



# BRAUNSTONE TOWN COUNCIL

[www.braunstonetowncouncil.org.uk](http://www.braunstonetowncouncil.org.uk)

*Darren Tilley – Executive Officer & Town Clerk*

Braunstone Civic Centre, Kingsway, Braunstone Town, Leicester, LE3 2PP

Telephone: 0116 2890045 Fax: 0116 2824785

Email: [enquiries@braunstonetowncouncil.org.uk](mailto:enquiries@braunstonetowncouncil.org.uk)

## PLANNING APPLICATIONS

### 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 Planning & Environment Committee are listed on the Town Council's website [www.braunstonetowncouncil.org.uk](http://www.braunstonetowncouncil.org.uk)
3. The applications will be considered by the Braunstone Town Council's Planning 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.

3rd October 2018

*To: Councillor Robert Waterton (Chair), Councillor Bill Wright (Vice-Chair) and Councillors Anthea Ambrose, Parminder Basra, Roger Berrington, David Di Palma, Berneta Layne, Phil Moitt, Satindra Sangha, Darshan Singh and Mr John Dodd (Ex-Officio).*

Dear Councillor

You are summoned to attend a meeting of the **PLANNING & ENVIRONMENT COMMITTEE** to be held in the Fosse Room at Braunstone Civic Centre on **Thursday, 11th October 2018** commencing at **7.00pm**, for the transaction of the business as set out below.

Yours sincerely,

Executive Officer & Town Clerk

## AGENDA

1. **Apologies**  
To receive apologies for absence.
2. **Disclosures of Interest**  
To receive disclosures of Interest in respect of items on this agenda:
  - a) Disclosable Pecuniary Interests,
  - b) Other Interests (Non-Pecuniary).

**3. Public Participation**

Members of the public may make representations, give evidence or answer questions in respect of any item of business included on the agenda. 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.

**4. Minutes of the Meeting held 13th September 2018**

To confirm the accuracy of the Minutes of the Meeting held on 13th September 2018 to be signed by the Chairperson (**Enclosed**).

**5. Planning and Licensing Applications dealt with under Delegated Authority**

To receive and note responses to planning and licensing applications taken under Delegated Authority (**Enclosed**).

**6. Planning and Licensing Applications**

To agree observations on planning and licensing applications received (**Enclosed**).

**7. Additional Planning and Licensing Applications**

To agree observations on planning and licensing applications received since the publication of the agenda (if any).

**8. Blaby Local Plan Delivery DPD Main Modifications consultation**

To consider making representations on the Blaby District Local Plan Delivery Development Plan Document Post Hearing Main Modifications Consultation (**Enclosed**).

**9. Proposed Stopping up of Highway at 7 Sunway**

To determine whether the Town Council has any objections to a proposed Order under section 247 of the Town and Country Planning Act 1990, which would authorise the stopping up of two part-widths of Sunway, adjoining number 7 Sunway (**Enclosed**).

**10. Termination of the Meeting**



**NOTE:**

*CRIME & DISORDER ACT 1998 (SECTION 17) – The Council has an obligation to consider Crime and 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**

**MINUTES OF PLANNING & ENVIRONMENT COMMITTEE**

**THURSDAY 13TH SEPTEMBER 2018**

**PRESENT:** Councillor Robert Waterton (Chair), Councillor Bill Wright (Vice-Chair) and Councillors Anthea Ambrose, Parminder Basra, Roger Berrington, Phil Moitt and Darshan Singh and Mr John Dodd (Ex-Officio).

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

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

**49. Apologies**

Apologies for absence were received from Councillors David Di Palma, Berneta Layne and Satindra Sangha.

**50. Disclosures of Interest**

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

**51. Public Participation**

In accordance with Standing Order 3.6, members of the public may attend the meeting for the purpose of making representations, giving evidence or answering questions in respect of any item of business included on the agenda.

There were no members of the public present.

**52. Minutes of the Meeting held 9th August 2018**

The Minutes of the Meeting held on 9th August 2018 were circulated (item 4 on the agenda).

**RESOLVED** that the Minutes of the meeting held on 9th August 2018 be approved and signed by the Chairperson as a correct record.

**53. Air Quality Strategy and Improvement Initiatives**

The Committee received a presentation from Anna Farish and David Gould, Environmental Health, Blaby District Council, concerning recent initiatives and the development of a strategy by Blaby District Council to deal with air quality issues (copy attached as an appendix).

**RESOLVED**

1. that Blaby District Council be asked to consider air quality monitoring at the following locations:

- a) Priestman Road,
  - b) Lubbesthorpe Way between Withers Way and the Braunstone Lane bridge,
  - c) adjacent to the schools (particularly Millfield Academy, Winstanley and Kingsway Primary); and
2. that reporting of the Air Quality Monitoring Annual Status Report feature as an annual item on the agenda.

*Reasons for Decision*

1. *To ensure that air quality data was collected in order to ensure the impact of traffic and congestion could be assessed:*
  - a) *while the developer of Lubbesthorpe was obliged to monitor the impact on air quality, the opening of the M1 bridge to Lubbesthorpe, which connected Meridian Way to Beggars Lane along with up to 4,000 new houses and a new employment park, would increase the amount of traffic on Meridian Way which potentially had an impact on the quality of air enjoyed by the residents of the adjacent housing,*
  - b) *there was regular congestion at peak times on the northbound carriageway of Lubbesthorpe Way towards Braunstone Way at the point the dual carriageway ended; risking increased air pollution and an adverse impact upon the health of residents living on Tillett Road, Collins Close, Kingsway North and Westover Road,*
  - c) *there were particular concerns about increases in both NO2 and PM2.5 around the M1 and A563, due to ongoing development in the area, and Millfield Academy, Winstanley and Kingsway Schools were in close proximity.*
2. *To engage with initiatives and keep up to date with progress with reducing roadside particulates.*

**54. Planning and Licensing Applications dealt with under Delegated Authority**

The Committee received and noted responses to planning applications taken under Delegated Authority (item 6 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:

1. **Application No:** 18/1038/HH  
**Description:** Single storey side and rear extensions  
**Location:** 65 Woodland Drive Braunstone Town Leicestershire LE3 3EB  
**Response:** *Braunstone Town Council does not object to the application, subject to there being sufficient on-site parking for the number of bedrooms at the property in accordance with local plan policy T7.*

**Reason:** *The proposals were single storey mainly on the existing footprint with a small side extension and there was unlikely to be an adverse impact on the amenity enjoyed by the neighbouring properties. However, it was not possible to determine the number of on-site parking spaces nor the number of bedrooms at the property.*

**2. Application No:** 18/1035/DOC

**Description:** Discharge of condition 9 attached to planning permission 17/1053/RM - finished floor levels and drainage

**Location:** Parcel R2(1) Tay Road Lubbethorpe Enderby Leicestershire

**Response:** *Braunstone Town Council has no objections to the discharge of the condition, subject to approval by the relevant regulatory bodies.*

**Reason:** *The information required by the condition had been provided and the relevant regulatory bodies would be able to comment on the technical specifications.*

**3. Application No:** 18/1041/FUL

**Description:** Demolition of existing food retail store (Class A1) and erection of new food retail store (Class A1) with associated car parking, servicing and landscaping

**Location:** Aldi Meridian Way Braunstone Town Leicestershire LE19 1LW

**Response:** *Braunstone Town Council recommends that the following conditions be applied to any approval:*

- a) a detailed demolition and construction plan to be submitted and approved by the Local Planning Authority setting out the method of construction and including an environmental and noise impact assessment, mitigating measures and measures to prevent pollution of water courses;*
- b) proposals being submitted to improve the pedestrian crossing points on the access road adjacent to the junction with Meridian Way, along with junction improvements, and junction and pedestrian crossing point improvements to the entrance to the adjacent public house; these measures to be fully implemented before the store opens for business;*

- c) *the purchase, installation, operation and maintenance of air quality monitoring equipment;*
- d) *a comprehensive landscaping scheme, which must include along the western boundary adjacent to Owen Close, and to incorporate plant protection, to be submitted and approved by the Local Planning Authority and to be completed within a year of the construction with any plants which either die or need to be removed for any reason within the first five years being replaced;*
- e) *proposals for a Sustainable Urban Drainage System to be submitted and approved by the Local Planning Authority and implemented prior to the opening of the new store;*
- f) *signs not presenting any danger to highway users, nor obscuring visibility or hindering surveillance; being maintained in a good condition and the height, hours of use and maximum luminance levels being in accordance with the District Council's Lighting Policy; and*
- g) *developer contributions towards improvements to local public open space / community facilities.*

**Reasons:**

- a) *To ensure that any adverse impact upon the amenity enjoyed by local residents and upon the local environment would be mitigated and controlled;*
- b) *to mitigate the impact of increased traffic, from customers and deliveries, which would impact on pedestrian safety, including families with young children who walk to Meridian Leisure and public house, noting that the design and layout of the junction would need to be reviewed in light of increased traffic flows to the site and increased traffic flows on Meridian Way with the opening of the route over the M1 to Lubbethorpe;*
- c) *to help assess the impact of the development (and any future proposals) on local Air Quality Management Areas;*
- d) *to enhance the local built environment, to reduce any adverse impact upon the amenity enjoyed by local residents in terms of noise, disturbance and nuisance;*
- e) *further development in this area may increase the risk of flooding further downstream, impede the flow of floodwater and result in a loss of floodwater storage capacity;*
- f) *to avoid any adverse impact on highway users and to avoid hindrance to crime prevention measures,*

*to maintain the visual amenity and to avoid adverse impact on highway users in terms of visibility and glare and unnecessary levels of light spillage; and*

g) *the extended area to the west of the site, at the rear of Owen Close, was currently Public Open Space and this would be lost under the proposals; therefore, in accordance with the original approval for the development of the site and provision of open space, compensatory developer contributions should be sought towards improvements to other areas of public open space and/or local community facilities.*

**4. Application No:** 18/1051/DOC

**Description:** Discharge of Condition 10, 11 and 12 (Masterplan and Design Code) Phase 1, Condition 21 (Construction Environment Management Plan) Phase 1, Condition 22 (Land Contamination) - Parcels R6(1) and R6(2) and Condition 43 (Archaeology) - Parcels R2(2), R2(3), R5(1), R5(2), R6(1), R6(2), R9(1) and R26 - attached to planning permission 11/0100/1/OX

**Location:** New Lubbesthorpe Lubbesthorpe Enderby  
Leicestershire LE3 3PY

**Response:** *Braunstone Town Council has no objections to the discharge of the conditions, subject to approval by the relevant regulatory bodies.*

**Reason:** *The information required by the conditions had been provided and the relevant regulatory bodies would be able to comment on the technical specifications.*

**5. Application No:** 18/1052/DOC

**Description:** Parcel R3(2) Lubbesthorpe Enderby Leicestershire

**Location:** Discharge of condition 4 attached to planning permission 15/0799/RM - Landscaping in relation to Parcel R3(2)

**Response:** *Braunstone Town Council has no objections to the discharge of the condition, subject to approval by the relevant regulatory bodies.*

**Reason:** *The information required by the condition had been provided and the relevant regulatory bodies would be able to comment on the technical specifications.*

**6. Application No:** 18/1062/DOC

**Description:** Discharge of condition 4 attached to planning permission 15/0799/RM - Landscaping to Parcel R3(3)

**Location:** Parcel R3(3) Lubbethorpe Enderby Leicestershire

**Response:** *Braunstone Town Council has no objections to the discharge of the condition, subject to approval by the relevant regulatory bodies.*

**Reason:** *The information required by the condition had been provided and the relevant regulatory bodies would be able to comment on the technical specifications.*

## 55. Planning Applications and Licensing Applications

The Committee received details of planning applications to be considered by Blaby District Council (item 7 on the agenda). The Committee noted that there were no licensing applications.

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

1. **Application No:** 18/1133/RM  
**Description:** Revised reserved matters for the erection of 34 dwellings - appearance, landscaping, layout and scale (revisions to reserved matters approval 15/0832/RM in terms of house types, positions and materials relating to plots 201-216, 307 and 319 - 335 - in part retrospective)  
**Location:** Tay Road Lubbethorpe Enderby Leicestershire  
**Response:** *Braunstone Town Council has no objections provided that the revisions related to the design of the building, positions and materials, and did not reduce the number of 2 and 3 bedroomed houses provided within the parcel.*  
**Reason:** *To prevent any reduction in the rate at which affordable housing would be provided.*
2. **Application No:** 18/1019/DOC  
**Description:** Discharge of condition 22 attached to planning permission 15/0577/FUL relating to remediation strategy  
**Location:** Former Everards Brewery And Adjoining Land Everard Way Enderby Leicestershire  
**Response:** *Braunstone Town Council has no objections to the discharging of condition 22, subject to:*
  - a) *the relevant regulatory bodies being satisfied that the geo environmental surveys, data collected and analysis was robust and that the conclusion that a*

- formal remediation strategy was not required was backed up by evidence; and*
- b) *there being longer-term monitoring of pollutant linkages.*

**Reasons:** *Surveys had been undertaken and data collected and presented in detailed reports:*

- a) *Relevant regulatory bodies would have the expertise to determine whether the data collected was relevant and robust, whether the analysis was sound and therefore whether the conclusion was reasonable; and*
- b) *The testing was undertaken during June/July when there had been a low water table; the site had returned higher pollutant levels in the past when there had been a higher water table; longer term monitoring would allow for testing whether the pollutant levels were affected by water table levels.*

**3. Application No:** 18/1144/HH

**Description:** Erection of one and a half storey domestic outbuilding

**Location:** 1 Hat Road Braunstone Town Leicestershire LE3 2WF

**Response:** *Braunstone Town Council objects to the application and recommends refusal.*

- Reasons:**
- a) *The proposed development would have an unsatisfactory relationship with other nearby residential properties, which would be significantly detrimental to the amenities enjoyed by the occupiers of those properties due to considerations of: noise, disturbance and overbearing effect.*
- b) *The proposed development would result in over-development of the site due to factors including scale and mass and would be significantly out of keeping with the character/appearance of the area since it would be visually intrusive and add a discordant element into the street scene.*
- c) *The proposals would result in the loss of the existing Garage parking provision with the potential to increase on street parking in an area which has on-street parking problems due to the nearby school.*
- d) *The building was not suitable for use as living accommodation, leisure nor business activities, which would result in noise and nuisance in a residential area.*
- e) *The proposals could result in tandem development.*

**4. Application No:** 18/1125/RM

**Description:** Erection of a Building comprising Brewery, Offices, Visitors Centre, Ancillary Uses, Brewery Tap (Public House) and associated Parking and Landscaping - Revised Reserved Matters for Phase 1B of the Everards Meadow Development related to application 15/0888/VAR and amending application 17/0461/RM

**Location:** Everards Meadow Narborough Road South / Soar Valley Way Enderby Leicestershire

**Response:** *Braunstone Town Council has no comments on the reserved matters application, subject to the technical specifications meeting the approval of the relevant regulating body:*

- a) Building Control*
- b) Environmental Health*
- c) County Highways*
- d) Environment Agency*
- e) Severn Trent Water.*

**Reason:** *To ensure that the proposals complied with the relevant technical specifications.*

**5. Application No:** 18/1146/DOC

**Description:** Discharge of Condition 8 (Site Wide Phasing Strategy), Condition 19 (Phase 1 Green Infrastructure and Biodiversity Management Plan) - Parcels comprising Phase 1 Sub Phase 2 and condition 22 (Contamination) - Parcel R9(1) - attached to planning permission 11/0100/1/OX

**Location:** New Lubbesthorpe Lubbesthorpe Enderby Leicestershire

**Response:** *Braunstone Town Council recommends:*

- a) that discharging condition 8, revised Site Wide Phasing Strategy and Programme, be deferred until briefings on the proposed changes and consultation had taken place with District Councillors and the Lubbesthorpe Strategic Consultative Forum;*
- b) that discharging of conditions 19 (Phase 1 Green Infrastructure and Biodiversity Management Plan) and 22 (Contamination) be subject to the technical specifications meeting the approval of the relevant regulating body:*
  - i. Building Control*
  - ii. Environmental Health*
  - iii. County Highways*
  - iv. Environment Agency*
  - v. Severn Trent Water.*

**Reasons:** a) *The Site Wide Phasing Strategy and Programme was*

*pivotal to ensuring that appropriate housing and housing types was supplied and that public services and transport infrastructure was provided and improved; it was vitally important that local elected representatives and partners were briefed on the proposed changes and reasons for the changes in order to ensure that the Strategy and Programme delivered a sustainable development while avoiding adverse impact on the surrounding communities.*

*b) To ensure that the proposals complied with the relevant technical specifications.*

**6. Application No:** 18/0772/HH

**Description:** Two storey and single storey rear extension

**Location:** 21 Dunstall Avenue Braunstone Town Leicestershire LE3 3DP

**Response:** *Braunstone Town Council does not object to the application, subject to the condition that there be no windows in the side elevations without the explicit consent of the planning authority.*

**Reason:** *To avoid any adverse impact on the amenity enjoyed by the neighbouring property in terms of privacy.*

**RESOLVED** that in respect of resolution 5(a) above, 18/1146/DOC, Discharge of Condition 8 (Site Wide Phasing Strategy), New Lubbesthorpe, a letter be sent to the secretary of the Lubbesthorpe Strategic Consultative Forum asking that the Site Wide Phasing Strategy be considered by the Forum prior to a decision being made on discharging the condition.

*Reason for Decision*

*The New Lubbesthorpe Site Wide Phasing Strategy and Programme was pivotal to ensuring that appropriate housing and housing types was supplied and that public services and transport infrastructure was provided and improved; it was vitally important that the Lubbesthorpe Strategic Consultative Forum were briefed on the proposed changes and reasons for the changes in order to ensure that the Strategy and Programme delivered a sustainable development while avoiding adverse impact on the surrounding communities.*

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

The Committee noted that there were no additional planning nor licensing applications.

## **57. Planning Decisions**

The Committee received and noted planning decisions made by Blaby District Council (item 9 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: particular concerns were that the application did not detail arrangements for storage and disposal of chemicals and trade materials.*

**58. Feedback on Planning Application Decisions**

The Committee received feedback from Councillor Roger Berrington concerning a decision by Blaby District Council on Application No. 18/0693/FUL, 25 Larch Grove. Councillor Berrington talked through the planning history of the site and the Committee noted the various extensions which had been made to the dwelling. It was noted that condition 5 of the approval for application 18/0693/FUL approved the Drawing No. SK/PP-06924531/01 Courtyard & parking, which was for one on-site parking space.

**RESOLVED** that Councillor Bill Wright seek feedback from the planning case officer on the decision for planning application 18/0693/FUL, 25 Larch Grove, concerning only one on-site parking space being required.

*Reason for Decision*

*The property had three bedrooms and there was currently over-parking on the street, including on the footway, close to a road junction and with a bend in the road.*

**59. Financial Comparisons**

The Committee received Financial Comparisons for the period 1st April 2018 to 31st August 2018 (item 11 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 2018/2019.*

**60. Approval of Accounts**

The Committee considered payments from 1st August 2018 until 3rd September 2018 (item 12 on the agenda).

**RESOLVED** that the list of Approved Expenditure Transactions for the Period 1st August 2018 until 3rd September 2018 be approved.

*Reason for Decision*

*To authorise payments in accordance with the Accounts & Audit Regulations and the Council's Financial Regulations and to ensure that the ledger was accurate in order that spend against the budget could be monitored effectively.*

**61. Termination of the Meeting**

The meeting closed at 9.15pm.

**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.

*These minutes are a draft and are subject to consideration for approval at the next meeting, scheduled for 11<sup>th</sup> October 2018.*

# APPENDIX

Agenda item 5  
Air Quality Strategy  
and Improvement  
Initiatives  
Anna Farish and David  
Gould Blaby District  
Council 13<sup>th</sup>  
September 2018

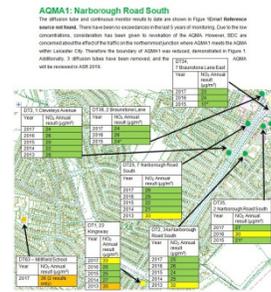
## Today's briefing

- Annual Status Report
- Feasibility Study
- Air Quality Strategy
- Active Travel

## Annual Status Report 2018

- Submitted June 2018
- Defra satisfied with the report, supported changes to AQMAs and supported Air Quality Strategy
- Results for Braunstone Town for 2017

## Results for 2017



## Revised AQMA1



## Feasibility Study

- European Directive definition of receptor is different to that in Local Air Quality Management :“ambient air” means outdoor air in the troposphere, excluding workplaces where members of the public do not have regular access;
- Limit value is 40 microgrammes per cubic metre
- Feasibility Study arose from legal

## UK Level Plans (1)



## UK Level Plans (2)

- Annex K – Local authorities with one or more roads with NO<sub>2</sub> concentrations forecast above statutory limits based on modelling
- Blaby listed as having no such roads after 2020

## Since then....

- Further ClientEarth challenge of UK Government in High Court
- Government required to take a more formal approach with local authorities that would comply even in 2019
- Ministerial Direction March 2018 to undertake Feasibility Studies by 31<sup>st</sup> July 2018
- £50,000 funds and guidance/support

## Road Links involved (1)



## Road Links involved (2)



## Road Links Involved (3)



## Feasibility Study

- Exceedances of Ambient Air Quality Directive predicted based on modelling with 2015 baseline
- Provide local data and information on any schemes implemented after 2015
- Identify any measures that can be implemented before 2019 and so bring forward compliance
- Study submitted and waiting

## Air Quality Strategy

- Approved by Full Council 24<sup>th</sup> July 2018
- 3 year strategy
- 5 themes
- Theme 1: Air Quality and Transport
- Theme 2: Air Quality and Planning
- Theme 3: Air Quality and Health
- Theme 4: Air Quality in the Junction 21 Area
- Theme 5: Air Quality Monitoring

## Active Travel

- Focus on behavioural change – cycling, walking, travel plans
- Schools – Millfield, Ravenhurst
- Businesses – Fosse Park, Grove Park, etc.
- Work by Environmental Services, Sports and Physical Activity Team (BDC), Active Travel Team (LCC), Public Health, and other partners

## BRAUNSTONE TOWN COUNCIL

### PLANNING & ENVIRONMENT COMMITTEE – 11TH OCTOBER 2018

#### Item 5 – Planning and Licensing Applications dealt with under Delegated Authority

##### Purpose

To receive and note responses to planning and licensing applications taken under Delegated Authority.

##### Planning Applications

- 1. Application No:** 18/1211/HH

**Description:** First Floor Side Extension

**Location:** 176 Kingsway Braunstone Town Leicestershire LE3 2TU

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

  - a) *no windows in the first floor side elevation without the explicit consent of the planning authority; and*
  - b) *three on-site parking spaces (including the garage space) being provided prior to the extension being occupied and to remain in use in perpetuity.*

**Reasons:**

  - a) *To avoid any adverse impact on the amenity enjoyed by the neighbouring property in terms of privacy.*
  - b) *Kingsway was a busy thoroughfare and an additional (fourth) bedroom was being provided at the property, any additional parking on the highway would present additional danger and obstruction to highway users.*
  
- 2. Application No:** 18/1233/HH

**Description:** First floor rear extension

**Location:** 30 Amy Street Braunstone Town Leicestershire LE3 2FB

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

  - a) *no windows in the first floor side elevation without the explicit consent of the planning authority; and*
  - b) *the on-site parking shown in the submitted plan being provided prior to the extension being occupied and to remain in use in perpetuity.*

**Reasons:**

  - a) *To avoid any adverse impact on the amenity enjoyed by the neighbouring property in terms of privacy.*

*b) To avoid additional parking on the Highway, which may present obstruction to highway users.*

**3. Application No:** 18/1255/FUL

**Description:** Unit 2 Fosse Park Avenue Enderby Leicestershire LE19 1HJ

**Location:** Installation of 1no. External AC condenser unit at the rear of the property

**Response:** *Braunstone Town Council has no objections to the application; subject to the specification, noise levels and hours of operation of the condenser meeting the requirements of the Environmental Health Authority.*

**Reason:** *To prevent unnecessary or unreasonable noise levels, particularly at night.*

## **BRAUNSTONE TOWN COUNCIL**

### **PLANNING & ENVIRONMENT COMMITTEE – 11TH OCTOBER 2018**

#### **Item 6 – Planning and Licensing Applications**

##### Purpose

To agree observations on planning and licensing applications received.

##### Planning Applications

- 1. Application No:** 18/1244/HH  
**Description:** First floor side and single storey rear extensions and detached outbuilding to rear  
**Location:** 23 Foxon Way Thorpe Astley Braunstone Town Leicestershire
- 2. Application No:** 18/1263/FUL  
**Description:** Formation of new vehicular access road  
**Location:** New House Farm Beggars Lane Lubbesthorpe Enderby
- 3. Application No:** 18/1156/HH  
**Description:** Single storey side and rear extension  
**Location:** 62 Lubbesthorpe Road Braunstone Town Leicestershire LE3 2XE
- 4. Application No:** 18/1287/HH  
**Description:** Two storey & single storey rear extension  
**Location:** 23 Woodland Drive Braunstone Town Leicestershire LE3 3EA
- 5. Application No:** 18/1269/HHPD  
**Description:** 24 Rosamund Avenue Braunstone Town Leicestershire LE3 2GN  
**Location:** Single storey rear extension which would extend beyond the rear wall of the original house by 4m, height to eaves 2.6m and maximum height of 3.7m

**6. Application No:** 18/1261/DOC

**Description:** Discharge of conditions 17 (Sustainability Scheme update) and 25 (Waste Management update) Phase 1 Sub Phase 2 - attached to planning permission 11/0100/1/OX

**Location:** New Lubbesthorpe Lubbesthorpe Enderby Leicestershire

## **BRAUNSTONE TOWN COUNCIL**

### **PLANNING & ENVIRONMENT COMMITTEE – 11th OCTOBER 2018**

#### **Item 7 – Additional Planning Applications and Licensing Applications**

##### Purpose

To agree observations on planning and licensing applications received since the publication of the agenda:

##### Planning Applications

7. **Application No:** 18/1330/HH  
**Description:** Single storey side & rear extension  
**Location:** 41 The Osiers Braunstone Town Leicestershire LE3 2XN
8. **Application No:** 18/1301/HH  
**Description:** Conversion and extension of Existing Garage to form Part Two Storey/Single Storey Side Extension with Canopy  
**Location:** 49 Watergate Lane Braunstone Town Leicestershire LE3 2XQ
9. **Application No:** 18/1325/HHPD  
**Description:** The erection of a single storey rear extension which would extend beyond the rear wall of the original dwellinghouse by 4.2m, for which the maximum height would be 2.8m and for which the height to eaves would be 2.5m  
**Location:** 53 Maple Avenue Braunstone Town Leicestershire LE3 3FJ

##### Licensing Applications

10. **Application No:** Burger World  
**Description:** Renewal Application  
**Location:** Meridian West

## **BRAUNSTONE TOWN COUNCIL**

### **PLANNING & ENVIRONMENT COMMITTEE – 11TH OCTOBER 2018**

#### **Item 8 - Blaby Local Plan Delivery DPD Main Modifications consultation**

##### Purpose

To consider making representations on the Blaby District Local Plan Delivery Development Plan Document Post Hearing Main Modifications Consultation.

##### Background

On 18th January 2018, the Committee considered whether to make representations on the 'soundness' and legal compliance of the Blaby Local Plan Delivery Development Plan Document (Delivery DPD) before the document was submitted for Examination, the response is set out at Annex A.

The Local Plan was submitted to the Secretary of State on 23rd March 2018 for Examination. Hearing sessions took place between 31st July – 2nd August and 14th – 15th August 2018. As a result of the hearing sessions a number of Main Modifications have been prepared to make the Delivery DPD sound.

The Main Modifications which are subject to public consultation are:

- Delivery DPD Main Modifications – attached as Annex B,
- Sustainability Appraisal Addendum,
- Habitats Regulations Assessment Addendum, and
- Note on Gypsy, Travellers and Travelling Show People 'Unknown' Households.

Only the Delivery DPD Main Modifications document has been attached at Annex B since the Town Council did not make any comment on the other documents.

All the documents which are subject to public consultation can be found on the District Council's website at:

<http://www.blaby.gov.uk/about-the-council/strategies-plans-policies/environment-and-planning/local-plan/delivery-dpd-examination/>

The consultation started on 14th September and runs until 4.45pm on 26th October 2018.

The consultation is not an opportunity to re-state previous representations, to raise new objections to matters not covered by the Main Modifications, or to seek further changes to the Submission Version of the Delivery DPD. All representations received will be forwarded to the Programme Officer for consideration by the Inspector.

## Analysis

The following reference the issues raised in the Town Council's pre-submission consultation response (see Annex A):

- a) *Questioning the soundness of Site Allocations Policy SA1, Land North of Hinckley Road, Kirby Muxloe, which may slow the phasing timetable for Lubbesthorpe delaying the highway mitigation measures and new services and putting additional pressure onto existing services – this has not been requested by the inspector, the Policy SA1 still states “be delivered during the plan period”.*
- b) *Request that the boundary of Meridian Business Park should be amended to exclude Preferred Options sites BRA001, Land off Centurion Way, and BRA002, Land adjacent to McDonalds, since these are no longer preferred allocations in the Proposed Submission Version – No references to any proposed amendment.*
- c) *Questioning the soundness of policies on Local Centres and Neighbourhood Parades (DMP6), the allocation of some parades; not addressing the Town Council's consultation response proposing more favourable change of use of adjacent properties outside the boundary; nor responding to the proposals to amend some of the boundaries – No references to any proposed amendment.*
- d) *Questioning the soundness and legal compliance of Development Management Policy 8, Local Parking and Highway Design Standards, since the 6Cs Design Guide deals with highways and transportation infrastructure for new developments and is a technical design guide – reference to “6Cs Design Guide” has been changed to “Leicestershire Local Highway Guidance”. This is not part of the Main Modifications consultation; therefore, the amendment appears to be about accuracy of the description rather than an amendment to the proposed policy.*

## Recommendation

That the proposed modifications to the Blaby Local Plan Delivery Development Plan Document be noted and that no further response be given to the Blaby Local Plan Delivery Development Plan Document Main Modifications consultation.

## Reason

The Council had made representations and its recommendations had not been adopted by the Examination Inspector. The process of reviewing and adopting a Local Plan is set out in Acts of Parliament and various statutory guidance and re-stating previous representations and/or raising new objections to matters not covered by the Main Modifications, would not be admissible at this stage.

**ANNEX A – EXTRACT FROM THE MINUTES OF  
PLANNING & ENVIRONMENT COMMITTEE  
THURSDAY 18TH JANUARY 2018**

**112. Local Plan: Delivery Development Plan Document - Consultation on Proposed Submission Version**

The Committee considered whether to make representations on the 'soundness' and legal compliance of the Local Plan Delivery Development Plan Document before the document was submitted for Examination (item 8 on the agenda).

Kirby Muxloe Parish Council organised a meeting on 5th January which was attended by Councillors from Kirby Muxloe, Glenfield, Leicester Forest East and Braunstone Town. The meeting discussed whether a joint statement could be agreed for submission between the four Parishes and the draft statement proposed was included in the report. A final version was subsequently submitted and was circulated (filed with the archive copy of the agenda).

**RESOLVED**

1. that Braunstone Town Council submit the following responses to the Blaby District Local Plan Delivery DPD (Proposed Submission Version) consultation:
  - a) the soundness of Site Allocations Policy SA1, Land North of Hinckley Road, Kirby Muxloe, was questionable,
  - b) the boundary of Meridian Business Park should be amended to exclude Preferred Options sites BRA001, Land off Centurion Way, and BRA002, Land adjacent to McDonalds, since these are no longer preferred allocations in the Proposed Submission Version;
  - c) the soundness of policies on Local Centres and Neighbourhood Parades (DMP6) was questionable, as was the allocation of Ayston Road, Thorpe Astley and Turnbull Drive/Edward Avenue as Neighbourhood Parades rather than as Local Centres; and
  - d) the soundness and legal compliance of Development Management Policy 8, Local Parking and Highway Design Standards, was questionable; and
2. that the final statement issued by Kirby Muxloe Parish Council on 16th January 2018 (following the joint meeting of Councillors from Kirby Muxloe, Glenfield, Leicester Forest East and Braunstone Town on 5th January 2018), which was circulated to the meeting, be supported by Braunstone Town Council and submitted as part of Braunstone Town Council's consultation response.

## *Reasons for Decision*

1. *To identify issues which may affect the soundness and legal compliance of the plan:*
  - a) *development on Land North of Hinckley Road, Kirby Muxloe, particularly in the early part of the plan period and prior to the completion of the infrastructure improvements and provision of new services on the Lubbethorpe Sustainable Urban Extension, could slow the phasing timetable for Lubbethorpe delaying the highway mitigation measures and new services and putting additional pressure onto existing services;*
  - b) *to align the boundary shown on the map to the position taken by Blaby District Council that the two sites were not preferred options;*
  - c) *Blaby District Council did not consider the point made in the Town Council's consultation response that the long term sustainability of centres and parades would be assisted, and communities would be better served, by providing favourably for change of use from residential to A1 to A5 of adjacent properties outside the boundary of the local centre/neighbourhood parade where that would enhance the services of the local centre/neighbourhood parade, over a similar change of use in residential areas away from the centre/neighbourhood parade; and Blaby District Council merely restated its existing position; neither did Blaby District Council consider the proposals to amend some of the boundaries, stating the process for doing this, which was being requested by the Town Council; and*
  - d) *the 6Cs Design Guide deals with highways and transportation infrastructure for new developments, it was a technical design guide and not a document for the purposes of development control.*
2. *To highlight the disconnect between planning for housing and the likelihood of delay/non-delivery of the appropriate infrastructure.*

# BLABY LOCAL PLAN DELIVERY DEVELOPMENT PLAN DOCUMENT

## SCHEDULE OF MAIN MODIFICATIONS

September 2018



## BLABY LOCAL PLAN DELIVERY DEVELOPMENT PLAN DOCUMENT

### SCHEDULE OF MAIN MODIFICATIONS

**September 2018**

#### **Introduction**

This schedule sets out the Proposed Main Modifications that the Council is proposing to make, to allow the Blaby Local Plan Delivery DPD to be found sound. These are published for consultation purposes. The Inspector will consider all of the representations that are made on the proposed Main Modifications before reaching her final conclusions on any changes that need to be made to the Local Plan in order for it to be sound and capable of adoption. Her reasons will be set out in her report to the Council which will be published in due course.

The schedule sets out proposed Main Modifications to the plan as submitted by the Council to the Secretary of State for examination on 23 March 2018. The submitted plan was the Blaby Local Plan Delivery DPD (Proposed Submission Version) (November 2017).

Text that is proposed to be deleted is indicated by ~~strike through~~ notation, and text that is proposed to be inserted is indicated in **bold** and is underlined.

The proposed Main Modifications are generally set out in Policy order. There will also consequential amendments to policy and paragraph numbering.

## SCHEDULE OF MAIN MODIFICATIONS

Ref	Page	Policy/Paragraph	Main Modification	Reason
MM1	N/A	NEW Policy/paras	<p><i>Add new policy and supporting text (after Section 4):</i></p> <p><b><u>Local Plan Review</u></b></p> <p><b><u>5.1 Blaby District lies within the Leicester and Leicestershire Housing Market Area. The Leicester and Leicestershire Housing and Economic Development Needs Assessment (HEDNA) was published in January 2017. It sets out the long term objectively assessed need (OAN) for new housing in each of the local authority areas in the HMA up to 2036. The Council is also mindful that the introduction of the Standardised Methodology contained in the National Planning Policy Framework may have further implications for the OAN.</u></b></p> <p><b><u>5.2 In order to plan for the level of objectively assessed need identified, the local authorities in the Leicester and Leicestershire Housing market Area (HMA) area are working collaboratively to prepare the joint Leicester and Leicestershire Strategic Growth Plan. The Strategic Growth Plan is expected to be finalised by late 2018.</u></b></p> <p><b><u>5.3 The District Council will take account of the implications of the Strategic Growth Plan in its next Local Plan which is due to commence on adoption of the Delivery DPD as set out in its latest Local Development Scheme. Policy LP1 reflects this commitment.</u></b></p> <p><b><u>5.4 In addition, in the circumstances that the delivery of housing is significantly and persistently short of the expectation set out in the housing trajectory, a Local Plan Review will be commenced to identify alternative or additional development sites.</u></b></p> <p><b><u>Policy LPR1 LOCAL PLAN REVIEW</u></b></p> <p><b><u>The circumstances in which a new, full or part, Local Plan will commence (defined as being publication of an invitation to make representations in accordance with Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012) are specified as follows:</u></b></p> <p><b><u>a) The adoption by the Council of the Strategic Growth Plan and the</u></b></p>	<p>To ensure the Delivery DPD is effective and the planning framework is up to date.</p>

Ref	Page	Policy/Paragraph	Main Modification	Reason
			<p><b><u>Memorandum of Understanding, which proposes a quantity or spatial approach that is significantly different to that set out in the Local Plan, unless there is sufficient flexibility already provided for within the Plan; or,</u></b></p> <p><b><u>b) Changes occur within the HMA to the objectively assessed need for development or the spatial distribution of growth across the HMA, including Blaby, unless there is sufficient flexibility already provided for within the Plan; or,</u></b></p> <p><b><u>c) Where monitoring of targets against the housing trajectory identify significant and persistent shortfalls in the delivery of housing.</u></b></p> <p><b><u>The new, full or part, Local Plan will be commenced within 6 months of the occurrence of one of the above circumstances and should be submitted for examination within three years from the commencement of the review.</u></b></p> <p><i>Consequential amendments to create new section and renumber following sections.</i></p>	
MM2	12-13	SA1/para 3.8	<p><i>Delete criteria c) of policy SA1 and amend supporting text:</i></p> <p>Land North of Hinckley Road, Kirby Muxloe</p> <p>3.8 The requirements for affordable housing and housing mix are set out in policies CS7 and CS8 of the adopted Core Strategy. <del>Policy DMP8 also seeks a proportion of self-build and custom-build housing and</del> Policy DMP9 <b>11 also</b> seeks a proportion of accessible and adaptable homes.</p> <p>SITE ALLOCATIONS POLICY SA1 Land North of Hinckley Road, Kirby Muxloe</p> <p>Land will be allocated for a minimum of 750 dwellings, of which a minimum of 510 will be delivered during the plan period. The site's boundaries are set out on the Policies Map.</p> <p>The site should meet the following requirements:</p> <p>Housing</p> <p>a) Affordable housing 25% affordable homes in accordance with policy CS7 should be provided on the site. The affordable housing mix should be 80% Social / Affordable rent and 20% intermediate housing unless evidence indicates otherwise.</p>	To ensure the Delivery DPD is justified.

Ref	Page	Policy/Paragraph	Main Modification	Reason
			<p>b) A mix of housing A mix of housing to meet local needs in accordance with policy CS8 of the adopted Local Plan Core Strategy 2013</p> <p><del>c) Self build and custom build housing 5% of plots are serviced plots for sale to self-builders or custom-builders in accordance with policy DMP8.</del></p>	
MM3	16-17	SA2/Paras 3.19 and 3.23	<p><i>Amend policy SA2 and supporting text:</i></p> <p><del>Gynsills Lane, Glenfield 3.19 The site secured outline planning permission for 37 houses subject to a section 106 legal agreement. The site is proposed to be allocated in the Local Plan to improve certainty should the current permission lapse. The site could deliver some 9 affordable houses and would be required to make contributions towards open space, education provision, library services and residential travel packs to encourage the use of sustainable transport.</del></p> <p>Ratby Lane / Desford Road, Kirby Muxloe 3.23 The site could accommodate <del>some</del> <b>up to</b> 52 houses. Access can be gained from Ratby Lane and Desford Road. The site could deliver some 13 affordable houses and would be required to make contributions towards open space, education provision, library services and residential travel packs to encourage the use of sustainable transport.</p> <p>SITE ALLOCATIONS POLICY SA2 Smaller Housing Sites in the Principal Urban Area</p> <p>Land will be allocated for housing at the following sites as set out on the Policies Map. The sites will be required to be developed in conformity with other policies contained within the Blaby Local Plan Core Strategy and Delivery Development Plan Documents. Specific requirements for each of the sites, in addition to these policies, are contained below:</p> <p><del>SA2.a Land rear of Gynsills Lane, Glenfield* Land will be allocated for 37 dwellings.</del></p>	<p>To ensure the Delivery DPD is justified and effective. The site at Gynsills Lane, Glenfield has planning permission for housing and is now under construction.</p>

Ref	Page	Policy/Paragraph	Main Modification	Reason
			<p><del>The development should:</del></p> <p><del>a) Be accessed from Nursery Rise;</del></p> <p><del>b) Provide at least 9 affordable units in accordance with Core Strategy policy CS7; and</del></p> <p><del>c) Protect important trees on site.</del></p> <p><del>*Planning permission has been granted on the site subject to completion of a Section 106 legal agreement.</del></p> <p><b>SA2.<del>ba</del> Land at Grange Farm, Leicester Forest East</b></p> <p>Land will be allocated for 55 dwellings.</p> <p>The development should:</p> <p>a) Be accessed from Warden’s Walk;</p> <p>b) Provide <del>at least 13</del> affordable units in accordance with Core Strategy policy CS7;</p> <p>c) Retain the important trees and hedgerows along the northern boundary and fronting Baines Lane; and</p> <p>d) Provide design solutions and mitigation measures to protect important areas of biodiversity.</p> <p><b>SA2.<del>cb</del> Land at Webb Close, Leicester Forest East</b></p> <p>Land will be allocated for 21 dwellings.</p> <p>The development should:</p> <p>a) Be accessed from Webb Close;</p> <p>b) Provide <del>at least 5</del> affordable units in accordance with Core Strategy policy CS7; and</p> <p>c) Retain and enhance hedgerows to connect to southern boundary.</p> <p><b>SA2.<del>dc</del> Land at Ratby Lane / Desford Road, Kirby Muxloe</b></p> <p>Land will be allocated for <b>up to</b> 52 dwellings.</p> <p>The development should:</p> <p>a) Provide <del>at least 13</del> affordable units in accordance with Core Strategy policy CS7; and</p> <p>b) Improve habitat to enhance diversity and connect to wider landscape, including retention of trees and hedgerows.</p>	

Ref	Page	Policy/Paragraph	Main Modification	Reason
MM4	21	SA3	<p><i>Amend criteria g) of policy SA3:</i></p> <p>SITE ALLOCATIONS POLICY SA3 Employment Site Allocation</p> <p>Heritage</p> <p>f) The design and layout of any proposal will seek to minimise any impact on designated and non-designated heritage assets. In particular, the design and layout of the site shall seek to retain the integrity of the alignment of the Fosse Way Roman Road by avoiding development (other than necessary access infrastructure) along its length. Opportunities to provide 'interpretation' and increase awareness of the asset will be encouraged.</p> <p>g) Archaeological evaluation shall be undertaken in accordance with a scheme to be agreed with the County Archaeologist prior to <del>any development commencing on the site</del> <b><u>determination so that the design and layout can respond to the importance of any associated features with the line of the Roman Road. Finds shall be treated in a manner proportionate to their significance.</u></b></p>	To ensure the Delivery DPD is effective.
MM5	24	SA4/para 3.37	<p><i>Amend policy SA4 and supporting text:</i></p> <p>3.37 This policy seeks to identify broad locations that will be suitable for gypsy and traveller and travelling show people accommodation <del>where there is a need for sites.</del></p> <p>SITE ALLOCATIONS POLICY SA4 Broad Locations for Accommodating Gypsies and Travellers and Travelling Showpeople</p> <p><del>Where a need is identified, p</del>Provision will be made for Gypsies and Travellers and Travelling Showpeople meeting the definition for planning purposes through a combination of the development management process and the Delivery DPD, taking into account the most up to date Gypsy and Traveller Accommodation Needs Assessment.</p> <p>Sites for new and extensions to existing Gypsy and Traveller and Travelling Showpeople sites will be located, in order of preference, at the following locations: 1. Within the defined Settlement Boundaries, as set out on the Policies Map, of the Principal Urban Area of Leicester, Blaby, the Larger Central Villages, the Rural Centre</p>	To ensure the Delivery DPD is positively prepared and consistent with national policy.

Ref	Page	Policy/Paragraph	Main Modification	Reason
			<p>and the Medium Central Villages;            2. Immediately adjoining defined Settlement Boundaries of the Principal Urban Area of Leicester, Blaby, the Larger Central Villages, the Rural Centre and the Medium Central Villages;            3. Within <b>approximately</b> three miles of the Settlement Boundary for the Principal Urban Area of Leicester, Blaby, the Larger Central Villages and the Rural Centre or within <b>approximately</b> two miles of the Settlement Boundary for the Medium Central Villages.</p> <p>Accommodation for Gypsies and Travellers and Travelling Showpeople will not be supported in areas defined as Green Wedge or Areas of Separation.</p> <p>In addition, the proposal will be supported unless it is:            a) Contrary to other policies of the Local Plan, including CS9 Accommodation for Gypsies and Travellers;            b) Within close proximity to <del>major transport routes and/or</del> air quality management areas <b>and/or</b> where <b>air quality or noise pollution</b> this could adversely affect the health <b>or living conditions</b> of the residents;            c) Adversely affected by physical constraints such as flood risk;            d) Demonstrated to cause adverse affects to protected areas, including wildlife and geology designations and scheduled ancient monuments; and            e) Of a scale that causes overdevelopment in terms of the proposal or by extension to an existing site.</p> <p><b><u>The Council will undertake a review of the evidence base and work with the Leicester and Leicestershire local authorities to establish, if the review shows a requirement, the most appropriate and deliverable locations for additional transit provision. This information will inform the Local Plan Review.</u></b></p>	
MM6			<p><i>Amend policy DM4:</i></p> <p>DEVELOPMENT MANAGEMENT POLICY 4            Connection to Digital Infrastructure</p> <p>All new build major residential and commercial development must <b>should</b> be served by a fast, affordable and reliable broadband connection in line with the latest Government target. Developers will liaise with broadband infrastructure providers to ensure that a suitable connection is made.</p>	To ensure the Delivery DPD is effective.

Ref	Page	Policy/Paragraph	Main Modification	Reason
			<p>The broadband connection will need to be directly accessed from the nearest exchange and suitable for easy access to enable future repair, replacement and upgrading.</p> <p>Exceptions <del>may</del> <b>will</b> be made to the above, where applicants have demonstrated through consultation with broadband infrastructure providers, that this would not be possible, practical or economically viable.</p>	
MM7	42-43	DM10/Paras 4.42, 4.45, 4.47, 4.49, 4.50, 4.51, 4.52 and 4.53	<p><i>Amend policy DM10 and supporting text:</i></p> <p><del>4.42 This policy requires a proportion of plots on large housing sites to be provided as serviced plots and to be marketed to self and custom builders</del> <b><u>supports proposals for self and custom build housing in suitable locations.</u></b></p> <p><del>4.45 Serviced building plots are shovel ready parcels of land with planning permission, laid out and ready for construction with access and utilities/services provided to the plot boundary.</del></p> <p>4.47 The Self-build and custom housebuilding register provides valuable information on the demand for self-build and custom housebuilding in Blaby District. It forms a key part of the evidence base of demand for this type of housing. The register shows that between 1st April 2016 and 1st April <del>2017</del> <b>2018</b>, <del>14</del> <b>34</b> individuals were accepted for entry on the register for Blaby District. Of these, <del>5</del> <b>13</b> individuals indicated that they had also applied to enter the registers for one or more nearby areas.</p> <p><del>4.49 From a development point of view, key issues with this market are associated with skills and risk: whilst there may be a notable number of people with an 'interest' in self-build, there is in some circumstances a significant financial outlay, risk and time cost associated with self-build.</del></p> <p><del>4.50 The HEDNA considers that most new delivery will be on small windfall sites but also recognises that there is some potential through policy to encourage developers of larger schemes to designate parts of these as plots available for self and custom build. However, it is likely to be difficult to demonstrate concrete evidence of demand at a local level, albeit those local authorities are required to maintain registers of those with an interest in doing so.</del></p> <p>4.51 Taking this information into account, the Council will seek to provide self and</p>	To ensure the Delivery DPD is justified.

Ref	Page	Policy/Paragraph	Main Modification	Reason
			<p>custom build plots by:</p> <ul style="list-style-type: none"> <li>• Requiring developers to supply 5% of dwellings on sites over 100 dwellings as serviced plots <b>Supporting proposals</b> for self and custom build housing <b>in suitable locations</b> and to market those plots;</li> <li>• Investigating whether the Council has any land for self and custom build housing opportunities;</li> <li>• Making available details of sites with planning permission through the annually produced Residential Land Availability Report.</li> </ul> <p><del>4.52 The policy requires a proportion of plots on large housing sites to be provided as serviced plots and to be marketed for self and custom builders. In order to ensure adequate plots are marketed, the policy sets out a minimum size. Analysis of those included on the Council's Self-build and Custom Housebuilding Register reveals that 50% require a plot size of 300sqm or above and 33% require plot size of between 150 and 300sqm. The minimum plot requirements reflect this in terms of the number of bedrooms.</del></p> <p><del>4.53 The marketing of the plots should include contact with people on the Council's Self-build and Custom Housebuilding Register and via the National Custom and Self-build Association (NaCSBA) portal or similar. The price of marketed plots must be made available at their market value or less.</del></p> <p><b>DEVELOPMENT MANAGEMENT POLICY 10</b> <b>Self and Custom Build Housing</b></p> <p><b>Proposals for self and custom build housing will be supported in suitable locations. The Council will maintain a register of prospective self and custom house builders and have regard to the register in its decision making, plan making, housing and regeneration functions.</b></p> <p><del>Development proposals over 100 dwellings will require developers to supply 5% of a site's dwelling capacity as serviced plots for self and custom build housing unless the Self-build and Custom Housebuilding Register shows a lower level of demand. The plots will be provided in accordance with the following criteria:</del></p> <p><del>a) With at least outline planning permission;</del></p> <p><del>b) At least 5 dwellings in a single site location to be developed in accordance with an agreed design code submitted with the planning application;</del></p>	

Ref	Page	Policy/Paragraph	Main Modification	Reason
			<p><del>c) Self and custom build plots should be of a size at least equal to that of those for dwellings of 2, 3 and 4 bedrooms on the main development site. The split will be determined by the Council based on examination of the Self-build and Custom Housebuilding Register;</del></p> <p><del>d) Marketed plots will be made available at their market value or less; and</del></p> <p><del>e) Where it has been demonstrated that plots have been made available and marketed appropriately for at least 12 months and have not sold for self and custom build housing, the plot(s) may either remain on the open market or be built out by the developer.</del></p>	
MM8	43	DM11/para 4.58	<p><i>Amend policy DM11 and supporting text:</i></p> <p>4.58 The information from the datasets shows that the optional building regulation M4(2) for accessible and adaptable homes is justified. The evidence points to a requirement of 15% of new homes to meet the building regulation M4(2) would be the minimum considered appropriate. Three options for the requirement for the optional building regulations M4(2) of 5%, 10% and 15% were tested for viability. The final figure takes account of the viability testing. For larger sites, over 35 <b>20</b> dwellings, 5% of the dwellings will need to meet the higher building standard regulations (M4(2) for accessible and adaptable dwellings. This will apply to all tenures.</p> <p>DEVELOPMENT MANAGEMENT POLICY 11 Accessible and Adaptable Homes</p> <p><del>M4(2)-Accessible and Adaptable Homes</del> Development proposals for housing of 35 <b>20</b> dwellings or more must meet the Building Regulations Standard M4(2) for 5% of the dwellings unless:</p> <p><b>a)</b> site specific factors such as vulnerability to flooding, site topography, and other circumstances make a specific site less suitable for M4(2) compliant dwellings, particularly where step free access cannot be achieved or is not viable; <b>;</b></p> <p><b>and/or,</b></p> <p><b>b) <u>the applicant can demonstrate that the use of this Building Regulation Standard is not viable through an independent viability assessment to be submitted with the application.</u></b></p>	<p>To ensure the Delivery DPD is justified and effective.</p> <p><i>Following a review of the evidence base, the Council now considers that the policy should be applied to sites of 20 dwellings or more. The Local Plan Viability Study tested the optional Building Regulations Standard M4(2) on major development proposals (i.e. sites of 10 dwellings or more).</i></p> <p><i>The study states that the delivery of M4(2) compliant dwellings would be viable for sites (of 10 dwellings and above) where there is little in the way of abnormal costs</i></p>

Ref	Page	Policy/Paragraph	Main Modification	Reason
				<p><i>expected.</i></p> <p><i>A threshold of 20 dwellings has been proposed as a 5% requirement for M4(2) compliant dwellings on schemes of 10 would only deliver 0.5 of a dwelling. To deliver one M4(2) compliant dwelling at 5%, a threshold of 20 dwellings or more would need to be applied.</i></p> <p><i>Finally the policy also provides flexibility by taking into account potential viability issues on a case by case basis. These changes are considered necessary to make the policy both justified and effective.</i></p>
MM9	46	DM12	<p><i>Amend policy DM12:</i></p> <p>DEVELOPMENT MANAGEMENT POLICY 12 Designated and Non-designated Heritage Assets</p> <p><del>Where a development proposal affects a heritage asset, including Scheduled Monuments, Listed Buildings, Conservation Areas or other non-designated heritage assets, or the setting of such assets, the applicant will need to submit a heritage impact assessment to demonstrate:</del></p>	<p>To ensure the Delivery DPD is consistent with national policy.</p>

Ref	Page	Policy/Paragraph	Main Modification	Reason
			<p>a) An understanding of the heritage asset and its significance;  b) The impact of the development proposal on the heritage asset and its setting and the harm to the significance of the asset;  c) How any harm will be outweighed by the substantial public benefits of the proposal;  and  d) How the proposal is consistent with the points (a) to (e), where appropriate, in Core Strategy Policy CS20.</p> <p><b><u>All new development should seek to avoid harm to the heritage assets of the District. Development proposals that conserve or enhance the historic environment will be supported.</u></b></p> <p><b><u>All proposals affecting either a designated or non-designated heritage asset and/or its setting will need to submit a statement which includes the following:</u></b></p> <ul style="list-style-type: none"> <li>• <b><u>a description of the heritage asset and its setting, proportionate to its significance;</u></b></li> <li>• <b><u>a clear identification of the impacts of the development proposal on the heritage asset and its setting;</u></b></li> <li>• <b><u>a clear justification as to why the impacts could be considered acceptable; and</u></b></li> <li>• <b><u>demonstrate how the proposal is consistent with Core Strategy Policy CS20</u></b></li> </ul> <p><b><u>The Council will consider the submitted information having regard to the importance of the heritage asset(s) as follows:</u></b></p> <p><b><u>Designated heritage assets</u></b>  <b><u>Designated heritage assets and their settings (including Listed Buildings, Scheduled Monuments and Conservation Areas) will be given the highest level of protection to ensure that they are conserved and enhanced in a manner appropriate to their significance and contribution to the historic environment.</u></b></p> <p><b><u>Where substantial harm is identified, proposals will only be supported in exceptional circumstances in accordance with national planning guidance.</u></b>  <b><u>Where a less than substantial level of harm is identified the scale of harm will be weighed against the public benefits of the proposal.</u></b></p>	

Ref	Page	Policy/Paragraph	Main Modification	Reason
			<p><b><u>Non-designated heritage assets</u></b>  <b><u>A balanced consideration will be applied to proposals which may impact non-designated heritage assets. Proposals will be supported where the benefits of the scheme are considered to outweigh the scale of any harm or loss, having regard to the significance of the heritage asset.</u></b></p>	
MM10	48	DM13	<p><i>Amend policy DM13:</i></p> <p>DEVELOPMENT MANAGEMENT POLICY 13 Land Contamination and Pollution</p> <p>Development proposals will be required to clearly demonstrate that any <b><u>unacceptable</u></b> adverse impacts related to land contamination, landfill, land stability and pollution (water, air, noise, light and soils) can be satisfactorily mitigated.</p> <p>For the following circumstances, development proposals will be supported where <del>it is</del> <b><u>they are</u></b> accompanied by a detailed investigation of the issues and appropriate mitigation measures are identified to avoid any adverse impact upon the site or adjacent areas:</p> <ul style="list-style-type: none"> <li>a) Land that is (or has the potential to be) subject to land contamination or land stability issues;</li> <li>b) Close to an aquifer or surface water feature that may result in groundwater or surface water pollution;</li> <li>c) Close to or within an air quality management area or key transport corridors that may be affected by air quality;</li> <li>d) Close to a source of noise or light pollution and/or the proposal may be a source of noise or light pollution;</li> <li>e) Soils of high environmental value, including best and most versatile agricultural land.</li> </ul>	To ensure the Delivery DPD is effective.
MM11	51	DM15/Para 8.87	<p><i>Amend policy DM15 and supporting text:</i></p> <p>4.87 The Minerals Safeguarding Areas will be defined by Leicestershire County Council in the emerging Minerals and Waste Local Plan. Detailed policies for Minerals Safeguarding Areas are set out in the Minerals and Waste Local Plan. <del>To enable</del> <b><u>Policy DM15 is included to help</u></b> developers to understand <b><u>the general locations</u></b> where these policies will apply, <del>the Minerals Safeguarding Areas will set out on the Policies Map when the details are available.</del> Leicestershire County Council has</p>	To ensure the Delivery DPD is consistent with national policy.

Ref	Page	Policy/Paragraph	Main Modification	Reason
			<p><del>published areas for mineral safeguarding as part of work on the emerging Minerals and Waste Local Plan.</del></p> <p>DEVELOPMENT MANAGEMENT POLICY 15 Minerals Safeguarding Areas</p> <p>Development will not be supported in locations where it would sterilise or prejudice the viable extraction of mineral reserves as <b><u>proposals in areas identified for mineral safeguarding will need to ensure that mineral resources of national or local significance are not needlessly sterilised by non-mineral development. The policy approach is</u></b> set out in the Minerals and Waste Local Plan. The locations will be set out on the Policies Map <b><u>minerals safeguarding areas are set out in the Minerals and Waste Local Plan</u></b> and include:</p> <p>a) Land in Soar <b><u>and Sence</u></b> Valleys; b) Land in the vicinity of Croft Quarry.</p>	
MM12	61	Monitoring Framework Policy CS1	<p><i>Amend the Policy to include reference to Policy LPR1 Local Plan Review.</i></p> <p><i>Amend the Target for Policy CS1 – Strategy for locating new development:</i></p> <p>By 31 March 2021:</p> <p>a) <del>6,195</del> <b><u>6,029</u></b> houses in the District b) <del>2,472</del> <b><u>2,362</u></b> houses in the PUA c) <del>3,723</del> <b><u>3,667</u></b> houses in the non-PUA</p> <p>By 31 March 2026:</p> <p>a) <del>8,486</del> <b><u>8,568</u></b> houses in the District b) <del>4,616</del> <b><u>4,635</u></b> houses in the PUA c) <del>3,870</del> <b><u>3,933</u></b> houses in the non-PUA</p>	<p>To provide Policy LPR1 Local Plan Review with a link to the Monitoring Framework.</p> <p>To update targets to reflect residential land availability data and Housing Trajectory at 1 April 2018</p>
MM13	63	Monitoring Framework Policy CS5 Policy SA2	<p><i>Amend the target for Policy CS5 – Housing Distribution and New Housing Land Allocations SA2:</i></p> <p>Number of new houses completed on small site housing land allocations SA2 by:</p> <p>a) 31 March 2023 – <del>37</del> <b><u>0</u></b> houses b) 31 March 2028 – <del>165</del> <b><u>128</u></b> houses c) 31 March 2029 – <del>0</del> <b><u>128</u></b> houses</p>	<p>To update targets to reflect residential land availability data and Housing Trajectory at 1 April 2018</p>

Ref	Page	Policy/Paragraph	Main Modification	Reason
MM14	64	Monitoring Framework Policy CS7	<p><i>Amend the Target for Policy CS7 – Affordable housing:</i></p> <p>Number of affordable houses in the District by:</p> <ul style="list-style-type: none"> <li>a) 31 March 2016 – 696 dwellings</li> <li>b) 31 March 2021 – <del>1,242</del> <b>1,201</b> dwellings</li> <li>c) 31 March 2026 – <del>1,726</del> <b>1,766</b> dwellings</li> <li>d) 31 March 2019 – 1,960 dwellings</li> </ul>	To update targets to reflect residential land availability data and Housing Trajectory at 1 April 2018
MM15	68	Monitoring Framework Policy DM8	<p><i>Amend the Policy reference from Policy DM8 to Policy DM10.</i></p> <p><i>Delete the second Indicator:</i></p> <p><del>Number of serviced plots of land offered by the landowner or developer for self- and custom build housing, and the number subsequently developed</del></p>	To correct error and to reflect amendments to Policy DM10
MM16	70	Updated Housing Trajectory	See Appendix 1 for updated trajectory	To update the Housing Trajectory to 1 April 2018

## APPENDIX 1 - Blaby District Local Plan (Delivery DPD) Housing Trajectory (2006-2029) (at 1 April 2018)

	Year	06/07	07/08	08/09	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25	25/26	26/27	27/28	28/29	Total		
<b>D I S T R I C T</b>	Past Completions	218	329	197	180	206	269	294	305	405	733	743	588													4467	
	Large site commitments (sites of 10 or more dwellings)													213	215	261	200	135	80	40	25	0	0	0		1169	
	Small site commitments (sites of less than 10 dwellings)													77	101	65	53	24	0	0	0	0	0	0		320	
	Strategic Growth Area (adjoining the PUA)													150	200	250	315	315	315	315	315	315	315	315		3120	
	Additional dwellings remaining to be planned													0	0	30	60	60	80	117	90	70	71	60		638	
	Total projected Provision														440	516	606	628	534	475	472	430	385	386	375		5247
	Cumulative provision	218	547	744	924	1130	1399	1693	1998	2403	3136	3879	4467	4907	5423	6029	6657	7191	7666	8138	8568	8953	9339	9714			
	PLAN - Annual requirement	380	380	380	380	380	380	380	380	380	380	380	380	380	380	380	380	380	380	380	380	380	380	380	380		8740
	Cumulative requirement	380	760	1140	1520	1900	2280	2660	3040	3420	3800	4180	4560	4940	5320	5700	6080	6460	6840	7220	7600	7980	8360	8740			
	MONITOR - No. of dwellings above or below cumulative requirement MANAGE - Annual requirement taking into account of past completions and projections	-162	-213	-396	-596	-770	-881	-967	-1042	-1017	-664	-301	-93	-33	103	329	577	731	826	918	968	973	979	974			
<b>P U A</b>	Past Completions	165	266	85	55	51	26	69	57	133	236	182	207													1532	
	Large site commitments (sites of 10 or more dwellings)													48	14	38	72	75	40	40	25	0	0	0		352	
	Small site commitments (sites of less than 10 dwellings)													29	40	31	30	9	0	0	0	0	0	0		139	
	Strategic Growth Area (adjoining the PUA)													150	200	250	315	315	315	315	315	315	315	315		3120	
	Additional dwellings remaining to be planned													0	0	30	60	60	80	117	90	70	71	60		638	
	Total projected Provision														227	254	349	477	459	435	472	430	385	386	375		4249
	Cumulative provision	165	431	516	571	622	648	717	774	907	1143	1325	1532	1759	2013	2362	2839	3298	3733	4205	4635	5020	5406	5781			
	PLAN - Annual requirement	250	250	250	250	250	250	250	250	250	250	250	250	250	250	250	250	250	250	250	250	250	250	250	250		5750
	Cumulative requirement	250	500	750	1000	1250	1500	1750	2000	2250	2500	2750	3000	3250	3500	3750	4000	4250	4500	4750	5000	5250	5500	5750			
	MONITOR - No. of dwellings above or below cumulative requirement MANAGE - Annual requirement taking into account of past completions and projections	-85	-69	-234	-429	-628	-852	-1033	-1226	-1343	-1357	-1425	-1468	-1491	-1487	-1388	-1161	-952	-767	-545	-365	-230	-94	31			
<b>N O N - P U A</b>	Past Completions	53	63	112	125	155	243	225	248	272	497	561	381													2935	
	Large site commitments (sites of 10 or more dwellings)													165	201	223	128	60	40	0	0	0	0	0		817	
	Small site commitments (sites of less than 10 dwellings)													48	61	34	23	15	0	0	0	0	0	0		181	
	Additional dwellings remaining to be planned													0	0	0	0	0	0	0	0	0	0	0		0	
	Total projected Provision														213	262	257	151	75	40	0	0	0	0		998	
	Cumulative provision	53	116	228	353	508	751	976	1224	1496	1993	2554	2935	3148	3410	3667	3818	3893	3933	3933	3933	3933	3933	3933			
	PLAN - Annual requirement	130	130	130	130	130	130	130	130	130	130	130	130	130	130	130	130	130	130	130	130	130	130	130		2990	
	Cumulative requirement	130	260	390	520	650	780	910	1040	1170	1300	1430	1560	1690	1820	1950	2080	2210	2340	2470	2600	2730	2860	2990			
	MONITOR - No. of dwellings above or below cumulative requirement MANAGE - Annual requirement taking into account of past completions and projections	-77	-144	-162	-167	-142	-29	66	184	326	693	1124	1375	1458	1590	1717	1738	1683	1593	1463	1333	1203	1073	943			

The housing trajectory does not contain a windfall allowance

## **BRAUNSTONE TOWN COUNCIL**

### **PLANNING & ENVIRONMENT COMMITTEE – 11TH OCTOBER 2018**

#### **Item 9 - Proposed Stopping up of Highway at 7 Sunway**

##### Purpose

To determine whether the Town Council has any objections to a proposed Order under section 247 of the Town and Country Planning Act 1990, which would authorise the stopping up of two part-widths of Sunway, adjoining number 7 Sunway.

##### Background

It is sometimes necessary to alter or remove sections of existing public highway. Public highways are protected by law and exist in perpetuity. Therefore a process needs to be followed before highway rights can be removed and access for the public restricted. This process which results in the making of a legal order is known as “Stopping Up the Highway”.

The Stopping Up of a Highway allows the underlying land to be used for other purposes, which would not be possible if it were to remain as part of the public highway network. Stopping Up removes all public right of access as well as the Highway Authority’s responsibilities for the area, effectively transferring responsibility for the land back to the original owner of the sub soil.

It is important to understand that land ownership is separate issue to that of stopping up, and the two are not linked. The sub soil over which a public highway runs is often not owned by the Highways Authority.

##### Proposed Stopping Up Order for Sunway

The Secretary of State gives notice of a proposal to make an Order under section 247 of the Town and Country Planning Act 1990 to authorise the stopping up of two part-widths of Sunway, adjoining number 7 Sunway, at Braunstone in the District of Blaby.

If made, the Order would authorise the stopping up only to enable development as permitted by Blaby District Council under reference 17/1717/FUL.

A copy of the draft Order is attached at Appendix 1 and a plan at Appendix 2.

Any person may object to the making of the proposed order by stating their reasons in writing to the Secretary of State by midnight on 9th November 2018.

### Recommendation

That an objection be raised that the Stopping Up Order for Sunway not be confirmed until the applicant has agreed in writing with the Highways Authority suitable measures, such as bollards and/or raised kerbs, to prevent vehicles parking on the footway.

### Reason

The footway would be narrowed at the corner of Sunway and Woodland Drive, given the retail usage of the area and proposals for additional residential units, there was a potential for parking of the footway to increase causing obstruction and danger to highway users, including pedestrians and particularly those with mobility issues and those with young children.

**TOWN AND COUNTRY PLANNING ACT 1990**

**THE STOPPING UP OF HIGHWAYS (EAST MIDLANDS) (NO. ) ORDER 20..**

The Secretary of State makes this Order in exercise of powers under section 247 of the Town and Country Planning Act 1990 ("the Act").

1. The Secretary of State authorises the stopping up of the highways described in the Schedule to this Order and shown on the plan, in order to enable development to be carried out in accordance with the planning permission granted under Part III of the Act by Blaby District Council under reference 17/1717/FUL.

2. Where immediately before the date of this Order there is any apparatus of statutory undertakers under, in, on, over, along or across any highways authorised to be stopped up pursuant to this Order then, subject to section 261(4) of the Act, those undertakers shall have the same rights as respects that apparatus after those highways are stopped up as they had immediately beforehand.

3. In this Order

"the plan" means the plan numbered NATTRAN/EM/S247/3503, marked "Highways at Braunstone in the District of Blaby", signed by authority of the Secretary of State and deposited at the Department for Transport, Deposit Document Service, F Floor, Ashdown House, St Leonards-on-Sea, Hastings, East Sussex TN37 7GA.

4. This Order shall come into force on the date on which notice that it has been made is first published in accordance with section 252(10) of the Act, and may be cited as the Stopping Up of Highways (East Midlands) (No. ) Order 20.. .

Signed by authority of  
the Secretary of State

DAVE CANDLISH  
An Official in the  
National Transport Casework Team  
Department for Transport

**THE SCHEDULE**

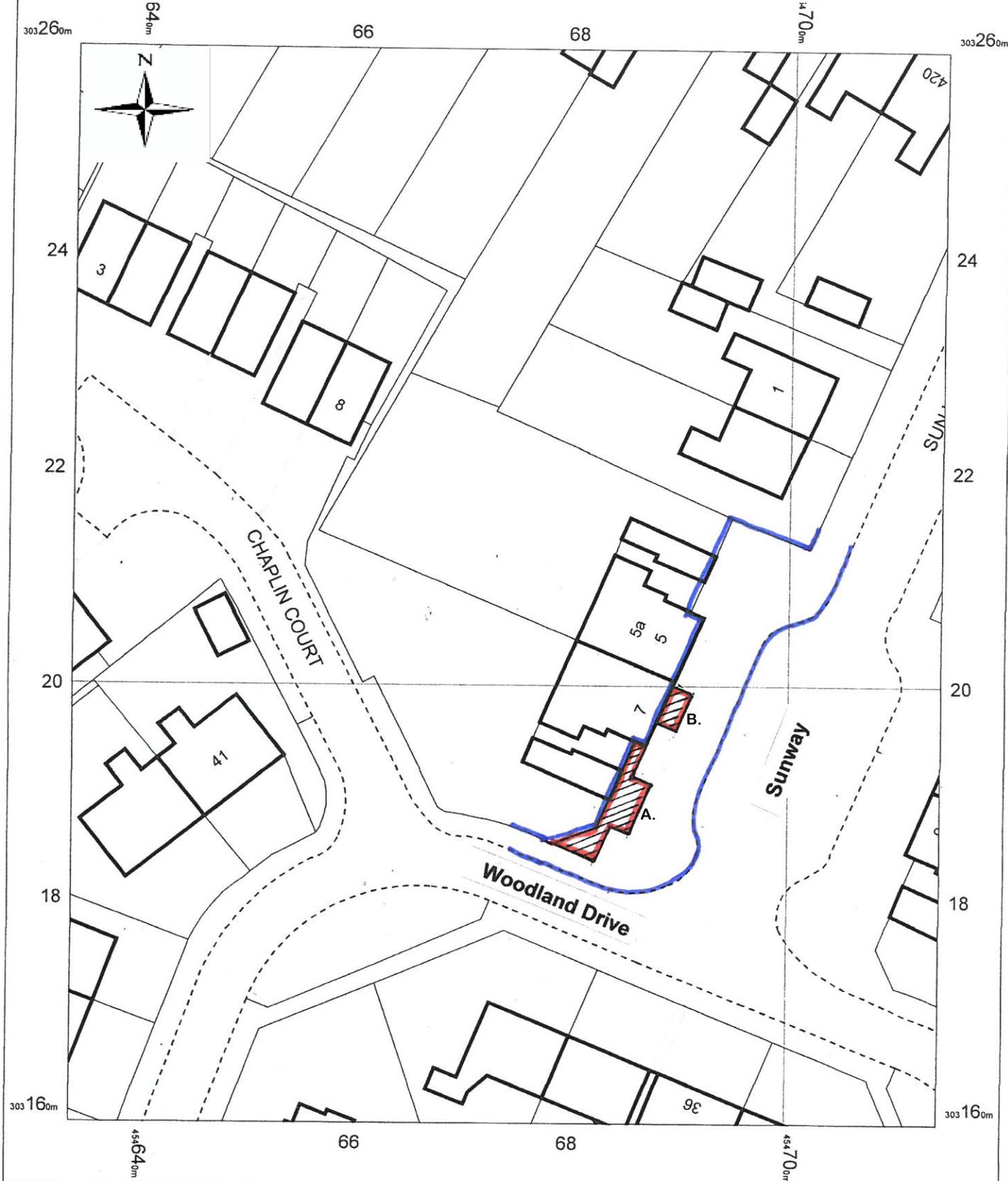
**Description of highways to be stopped up**

The highways to be stopped up are at Braunstone in the District of Blaby, shown on the plan as:

1. An irregular shaped western part-width of Sunway, comprising footway, at its corner with Woodland Drive. Commencing 20 metres north west of the junction between Sunway and Woodland Drive, it extends in a south westerly direction for a maximum distance of 11.7 metres. It has a maximum width of 4.2 metres and is marked A on the plan.

2. A western part-width of Sunway, comprising footway. Adjoining the eastern corner of number 7 Sunway, it extends in a south westerly direction for a maximum distance of 4 metres. It has a maximum width of 1.8 metres and is marked B on the plan.

# HIGHWAYS AT BRAUNSTONE IN THE DISTRICT OF BLABY



<p>Key      Scale 1:500 at A4</p> <p>Highways to be stopped up </p>	<p>National Transport Casework Team Department for Transport Plan No: NATTRAN/EM/S247/3503</p>	<p>Signed by Authority of the Secretary of State on..... Signature.....  DAVE CANDLISH An Official in the National Transport Casework Team Department for Transport</p>
--	--	---