

BRAUNSTONE TOWN COUNCIL

MINUTES OF PLANNING & ENVIRONMENT COMMITTEE

HELD AT BRAUNSTONE CIVIC CENTRE

THURSDAY 29th AUGUST 2024

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

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

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

21. Apologies

An apology for absence was received from Councillor Gary Sanders.

22. Disclosures of Interest

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

23. 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 at the meeting, both of whom were interested in item 10 on the agenda, Braunstone Village Conservation Area Proposals. Clarity was sought concerning post-consultation amendments.

24. Minutes of the Meetings held 6th June 2024 and 18th July 2024

The Minutes of the meetings held on 6th June 2024 and 18th July 2024 were circulated (item 4 on the agenda).

RESOLVED that the Minutes of the meetings held on 6th June 2024 and 18th July 2024 be approved and signed by the Chairperson as a correct record.

25. 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:** 24/0102/FUL

Description: Change of use from dwelling house (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 Leicestershire (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 North Braunstone Town Leicestershire (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 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 Leicestershire (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 were no licensing applications to consider.

26. Planning Applications and Licensing Applications

The Committee received details of a planning application to be considered by Blaby District Council (item 6 on the agenda). The Committee noted that there were no licensing applications.

RESOLVED that the following response be forwarded to Blaby District Council:

- 1. **Application No:** 24/0608/FUL
- Description:** Proposed car port
- Location:** Paul Pender & Son Shakespeare Inn Braunstone Lane Braunstone Town Leicestershire (Ravenhurst Ward)
- Response:** *Braunstone Town Council does not object to the proposed car port; subject to:*
 - 1. *Built in strict accordance with the submitted plans; using the materials identified in the plans, unless an alternative was agreed in writing with the planning authority; and*

2. *the car port blending into the style and design of the neighbouring outbuildings on the site (for example, the vertical timber cladding and support posts being painted white, the slate roof being grey and the guttering/downpipes and brick plinths being black).*

Reasons:

1. *To ensure that the car port was built in the proposed design and style in keeping with the site and the wider area.*
2. *The site contained a Listed Building and the wider area was under consideration for designation as a conservation area; therefore, it was important to ensure that the proposed car port was in keeping with both the listed building and the character and setting of the surrounding area.*

27. 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:

2. **Application No:** 24/0666/FUL
Description: Retrospective application for siting of an InPost Parcel Locker
Location: Osiers Travellers Check Lubbesthorpe Way Braunstone Town Leicestershire
Response: *Braunstone Town Council does not object to the application.*
Reason: *The Locker appeared in keeping with the buildings and canopy on the site. The location of the locker was behind the kiosk, away from the petrol pumps, with separate vehicular access and room for vehicles to wait without impacting on the highway or vehicular movements on the site.*

3. **Application No:** 24/0688/HH
Description: Single storey side and rear extensions and porch to front
Location: 17 Fishpools Braunstone Town Leicester (Millfield Ward)

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

- 1. on-site parking to the front of the property being retained for parking; and*
- 2. no windows, openings or mechanical ventilation in the side elevation of the side extension without the prior permission of the local planning authority.*

Reasons:

- 1. With the loss of the garage, to ensure that sufficient on-site parking was retained for the size of the property, avoiding additional parking on the highway close to a junction, which could present safety concerns.*
- 2. To protect the amenity enjoyed by the residents of the neighbouring property in terms of privacy and noise.*

4. Application No: 24/0615/OUT

Description: Outline application for the demolition of buildings, alterations to existing farmhouse, and the erection of up to 145 new dwellings and creation of associated vehicular access to Hinckley Road and pedestrian/cycle access to Beggars Lane, and associated infrastructure and enabling earthworks, with all matters to be reserved except access points into the Site.

Location: Land South of Hinckley Road Leicester Forest East

Response: *Braunstone Town Council currently objects to the outline application on the following grounds:*

- 1. the site had not been included in the current Local Plan, adopted in February 2019; while that same plan included a Site Allocation (SA1) at "Land North of Hinckley Road, Kirby Muxloe" for at least 750 dwellings, 885 had been approved but remained to be developed;*
- 2. the proposed design and layout of the site was contrary to facilitating active travel and integrating communities; and*
- 3. there was only one vehicular access to the site, which was via the A47, Hinckley Road, opposite the sports clubs (and site SA1 above).*

Reasons: *While new housing was needed, it shouldn't be piecemeal, an integrated and evidenced based approach should be pursued:*

- 1. While it was accepted that the site had been put forward for consideration as part of the current review of the Local Plan, the assessment and*

evidence process was not complete, consequently no proposals had been published for consultation. The current adopted local plan included provision for 750 dwellings (25% affordable) on land to the north of Hinckley Road and 885 had been approved; therefore, there was sufficient land allocated to accommodate a further 135 new dwellings on that site.

- 2. The proposed site was adjacent to a recent development; however, it was separated from it. Active Travel England criterion 7, Site Permeability states “the development should provide / safeguard pedestrian and cycling connections to neighbouring sites including future phases of development”; the proposed site was designed in a way to cut it off from neighbouring areas, with access only from a major road and for pedestrians and cyclists from Beggars Lane. Any development on this site would need to be better integrated with the wider area.*
- 3. The A47 Hinckley Road was significantly congested (not just at commuter times). The site access would be at the same point as the proposed 885 dwellings. Of this site, the Local Plan requires “a comprehensive package of transport improvements informed by a robust transport assessment will be required. The improvements should include:*
 - Improvements to junction and link capacity on Hinckley Road (A47);*
 - New junction into the site; and*
 - Traffic calming measures”.*

Such information was similarly required for the proposed development, including collective impact and collective mitigation.

28. Planning Decisions

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

RESOLVED that the planning decisions made by Blaby District Council be received and noted.

Reason for Decision

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

29. **Feedback on Planning Application Decisions**

Feedback had not been received from Councillor Leanne Lee concerning the following planning decisions:

- 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.

This would be pursued for the next meeting.

Councillor Anthea Ambrose had followed up on decision 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.

Councillor Ambrose had obtained a copy of the Planning Officer's delegated decision. Parking was detailed in section 13 and there was a garage at the side of the house, with a parking place to the front. At least one space was required due to the one bedroom flat. An impact report had been received from Highways concerning parking. Parking was available in front of the shop and since the pavement and frontage was wide enough, it was considered not to have an adverse impact on movements along the footpath. While the impact report recognised the arrangement was not ideal, historically and at neighbouring premises, parking was provided on the frontages. Given that many customers would walk and use public transport, the parking arrangements had been considered sufficient.

RESOLVED

1. that feedback be provided at the next ordinary meeting of the Committee, scheduled for 31st October 2024, in respect of planning decisions 23/1006/HH, 31 Headley Road, 23/1024/HH, 132 Kingsway, and 24/0339/HH, 7 Edward Avenue; and
2. that the feedback concerning planning decision 23/0787/FUL, 2 Ayston Road, be received and noted.

Reasons for Decision

1. *To ensure consistency of approach when applying conditions relating to off-road parking.*
2. *A parking place had been provided for the one bedroom flat and an impact assessment had been undertaken by Highways concerning parking arrangements for the retail unit.*

30. **Braunstone Village Conservation Area Proposals**

The Committee received an update on the process to consider whether there would be a case to designate an area of Braunstone Village to the South of

Braunstone Lane as a Conservation Area, including timescales for a decision (item 10 on the agenda).

The Chief Executive & Town Clerk advised that a meeting had been arranged for Tuesday 3rd September 2024, between officers at Blaby District Council, Leicester City Council and Braunstone Town Council, to review proposed amendments to the Character Appraisal and Joint Management Plan as a result of the consultation responses.

RESOLVED that the report be noted.

Reason for Decision

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.

31. Lubbesthorpe Impacts Group

The Committee received an update on progress concerning matters relating to the Lubbesthorpe development, along with a report on the recent meeting of the Lubbesthorpe Impacts Group held on 7th August 2024.

The Chair, Councillor Robert Waterton, reported that on 31st July 2024 there were 1099 occupations (Phase 1 comprises 1265 dwellings/occupations when completed). This compares to 1025 occupations on 31st January 2024 (74 in 6 months, roughly 12 per month). There were 6 new occupations between the end of June 2024 and the end of July 2024.

The Lubbesthorpe Impacts Group discussed the implications of the above relatively slow progress, including:

- a) the consequences for the land for housing 'conveyor belt' – Blaby District Council should have 5 years of potential housing on the 'conveyor belt' but currently has only around 3.6 years. Not moving quickly through the Lubbesthorpe Phases (each of which needs final planning approval) potentially means more new housing developments approved elsewhere in the District;
- b) Implementing the 'affordable' housing strategy at Lubbesthorpe was also slowed down, so planning applications for affordable housing elsewhere (e.g. the Avon Road application) could be approved.

Members were also aware that publicity had been given recently to the tendency of developers to seek to escape from their S106 commitments to building affordable housing in a mixed development because of the impact on their profit margin. There were also stories in the media about affordable houses being built and then standing empty because Housing Associations could not afford to take them on. These issues had not yet, however, shown themselves at Lubbesthorpe.

Local Centre 1 on Tay Road was under way and completion expected in Spring 2025. No progress had been made on GP provision for those, especially in Braunstone Town, who would be disenfranchised by the closure of the Forest

House practice's surgery at Braunstone Crossroads and its replacement by the new surgery in Local Centre 1 (Forest House would continue with the Warren Lane surgery).

The 'Enderby Hub' rejection was taken to Appeal on 9th July 2024 – the decision by the Planning Inspectorate was awaited. In the meantime, the Drummond Estate submitted a second, slightly different application which was approved by Blaby District Council Planning Committee in late July.

Concerning Highways, Members noted the continued Highways infrastructure problems with new developments being approved (e.g. housing in Countesthorpe, the 'Enderby Hub'), with only minor changes to the road system being proposed, with many such proposals either not implemented or subject to delays and with underlying models which were narrowly focused. As Lubbethorpe expands, this situation was likely to become critical for much of the District and particularly for Parishes represented on the Lubbethorpe Impacts Group. The much-used A47 through Leicester Forest East and Kirby Muxloe faced not only the impact of Lubbethorpe but also of the 885 houses to be built on the A47 next to the existing Kirby Muxloe settlement and of, potentially, another 145 houses on the Leicester Forest East side of the road.

The Group had also discussed the ongoing flooding issues, particularly the water run-off onto Beggars Lane from the Lubbethorpe estate.

It was also noted that the new Government was due to make changes around planning and infrastructure.

The next meeting of the Group had been scheduled for 6th November 2024.

RESOLVED that the update be received and noted.

Reason for Decision

To receive details of current and ongoing matters discussed relating to the new Lubbethorpe development and its impact.

32. Financial Comparisons

The Committee received Financial Comparisons for the period 1st April 2024 to 31st July 2024 (item 12 on the agenda).

RESOLVED that the report be noted.

Reason for Decision

There were no issues of concern with the income and expenditure against the budget for 2024/2025.

33. Approval of Accounts

The Committee received payments from 29th May 2024 until 20th August 2024 (item 13 on the agenda).

RESOLVED that the list of Approved Expenditure Transactions for the Period 29th May 2024 until 20th August 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 8.45pm.

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: