by those travelling by vehicle.

The proposal would unacceptably reduce the ability of the centre to meet local shopping needs. These centres are particularly valuable to people who do not have their own transport. The Braunstone Town Parish Plan published in 2013 showed that 50.6% of respondents to its consultation visited post offices at least once a week, whilst an average of 33% visited other local shops at least once a week. Local residents would support alternative uses including: residential, office use (including taxi operators), providing they do not unacceptably reduce the ability of the centre to meet local shopping needs. The Survey demonstrated that there was a need in the local shopping centres for additional Grocery Store, Chemists, DIY Outlet and a Butchers.

No noise or vibration from the operation of the local exhaust ventilation system shall be perceptible in any adjoining property (In the interests of the amenities of nearby occupiers)

**14/0946/1/AY** Harvester, Meridian Leisure Park, Display of 4 internally illuminated fascias & 1 post sign and 1 non-illuminated post sign.

The height of the illuminated signs, hours of use and level of lighting should be in accordance with the District Council's Lighting Policy and restricted so as not to (a) be of nuisance to nearby residents and/or road users in terms of glare or (b) create unnecessary levels of lighting or light spillage. In respect of sign no.7, the Town Council considers the sign to be unacceptable due to considerations of detrimental impact on public safety due to possible distraction of drivers, cyclists and pedestrians, and being in a prominent and conspicuous location. The existing signage for the site is located well away from the main highway and this proposal could set a precedent from other outlets making similar applications.

Email: [planning.policy@leicester.gov.uk](mailto:planning.policy@leicester.gov.uk)  
Our ref: PP/CIL  
Date: 9 February 2015  
Please ask for : Jeevan Dhesi  
Tel: 0116 4542983



Leicester  
City Council

Braunstone Town Council  
Mr Darren Tilley  
Braunstone Civic Centre,  
Kingsway,  
Braunstone Town,  
Leicester, LE3 2PP

Planning Policy  
Leicester City Council  
(Halford Wing, 2<sup>nd</sup> Floor)  
City Hall  
115 Charles Street  
Leicester  
LE1 1FZ

Dear Sir /Madam

**Community Infrastructure Levy – Consultation on Draft Charging Schedule – Notice of Consultation**

**Monday 9<sup>th</sup> February 2015 to 5.00 pm Tuesday 10<sup>th</sup> March 2015**

The Council intends to introduce the Community Infrastructure Levy (CIL), and is in the process of preparing a Community Infrastructure Levy Charging Schedule.

CIL is a new charge that local authorities can place on new development . The levy will be used to fund infrastructure to support growth.

Before a Charging Schedule can be adopted by the Council it must be subject to two rounds of consultation and an examination in public. This is the second stage of the consultation process – the Draft Charging Schedule. The first consultation, the Preliminary Draft Charging Schedule took place from 28<sup>th</sup> May to 10<sup>th</sup> July 2014.

The Council has prepared a Draft Charging Schedule (DCS) along with the supporting evidence base documents. The DCS sets out the proposed charging rates for Leicester.

The Council invites comments on the Draft Charging Schedule and supporting documents. The documents are available on:

<http://consultations.leicester.gov.uk/>

The consultation period runs from Monday 9<sup>th</sup> February 2015 and ends on 10<sup>th</sup> March 2015 at 5.00pm.

Representations should be made using the Council's representation form which is available on:

• **The Council's online consultation system** : which can be accessed on:  
<http://consultations.leicester.gov.uk/>

• **You can post the form to:**

Planning Policy Team, DCS Consultation, Leicester City Council,  
Planning, Transport, & Economic Development  
City Hall ( Halford Wing, 2nd Floor )

*view leicester planning information at ... [www.leicester.gov.uk/planning](http://www.leicester.gov.uk/planning)*

