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Our Reference :

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Date : 14 June 2017

Members of the Planning Committee

Dear Councillor

Planning Committee – 15 June 2017

The following is a schedule of representations received after the agenda for the Planning Committee was finalised.

Yours sincerely



Deputy Monitoring Officer



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Borough Council

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17/00582/FUL

Applicant Mr Vinny Owen

Location 134A Trent Boulevard, West Bridgford, Nottinghamshire

Proposal Demolish existing house and ancillary buildings, erect 2x apartment blocks comprising 8x2 bed apartments, 1x1 bed apartment, plus gym facility with parking.

Ward Lady Bay

LATE REPRESENTATIONS FOR COMMITTEE

1. **NATURE OF REPRESENTATION:** Additional Information - Bat Survey

RECEIVED FROM: Applicant

SUMMARY OF MAIN POINTS:

The applicants have carried out two bat emergence surveys which found no evidence of use of the buildings by bats.

PLANNING OFFICERS COMMENTS:

The report points out that bats are mobile and can appear at any time of the year. It recommends that if bats are found when development commences, work should cease and an ecologist consulted. It also recommends that if development does not commence within 12 months, a further survey should be undertaken.

It is recommended that the above be included as an informative and condition respectively.

Additional Condition:

In the event that the proposed development does not commence within 12 months of the date of this permission, a further bat survey shall be carried out and submitted to the Borough Council and any mitigation measures carried out in accordance with the report.

[To ensure the survey reflects the situation pertaining at the time and to comply with policy EN12 (Habitat Protection) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

Additional Informative:

Although the submitted Bat Survey found no evidence of bats, it points out that bats are mobile and could appear at any time. If bats are found when development commences, work should cease and an ecologist consulted.

17/00043/COU

Applicant Mr Martin Dodson

Location Artex Ltd, Pasture Lane, Ruddington

Proposal Use of land to provide vehicle parking with measures to improve bio-diversity (part retrospective)

Ward Ruddington

LATE REPRESENTATIONS FOR COMMITTEE

1. **NATURE OF REPRESENTATION:** Clarification letter in response to request from Local Planning Authority

RECEIVED FROM: Aspbury Planning (agents) representing the applicant (Artex).

SUMMARY OF MAIN POINTS:

The commencement of works without planning permission was an unintentional oversight by the applicant who undertook the works in good faith not appreciating that it required planning permission and at that point they were not being professionally advised. They should not be penalised for having submitted a retrospective application.

As soon as the Council's Enforcement Team brought the matter to Artex's attention all works ceased and a part-retrospective application was submitted. Following submission of the planning application the Borough Council requested additional drawings and information to assist in determining the proposal. At that point the applicants instructed Aspbury Planning to act as their agents. The submission of additional information lead to a number of discrepancies between the original planning application form and the additional information submitted. Aspbury Planning confirmed that their submission is the most up to date and accurate information which should be used to determine the application.

Aspbury Planning confirm that there are approximately 130 employees working on the site and 91 existing car parking spaces. The original application form stated an additional 26 spaces would be provided, however, following the production of the comprehensive layout it became apparent that 32 parking spaces and 6 trailer spaces (not attached to an articulated tractor

unit when parked) could be provided.

The site is not within Flood zone 2 or 3.

The overspill car park would be served by 12 lighting columns that would face towards the car park to minimise any impact on residents and would be on timers.

PLANNING OFFICERS COMMENTS:

The letter helps clarify the scope of the proposal, i.e. the level of parking and the number of lighting columns, along with the additional information/drawings previously provided.

2. **NATURE OF REPRESENTATION:** One additional letter of objection

RECEIVED FROM: One local resident

SUMMARY OF MAIN POINTS:

There are inaccuracies in the additional statement provided by the agents (Aspbury Planning) representing the applicants, specifically relating to the date the Borough Council reported the issue to the applicants (discrepancy of 1 week) and that all works immediately ceased on site once the breach of planning was reported; fencing and lighting continued as did the laying of hardcore. A letter from the Enforcement Department to another resident sets out the timescale for the unauthorised works. Artex originally advised they would return the site to its former state, why haven't they? The most recent objection letter also raises again the question regarding the number of employees at Artex and requests that Lux levels for the current lighting should be taken prior to any new lighting being brought into use.

PLANNING OFFICERS COMMENTS:

The agents have sought to clarify the reason for the discrepancies (see above), and the date the breach was brought to Artex's attention is not a material consideration. The proposal covers all the works that require planning permission and the applicants are entitled to seek retrospective planning permission (and the Borough Council has a legal obligation to determine any application submitted for consideration). Furthermore, the Borough Council cannot apply conditions to existing elements on site (i.e. the existing lighting, however, the Environmental Health Department could investigate the issue as a potential statutory nuisance).

3. **NATURE OF REPRESENTATION:** Clarification

RECEIVED FROM: Asbury Planning (agents)
representing the applicant (Artex).

SUMMARY OF MAIN POINTS:

The agents (Asbury Planning) have confirmed that surface water would be disposed of via a drainage system incorporating interceptors (that have already been installed on site) into the brook. They state the location of the intercepts is shown on the previously submitted plan, and the specification has been submitted.

PLANNING OFFICERS COMMENTS:

The location and the number of the intercepts is not explicitly clear on the submitted information, therefore, it is suggested that this information be conditional to any grant of permission.

Additional Condition:

Prior to any further works continuing on site details of the number and location(s) of the interceptor unit(s) installed on the car park area of the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the interceptor unit(s) shall be maintained in accordance with the manufacturer's specification for the lifetime of the development.

[To ensure that adequate drainage facilities are provided in connection with the development free from contamination, in the interests of public health and safety and to comply with policy GP2 (Design & Amenity Criteria) and policy WET3 (Ground Water Resources) of the Rushcliffe Borough Non Statutory Replacement Local Plan]