

**MINUTES  
OF THE MEETING OF THE  
PLANNING COMMITTEE  
THURSDAY 13 JULY 2017**

Held at 6:30 pm in the Council Chamber, Rushcliffe Arena, Rugby Road,  
West Bridgford

**PRESENT:**

Councillor R L Butler (Chairman)  
Councillor J A Stockwood (Vice-Chairman)

Councillors B R Buschman, J N Clarke M J Edwards, J E Greenwood,  
R M Jones, Mrs M M Males, S E Mallender, Mrs J A Smith and J E Thurman

**ALSO IN ATTENDANCE**

Councillor R Inglis  
Councillor R Upton  
7 Members of the public

**OFFICERS IN ATTENDANCE**

M Elliott	Constitutional Services Team Leader
A Graham	Chief Executive
I Norman	Legal Services Manager
A Pegram	Service Manager – Communities

**APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**5. DECLARATIONS OF INTEREST**

17/00694/FUL – 25 Cranford Gardens, West Bridgford – Councillor M J Edwards.

**6. MINUTES**

The Minutes of the Meeting held on Thursday 15 June 2017 were confirmed as a correct record and signed by the Chairman.

**7. PLANNING APPLICATIONS**

The Committee considered the written report of the Executive Manager - Communities relating to the following applications, which had been circulated previously.

**Item 1 - 17/00892/FUL - Construction of two detached dwellings and alterations to existing dwelling - 20 Thomas Avenue Radcliffe On Trent Nottinghamshire NG12 2HT.**

**Updates**

There were none reported.

In accordance with the Council's Public Speaking Protocol for Planning Committee Mr Alex Gillen (objector) and Councillor R Upton (ward councillor), addressed the meeting.

Councillors N Clarke and Mrs J A Smith, as ward councillors for Radcliffe-on-Trent withdrew from the Committee for the consideration of this item.

**DECISION**

**GRANT PLANNING PERMISSION FOR THE REASONS SET OUT IN THE REPORT SUBJECT TO THE FOLLOWING CONDITIONS**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].

2. The development hereby permitted shall be carried out in accordance with the following approved plans: '17/06/001'; '17/06/002' received on the 05/06/2017; '17/06/004' received on the 04/05/2017, and '17/06/005' received on the 20/04/2017.

[For the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

3. The materials specified in the application and further specified in the email dated the 23/05/2017 shall be used for the external walls and roof of the development hereby approved and no additional or alternative materials shall be used.

[To ensure the appearance of the development is satisfactory and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

4. No works shall commence on the two dwellings hereby approved until such time as the modifications to the existing property at 20 Thomas Avenue have been completed in accordance with the details contained in plan reference '17/06/006' received on 20/04/2017.

[The works must be completed first to protect the residential amenity of the neighbouring occupants, for the avoidance of doubt and to comply

with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

5. The two dwellings hereby approved shall not be occupied until the access driveways have been provided as shown for indicative purposes only on drawing number '17/06/004'. The driveways shall be surfaced in a suitably bound material (not loose gravel), be constructed with provision to prevent the discharge of surface water from the driveway to the public highway and fronted by a dropped kerb. These provisions shall be retained for the life of the development.

[To ensure adequate car parking facilities are provided in connection with the development; and to comply with policies GP2 (Design & Amenity Criteria) and MOV9 (Car Parking Standards) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

6. The development of the two dwellings shall not progress beyond foundation level until a detailed landscaping scheme for the site has been submitted to and approved in writing by the Borough Council. The approved scheme shall be carried out in the first tree planting season following the substantial completion of the development. Any trees or plants which within a period of 5 years from the completion of the development 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 Borough Council gives written consent to any variation.

[In the interests of amenity and to comply with policy EN13 (Landscaping Schemes) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

7. The three south facing first floor velux windows in the 'plot 1' property shall be permanently obscure glazed to Grade 5 level of obscurity or equivalent and retained to this specification for the lifetime of the development.

[To prevent overlooking and loss of privacy to neighbouring property and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

## **NOTES TO APPLICANT**

You are advised to ensure disturbance to neighbours is kept to a minimum during construction by restricting working hours to Monday to Friday 7.00am to 7.00pm, Saturday 8.00am to 5.00pm and by not working on Sundays or Bank Holidays. If you intend to work outside these hours you are requested to contact the Environmental Health Officer on 0115 9148322.

The provisions of the Party Wall Act 1996 may apply in relation to the boundary with the neighbouring property. A Solicitor or Chartered Surveyor may be able to give advice as to whether the proposed work falls within the scope of this Act and the necessary measures to be taken.

The Borough Council is charging developers for the first time provision of wheeled refuse containers for household and recycling wastes. Only containers supplied by Rushcliffe Borough Council will be emptied, refuse containers will need to be provided prior to the occupation of any dwellings. Please contact the Borough Council (Tel: 0115 981 9911) and ask for the Recycling Officer to arrange for payment and delivery of the bins.

The development makes it necessary to extend an existing vehicular crossing over a footway of the public highway. These works shall be carried out to the satisfaction of the Highway Authority. You are therefore required to contact the County Council's Highway Management Team on 0300 500 8080 to arrange for these works to be carried out.

Your attention is drawn to condition 6 which requires the submission of a landscaping scheme for the site. Where any trees are to be felled as a result of the proposals, the landscaping scheme should make provision for the planting of replacement trees at a ratio of at least one for one, in accordance with the Rushcliffe Nature Conservation Strategy 2016 – 2020.

It should be brought to the applicant's attention that there is a minor discrepancy between the floor plans and elevation plans for the Plot 2 property hereby approved. The discrepancy concerns the size of the first floor west facing rear elevation window with the floor plans showing a double panelled unit and the elevations showing a larger triple panelled unit. The application was assessed on the merits of the larger triple panelled unit and it is understood following a discussion with the applicant that this is the unit intended to be used. Therefore it is expected that the development will be completed in accordance with the elevation plans in that respect. If this should change please contact the Borough Council for further advice.

**Councillor M J Edwards, who had declared an interest in the following application left the room for the consideration of the application.**

**Item 2 – 17/00694/FUL- Detached Garage (revised scheme) - 25 Cranford Gardens West Bridgford Nottinghamshire NG2 7SE.**

### **Updates**

Representations from the Applicant and Nottinghamshire County Council, as the local Highways Authority received after the agenda had been finalised, had been circulated to members of the Committee prior to the meeting. Furthermore, an additional condition relating to drainage was recommended by officers.

In accordance with the Council's Public Speaking Protocol Mr Adama Diop (the applicant) and Ms Christine Smith (objector), addressed the meeting.

## **DECISION**

### **GRANT PLANNING PERMISSION FOR THE REASONS SET OUT IN THE REPORT SUBJECT TO THE FOLLOWING CONDITIONS**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].

2. The development hereby permitted shall be carried out in accordance with the following approved plan: 16/660/06 (Proposed Plan and Elevations), received on 23 March 2017.

[For the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

3. The detached garage hereby permitted shall be constructed in suitable facing and roofing materials to match the elevations of the existing property.

[To ensure the appearance of the development is satisfactory and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

4. The door to be installed in the front (western) elevation of the garage hereby approved shall be a roller shutter or sectional style door so as not to project forward of the front wall of the building when being opened and closed. This style of garage door shall be retained for the life of the development.

[To ensure that any car parked on the drive does not overhang the public highway, in the interests of highway safety, and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement local Plan]

5. Prior to the driveway being brought into use, the proposed drainage shall be installed as shown on drawing 16/660/06 (Proposed Plans and Elevations), received on 12 July 2017. Thereafter the drainage shall be retained to this specification.

[To prevent surface water run off onto the highway in the interests of public safety]

## **NOTES TO APPLICANT**

This permission does not give any legal right for any work on, over or under land or buildings outside the application site ownership or affecting neighbouring property, including buildings, walls, fences and vegetation within that property. If any such work is anticipated, the consent of the adjoining land

owner must first be obtained. The responsibility for meeting any claims for damage to such features lies with the applicant.

You are advised to ensure disturbance to neighbours is kept to a minimum during construction by restricting working hours to Monday to Friday 7.00am to 7.00pm, Saturday 8.00am to 5.00pm and by not working on Sundays or Bank Holidays. If you intend to work outside these hours you are requested to contact the Environmental Health Officer on 0115 9148322.

The crossing of the service strip requires works within the public highway on land outside your control. You are therefore advised to contact the Highways Area Office by telephoning 0300 500 8080 to arrange for these works.

### **Item 3 – 17/00891/FUL - Replacement of existing dwelling (reapplication) - Redroofs 4 Upper Holme Main Street Zouch Nottinghamshire.**

#### **Updates**

There were none reported.

#### **DECISION**

#### **REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASON**

1. The proposed replacement dwelling would represent a significant increase in scale and massing and in particular the height of the building. Together with its assertive contemporary design it is considered that this would result in an unduly imposing and prominent building that would be at odds with the rural riverside location. The proposal would therefore be contrary to:
  - i. the aims of Policy 10 of the Rushcliffe Core Strategy, which requires all development to be designed to make a positive contribution to the public realm; and,
  - ii. criterion d) of Policy GP2 of the Rushcliffe Borough Non Statutory Replacement Local Plan, which states that planning permission for new development will be granted provided that, “The scale, density, height, massing, design, layout and materials of the proposal are sympathetic to the character and appearance of the neighbouring buildings and the surrounding area”.

**Item 4 – 17/01035/FUL- Erect oak frame, three bay car garage/shelter - Birchwood Nicker Hill Keyworth Nottinghamshire NG12 5ED.**

**Updates**

Representations from the Applicant and the Planning Officer received after the agenda had been finalised, had been circulated to members of the Committee prior to the meeting.

In accordance with the Council's Public Speaking Protocol Mr Jeff Hooley (the applicant) and Councillor R Inglis (ward councillor), addressed the meeting.

**DECISION**

**REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASONS**

1. The proposed development, by reason of its mass and scale and proposed positioning on the front corner of the site that adjoins two road frontages would have a cumulative dominant and oppressive harmful impact upon the street scene when read in conjunction with the existing dwelling.

The proposal would be contrary to Policy 10 of the Rushcliffe Local Plan Part 1: Core Strategy, whereby development should, amongst other things, make a positive contribution to the public realm and sense of place.

A decision to refuse permission would accord with paragraph 64 of the National Planning Policy Framework which states that: "Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions".

The proposal would also be contrary to Rushcliffe Borough Non-Statutory Replacement Local Plan Policy GP2 d) which states that permission for new development, changes of use, conversion or extensions would normally be granted provided that, inter alia:

"The scale, density, height, massing, design, layout and materials of the proposals are sympathetic to the character and appearance of the neighbouring buildings and the surrounding area. They should not lead to an overintensive form of development, be overbearing in relation to neighbouring properties, nor lead to undue overshadowing or loss of privacy and should ensure that occupants of new and existing dwellings have a satisfactory degree of privacy."

5. **APPEAL DECISIONS**

The Service Manager – Communities provided a verbal report on the current position in respect of appeals which had been received.

The meeting closed at 8:18pm.

CHAIRMAN