



## BRAUNSTONE TOWN COUNCIL

Serving the communities of Braunstone Town and Thorpe Astley

*Darren Tilley – Chief Executive & Town Clerk*

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### 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.

21<sup>st</sup> August 2024

*To: Councillor Robert Waterton (Chair), Councillor Sam Maxwell (Vice-Chair) and Councillors Anthea Ambrose, Nick Brown, Richard Forrest, Leanne Lee, Gary Sanders, Darshan Singh, Marion Waterton and Mark Widdop.*

Dear Councillor

You are summoned to attend a meeting of the **PLANNING & ENVIRONMENT COMMITTEE** to be held in the **Ravenhurst Room** at Braunstone Civic Centre on **Thursday 29<sup>th</sup> August 2024** commencing at **7.30pm**, for the transaction of the business as set out below.

Alternatively, members of the public may observe this meeting, and make contributions under the Public Session item, using Zoom video and web conferencing software (details below).

Join Zoom Meeting

<https://us06web.zoom.us/j/83137113541?pwd=6BTDsOiJaxbnVyRXTxJZ9tbOSR4tty.1>

Meeting ID: 831 3711 3541

Passcode: 445704

Yours sincerely,

Chief Executive & 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 submit a petition and/or 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 6<sup>th</sup> June 2024 and 18<sup>th</sup> July 2024**  
To confirm the accuracy of the Minutes of the Meetings held on:
  - a) 6<sup>th</sup> June 2024 and
  - b) 18<sup>th</sup> July 2024to 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 note there are no planning and licensing applications for consideration.
7. **Additional Planning and Licensing Applications**  
To agree observations on planning and licensing applications received since the publication of the agenda (if any).
8. **Planning Decisions**  
To receive and note planning decisions made by Blaby District Council (**Enclosed**).
  - a) Planning Decisions
  - b) Land to the West of St John's
9. **Feedback on Planning Application Decisions**  
To receive feedback concerning planning application decisions by Blaby District Council where the Committee has queried the decision.

Councillor Leanne Lee for Millfield Ward was asked to pursue the following planning decisions with the relevant Planning Case Officer at Blaby District Council:

- 23/1006/HH; two storey side extension and two single storey rear extension including demolition of existing outbuilding (revised scheme to 22/1006/HH) at 31 Headley Road;
- 23/1024/HH; two storey side extension, first floor side and rear extension; at 132 Kingsway; and
- 24/0339/HH; two storey side extension and single storey side and rear extension; at 7 Edward Avenue.

Councillor Anthea Ambrose to follow up on application 23/0787/FUL; two storey extension to provide residential dwelling; single storey extension to provide new retail unit; and demolition of existing lean-to; at 2 Ayston Road

**10. Braunstone Village Conservation Area Proposals**

To receive an update on the process to consider whether there is a case to designate an area of Braunstone Village to the South of Braunstone Lane as a Conservation Area, including timescales for a decision (**Enclosed**).

**11. Lubbesthorpe Impacts Group**

To receive an update on progress concerning matters relating to the Lubbesthorpe development and to report on the recent meeting of the Lubbesthorpe Impacts Group.

**12. Financial Comparisons**

To receive Financial Comparisons for the period of 1<sup>st</sup> April 2024 to 31<sup>st</sup> July 2024 (**Enclosed**).

**13. Approval of Accounts**

To consider payments from 29<sup>th</sup> May 2024 until 20<sup>th</sup> August 2024 (**Enclosed**).

*Next Scheduled Meeting: Thursday 31<sup>st</sup> October 2024*



**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**

**HELD AT BRAUNSTONE CIVIC CENTRE**

**THURSDAY 6<sup>th</sup> JUNE 2024**

**PRESENT:** Councillor Robert Waterton (Chair), Councillor Sam Maxwell (Vice-Chair) and Councillors Anthea Ambrose, Nick Brown, Richard Forrest, Leanne Lee, Gary Sanders, Darshan Singh, Marion Waterton and Mark Widdop.

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

There were three members of the public present at the meeting.

**5. Apologies**

There were no apologies for absence.

**6. Disclosures of Interest**

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

**7. Public Participation**

In accordance with Standing Order 3.6, members of the public may submit a petition and/or 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 three members of the public present, who were interested in Braunstone Village Conservation Area Proposals – Consultation (item 10 on the agenda).

A member of the public suggested that the Braunstone Heritage Archive Group attend the proposed consultation drop-in session at Shakespeare Park Sports Pavilion on 3<sup>rd</sup> July 2024. The Group had a two-dimensional historical diorama of Main Street showing the points of interest and historical buildings on both sides. It was felt that this would provide useful context for residents attending the consultation.

**RESOLVED** that Blaby District Council be advised of the offer from Braunstone Heritage Archive Group to attend the consultation drop-in session at Shakespeare Park Sports Pavilion on 3<sup>rd</sup> July 2024.

*Reason for Decision*

*The Group had a two-dimensional historical diorama of Main Street showing the points of interest and historical buildings on both sides, which would provide useful context for residents attending the consultation.*

## **8. Minutes of the Meeting held 18<sup>th</sup> April 2024 and 16<sup>th</sup> May 2024**

The Minutes of the meetings held on 18<sup>th</sup> April 2024 and 16<sup>th</sup> May 2024 were circulated (item 4 on the agenda).

**RESOLVED** that the Minutes of the meetings held on 18<sup>th</sup> April 2024 and 16<sup>th</sup> May 2024 be approved and signed by the Chairperson as a correct record.

## **9. Planning and Licensing Applications dealt with under Delegated Authority**

The Committee received and noted responses to planning and licensing applications taken under Delegated Authority (item 5 on the agenda).

**RESOLVED** that the action taken by the Chief Executive & Town Clerk under delegated authority in forwarding the following observations to Blaby District Council be noted:

### Planning Applications

- 1. Application No:** 24/0336/FUL

**Description:** Change of use from dwelling house (use Class C3) to residential children's home (Use Class C2)

**Location:** 26 Turnbull Drive Braunstone Town Leicestershire (Millfield Ward)

**Response:** *Braunstone Town Council recommends that no approval be given to the application until the following details had been provided:*

  - a) maximum number of children to be resident at the property at any one time;*
  - b) age range of the children being cared for;*
  - c) number of staff on duty at the property, with associated times;*
  - d) details of how professional and personal visits would be handled;*
  - e) details of the level of movements, deliveries, visits, turnover of staff shifts; and*
  - f) plans showing the size and layout of the property, included the intended use of the rooms, including outbuildings, at the property.*

**Reason:** *It was not possible to determine the level of impact on the amenity enjoyed by the neighbouring properties, or the number of on-site parking spaces needed, without details of the size and scale of the operation.*

2. **Application No:** 24/0339/HH
- Description:** Two storey side extension and single storey side and rear extension
- Location:** 7 Edward Avenue Braunstone Town Leicestershire (Millfield Ward)
- Response:** *Braunstone Town Council does not object to the application; subject to:*
1. *at least three off street car parking spaces (including the Garage space) being provided within the curtilage of the property, being available for use, and retained in perpetuity;*
  2. *the window proposed in the side elevation of the extension being of opaque glass and only the top (storm) window opening; and*
  3. *no additional windows, vents or openings in the side elevation of the extended property without the prior consent of the local planning authority.*
- Reasons:**
1. *Given the size of the extended property, three off-street parking spaces should be provided in accordance with the Leicestershire Highway Design Guide.*
  2. *To protect the amenity enjoyed by the occupants of the neighbouring property in terms of privacy.*
  3. *To protect the amenity enjoyed by the occupants of the neighbouring property in terms of privacy and noise.*
3. **Application No:** 24/0257/FUL
- Description:** Partial change of use of sports pavilion to mixed use incorporating cafe
- Location:** The Pavilion Shakespeare Park Avon Road Braunstone Town Leicestershire (Ravenhurst Ward)
- Note:** ***The Chief Executive & Town Clerk declined to determine this application under delegated authority since Braunstone Town Council was the applicant.***

**4. Application No:** 24/0405/HH

**Description:** Single storey rear extension, garage conversion with single storey rear extension, single storey porch and single storey garden shed

**Location:** 36 Beech Drive Braunstone Town Leicestershire (St.Mary's Ward)

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

- 1. objects to the provision of only two on-site parking spaces as a result of the Garage conversion and/or porch extension;*
- 2. does not object to the single storey rear extension;*
- 3. recommends approval of the single storey garden shed be subject to the shed only being used for domestic purposes in connection with the main dwelling, not separately sold, let or otherwise disposed of.*

**Reasons:**

- 1. The extended porch and Garage conversion to an additional bedroom limits the number of on-site parking spaces to two. The Leicestershire Highway Design Guide stated that properties with four or more bedrooms should have provision for three on-site parking spaces. The property was located close to a junction and with access to neighbouring properties, there was limited scope for additional highway parking without causing safety concerns or obstruction.*
- 2. The property was located on a large established plot and a single storey rear extension was unlikely to have any adverse impact on the amenity enjoyed by neighbouring properties.*
- 3. To avoid tandem development, which would have an adverse impact on the amenity enjoyed by the residents of the property and neighbouring properties.*

#### Licensing Applications

There were no licensing applications to consider.

#### **10. Planning Applications and Licensing Applications**

The Committee noted that there were no planning and licensing applications for consideration.

## 11. Additional Planning and Licensing Applications

The Committee received details of additional 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:** 24/0357/FUL  
**Description:** Change of use from C3 (dwelling) to C2 (residential institution) children's home to accommodate a maximum of 4 children aged between 5-16 years old  
**Location:** 26 Owen Close Thorpe Astley Braunstone Town Leicestershire (Thorpe Astley Ward)  
**Response:** *Braunstone Town Council objects to the application due to insufficient on-site parking arrangements for the size and scale of the proposed use.*  
**Reason:** *The proposal was to care for up to four children, with three carers on site. The number of comings and goings associated with the operation, including family and professionals would exceed the equivalent of a normal domestic dwelling. The Statement recognises more vehicles would visit the site since it states "There is plenty of off-road parking within the local area and around Thorpe Astley". It goes on to say "furthermore private parking is located around the vicinity which will be used for management and visitors"; but no details are provided. As such the application in its current form would adversely impact on the amenity enjoyed by a residential area in terms of size, scale, noise and comings and goings. Therefore, it would not be in accordance with Development Management Policy 1.*

## 12. Planning Decisions

The Committee received and noted planning decisions made by Blaby District Council (item 8 on the agenda).

**RESOLVED** that the following planning decisions be pursued with the relevant Planning Case Officer at Blaby District Council, as follows:

- a) Councillor Anthea Ambrose to follow up on application 23/0787/FUL; two storey extension to provide residential dwelling; single storey extension to provide new retail unit; and demolition of existing lean-to; at 2 Ayston Road; and



- b) Councillor Leanne Lee to follow up on application 24/0339/HH; two storey side extension and single storey side and rear extension; at 7 Edward Avenue.

#### *Reasons for Decision*

*To keep a watching brief on the decisions and to review the impact of Town Council comments upon the decision making process:*

- a) *The Town Council suggested a Parking and Access Plan should be submitted since the plans did not appear to contain this information; in the approval, there were no conditions relating to parking; and*
- b) *The Town Council suggested three parking places, the plans did not appear to contain parking information; in the approval, there were no conditions relating to parking.*

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

Councillor Leanne Lee was pursuing the following planning decisions with the relevant Planning Case Officer at Blaby District Council:

- 23/1006/HH; two storey side extension and two single storey rear extension including demolition of existing outbuilding (revised scheme to 22/1006/HH) at 31 Headley Road; and
- 23/1024/HH; two storey side extension, first floor side and rear extension; at 132 Kingsway.

Councillor Lee had contacted the relevant Planning Case Officer for each application and was awaiting a response.

### **14. Braunstone Village Conservation Area Proposals - Consultation**

The Committee received an update on the consultation process and considered whether to comment on the draft Character Appraisal and Management Plan in respect of the consultation on the proposal to designate an area of Braunstone Village to the South of Braunstone Lane as a Conservation Area (item 10 on the agenda).

In addition to the draft Character Appraisal and Management Plan (circulated with the agenda); the Committee received the following:

- copy of the consultation notification letter, dated 4<sup>th</sup> June 2024;
  - Advice on Planning Controls in Conservation Areas;
  - An updated map showing the proposed Braunstone Village Conservation Area (in Blaby District / Braunstone Parish);
- (filed with these minutes).

In respect of minute 3 (16<sup>th</sup> May 2024); the Chief Executive & Town Clerk had conveyed to Blaby District Council, the comments raised by a member of the public at the meeting, that the curtilage buildings behind Manor Farm were also listed buildings as part of the Manor Farm Listing; therefore, these buildings should also be highlighted orange on the maps. As a result, the map issued with the consultation had been updated.

## RESOLVED

1. that the following be submitted to Blaby District Council as Braunstone Town Council's response to the public consultation concerning the proposal to designate an area of Braunstone Village to the South of Braunstone Lane as a Conservation Area:
  - a) the boundary for the proposed conservation area was supported;
  - b) the Character Appraisal was considered sound and suitably identified the area's special interest and character;
  - c) the draft Management Plan was considered suitable to ensure the protection and enhancement of Braunstone Village; and
  - d) the proposed Article 4 Direction within Blaby District Council administrative boundary, was supported;
2. that delegated authority be given to the Chief Executive & Town Clerk, in consultation with the Chair and Vice-Chair of Planning & Environment Committee, to finalise Braunstone Town Council's formal response to the public consultation based on the responses of the Planning & Environment Committee (at 1 above) and the Citizens' Advisory Panel; and
3. that an extraordinary meeting of the Planning & Environment Committee be scheduled for Thursday 19th September 2024 to consider the published report and recommendations being submitted to a meeting of Blaby District Council, scheduled for 24<sup>th</sup> September 2024, on whether to designate an area of Braunstone Village to the South of Braunstone Lane as a Conservation Area.

### *Reasons for Decision*

1. *To support the proposal to designate a conservation area in Braunstone Village to the South of Braunstone Lane, ensuring that the Character Appraisal captured the special character of the area, that the Management Plan would provide for the future protection and enhancement of the special character of the Village (both in Blaby District/Braunstone Parish and in Leicester City) and that reasonable and balanced development management controls would be in place.*
2. *To ensure that the Town Council's response was informed by both the Committee and local residents through the Citizens' Advisory Panel and that these complimented each other.*
3. *To consider and comment on whether the post consultation evidence presented supported the recommendations to either proceed or not proceed with designating an area of Braunstone Village to the South of Braunstone Lane as a Conservation Area.*

## 15. **Financial Comparisons**

The Committee received Financial Comparisons for the period 1st April 2024 to 28th May 2024 (item 11 on the agenda).

**RESOLVED** that the Committee consider at the meeting scheduled for 29<sup>th</sup> August 2024, the allocation of the budget for expenditure transaction 8460, Furniture, between Notice Boards and Street Planters.

*Reason for Decision*

*To ensure that the allocated budget for Furniture was suitably allocated.*

**16. Approval of Accounts**

The Committee received payments from 1st April 2024 until 28th May 2024 (item 12 on the agenda).

**RESOLVED** that the list of Approved Expenditure Transactions for the Period 1<sup>st</sup> April 2024 until 28<sup>th</sup> May 2024 be approved.

*Reason for Decision*

*To authorise payments in accordance with the Accounts & Audit Regulations and the Council's Financial Regulations.*

The meeting closed at 8.35pm.

**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:-

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- 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 currently proposed meeting scheduled for 29<sup>th</sup> August 2024.*

**BRAUNSTONE TOWN COUNCIL**

**MINUTES OF THE EXTRAORDINARY MEETING OF  
PLANNING & ENVIRONMENT COMMITTEE**

**HELD AT BRAUNSTONE CIVIC CENTRE**

**THURSDAY 18<sup>th</sup> JULY 2024 AT 7.30PM**

**PRESENT:** Councillor Sam Maxwell (Vice-Chair in the Chair) and Councillors Anthea Ambrose, Nick Brown, Richard Forrest, Sam Fox-Kennedy (substituting for Councillor Gary Sanders), Darshan Singh and Mark Widdop.

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

There were two members of the public present at the meeting.

**17. Apologies**

Apologies for absence were received from Councillors Leanne Lee, Gary Sanders, Marion Waterton and Robert Waterton.

**18. Disclosures of Interest**

A disclosure of Non-Pecuniary Interest was made by Councillor Sam Maxwell, as a resident of Avon Road, in agenda item 4, Planning Applications by Members.

**19. Public Participation**

In accordance with Standing Order 3.6, members of the public may submit a petition and/or 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 two members of the public present, both of whom were interested in the consultation response to the two planning applications received (item 4 on the agenda).

The Chair agreed with the residents that they could make their points during the respective item after the presentation (copy filed with these minutes) and the initial comments by members of the Committee.

The following points were raised for the Committee's consideration:

- a) it was important to relate both applications to the Conservation Area proposals, particularly the proposed Management Plan; to ensure the protection of heritage and the village setting as well as ensuring any new development was in keeping with the character of Braunstone Village;
- b) in respect of the impact on the proposed Conservation Area, it was important that Leicester City Council was consulted on the applications;

- c) in respect of the building proposed for demolition, the building had been in use as a business in the past and it was understood that there remained interest in its use for business purposes; furthermore, the Structural Appraisal commissioned by the applicant stated that the building was in good condition;
- d) residents had been confused by the consultations for the Conservation Area, the proposed development and the proposed demolition; and
- e) the site for development was an archeologically important site; the farm building proposed for demolition was part of a group of curtilage listed buildings and Historic England promote the importance of farm buildings in urban environments.

## **20. Planning and Licensing Applications**

The Committee received details of planning applications to be considered by Blaby District Council (item 4 on the agenda). The Committee noted that there were no licensing applications.

In addition to the presentation, which included plans of the location, site and layout (filed with these minutes), the following documents were also circulated at the meeting:

- a) Design Statement (dated 25<sup>th</sup> August 2021), Venture Properties Group;
- b) Archaeological Evaluation and Rapid Building Appraisal of 254 Braunstone Lane (2008), University of Leicester Archaeological Services;
- c) Observations by Blaby District Council's Principal Planning and Conservation Officer (29<sup>th</sup> January 2024);
- d) Structural Appraisal of Listed Barn Survey (8<sup>th</sup> March 2024), GCA Consulting;
- e) Observations by Historic Building and Places (24<sup>th</sup> November 2021);
- f) Further observations by Blaby District Council's Principal Planning and Conservation Officer (19<sup>th</sup> March 2024);
- g) Final Report of an updating ecology and protected species survey of two buildings (June 2024), Tim Smith; and
- h) Heritage Report on the former Mechanised Milking Parlour of Manor Farm (July 2024), John Martin, Professor of Agrarian History.

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

1. **Application No:** 20/1373/FUL  
**Description:** Erection of 13 dwellings with associated infrastructure, landscaping and access  
**Location:** Land to rear of 27 to 45 Avon Road Braunstone Town Leicestershire (Ravenhurst Ward)  
**Response:** *Braunstone Town Council objects to the proposal and recommends refusal, since the proposals:*
  1. *were located on a site which was not an ideal site for a development of this nature; it would result in overdevelopment of the site due to factors including scale and mass;*

2. *have an unsatisfactory relationship with nearby uses that would be significantly detrimental to the amenity enjoyed by the occupiers of those properties, due to considerations of privacy, noise, and vehicular activity;*
3. *were significantly out of keeping with the character and the appearance of the area, particularly the neighbouring Conservation Area, the emerging Conservation Area proposals (both the published Character Appraisal and Management Plan), and listed buildings in the vicinity;*
4. *would potentially impact on an archeologically important site in a proposed Conservation Area;*
5. *were not designed to address climate change and provide for sustainable living;*
6. *would present dangers to the safety of highway users on Avon Road; and*
7. *would result in surface water run off towards Braunstone Lane / Main Street.*

**Reasons:**

1. *The site had not been included in the emerging Blaby District Local Plan Options; which set out options for the location of development and identified reasonable site options. The proposal was for 13 properties, which could contain 13 families; resulting in overall cramped living conditions on the site. The Maisonettes had no private amenity space. A reduction in the number of houses proposed to the site would address this.*
2. *13 properties would be located close together on a small plot of land, which was surrounded by established housing on Avon Road, Bidford Road and Balmoral Drive; due to the size and density of the proposed development, the single narrow access would provide for significant vehicular movements between properties.*
3. *The site was close to a medieval barn and Manor House presenting a threat to its setting; Manor Farm was a Grade 2 listed building; these properties were at risk from the impact of the construction and from surface water run-off. The proposals would impact on the setting of Braunstone Village, which had been identified for a proposed Conservation Area (the Appraisal and Management Plan having been drafted by a professional with technical expertise and approved by Blaby District Council for consultation). Relevant parts of the proposed Appraisal included paragraphs 3, Planning Policy Framework, and 13 Capacity for Change. Relevant parts of the proposed Management Plan included paragraphs 2 Planning Policy*

*Background, 5 Development Management, 6 Setting & Views, 8 Building Features, and 13 New Development.*

4. *A previous planning application for this site contained an archaeological assessment which indicated there was potential for archaeology on this site. The area was part of a medieval farm curtilage. Manor Farm was the first brick-built farm in the village and had been a working farm which produced cheese. The proposed development and finish floor levels were likely to result in excavations to a level which would compromise and destroy the archaeology below the surface.*
5. *The design and layout were contrary to addressing climate change and were not in keeping with the Environment and Sustainability Policies set out in the emerging Local Plan; for example, not installing solar panels. The proposals also didn't provide for sustainable living with a lack of private or communal amenity space.*
6. *While the proposed exit on to Avon Road had been redesigned, along with relocation of the on-site parking for the adjacent bungalow; Avon Road had a significant amount of on-street parking, especially at the times when children were being taken to or collected from school; the vehicular movements associated with the size and scale of the development continued to present highway safety concerns.*
7. *The plans were not clear on how drainage away from Braunstone Lane (Main Street) and towards Avon Road would be secured; the intention seemed to be to utilise the sewage system on Avon Road but the site slopes significantly downwards from Avon Road towards Braunstone Lane.*

**2. Application No:** 21/1110/LBC

**Description:** Demolition of existing building

**Location:** Unit 4 254 Braunstone Lane Braunstone Town Leicestershire (Ravenhurst Ward)

**Response:**

1. *Braunstone Town Council recommends that no decision be made until the following had been submitted, published and the subject of a statutory planning consultation:*
  - (a) *a statement by the applicant setting out compliance with Site Allocations Policy SA5 – Other Existing Employment Sites;*

- (b) *Professor John Martin's, Professor of Agrarian History, research (July 2024) on the heritage value of the curtilage listed building proposed for demolition (this was commissioned by a couple of local residents and was shared with the Town Council at the Committee meeting, it was understood that the residents intend to submit the research to the planning authority); and*
- (c) *the applicant's response to the evidence presented by Professor Martin's research, in particular that the building "remains a vital part of that Listed building's history, curtilage and setting just as much as the only other surviving farm building. Together they form a coherent group but, importantly, it alone represents a period of ten years at Manor Farm when the still largely rural village of Braunstone co-existed with the prosperous City of Leicester on its doorstep to their mutual economic advantage, the significance of which is often overlooked"; and*

2. *subject to 1 above, material weight be given to the proposed Conservation Area Character Appraisal (in particular paragraphs 13.3 and 13.4 Capacity for Change) and Management Plan (in particular 2.5 Planning Policy Background, 6 Setting and Views, 7.2 and 7.3 Building Uses) for Braunstone Village when determining the application.*

**Reasons:**

- 1. *To enable the Planning Authority to suitably determine the material weight.*
  - (a) *The applicant's statement on the applicability of Policy SA5 was submitted in November 2021. The central argument presented was that the "building has not been inhabited as an employment facility for many years preceding the application. Due to its poor state of repair". However, the Structural Assessment of 8<sup>th</sup> March 2024 concluded "the building is in presently adequate condition, notwithstanding the routine maintenance that would be required in the coming years if it were to be retained". The proposed demolition and erection of housing was effectively a Change of Use and therefore, Site Allocations Policy SA5 was applicable and the applicant should submit a statement addressing the three points (i – iii) in the "other existing employment sites, proposals for non-employment development" section of the Policy.*



- (b) Professor Martin's research attached significant heritage importance to this curtilage listed building, concluding that it "remains a vital part of that Listed building's history, curtilage and setting just as much as the only other surviving farm building".
- (c) Development Management Policy 12 provided for the highest level of protection for heritage assets to ensure that they would be conserved and enhanced in a manner appropriate to their significance and contribution to the historic environment.
2. The proposed Braunstone Village Conservation Area Character Appraisal and Management Plan had been developed by a professional with technical expertise and approved by Blaby District Council as a suitable proposal for public consultation. Therefore, the evidence in the Appraisal and proposals in the Management Plan provided reasonable evidence and, by extension, material weight.

The meeting closed at 9.20pm.

**NOTE:**

CRIME & DISORDER ACT 1998 (SECTION 17) – The Council has an obligation to consider Crime & Disorder implications of all its activities and to do all that it can to prevent Crime and Disorder in its area.

EQUALITIES ACT 2010

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- 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 currently proposed meeting scheduled for 29<sup>th</sup> August 2024.*

**BRAUNSTONE TOWN COUNCIL**

**PLANNING & ENVIRONMENT COMMITTEE – 29<sup>th</sup> AUGUST 2024**

**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:** 24/0102/FUL

**Description:** Change of use from dwellinghouse (use class C3) to residential home for care of up to 2 children (use class C2), provision of new hardstanding & vehicular access from Millfield Crescent.

*Amended Parking/access/landscaping plans & highways technical note*

**Location:** 10 Millfield Crescent Braunstone Town  
Leicestershire (Millfield Ward)

**Response:** *Braunstone Town Council objects to the application due to insufficient private outdoor amenity space.*

**Reason:** *Given the proposal was to care for two vulnerable children, the dwelling and curtilage was considered to be unfit for purpose since the property does not contain any private and secure outdoor amenity space. The revised parking and access arrangements would exacerbate this by reducing the existing small outdoor amenity space on the front. However, this would require fencing to make it both private and secure and this would be detrimental to the character and appearance of the street scene.*
  
- 2. Application No:** 24/0475/FUL

**Description:** Change of use from dwelling house (Use Class C3) to a family assessment centre/residential institution (Use Class C2).

**Location:** 8 Riseholme Close Braunstone Town Leicester (Millfield Ward).

**Response:** *Braunstone Town Council objects to the application in its current form due to:*  
a) *the proposed size and scale of the operation;*  
*and*  
b) *insufficient on-site parking arrangements.*

**Reason:** *The proposal stated the facility would comprise of 3 families (4 adults and 3 children under three years old) and potentially up to 3 staff. Therefore, there could be 10 people at the proposed facility at any one time, sharing bathroom facilities and living space. It is unclear whether there would be additional professional staff visiting. The property was a terraced/town house located in a cul-de-sac and the number of comings and goings associated with the facility, including family and professionals would exceed the equivalent of a normal domestic dwelling. The number of parking spaces (even considering the on-street space) was insufficient for the size and scale of the proposed facility. As such the application in its current form would adversely impact on the amenity enjoyed by a residential area in terms of size, scale, noise and comings and goings. Therefore, it would not be in accordance with Development Management Policy 1.*

3. **Application No:** 24/0330/FUL

**Description:** Extension to existing school building to create new reception with associated external works including ramp access, bin store and parking layout

**Location:** Kingsway Primary School Kingsway Noth Braunstone Town Leicester (Ravenhurst Ward)

**Response:** *Braunstone Town Council does not object to the proposals; subject to:*  
a) *the recommendations in the submitted Biodiversity Net Gain Assessment, including the recommendation for replacement tree planting, being implemented within one year of the completion of the development;*  
b) *the implementation in full, within one year of the completion of the development, the recommendations of the submitted Preliminary Ecological Appraisal as follows:*  

- *4.2 Mitigation Requirements,*
- *4.3 Compensation Requirements,*

- 4.4 Opportunities for Enhancement;
- c) on-site parking remaining available for use during construction in school term time; and
- d) the proposed reconfigured parking being implemented and remaining available for use in perpetuity.

**Reasons:**

*The proposals enhanced the site by providing a secure accessible reception area, with a new ramp providing step free access. The car park would also be enhanced providing accessible spaces and removing the bins to a dedicated store. However, it was important:*

- a) *to ensure any trees removed would be replaced with species which would provide biodiversity net gain;*
- b) *that the construction would not have a negative impact on wildlife or the natural environment and that the impact would not only be mitigated but that opportunities should be taken to provide biodiversity and environmental enhancements;*
- c) *to ensure that there was no displacement of parking on to the highway during the construction; and*
- d) *to ensure sufficient on-site parking remained available, avoiding additional parking on the narrow highway, which could present safety concerns for highway users and users of the school.*

- 4. Application No:** 24/0567/HH
- Description:** Single storey side and rear extension
- Location:** 11 Charlecote Avenue Braunstone Town Leicester Leicestershire (Ravenhurst Ward)
- Response:** *Braunstone Town Council does not have any objection to the proposals.*
- Reason:** *The proposal was single storey to the rear and side. The property was located on a large established plot. As such the impact on residential amenity was considered to be low. The proposal both retained and increased the on-site parking availability. As such there would be no adverse impact on highway safety.*
- 5. Application No:** 24/0607/FUL

- Description:** Change of use from dwelling house (Use Class C3) to residential children's home (Use Class C2) to accommodate a maximum of two children aged between 8-18 years old with the inclusion of a bin store and cycle shelter and conversion of sun room to sensory playroom
- Location:** 17 Valley Drive Braunstone Town Leicester (St Mary's Ward)
- Response:** *Braunstone Town Council does not object to the proposed change of use, subject to:*
- 1. no more than 2 children, aged from 8 years up to the age of 18 years old, without the prior approval of the local planning authority;*
  - 2. the operation of the proposed facility being strictly in accordance with the submitted Planning Statement;*
  - 3. onsite car parking arrangements, for at least two vehicles, being provided prior to occupation and permanently available for use;*
  - 4. the onsite car parking (in 3 above) being surfaced with a hard bound material, either permeable or with drainage and permanently maintained; and*
  - 5. the installation of sound proofing measures, subject to the approval of the Environmental Health Authority, on the party wall with no. 19.*
- Reasons:** *The property was located on a medium sized established plot and the proposal would support vulnerable children in a community setting; however, it was important:*
- 1. to ensure that the number of children cared for was appropriate to the size of the dwelling and its amenities;*
  - 2. that the facility operated in a manner which provided high quality care and assistance for vulnerable children while minimising the impact on the amenity enjoyed by the neighbouring properties in terms of noise, disturbance and comings and goings;*
  - 3. to avoid parking on the highway (including the footpath) close to a road junction, which could present safety issues for highway users (including pedestrians);*
  - 4. to ensure the parking area was suitable for parking while avoiding surface water run-off; and*
  - 5. to protect the amenity enjoyed by the occupants of the neighbouring property in terms of noise and disturbance.*

- 6. Application No:** 24/0516/VAR (Call-in)
- Description:** Variation of condition 4 attached to planning permission 24/0336/FUL to revise the maximum number of staff working at any one time to 5no. and variation of condition 3 to revise the age limit to between 4 and 17 years (inclusive).
- Location:** 26 Turnbull Drive Braunstone Town Leicester (Millfield Ward)
- Response:** *Braunstone Town Council recommends that the following conditions should be applied to any variation:*
- a) a minimum of three on-site parking spaces being provided, surfaced with hard-bound material, and maintained and available for use in perpetuity;*
  - b) the maximum number of children being cared for at the property at any one time being restricted to two; and*
  - c) a staff attendance record being kept on site and made available upon request by the District Planning Authority.*
- Reasons:**
- a) To avoid additional parking on the Highway (including the footway), which could present safety concerns to highway users (including pedestrians) and cause obstruction to the access to neighbouring properties.*
  - b) Increasing the age limit was unlikely to have a material impact on the amenity enjoyed by the neighbouring properties in terms of noise and disturbance. However, increasing the number of children potentially could and as such any change should be the subject of consideration by the District Planning Authority.*
  - c) To allow the District Planning Authority to monitor the use, to safeguard the living conditions of nearby residents and in the interests of highway safety.*

#### Licensing Applications

There are no licensing applications.

**BRAUNSTONE TOWN COUNCIL**

**PLANNING & ENVIRONMENT COMMITTEE – 29<sup>th</sup> AUGUST 2024**

**Item 6 – Planning and Licensing Applications**

Purpose

To agree observations on planning and licensing applications received.

Planning Applications

- Application No:** 24/0608/FUL  
**Description:** Proposed car port  
**Location:** Paul Pender & Son Shakespeare Inn Braunstone Lane  
Braunstone Town Leicestershire (Ravenhurst Ward)

Licensing Applications

There are no licensing applications.

**BRAUNSTONE TOWN COUNCIL**

**PLANNING & ENVIRONMENT COMMITTEE – 29<sup>th</sup> AUGUST 2024**

**Item 8 – Planning Decisions**

To receive and note planning decisions made by Blaby District Council.

<b>Application Number</b>	<b>Description</b>	<b>Location</b>	<b>Braunstone Town Council Response</b>	<b>Decision by Planning Authority</b>
24/0336/FUL	Change of use from dwelling house (Use Class C3) to residential children’s home (Use Class C2)	26 Turnbull Drive Braunstone Town Leicester (Millfield Ward)	No approval be given until the following details had been provided: a) maximum number of children to be resident at any one time; b) age range of the children; c) number of staff on duty at with associated times; d) how professional and personal visits would be handled; e) details of the level of movements, deliveries, visits, turnover of staff shifts; and f) plans showing the size and layout of the property, included the intended use of the rooms, including outbuildings, at the property.	Approved; subject to <ul style="list-style-type: none"> <li>• limited to the residential care of no more than two children between the ages of 4 and 13 years (inclusive) at any one time;</li> <li>• limited to a maximum of 2 members of staff working at any one time;</li> <li>• limited to a Children’s Home only and for no other use; and</li> <li>• Vehicle parking details shown on drawing ‘Parking provision plan’ (Dwg no. TQRQM21075134424604) are to be retained and kept available for parking in perpetuity.</li> </ul>



Application Number	Description	Location	Braunstone Town Council Response	Decision by Planning Authority
24/0339/HH	Two storey side extension and single storey side and rear extension	7 Edward Avenue Braunstone Town Leicester (Millfield Ward)	<p>No objections; subject to:</p> <ol style="list-style-type: none"> <li>1. at least three off street car parking spaces (including the Garage space) being provided within the curtilage of the property, being available for use, and retained in perpetuity;</li> <li>2. the window proposed in the side elevation of the extension being of opaque glass and only the top (storm) window opening; and</li> <li>3. no additional windows, vents or openings in the side elevation of the extended property without the prior consent of the local planning authority.</li> </ol>	<p>Approved; subject to</p> <ul style="list-style-type: none"> <li>• constructed using the materials specified on the 'Planning Application' forms, unless alternative materials are agreed in writing by the planning authority;</li> <li>• The window proposed in the side elevation of the extension being obscurely glazed and remaining so in perpetuity; and</li> <li>• no additional windows, vents or openings in the side elevation of the proposed extension without the prior permission.</li> </ul>

Application Number	Description	Location	Braunstone Town Council Response	Decision by Planning Authority
24/0357/FUL	Change of use from C3 (dwelling) to C2 (residential institution) children's home to accommodate a maximum of 4 children aged between 5-16 years old.	26 Owen Close Thorpe Astley Braunstone Town Leicester (Thorpe Astley Ward)	<p>Objected: due to insufficient on-site parking arrangements for the size and scale of the proposed use.</p> <p>The proposal was to care for up to four children, with three carers on site. The number of comings and goings associated with the operation, including family and professionals would exceed the equivalent of a normal domestic dwelling. The Statement recognises more vehicles would visit the site since it states "There is plenty of off-road parking within the local area and around Thorpe Astley". It goes on to say "furthermore private parking is located around the vicinity which will be used for management and visitors"; but no details are provided. As such the application in its current form would adversely impact on the amenity enjoyed by a residential area in terms of size, scale, noise and comings and goings. Therefore, it would not be in accordance with Development Management Policy 1.</p>	<p>Approved; subject to</p> <ul style="list-style-type: none"> <li>• not being brought into use until the parking facilities have been implemented in accordance with the drawing titled 'Proposed Parking Plan'. The onsite parking provision shall be kept available for such uses in perpetuity;</li> <li>• providing residential care for no more than four children aged between 5 and 16 (inclusive) at any one time;</li> <li>• Unless otherwise agreed in writing by the DPA, the use of the premises as a Children's Home shall be limited to a maximum of 5 members of staff at any one time. An appropriate attendance record shall be kept on site and made available upon request by the DPA; and</li> <li>• The development site must not be used for any purpose other than a residential care home.</li> </ul>

Application Number	Description	Location	Braunstone Town Council Response	Decision by Planning Authority
23/1066/OUT	Outline application for a commercial development consisting of the erection of warehousing with ancillary offices and gatehouses (Use Class B8) and General Industrial buildings (Use Class B2) with access off Leicester Lane, landscaping, and associated infrastructure. All matters reserved, except for the access	Land to the West of St Johns (B4114) Enderby Leicestershire	Any approval be subject to conditions (See Appendix 1).	Approved (see Appendix 2)
24/0102/FUL	Change of use from dwellinghouse (use class C3) to residential home for care of up to 2 children (use class 2), provision of new hardstanding & Vehicular access	10 Millfield Crescent Braunstone Town Leicester (Millfield Ward)	<p>Objects due to insufficient private outdoor amenity space for the proposed use.</p> <p>The property does not contain any private and secure outdoor amenity space. To enclose the small space on the front would require fencing and this would be detrimental to the character and appearance of the street scene. Given the proposal was to care for two vulnerable children, the dwelling and curtilage was considered to be unfit for purpose.</p>	<p>Approved; subject to</p> <ul style="list-style-type: none"> <li>• limited to the residential care of no more than two children between the ages of 7 and 18 at any one time;</li> <li>• limited to a maximum of four members of staff being present on the site at any one time;</li> <li>• no part of the development shall be occupied until such time as site drainage details have been approved. Thereafter surface water shall not drain into the Public Highway and</li> </ul>

Application Number	Description	Location	Braunstone Town Council Response	Decision by Planning Authority
24/0102/FUL <i>Continued.....</i>				<p>thereafter shall be so maintained;</p> <ul style="list-style-type: none"> <li>• No part of the development shall be occupied until such time as access arrangements have been implemented in full;</li> <li>• The development shall not be occupied until such time as the parking and turning facilities have been implemented. Thereafter the onsite parking and turning provisions shall be kept available for such uses in perpetuity;</li> <li>• The development shall not be occupied until such time as the access drive has been surfaced with tarmacadam, or similar hard bound material for a distance of at least 5.0 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity;</li> <li>• No gates, barriers, bollards, chains or other such obstructions shall be</li> </ul>

Application Number	Description	Location	Braunstone Town Council Response	Decision by Planning Authority
24/0102/FUL <i>Continued.....</i>				<p>erected to the vehicular access;</p> <ul style="list-style-type: none"> <li>• Prior to first use of the development, the landscaping shown on Proposed Landscaping Plan shall have been implemented, any trees, hedges, shrubs or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the DPA gives written consent.</li> </ul>

**BRAUNSTONE TOWN COUNCIL RESPONSE TO  
PLANNING APPLICATION 23/1066/OUT**

**Application No:** 23/1066/OUT

**Description:** Outline application for a commercial development consisting of the erection of x4 warehouse buildings with ancillary officer and gatehouses (Use Class B8) and 3x general industrial buildings (Use Class B2) including associated access off Leicester Lane (revised application following refusal 19/0164/OUT)

**Location:** Land to the West of St Johns (B4114) Enderby Leicestershire LE19 2AB

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

- a) a connecting cycle / footpath be provided by the developer, adjacent and parallel to the northbound carriageway of St Johns (B4114) which connects the cycle/footpath by Barr Close, to the development via the 2019 proposed route of the vehicular access from St Johns (now removed), to the entrance of the Park & Ride, with associated improvements to the crossing points, and connecting to the cycle/footpath by Leicester Lane;*
- b) prior to commencement of any work, a detailed construction plan must to be submitted and approved by the Local Planning Authority setting out the method of construction and including details of a construction traffic route, an environmental and noise impact assessment, mitigating measures and measures to protect wildlife habitats, trees and water courses;*
- c) no construction work to be undertaken on the site until the proposed new road (application 19/0179/FUL & 19/0180/RM) and junction improvements (application 19/0178/FUL) had been approved, constructed and completed and confirmation received from the Local Highways Authority that the junction and new road met the relevant standards for a "B" road set out in the Leicestershire Highway Design Guide;*
- d) no construction work to be undertaken until an application had been submitted to and discharged by the Local Planning Authority setting out how the*

- development would meet the requirements a – n set out in the Site Allocations Policy SA3 of the Blaby District Local Plan (Delivery) Development Plan Document, adopted February 2019; and*
- e) the proposed units on the site must not be operational until the improvements to the junction on Leicester Lane, the cycle/footpath on St Johns (including site access and crossings) and the site road layout, as set out in the submitted plans, had been approved, constructed and completed, with confirmation received from the Local Highways Authority that these met the relevant standards set out in the Leicestershire Highway Design Guide.*

**Reasons:**

*The site had been identified as new allocation for Employment in the Blaby District Local Plan (Delivery) Development Plan Document, adopted February 2019.*

- a) To provide infrastructure to encourage walking and cycling to the site, avoiding obstructions and having to cross the main road multiple times. The enhancement adjacent to the site would connect two existing sections providing a link to Fosse Park/Grove Park and Enderby (albeit cyclists would have to cross the road at the crossing point by Barr Close). This would provide a balanced contribution to enhancing sustainable transport infrastructure and connections in line with growth.*
- b) To ensure that any adverse impact upon the amenity enjoyed by local residents and upon the local environment would be mitigated and controlled.*
- c) To mitigate the adverse impact on the capacity of the local highway network, reduction in air quality and the impact on the amenity enjoyed by residents in the surrounding residential areas.*
- d) To ensure that the development provided for a mix of uses, provided transport infrastructure improvements, highway improvements, included sustainable transport measures, protected the environment, heritage, biodiversity and landscape and addressed surface water run off mitigating potential flooding.*
- e) To mitigate the adverse impact on the capacity of the local highway network and reduction in air quality.*



**APPROVAL**

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

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

**OUTLINE PLANNING PERMISSION**

**Name and Address of Applicant**

Martin Ward  
Mather Jamie Limited For The Drummond  
Estate  
3 Bank Court  
Weldon Road  
Loughborough  
Leicestershire  
LE11 5RF

**Name and Address of Agent**

Marrons Planning  
1 Colton Square  
Leicester  
LE1 1QH

**Part -1 Particulars of Application**

Date of Application 5 December 2023 Application No. **23/1066/OUT**

**Particulars and Location of Development**

Outline application for a commercial development consisting of the erection of warehousing with ancillary offices and gatehouses (Use Class B8) and General Industrial buildings (Use Class B2) with access off Leicester Lane, landscaping and associated infrastructure. All matters reserved, except for the access.

Land To The West Of St Johns (B4114) Enderby Leicestershire LE19 2AB

**Part -2 Particulars of Decision**


In pursuance of its powers under the Town and Country Planning Act 1990, the Blaby District Council **GRANTS outline** 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 Applications for approval of Reserved Matters shall be made within 3 years from the date of this permission and the development shall be begun not later than whichever is the later of the following dates:-

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- a) Five years from the date of this permission; or
  - b) Two years from the final approval of the Reserved Matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
- 2 Detailed plans and particulars of any phase of the proposed development shall be submitted to and approved in writing by the District Planning Authority before any phase of development takes place and shall show:-
- a) Layout of the development;
  - b) Scale of the development;
  - c) Appearance of the development;
  - d) A landscaping scheme including details of any trees and shrubs to be retained; new planting including plant type, size, quantities and locations; other surface treatments; fencing and boundary treatments; any changes in levels; the position of service and/or drainage runs;

The development shall be carried out as approved.

- 3 The development hereby permitted shall be built in strict accordance with the following approved plans unless otherwise required by a condition of this permission:-

Application Site Boundary: 15-079 P016


Parameter Plan Hub 2, Land Use: 15-079 P017

Proposed Pedestrian/Cycle Access St. Johns – Drawing No: JYN8838 ES Figure 6.5 Rev B

Proposed Site Access Leicester Lane - Drawing No: JNY8838 ES Figure 6.4

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) the buildings hereby permitted shall be used for Use Classes B8 (storage and distribution) and B2 (General industrial) with ancillary and associated office uses and gatehouses only.
- 5 The development hereby permitted shall not commence until a phasing strategy has been submitted to and approved in writing by the District Planning Authority. The phasing strategy shall include a phasing plan that identifies all phases of delivery associated with the development and the provision of the primary infrastructure, which shall include all road/highway infrastructure, footpaths and cycleways. The development shall be carried out in strict accordance with the approved details.
- 6 Notwithstanding the submitted plans, no development shall be occupied until a revised scheme of pedestrian access and highway improvements has been submitted to and approved in writing by the District Planning Authority that includes

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details of a footway/cycleway scheme from the footway access to Barr Close to the Leicester Lane / B4114 junction including crossing provision as necessary across the Park and Ride access junction, and the approved scheme has been implemented in full.

- 7 Each application for the approval of Reserved Matters shall include submission of a Design Code and Parcel/Area Masterplan for the area addressed by that application to be approved in writing by the District Planning Authority for that Reserved Matters. Each Reserved Matters application shall accord with the Design Code for that Reserved Matters application and the development shall be carried out in accordance with the approved details. The Design Code shall contain a written and illustrative component that will address the following:
- a) architectural and sustainable construction principles;
  - b) architectural features and building materials;
  - c) building heights and finished floor levels;
  - d) provision for renewable energy systems;
  - e) street materials (including the extent of adoptable highway, sight lines and means of lighting to all streets and green spaces);
  - f) car parking and lorry parking management both on and off plot (including provision of charging points for electric cars);
  - g) cycling parking provision (including provision of charging points for electric bikes);
  - h) pedestrian and cycle links to adjoining land;
  - i) structural landscaping, including hard and soft landscaping features;
  - j) planting character (including species variety, stock sizes, densities);
  - k) provision of street trees;
  - l) tree and hedgerow protection measures;
  - m) boundary treatments and means of enclosure;
  - n) provision of public open space (including timetable for implementation);
  - o) provision for the control of noise and vibration emanating from the site during operation of that phase.
- 8 Each application for the approval of Reserved Matters shall include a written and illustrative statement which demonstrates how the proposed buildings will be designed and delivered to Building Research Establishment Assessment Methodology (BREEAM) certification 'excellent' (or any such equivalent national measure of sustainability for building design which replaces that scheme). The development shall be carried out in accordance with the approved details.
- 9 No development on any phase of construction shall commence until a Construction Method Statement for that phase has been submitted to and agreed in writing by the District Planning Authority. The Statement shall provide details in respect of the method for foundation construction and any associated piling techniques to be employed, including precise details regarding the location of piles, geology and the ground conditions in those locations. The Construction Method Statement shall be

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adhered to at all times during the construction phase.

- 10 Prior to first occupation of the development within each phase, an external lighting scheme for that phase shall be submitted to and approved in writing by the District Planning Authority. The scheme shall include details of the siting, height, design, level of illumination and position of the lighting proposed. All external lighting shall be implemented in accordance with the approved scheme thereafter and no other form of external lighting shall be implemented on the site without the prior approval of the District Planning Authority
- 11 The Reserved Matters application(s) shall include for approval full details of the following features where they are to be provided in respect of the relevant section(s) of the site to which the Reserved Matters application relates. The development shall thereafter be carried out in accordance with the approved details:
  - o Gatehouses;
  - o Location and material finishes for sprinkler tanks;
  - o CCTV system.
- 12 Prior to first use of the development within any phase hereby permitted, full details of any extraction, ventilation equipment, external plant and machinery (including roof and wall mounted flues and vents) to be provided in that phase shall be submitted to and agreed in writing by the District Planning Authority. The installation of the extraction, ventilation equipment, external plant and machinery shall be carried out and thereafter maintained in accordance with the approved details.
- 13 Prior to the first use of the development hereby permitted, details of seating, interpretation boards and wayfinding along the route of the Fosse Way Roman Road shall be submitted to the District Planning Authority for approval with a timetable for implementation. Thereafter, the development shall be carried out in accordance with the agreed scheme and timetable and maintained for the life time of the development.
- 14 No development hereby permitted in the part of the site adjacent to the M1 shall be occupied until details of the site boundary treatment adjacent to the M1 motorway boundary have been submitted to and approved in writing by the District Planning Authority in consultation with National Highways (formerly Highways England). The approved boundary treatment shall thereafter be constructed in accordance with the approved plans and maintained for the life time of the development.
- 15 No development hereby permitted in the part of the site adjacent to the M1 shall be occupied until the details of the external lighting and building signage installation, and any details of any building frontages, design and illumination, overlooking the motorway have been submitted to and approved in writing by the District Planning Authority in consultation with National Highways (formerly Highways England). The

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works shall then be carried out in accordance with the approved details.

- 16 No part of the development permitted shall be occupied until the scheme of capacity enhancements at the A563 / Meridian South roundabout identified on drawing No. JNY8838/26 Rev A, or such other scheme of capacity enhancements which are not materially different in effect to those in the submitted environmental statement and transport assessment which shall first be formally submitted to and approved in writing by the District Planning Authority, has been implemented.
- 17 No development of land including a Public Right of Way shall take place until a scheme for the treatment of that Public Right of Way has been submitted to and approved in writing by the District Planning Authority. Such a scheme shall include provision for management during construction, surfacing, width, structures, signing and landscaping, together with a timetable for its implementation. Thereafter, the development shall be carried out in accordance with the agreed scheme and timetable and shall be preserved and maintained throughout the lifetime of the development.
- 18 No development shall commence within any phase until such time as a construction traffic management plan for that phase has been submitted to and approved in writing by the District Planning Authority. The management plan shall provide details of:
- a) the parking of vehicles of site operatives and visitors;
  - b) loading/unloading and storage of plant, materials, oils, fuels, and chemicals;
  - c) wheel washing facilities and road cleaning arrangements;
  - d) measures to control the emission of dust during construction;
  - e) hours of construction work;
  - f) construction phasing and routing plans, including access arrangements and permitted construction traffic arrival and departure times;
  - g) the management of surface water on site during construction;
  - h) site compound and storage locations;
  - i) measures to control the emission of noise during construction.

The approved details shall be adhered to throughout the construction period for the phase of development.

- 19 No part of the development permitted shall be occupied until the access proposals at Leicester Lane as generally shown on drawing number JNY8838 ES Figure 6.4 have been implemented in full in accordance with full design details which shall first have been submitted to and approved in writing by the District Planning Authority.
- 20 No part of the scheme hereby permitted shall be occupied until the improvement works to Lubbethorpe Way identified on drawing 0164.000/A1/1 have been completed, or such other scheme of improvement works to Lubbethorpe Way which

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is not materially different in effect to those in the submitted environmental statement and transport assessment which shall first be formally submitted to and approved in writing by the District Planning Authority, has been implemented.

- 21 No part of the development hereby permitted shall be first occupied until a Framework Travel Plan for that part which sets out actions and measures with quantifiable outputs and outcome targets has been submitted to and agreed in writing by the District Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.
- 22 Prior to the occupation of any part of the development hereby permitted, a Site-wide Public Transport Strategy shall be submitted and agreed in writing by the District Planning Authority. Any new bus stop infrastructure recommended by the Strategy shall be to a specification first agreed in writing by the District Planning Authority and likely include bus stop flags, shelters, raised kerbs, lighting, timetable and real time information and an implementation schedule. Thereafter the agreed Public Transport Strategy shall be implemented in accordance with the approved details.
- 23 Full details of parking and turning facilities, access widths, gradients, surfacing, signing and lining and visibility splays submitted to and approved in writing by the District Planning Authority before each phase of the development commences. All details of the proposed development shall comply with the design standards of Leicestershire County Council as contained in its current design standards document. The details shall be implemented as approved.
- 24 No development within any phase approved by this planning permission shall take place until such time as a foul water and surface water drainage scheme in accordance with sustainable drainage principles for that phase has been submitted to, and approved in writing by the District Planning Authority. The development must be carried out in accordance with these approved details and completed prior to first occupation.
- 25 No occupation of any phase of the development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within that phase of development have been submitted to and approved in writing by the District Planning Authority. The surface water drainage system shall then be maintained in accordance with these approved details for the lifetime of the development.
- 26 No development shall take place until a staged programme of archaeological work has been undertaken. Each stage shall be completed in accordance with a written scheme of investigation (WSI), which shall have first been submitted to and agreed in writing by the District Planning Authority. The WSI shall include the statement of significance and research objectives and:

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- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; and
- The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material.

No development shall take place on any part of the site the subject of the WSI at any time other than in accordance with the agreed WSI.

- 27 No development shall commence on any phase of the development unless, within a period of two years prior to commencement on the relevant phase, an updated survey of (and assessment of the impacts of the proposed development on) existing habitat and species within the relevant phase (and including details of necessary updated mitigation and enhancement measures, together with a timetable for their implementation and details of their long-term maintenance and management) has been submitted to and approved by the District Planning Authority. The development shall be carried out and thereafter be maintained and managed in accordance with the agreed mitigation and enhancement measures and timetable.
- 28 No development (including site clearance or preparation works) within any phase shall take place until a Construction Environmental Management Plan (CEMP) for that phase has been submitted to and agreed in writing by the District Planning Authority. The level of detail required by the CEMP shall include as a minimum, site specific measures to control and monitor impact arising in relation to construction traffic, noise and vibration, dust and air pollutants, land contamination, ecology, ground water, and surface water. It shall also set out arrangements by which the developer shall maintain communication with residents and businesses in the vicinity of the site, and by which the developer shall monitor and document compliance with the measures set out in the CEMP. The development shall be carried out in full accordance with the approved CEMP at all times.
- 29 The first reserved matters application in respect of the development shall be accompanied by a detailed biodiversity net gain assessment and improvement / management plan for the entire site area, including full details of all measures proposed in respect of the enhancement of the biodiversity of the area, details of future maintenance and a timetable and phasing for the implementation of the relevant measures. The submitted details shall demonstrate how the development shall achieve the following biodiversity net gains i.e. Habitats Units 3.3%; Hedgerow Units 11.74%; Watercourse units 100%. The development shall thereafter be undertaken and maintained in accordance with the agreed measures and timetable.
- 30 No phase of the development hereby permitted shall be occupied until a supporting 30-year Landscape and Ecological Management Plan (LEMP) for that phase, including long-term design objectives, management responsibilities and maintenance

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schedules for all landscaped and open space areas, has been submitted to and approved in writing by the District Planning Authority. The Plan shall include details of the mechanisms to secure its implementation and shall be carried out in accordance with the approved details.

- 31 Prior to the occupation of any phase of development, details of a scheme for onsite ecological mitigation shall be submitted to and agreed in writing by the District Planning Authority, and implemented as approved. The Scheme shall include provision for details for that phase to be submitted and agreed for the removal and control of Japanese Knotweed and the installation of bat and bird boxes on retained trees.
- 32 No site clearance shall take place between 1st March and 31st August inclusive, unless a detailed check of the site for active birds' nests has been undertaken by a qualified ecologist and that there are appropriate measures in place to protect nesting bird interest on the site.
- 33 Prior to the commencement of any phase of development, a plan showing all boundary hedgerows (including those within the site) to be retained within that phase including a 5m buffer zone of open space/natural vegetation, shall be submitted to and agreed in writing by the District Planning Authority. The development shall be carried out in accordance with the approved details. The buffer zones shall be preserved and maintained throughout the lifetime of the development.
- 34 Any landscape details submitted as part of reserved matters applications shall ensure that any landscape planting within buffer woodland planting areas, frontage landscaping and areas adjacent to the site boundaries shall be of locally native species only.
- 35 In the event that any lighting associated with the operational phase of the development hereby approved overflows onto any retained hedgerows, the light overflow shall be minimised to a value of 1 lux or lower at the edge of the habitats.
- 36 The approved landscaping scheme for any phase of development shall be carried out within one year of completion of the development within that phase and any trees, hedges, shrubs or plants which within a period of 5 years from the completion of the planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation.
- 37 If during development works any contamination should be encountered which was not previously identified or is derived from a different source and/or of a different type to those considered under the contamination proposals; works shall cease, and the Local Planning Authority notified immediately. An investigation and risk assessment must be undertaken and shall make provision for a methodology for dealing with the

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contamination and where remediation is necessary, a remediation scheme must be prepared and submitted to and agreed in writing by the District Planning Authority within 5 working days of works ceasing. Works shall only commence again once the remediation proposals have been approved in writing by the District Planning Authority.

Following completion of measures identified in the approved remediation scheme, a verification report must be prepared which is subject to the approval in writing of the District Planning Authority.

- 38 Prior to the commencement of any phase of development, details of a gas pipeline and apparatus diversion scheme, including a schedule and programme for diverting the gas pipeline apparatus shall be submitted to and agreed in writing by the District Planning Authority. The approved Scheme and Schedule shall be carried out in accordance with the approved details.
- 39 Prior to the construction of each phase of development, a scheme that specifies the provisions that will be implemented for the control of noise and vibration emanating from the site during the construction of that phase, shall be submitted to and approved in writing by the District Planning Authority. The noise and vibration mitigation shall be implemented in accordance with the approved details.
- 40 Prior to the occupation of any phase of development, a scheme that specifies the provisions that will be implemented for the control of air quality impacts emanating from the site during the operation of that phase, shall be submitted to and approved in writing by the District Planning Authority. The air quality mitigation shall be implemented in accordance with the approved details and maintained for the life of the approved development.
- 41 Prior to commencement of development, a phased employment and training strategy and implementation plan shall be submitted and approved in writing by the District Planning Authority. The plan shall include targets for the following;
  - a) Training and employment opportunities within construction and operation of development to residents in Blaby District with specifics for disadvantaged groups, those experiencing barriers to work and skills development .e.g. unemployed, low skilled, ex- offenders, NEETS and armed-forces and care leavers, upskilling staff.
  - b) Sector-based work academy programme.(SWAP)
  - c) Provision for work experience and placements for school students and adults.
  - d) Curriculum support activities – provide mentors to support programmes such as the ‘Changing Face of Construction’.
  - e) Apprenticeships/T Levels and links with education providers. E.g. school visits as well as programmes of training supply chain workforce e.g. T level placements.
  - f) Small and Medium Enterprise opportunities e.g. ‘Meet the Buyer’ events.

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The development shall be carried out in accordance with the approved employment and training strategy and implementation plan.

- 42 No development shall take place (including ground works or vegetation clearance) until an updated badger walkover and survey report has been undertaken and the results submitted to and approved in writing by the District Planning Authority. This walkover and survey is to be carried out no more than 6 months prior to the first commencement of works on site. It is to include details of mitigation measures for badgers if necessary. All works on the site are to proceed strictly in accordance with the approved document.
- 43 Prior to the commencement of any phase of development details of the cycle parking within that phase shall be submitted to and approved in writing by the District Planning Authority. The cycle parking provision shall accord with the guidance in LTN 1/20 on Cycle Infrastructure Design as a minimum unless local cycle parking standards are greater. The phase of development, shall not be occupied until the cycle parking has been constructed and completed in accordance with the approved details and shall thereafter be kept free of obstruction and permanently available for the parking of cycles only.
- 44 Prior to the commencement of development on site, an Open Space Delivery and Management Scheme shall be submitted to and approved by the District Planning Authority. The development shall thereafter be carried out and maintained in accordance with the approved Open Space Delivery and Management Scheme throughout the lifetime of the Development.

## **REASONS**

- 1 These details are reserved for later approval to ensure a satisfactory form of development as the permission is in principle only.
- 2 To secure the satisfactory development of the site and in the interest of visual amenity.
- 3 For the avoidance of doubt.
- 4 The District Planning Authority would wish to give further consideration to the use of the development for any other purpose outside of the parameters considered by this planning application.
- 5 To ensure that the appropriate infrastructure to serve the development is delivered on time.
- 6 To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy

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Framework.

- 7 To ensure a high standard of urban design and a comprehensively planned development that is designed and phased to ensure integration between the different land uses.
- 8 To ensure that the development incorporates a sustainable design and construction methodology
- 9 In the interests of residential amenity
- 10 In the interest of the overall appearance of the development and to ensure that the level of illumination is kept to the minimum necessary in the interest of protecting amenity.
- 11 In the interest of the overall appearance of the development and for the avoidance of doubt.
- 12 In the interests of residential amenity, the overall appearance of the development and for the avoidance of doubt.
- 13 To enable pedestrians to interpret and experience the historic value of the route of the Fosse Way Roman Road.
- 14 To ensure that the M1 motorway continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980, in the interests of road safety.
- 15 To ensure that the M1 motorway continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980, in the interests of road safety.
- 16 To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework.
- 17 In the interests of amenity and safety and security of users of the Public Right of Way in accordance with the National Planning Policy Framework.
- 18 In the interests of residential amenity and to ensure that the level of disruption and potential hazards caused by the construction works and associated vehicle movements on and off the site (i.e. the possibility of deleterious material being deposited on the highway, hours of working, is reduced as far as practicable.
- 19 To ensure the development is carried out in accordance with the approved details, in the general interests of general highway safety and to ensure that vehicles entering

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and leaving the site may pass each other clear of the highway, in a slow and controlled manner and in accordance with the National Planning Policy Framework.

- 20 To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework.
- 21 To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework.
- 22 To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework.
- 23 To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework.
- 24 To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.
- 25 To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development.
- 26 To ensure satisfactory archaeological investigation, recording, dissemination and archiving.
- 27 In order to establish if species protected by law under the Wildlife and Countryside Act 1981 are present on the site.
- 28 To safeguard the amenities of neighbouring occupiers and to enable the District planning Authority to give consideration to potential impacts on the local environment.
- 29 In the interests of providing biodiversity enhancements on the site.
- 30 In the interests of providing biodiversity enhancements on the site.
- 31 For the avoidance of doubt, providing biodiversity enhancements on the site and to ensure that any potential risks of contamination from Japanese Knotweed to the future users of the land and neighbouring land are minimised.
- 32 In the interests of any existing species protected by law under the Wildlife and Countryside Act 1981.

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- 33 In the interests of any species protected by law under the Wildlife and Countryside Act 1981.
- 34 In the interests of providing biodiversity enhancements on the site.
- 35 To ensure that the hedgerow habitats maintain their value for foraging species protected by law under the Wildlife and Countryside Act 1981.
- 36 In the interests of visual amenity.
- 37 To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors
- 38 To ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.
- 39 In the interests of residential amenity.
- 40 In the interests of residential amenity.
- 41 To promote educational and work opportunities for those living and working within the District.
- 42 In the interest of the protection of Badgers protected by law under the Protection of Badgers Act 1992
- 43 To comply with guidance in Department for Transport document LTN 1/20 on Cycle Infrastructure Design as a minimum.
- 44 To establish a suitable management and monitoring regime that will ensure the delivery and long term maintenance of the open space.

**NOTES TO APPLICANT**

- 1. Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting



[cadentgas.com/diversions](http://cadentgas.com/diversions)


Prior to carrying out works, including the construction of access points, please register on [www.linesearchbeforeudig.co.uk](http://www.linesearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.

2. The scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of sufficient treatment trains to maintain or improve the existing water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year return period event plus an appropriate allowance for climate change, based upon the submission of drainage calculations.
3. Full details for the drainage proposal should be supplied including, but not limited to; construction details, cross sections, long sections, headwall details, pipe protection details (e.g. trash screens), and full modelled scenarios for event durations up to the 24 hour (or longer where required) for the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods with results ideally showing critical details only for each return period.

Details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided.

4. Details of the surface water Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the surface water drainage system that will not be adopted by a third party and will remain outside of individual property ownership. For commercial properties (where relevant), this should also include procedures that must be implemented in the event of pollution incidents.
5. Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>

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6. If the roads within the proposed development are to be offered for adoption by the Local Highway Authority, the Developer will be required to enter into an agreement under Section 38 of the Highways Act 1980. Detailed plans will need to be submitted and approved, the Agreement signed and all sureties and fees paid prior to the commencement of development. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>.
7. Any works to highway trees will require separate consent from Leicestershire County Council as Local Highway Authority (telephone 0116 305 0001). Where trees are proposed to be removed, appropriate replacements will be sought at the cost of the applicant.
8. To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).
9. A minimum of 6 months' notice will be required to make or amend a Traffic Regulation Order of which the applicant will bear all associated costs. Please email [road.adoptions@leics.gov.uk](mailto:road.adoptions@leics.gov.uk) to progress an application.
10. The Applicant should be advised to contact Leicestershire County Council's Network Management team at the earliest opportunity to discuss access to the road network to carry out works. The team can be contacted at: [networkmanagement@leics.gov.uk](mailto:networkmanagement@leics.gov.uk)
11. A Public Right of Way must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980.
12. If there are any Public Rights of Way which the applicant considers impracticable to retain on their existing lines, a separate application for diversion is required. It should be submitted under the Town and Country Planning Act 1990 to the Local Planning Authority. The applicant is not entitled to carry out any works directly affecting the legal line of a Public Right of Way until a Diversion Order has been confirmed and become operative.
13. Public Rights of Way must not be further enclosed in any way without undertaking discussions with the local Highway Authority (telephone 0116 305 0001).
14. If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to [networkmanagement@leics.gov.uk](mailto:networkmanagement@leics.gov.uk) at least 12 weeks before the temporary

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diversion is required.


15. Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Local Highway Authority.
16. No new gates, stiles, fences or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Local Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way and Leicestershire County Council as Local Highway Authority may be obliged to require its immediate removal.
17. Barns, other farm buildings, outhouses, lofts, roof spaces and trees 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 we recommend 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.

18. A public footpath crosses the site and this must not be obstructed or diverted without obtaining separate consent from Leicestershire County Council.
19. This grant of planning permission does not authorise any development outside the application site including any foundation, footings, fascias, eaves, soffits, verges or guttering.
20. 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.
21. When Central Government introduced changes to the fees to be submitted in respect of planning applications, it also introduced a fee to be paid for the discharge of conditions attached to the permission. The fee is payable in respect of each request to discharge conditions, not for individual conditions. I would suggest that if there are

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a number of conditions which need to be discharged, they are grouped into one request.

You should keep the decision of the Council in respect of discharged conditions as a fee is now also paid for each request confirming that conditions have been discharged.

22. This permission creates one or more new units which will require a correct postal address. It is a legal function of the council to allocate numbers and road names to new developments and conversions. Applicants should apply to the Street Naming & Numbering Officer using the online application form which can be found at the following link <http://www.blaby.gov.uk/resident/planning-and-building/building-regulations/street-naming-and-numbering/>

**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 paragraph 38 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.



Martin Ward

Date: 24 June 2024  
My Ref: Development Monitoring  
Contact: Planning Enforcement Team  
Tel No: 0116 272 7521  
Email: [planning.enforcement@blaby.gov.uk](mailto:planning.enforcement@blaby.gov.uk)

Dear Sir/Madam

### **Development Monitoring**

The enclosed planning permission has been granted and is subject to all the planning conditions attached to and forming part of the planning permission. Failure to comply with these conditions will be a breach of planning control which may result in your development being unauthorised and subject to enforcement and/or legal action.

Therefore you should ensure that you notify the Planning Enforcement Section at least 4 weeks prior to commencement of the development to ensure that all pre-commencement conditions have been discharged and complied with. Please contact me using the details at the top of this communication.

It should also be noted that the site will be monitored to ensure:-

- (a) compliance with all conditions attached to the planning permission and;
- (b) the development is carried out in accordance with the approved plans.

I look forward to your co-operation with this matter however, if you require any further information or assistance please do not hesitate to contact me.

Yours faithfully

Planning Enforcement Team

## **BRAUNSTONE TOWN COUNCIL**

### **PLANNING & ENVIRONMENT COMMITTEE – 29<sup>th</sup> AUGUST 2024**

#### **Item 10 – Braunstone Village Conservation Area Proposals**

##### Purpose

To receive an update on the process to consider whether there is a case to designate an area of Braunstone Village to the South of Braunstone Lane as a Conservation Area, including timescales for a decision.

##### Background

Braunstone Town Council has been working with Blaby District Council and Leicester City Council to consider designating the area of Braunstone Village, to the south of Main Street/Braunstone Lane as a Conservation Area. If the proposal is adopted, the conservation area would be complementary to the existing conservation area designated in Braunstone Village on the northern side of Main Street/Braunstone Lane (within Leicester City's administrative area).

A public consultation was undertaken between 4<sup>th</sup> June and 16<sup>th</sup> July 2024 on the proposals, which included a proposed Conservation Area Character Appraisal and a Joint (with the existing Leicester City Braunstone Conservation Area) Management Plan.

The consultation included an informal drop in event on 3rd July between 6pm - 8pm at Shakespeare Park Sports Pavilion.

A separate consultation was held by Leicester City Council concerning updates to the existing Braunstone conservation area appraisal in Leicester City, including the proposed Joint Management Plan, which closed on 19<sup>th</sup> August 2024.

##### Town Council Consultation Response

Planning & Environment Committee considered and commented on the draft Character Appraisal and Management Plan, in respect of the consultation relating to the Town side of Braunstone Lane, on 6<sup>th</sup> June 2024.

The Committee resolved:

1. *that the following be submitted to Blaby District Council as Braunstone Town Council's response to the public consultation concerning the proposal to designate an area of Braunstone Village to the South of Braunstone Lane as a Conservation Area:*
  - a) *the boundary for the proposed conservation area was supported;*

- b) the Character Appraisal was considered sound and suitably identified the area's special interest and character;*
  - c) the draft Management Plan was considered suitable to ensure the protection and enhancement of Braunstone Village; and*
  - d) the proposed Article 4 Direction within Blaby District Council administrative boundary, was supported;*
- 2. that delegated authority be given to the Chief Executive & Town Clerk, in consultation with the Chair and Vice-Chair of Planning & Environment Committee, to finalise Braunstone Town Council's formal response to the public consultation based on the responses of the Planning & Environment Committee (at 1 above) and the Citizens' Advisory Panel.*
- (minute 14).

The reasons for the decision were:

- 1. To support the proposal to designate a conservation area in Braunstone Village to the South of Braunstone Lane, ensuring that the Character Appraisal captured the special character of the area, that the Management Plan would provide for the future protection and enhancement of the special character of the Village (both in Blaby District/Braunstone Parish and in Leicester City) and that reasonable and balanced development management controls would be in place.*
- 2. To ensure that the Town Council's response was informed by both the Committee and local residents through the Citizens' Advisory Panel and that these complimented each other.*

Braunstone Town's Citizens' Advisory Panel considered the proposals at a specially convened meeting on Thursday 20th June 2024. A copy of the draft minutes is attached at Appendix 1.

In accordance with Committee resolution 2 above, Braunstone Town Council's formal response to the public consultation, based on the responses of the Planning & Environment Committee (at 1 above) and the Citizens' Advisory Panel (attached at Appendix 1) was submitted to Blaby District Council, see Appendix 2.

### Assessing Consultation Responses

Following the consultation periods, the results are now being assessed and amendments drafted to both the proposed Character Appraisal and Management Plan.

A recommendation, based on the evidence gathered, the appraisal, and the consultation results, is scheduled to be considered by Blaby District Council on 24<sup>th</sup> September 2024.

In accordance with resolution 3 of minute 14, an extraordinary meeting of Planning & Environment Committee has been scheduled on Thursday 19<sup>th</sup> September 2024 prior to the District Council meeting to consider the proposals and recommendations.

Recommendation

That the report be noted.

Reason

To note progress with the process for considering the area of Braunstone Village to the south of Main Street/Braunstone Lane for designation as a Conservation Area.

**BRAUNSTONE TOWN COUNCIL**

**MINUTES OF THE EXTRAORDINARY MEETING OF  
CITIZENS' ADVISORY PANEL**

**HELD AT BRAUNSTONE CIVIC CENTRE**

**THURSDAY 20<sup>th</sup> JUNE 2024 AT 7.30PM**

**PRESENT:** Councillor Gary Sanders (Chair), Councillor Leanne Lee (Vice-Chair) and Councillors Sam Fox Kennedy and Darshan Singh; and local residents Clive Brett, John Dodd, Jeanette Essex, Barbara Haselgrove, Jack Haselgrove, Keith Hammersley, Susan Metson, Talent Nyandoro, Geoff Simmonds and Jean White.

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

Also in attendance was Councillor Paul Kennedy and Andrzej Jablonski.

**1. Apologies**

No apologies for absence had been received.

**2. Disclosures of Interest**

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

**3. Braunstone Village Conservation Area Proposals – Consultation**

The Panel received and considered whether to comment on the draft Character Appraisal and Management Plan in respect of the consultation on the proposal to designate an area of Braunstone Village to the South of Braunstone Lane as a Conservation Area (item 3 on the agenda).

The Chief Executive & Town Clerk summarised the consultation process and documentation and advised that individuals could comment directly by submitting their responses to Blaby District Council by 16<sup>th</sup> July 2024. Panel members and local residents were able to make comments as part of the Citizens' Advisory Panel's consideration and these contributions would be considered, along with the resolution of Planning & Environment Committee on 6<sup>th</sup> June 2024, when submitting Braunstone Town Council's response to the consultation.

The Panel were invited to review the consultation and supporting information documents (Appendices 1 to 5) and respond to the public consultation.

Panel members and local residents generally welcomed the proposal. Many commented that the lack of a conservation area on the Blaby District / Braunstone Town side of Braunstone Village over the past 50 years had resulted in a general degrading of the heritage assets and the setting;

something which had not been the case on the Leicester City side of Braunstone Village, which had been designated as a Conservation Area.

As an example, photographs were circulated by a local resident showing the impact of development around the Village Shop; while the side of Braunstone Lane around Cressida Place retained the same character and appearance (filed with these minutes).

Reference was also made to the report to Blaby District Council on 21<sup>st</sup> May 2024, which provided an update on the potential of creating a new Conservation Area covering the historic village core of Braunstone, and sought approval to proceed a public consultation. In the section on "Evaluation of the proposed conservation area", the report stated "*There is evidence of incremental change in this area, with the loss of more traditional building features and materials, as well as small scale developments that are more visually harmful. The area can be seen as being close to a tipping point in terms of this change, with the expanded permitted development rights for non-conservation area properties providing a heightened risk*".

The Manor and its farmyard was considered to be at the core of the Village and by extension the proposed conservation area. Farm buildings within its curtilage dated from when the Winstanley family upgraded buildings around 1850 to 1860. The site was important to retaining the overall character and special interest of the area. There had been evidence of Roman activity in the area and generally, all undeveloped sites within the Village was of archaeological interest.

Those in attendance agreed there was clear evidence that a new conservation area would help ensure new development was sensitive to the historic character and setting of Braunstone Village.

## **AGREED**

1. that the southern (Blaby District / Braunstone Parish) side of Braunstone Village (i.e. South of Braunstone Lane/Main Street) should be designated as a Conservation Area, complimenting the existing Conservation Area on the northern (Leicester City) side of Braunstone Village;
2. that the boundary for the proposed Conservation Area (marked within the red line on the enclosed map at Appendix 2) was supported;
3. that the Draft Character Appraisal (Appendix 3) generally described the special architectural, historic interest, character and appearance of Braunstone Village; however, the following should be considered:
  - a) The Manor farmyard was the largest farm yard in the village and the farm buildings were curtilage listed; this area was an important part of the setting for The Manor,
  - b) the Manor farmyard was described as now being a "small industrial estate", it potentially better described as being units for small businesses,
  - c) the "Evaluation of the proposed conservation area" highlighted in the report to Blaby District Council on 21<sup>st</sup> May 2024, should also be appropriately referenced,

- d) in addition to open space and historic routes, reference should also include the importance of the natural environment (gardens, trees, hedgerows) in retaining the special character and interest of a historic rural village;
4. that the draft Management Plan was generally considered suitable to ensure the future protection and enhancement of the special character of Braunstone Village (Appendix 4); however, it was felt that the Plan could be stronger in ensuring that all three Councils had an interest in both conservation areas and therefore, the whole of the setting, while respecting roles and jurisdictions; and
  5. that the proposed Article 4 Direction (page 19 of the Management Plan (Appendix 4)) was balanced and appropriate to ensure development in the conservation area would be suitably managed.

The meeting closed at 8.15pm.

**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 currently proposed meeting scheduled for 5<sup>th</sup> September 2024.*



## **BRAUNSTONE TOWN COUNCIL**

Serving the communities of Braunstone Town and Thorpe Astley

*Darren Tilley – Chief Executive & Town Clerk*

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

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Our Ref:

Your Ref:

When calling please ask for:

Darren Tilley

Martin Needham  
Senior Planning Policy Officer  
Planning Development & Strategy  
Blaby District Council  
Council Offices  
Desford Road  
Narborough  
Leicester  
LE19 2EP

9<sup>th</sup> July 2024

Dear Martin,

### **Potential new Braunstone Village Conservation Area: Braunstone Town Council Response to Public Consultation**

Braunstone Town Council supports the proposal to designate the part of Braunstone Village to the South of Braunstone Lane as a Conservation Area, to complement the existing Conservation Area on the northern (Leicester City) side of Braunstone Village.

Local residents who have engaged with the Town Council, either through our Public Participation Sessions at Planning & Environment Committee or through the Citizens' Advisory Panel, welcome and fully support the proposal in principle. The lack of a conservation area on the Blaby District / Braunstone Town side of Braunstone Village over the past 50 years has resulted in a general degrading of the heritage assets and the setting; something which has not been the case on the Leicester City side of Braunstone Village, which is designated as a Conservation Area. Pictures showing the impact of development around the Village Shop; while the side of Braunstone Lane around Cressida Place retained the same character and appearance, have been supplied to us by the Chair of the Braunstone Heritage Archive Group, John Dodd, and are enclosed to illustrate this point.

The proposed boundary for the Conservation Area (marked within the red line on the map enclosed with the consultation documentation) is supported. The area covers the historic built core of the Village following physical features, avoids bisecting properties and their curtilage, and includes the natural green and open spaces which contribute positively to the character of Braunstone Village.

The Character Appraisal is generally considered sound, suitably capturing and identifying the area's overall special interest and character. However, the Character Appraisal could be



developed further on the more detailed special architectural, historic character and appearance of Braunstone Village as follows:

- a) The Manor and its farmyard were considered to be at the core of the Village and by extension the proposed conservation area. The Manor farmyard had been the largest farm yard in the Village and the farm buildings are curtilage listed; farm buildings within its curtilage dated from when the Winstanley family upgraded buildings around 1850 to 1860. The site was important to retaining the overall character and special interest of the area as well as the overall setting of the Manor farmhouse.
- b) The Manor farmyard is described as now being a “small industrial estate”, it is potentially better described as a small business employment site.
- c) The “Evaluation of the proposed conservation area”, i.e. *“There is evidence of incremental change in this area, with the loss of more traditional building features and materials, as well as small scale developments that are more visually harmful. The area can be seen as being close to a tipping point in terms of this change, with the expanded permitted development rights for non-conservation area properties providing a heightened risk”*, highlighted in the report to Blaby District Council on 21<sup>st</sup> May 2024, should be incorporated appropriately into the Character Appraisal. This analysis provides succinct evidence that a new conservation area is essential to ensure new development would be sensitive to the historic character and setting of Braunstone Village.
- d) In addition to open space and historic routes, reference should also include the importance of the natural environment (gardens, trees, hedgerows) in retaining the special character and interest of an historic rural village. There had been evidence of Roman activity in the area and generally, all undeveloped sites within the Village were of archaeological interest.

The proposed Joint Management Plan is welcomed and generally considered suitable to ensure the future protection and enhancement of the special character of Braunstone Village as a single setting. The Plan suitable covers engagement with the local community and community groups. However, the Joint Management Plan should be stronger in providing a framework for all three Councils (Leicester City, Blaby District and Braunstone Town), which have an interest in both conservation areas, to be actively involved in delivering the Management Plan, improving and enhancing the setting as a whole, and providing input into the management and monitoring of each Conservation Area, while respecting roles and jurisdictions.

The proposed Article 4 Direction within Blaby District Council’s administrative boundary is supported since it provides for reasonable, balanced and appropriate Development Management controls to ensure development in the proposed conservation area is suitably managed, protecting and enhancing the special character of Braunstone Village.

If you have any queries concerning Braunstone Town Council’s comments, please let me know.

Yours sincerely



Darren Tilley  
Chief Executive & Town Clerk









1964



2014



1960    2023  
Manor Farm  
1884    1900



# Financial Budget Comparison

**ITEM 12**

## for 8. Planning & Environment

Comparison between 01/04/24 and 31/07/24 inclusive. Includes due and unpaid transactions.

Excludes transactions with an invoice date prior to 01/04/24

		<b>2024/2025</b>	<b>Revised</b>	<b>Reserve</b>	<b>Actual Net</b>	<b>Balance</b>	<b>Bal %age</b>
<b>8. Planning &amp; Environment</b>							
<b>Income</b>							
807	Projects	£0.00	£0.00	£0.00	£0.00	£0.00	0.00%
890	Consumer Products (Sales)						
890/1	General	£0.00	£0.00	£0.00	£0.00	£0.00	0.00%
890/2	Poop Scoops	£1,100.00	£1,100.00	£0.00	£303.68	-£796.32	-72.39%
890	Total	£1,100.00	£1,100.00	£0.00	£303.68	-£796.32	-72.39%
<b>Total Income</b>		<b>£1,100.00</b>	<b>£1,100.00</b>	<b>£0.00</b>	<b>£303.68</b>	<b>-£796.32</b>	<b>£0.00</b>
<b>Expenditure</b>							
8070	Projects						
8070/1	Climate Change	£165.00	£0.00	£0.00	£0.00	£0.00	0.00%
8070	Total	£165.00	£0.00	£0.00	£0.00	£0.00	0.00%
8190	Professional Fees	£250.00	£250.00	£0.00	£0.00	£250.00	-100.00%
8440	Waste Services (Dog Bins)	£11,401.00	£11,401.00	£0.00	£5,733.00	£5,668.00	-49.71%
8460	Furniture						
8460/1	Notice Boards	£2,000.00	£0.00	£0.00	£0.00	£0.00	0.00%
8460/2	Street Planters	£1,976.00	£1,976.00	£0.00	£0.00	£1,976.00	-100.00%
8460/3	Other	£0.00	£0.00	£0.00	£0.00	£0.00	0.00%
8460	Total	£3,976.00	£1,976.00	£0.00	£0.00	£1,976.00	-100.00%
8900	Consumer Products (Purchase for resale)						
8900/1	Poop Scoops	£1,100.00	£1,100.00	£0.00	£838.25	£261.75	-23.80%

# Financial Budget Comparison

## for 8. Planning & Environment

Comparison between 01/04/24 and 31/07/24 inclusive. Includes due and unpaid transactions.

Excludes transactions with an invoice date prior to 01/04/24

	<b>2024/2025</b>	<b>Revised</b>	<b>Reserve</b>	<b>Actual Net</b>	<b>Balance</b>	<b>Bal %age</b>
8900 Total	£1,100.00	£1,100.00	£0.00	£838.25	£261.75	-23.80%
<b>Total Expenditure</b>	<b>£16,892.00</b>	<b>£14,727.00</b>	<b>£0.00</b>	<b>£6,571.25</b>	<b>£8,155.75</b>	<b>£0.00</b>

# Paid Expenditure Transactions

paid between 29/05/24 and 20/08/24, for the 8. Planning Environment

**Start of year 01/04/24**

Payment Reference	Paid date	Tn no	Order no	Gross	Vat	Net	Cttee	Details	Heading
BACS240606J RB7062	21/06/24	20095	4653	£758.00	£126.33	£631.67	8. PE	Mutts Butts / JRB Enterprise LTD Degradable Poop Scoop Bags - Bag Size 180 x 280 x 380 mm, 17 Micron Thick. 50,000. + Delivery	8900/1
<b>Total</b>				£758.00	£126.33	£631.67			