

BRAUNSTONE TOWN COUNCIL

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

HELD AT BRAUNSTONE CIVIC CENTRE

THURSDAY 18th 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 25th 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 (29th January 2024);
- d) Structural Appraisal of Listed Barn Survey (8th March 2024), GCA Consulting;
- e) Observations by Historic Building and Places (24th November 2021);
- f) Further observations by Blaby District Council's Principal Planning and Conservation Officer (19th 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 8th 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
 Braunstone Town Council has a duty in carrying out its functions to have due regard to:-

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between different groups; and;
- foster good relations between different groups

To ensure that no person receives less favourable treatment on the basis of race, disability, sex, gender re-assignment, sexual orientation, age, religion or belief, marriage or civil partnership, pregnancy or maternity.
 These issues were considered in connection with each of the above decisions. Unless otherwise stated under each item of this report, there were no implications.

SIGNED:

DATE: