



Rushcliffe
Borough Council

**MINUTES
OF THE MEETING OF THE
PLANNING COMMITTEE
THURSDAY 14 SEPTEMBER 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

Councillors K P Beardsall, N A Brown, T Combellack, G Davidson, E A Plant,
S J Robinson, Mrs M Stockwood, R G Upton and J G A Wheeler.

25 Members of the public

OFFICERS IN ATTENDANCE

M Elliott	Constitutional Services Team Leader
M Marshall	Principal Area Planning Officer
I Norman	Legal Services Manager
A Pegram	Service Manager – Communities

APOLOGIES FOR ABSENCE

There were no apologies for absence

14. DECLARATIONS OF INTEREST

17/01803/GDOTEL – Playing Field East of Leisure Centre (Madison Park,
Cotgrave Leisure Centre – Councillor Butler declared a personal interest as he
was a member of Cotgrave Town Council.

17/01416/FUL – 1 Church Court, Plumtree Road, Cotgrave – Councillor Butler
declared a personal and pecuniary interest as he was the applicant.

15. MINUTES

The Minutes of the Meeting held on Thursday 17 August 2017 were confirmed
as a correct record and signed by the Chairman.

16. 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 - 17/00941/OUT - Development of the Site for up to 600 new dwellings, construction of a primary school and the creation of a community park, together with associated access, drainage, landscaping and other infrastructure works - Land at Sharp Hill Wood Melton Road Edwalton Nottinghamshire

UPDATES

Representations from the applicant's agent, the applicant's noise consultant, Nottinghamshire County Council as the Education Authority, the Rushcliffe Borough Council Community Development Manager and Mr R Combie as a neighbour to the site, 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 Councillor Kevin Beardsall (ward Councillor), addressed the meeting.

DECISION

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

1. Application for approval of reserved matters must be made not later than three years beginning with the date of this permission and the development must be begun not later than the expiration of two years from the final approval of reserved matters, or in the case of approval of reserved matters on different dates, the final approval of the last such matter to be approved.

[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 only be carried out in accordance with detailed plans and particulars relating to the following items and the development shall not be commenced until these details have been submitted to and approved in writing by the Borough Council.
 - A detailed layout plan of the whole site;
 - The siting, design and external appearance of the proposed buildings;
 - The means of access;
 - The finishes for the hard surfaced areas of the site;

- Sections and cross sections of the site showing the relationship of the proposed development to adjoining land and premises;
- The finished ground levels for the site and floor levels of the dwellings relative to existing levels and adjoining land;
- The means of enclosure to be erected on the site;
- Details of the proposed landscaping for the site including any trees or shrubs to be removed from the site.
- The detailed design and layout of the NEAP

[The condition needs to be discharged before work commences on site as the information was not included in the application and it is important to agree these details in the interests of visual and residential amenity, and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

3. The development shall be broadly carried out in accordance with the following drawings and documents; Indicative Site Layout drawing 30713 SK01 A, Site Location Plan 7524-L-03, Planning Statement, Design and Access Statement, Landscape and Visual Impact Assessment, Ecological Appraisal, Arboricultural Report, Transport Statement (As amended by agent letter dated 17 July 2017), Flood Risk and Drainage Report, Noise Assessment, Air Quality Assessment, Agricultural land and Soil Resources Report, Archaeology and cultural Heritage Report, Geotechnical and Contamination Report.

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

4. Vehicular use of the access junction onto Musters Road shall be limited to Buses and Emergency vehicles only. Prior to the commencement of construction of the spine road details of the design and layout and means of restricting access shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be completed prior to the road connection being made to Musters Road and shall be maintained for the life of the development.

[To promote sustainable travel and prevent the Site Access Road, / Boundary Road being used as a through route, in accordance with Policy 20 of the Rushcliffe Local Plan Part 1: Core Strategy.]

5. Development shall not begin until a phasing programme for the whole of the development and for the highways works has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved phasing programme.

[To ensure that a satisfactory means of access is provided, in the interests of road safety, and to comply with Policy GP2 (Design and amenity criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan. This is a pre-commencement condition due to the need to

ensure the development can be provided with a satisfactory and safe access throughout the construction phase.]

6. Each phase of the development hereby permitted shall only be carried out in accordance with detailed plans and particulars relating to the following items and the development shall not be commenced until these details have been submitted to and approved in writing by the Borough Council.
- a) A detailed layout plan of the phase in context with the whole site;
 - b) The siting of the proposed buildings;
 - c) The means of access;
 - d) Hard surfacing materials;
 - e) Plans, sections, longitudinal gradients and cross sections of any roads or access/ service roads or pedestrian routes within the application site, and this shall include details of drainage, sewerage and lighting;
 - f) The layout and marking of car parking, serving and manoeuvring areas;
 - g) The means of enclosure to be erected on site;
 - h) The finished ground levels for the site and floor levels of the dwellings relative to existing levels and adjoining land;
 - i) Plant and equipment and other structures;
 - j) Cycle and bin storage facilities;
 - k) The provision of bus stops and other bus infrastructure;
 - l) Details of the means of foul and surface water drainage and flood storage replacement areas together with a programme of implementation;
 - m) The siting and appearance of contractors compounds including heights of stored materials, boundaries and lighting together with measures for the restoration of the disturbed land and noise mitigation;
 - n) The location of proposed haul routes;
 - o) A scheme for signage and other measures.

[To ensure the development will be satisfactory and in the interests of visual amenity and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

7. No part of the development of any phase shall begin until details of the proposed landscaping of highway verges have been submitted and approved in writing by the Borough Council. Details shall include location, species, size, a written specification including, grass seed mix, cultivation and grass establishment as well as measures to prevent ingress of roots into the adjacent highway construction. Any trees shall be located such that they do not obscure visibility to vehicles accessing or using the adjacent highway.
- [In the interests of highway safety; and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

8. No development, including any demolition and site clearance, shall take place until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- a) the means of access for demolition and construction traffic;
 - b) parking provision for site operatives and visitors;
 - c) the loading and unloading of plant and materials;
 - d) the storage of plant and materials used in constructing the development;
 - e) the erection and maintenance of security hoarding, including decorative displays and facilities for public viewing, where appropriate;
 - f) wheel washing facilities (including full details of its specification and siting)
 - g) measures to control the emission of dust and dirt during construction; and
 - h) a scheme for recycling/disposing of waste resulting from and construction works.
 - i) the location and layout of the site compound and cabins; and
 - j. the days and times of construction activity and of materials delivery and disposal activity.
 - k. The siting and appearance of contractors compounds including heights of stored materials, boundaries and lighting together with measures for the restoration of the disturbed land and noise mitigation;
 - i. A scheme for temporary signage and other traffic management measures, including routing and access arrangements.

[In the interests of highway safety and to protect the amenities of the area and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan and Policy 10 of the Rushcliffe Core Strategy. This is a pre-commencement condition due to the need to establish acceptable construction methods and working arrangements before such works commence]

9. No development shall take place until a traffic management plan including lorry routing, access and signage for the construction period has been submitted to and approved in writing by the Borough Council. The agreed access shall be provided before the development commences on land to which the reserved matter relates and no other access points for construction traffic shall be provided and or used. The development shall be carried out in complete accordance with that plan unless otherwise agreed in writing by the Borough Council.

[In the interests of highway safety; and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan. This is a pre-commencement condition because of the need to ensure construction is carried out in a safe manner which minimises any harm to the amenities of nearby residents and the area in general].

10. No dwelling shall be occupied until the associated parking and maneuvering areas have been provided, drained and surfaced in accordance with the details that have been previously submitted to and approved in writing by the Borough Council. The facilities so provided shall not be used, thereafter, for any purpose other than the parking and maneuvering of vehicles, unless otherwise agreed in writing by the Borough Council.

[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]

11. No part of the development shall commence until a bus infrastructure delivery plan has been submitted and approved in writing by the Borough Council. No buildings shall be occupied until the required infrastructure has been provided in accordance the above plan.

[In the interest of sustainable Travel and to comply with Policy MOV2 of the Rushcliffe Non Statutory Replacement Local Plan]

12. No development shall take place until the owner or the occupier of the site has appointed and thereafter continues to employ or engage a travel plan coordinator who shall be responsible for the implementation delivery monitoring and promotion of the sustainable transport initiatives set out in the Interim Travel Plan to be approved prior to development taking place and whose details shall be provided and continue to be provided thereafter to the Local Planning Authority.

[To promote sustainable travel and to comply with Policy MOV1 of the Rushcliffe Non Statutory Replacement Local Plan].

13. The travel plan coordinator employed as required under the provisions of condition 12 shall within 6 months of occupation produce or procure a Detailed Travel Plan that sets out final targets with respect the number of vehicles using the site and the adoption of measures to reduce single occupancy car travel consistent with the Interim Travel Plan to be approved by the Local Planning Authority. The Travel Plan shall be implemented in accordance with the approved timetable and be updated consistent with future travel initiatives including implementation dates to the satisfaction of the Local Planning Authority.

[To promote sustainable travel and to comply with Policy MOV1 of the Rushcliffe Non Statutory Replacement Local Plan].

14. The travel plan coordinator shall submit reports in accordance with the Standard Assessment Methodology (SAM) or similar to be approved and to the Local Planning Authority in accordance with the Travel Plan monitoring periods. The monitoring reports submitted to the Local Planning Authority shall summarise the data collected over the monitoring period and propose revised initiatives and measures where travel plan targets are not being met including implementation dates to be approved in writing by the Local Planning Authority.

[To promote sustainable travel and to comply with Policy MOV1 of the Rushcliffe Non Statutory Replacement Local Plan].

15. No development, including site works, shall begin until a landscaping scheme, to include those details specified below, has been submitted to and agreed in writing by the Borough Council:
 - (a) the treatment proposed for all ground surfaces, including hard areas;
 - (b) full details of tree planting;
 - (c) planting schedules, noting the species, sizes, numbers and densities of plants;
 - (d) finished levels or contours;
 - (e) any structures to be erected or constructed;
 - (f) functional services above and below ground;
 - (g) all existing trees, hedges and other landscape features, indicating clearly those to be removed; and,
 - (h) a landscape management plan and schedule of maintenance.

The approved landscape scheme shall be carried out in the first tree planting season following the substantial completion of the development and 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.

[To make sure that a satisfactory landscaping scheme for the development is agreed and implemented in the interests of the appearance of the area and to comply with policy EN13 (Landscaping Schemes) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

16. No operations shall commence on site until the existing trees and/or hedges which are to be retained have been protected in accordance with details to be approved in writing by the Borough Council and that protection shall be retained for the duration of the construction period. No materials, machinery or vehicles are to be stored or temporary buildings erected within the perimeter of the fence, nor is any excavation work to be undertaken within the confines of the fence without the written approval of the Borough Council. No changes of ground level shall be made within the protected area without the written approval of the Borough Council.

[To ensure existing trees are adequately protected during the development and to comply with policy EN13 (Landscaping Schemes) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

17. Prior to the commencement of development a lighting scheme for the residential streets, Community Park and open spaces shall be submitted to and approved in writing by the Borough Council. This shall include, where appropriate, details of a lux plot of the estimated

luminance. The scheme shall be designed to minimise skyglow and lighting in areas bordering Sharphill Wood and sensitive to wildlife. The lighting scheme shall be implemented in accordance with the approved details and maintained thereafter.

[To protect the amenities of the area and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

18. No dwelling shall be occupied until an appropriate agreement under Section 278 of the Highways Act 1980 has been entered into with Highways England to facilitate improvements to A52 junctions identified in the Memorandum of Understanding September 2015 (A52/A606 Improvement Package Developer Contribution Strategy).
[To secure a proportionate contribution to improvements to the A52 and A606 in order to address the impacts of the development on the capacity of the Trunk Road network in the vicinity of the application site and to comply with Policy 20 of the Rushcliffe Core Strategy.]
19. Prior to the commencement of development details of the design, layout and specifications for the surface water drainage system shall be submitted to and approved in writing by the Borough Council.

The submitted details shall include detailed evidence in the form of fully referenced plans and calculations to demonstrate the following;

- a. All surface water outflows from the site to be restricted to the greenfield discharge rates for the mean annual flood flow from a rural catchment in m³/s with the excess flows attenuated on the sites in suitable holding ponds, tanks or similar. The drainage design standard is 100years + 30% allowance in peak flow rates to allow for climate change effects.
- b. The developer is to assess the performance of the drainage system using intense storm events ranging in length from 15 minutes to 24 hours for the 100year +30% event. This will identify where the plot drainage and highway drainage may flood in extreme events. Once identified in calculations and on a plan, the developer is to identify how these flows are to be directed overland towards the surface water attenuation system. The site layout, levels, highway and drainage design should enable pluvial overland flows to be intercepted and directed away from dwellings, sensitive infrastructure and 3rd parties. The flows should be directed passively towards the surface water attenuation system and should not flow across the site boundary.
- c. The developer should demonstrate that they have intercepted pluvial flows that could enter the site from 3rd party land and directed these away from properties.

No part of the development shall be occupied until facilities for the disposal of surface water drainage have been provided, in accordance with the approved details and the development shall be constructed in accordance with the approved drainage details, levels and layout.

[To prevent the increased risk of flooding and to comply with policies WET2 (Flooding) and WET3 (Ground Water Resources) of the Rushcliffe Borough Non Statutory Replacement Local Plan. This is a pre-commencement condition because it is necessary to establish construction details, including levels prior to the setting out of the site and associated highways].

20. The development shall not be brought into use until facilities for the disposal of foul water drainage, including details of the location and design of any pumping station, have been provided, in accordance with details previously submitted to and approved in writing by the Borough Council.

[To ensure that adequate drainage facilities are provided in connection with the development and to comply with policy WET3 (Ground Water Resources) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

21. Prior to the commencement of residential development an Employment and Skills Strategy for the site shall be submitted to the Borough Council for approval. This shall provide for the recruitment of people in the locality and apprenticeships for young persons for the construction phase of the development and shall include the date by which the Employment and Skills Strategy is to be implemented by the developer. The development shall thereafter be implemented in accordance with the terms of this Strategy.

[In order to promote local employment opportunities and help to provide for disadvantaged local communities in accordance with Policies 1 and 5 of the Rushcliffe Local Plan Part 1: Core Strategy. This is a pre-commencement condition because recruitment and employment takes place prior to commencement].

22. If any unexpected, visibly contaminated or odorous material or tanks or structures of any sort are encountered during development, remediation proposals shall be submitted to and approved in writing by the Borough Council, before further work is undertaken in the affected area and works shall proceed only in accordance with the agreed remediation proposals.

[To make sure that the site, when developed is free from contamination, in the interests of public health and safety and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

23. Prior to any works of site clearance or preparation for development a further survey shall be carried out to establish whether there are any protected species within the site and the ecological impact of the development on any such species. The results of the survey and any proposed mitigation action arising from its findings shall be submitted to and approved in writing by the Borough Council before any work is

undertaken on site. The work shall be carried out in accordance with any approved mitigation measures.

[To ensure the survey reflects the situation pertaining at the time and to comply with policies GP2 (Design & Amenity Criteria) and EN12 (Habitat Protection) of the Rushcliffe Borough Non Statutory Replacement Local Plan. This is a pre-commencement condition due to the need to ensure adequate mitigation is in place before any intrusive site works take place].

24. The development hereby authorised shall not be occupied until bat boxes and/or access points to bat roosts have been installed in accordance with details previously submitted to and approved in writing by the Borough Council. Thereafter the bat boxes and/or access points shall be permanently retained.

[To ensure that adequate compensatory measures are carried out and to comply with policies GP2 (Design & Amenity Criteria) and EN12 (Habitat Protection) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

25. The development hereby authorised shall not be occupied until bird nesting boxes have been installed in accordance with details previously submitted to and approved by the Borough Council. Thereafter, the nesting boxes shall be permanently retained.

[To ensure that adequate compensatory measures are carried out and to comply with policies GP2 (Design & Amenity Criteria) and EN12 (Habitat Protection) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

26. The dwellings facing the A52 and A606 Melton Road shall be constructed in accordance with the mitigation measures to control noise set out in sections 6 and 7 of the Noise Assessment report accompanying this application and none of the affected dwellings shall be occupied until the measures are in place.

[To protect the amenities of future occupiers and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

27. Prior to the occupation of dwellings with habitable room windows facing the Rushcliffe Academy Multi-Use Games Area a 2.5m high acoustic fence shall be constructed in accordance with the location and specifications set out in sections 6 and 7 and Figure 1 of the Assessment and with details of its design and appearance that have first been submitted to and approved in writing by the Borough Council. Thereafter, the acoustic fence shall be retained for the lifetime of the development.

[To protect the amenities of future occupiers and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

28. The Primary school site shall comprise a serviced site of 2ha in area as required under the provisions of the S106 Agreement associated with this land. Prior to commencement of construction works details of the design, appearance and layout of the building(s) and associated site, including a scheme for the provision, location and management of the associated community use element shall have been submitted to and approved in writing by the Borough Council. The School shall be constructed and operated in accordance with the approved details and scheme.

[For the avoidance of doubt, to comply with Policy GP2 (Design and Amenity Criteria) and to ensure the delivery of an appropriate community use in accordance with Policy 20 of the Rushcliffe Core Strategy]

29. The developer shall give 14 days' notice to the Borough Council prior to commencing any works on the existing site and shall afford access at all reasonable times to any archaeologist nominated by the Borough Council and shall allow them to observe excavations and record items of interest and finds.

[To ensure that any archaeological items are recorded and to comply with policies GP1 (Sustainable Development), GP2 (Design & Amenity Criteria) and EN7 (Sites of Archaeological Importance) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

Notes to Applicant

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 Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.

In order to satisfy the requirements of condition 2 the Highway Authority will need to undertake a full technical design check of the detailed design drawings. Discharge of any reserved matters conditions relating to highway layouts will not be recommended until this process is complete and full technical approval of the highways drawings has been granted. We therefore strongly recommend technical approval for your drawings is obtained from the Highway Authority prior to any formal reserved matters submission.

The applicant should manage soils on site in accordance with the Agricultural Land and Soil Resources Assessment Report accompanying the application and with the Code of Practice for Sustainable Use of Soils on Construction Sites.

The proposed vehicle restriction referred to condition 4 will require a Traffic Regulation Order (TRO) to limit use of the highway to particular types of vehicles.

An application for a TRO can be made on behalf of the developer by Nottinghamshire County Council at the expense of the developer. This is a separate legal process and the Applicant should contact the County Highway Authority for details.

This is subject to an Agreement made under the provisions of Section 106 of the Town & Country Planning Act 1990 (as substituted by the Planning & Compensation Act 1992) relating to provision of on-site affordable housing and contributions towards essential infrastructure. Any payments will increase subject to the provisions set out in the Agreement.

In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works, you will need to enter into an agreement under Section 278 of the Act. Please contact the County Highway Authority for details.

The applicant is reminded of the obligation to submit details of and to implement a Community Park Scheme in accordance with the provisions of the S106 Agreement pertaining to the land subject of this permission.

In submitting details in order to discharge conditions 24 and 25 of this permission the applicant is encouraged to incorporate bird and bat boxes into the fabric of buildings where practicable.

The details for the acoustic fencing required by condition 27 of this permission shall demonstrate that the fencing has a density greater than 10kg/m² and that it is of an overlapping design to ensure there are no gaps.

Councillor Butler who had declared an interest in the following application vacated the Chair and left the room for the consideration of the application.

Councillor Stockwood, as Vice Chairman then took the Chair for the consideration of the following application.

Item 2 - 17/01803/GDOTEL - Erection of a 15m monopole to support 3no. telecommunications antennae for shared use by Vodafone and Telefonica, 2no. dishes and 2no. ground based equipment cabinets - Playing Field East of Leisure Centre (Madison Park) Cotgrave Leisure Centre Woodview Cotgrave

Updates

There were none reported.

In accordance with the Council's Public Speaking Protocol Mr Matt Pearson of Pegasus Group (agent for the applicant) and Ms Trina Fitzalan-Howard (objector), addressed the meeting.

THAT PRIOR APPROVAL BE GRANTED UNDER PART 16, CLASS A OF THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) (AMENDMENT) ORDER 2016, 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 five years beginning with the date of this permission.

[To comply with Part 16, Class A to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015].

2. The pole and antenna shroud shall have a galvanised finish and the cabinet(s) finished in a dark green colour for the lifetime of the development.

[In the interests of the amenities of the area and to comply with policy WET4 (Telecommunications) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

Notes to Applicant

In addition to the conditions set out in this decision notice, the development will also need to comply with the relevant conditions contained in Part 16, Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

Councillor Butler returned to the meeting as this point and retook the Chair from Councillor Stockwood.

Item 3 - Development of one detached dwelling house on land between 53 and 55 Park Lane, Sutton Bonington which is presently the garden of 53 Park Lane - 53 Park Lane Sutton Bonington Nottinghamshire LE12 5NQ

UPDATES

Representations from Councillor Andrew Brown, ward Councillor and the applicant's architect, 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 David Franklin of Sutton Bonington Parish Council (objector) and Councillor Andrew Brown (ward Councillor), addressed the meeting.

COMMENTS

Members of the Committee were concerned about the size, scale and massing of the proposed development and felt that it would be both overbearing and out of place both in relation to the adjacent bungalow as well as in the wider street scene. They also considered that the dwelling would be overbearing on the side windows of 53 Park Lane.

DECISION

REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASONS

1. The proposal by virtue of its height, positioning and degree of projection beyond the rear elevation of the neighbouring property at 55 Park Lane would result in an overbearing impact to the detriment of the amenities of that neighbouring property. In addition, the proposal, by virtue of its proximity to the windows in the south (side) elevation of 53 Park Lane would also have an unacceptable and overbearing relationship, detrimental to the amenities of that property. The proposal would, therefore, be contrary to Policy 10 (Design and Enhancing the Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy which specifies that development will be assessed in terms of, inter alia, the following criteria:
 - a) structure, texture and grain, including street patterns, plot sizes, orientation and positioning of buildings and the layout of spaces;
 - b) impact on the amenity of occupiers or nearby residents;
 - e) density and mix; and
 - f) massing, scale and proportion;

The proposal is also contrary to Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan which states that planning permission for new development, changes of use, conversions or extensions will be granted provided that, inter-alia:

- (d) 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 over-intensive 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.
2. The proposal would result in an over intensive development detrimental to the character and visual amenities of the area, by reason of the loss of space around and between the existing buildings. It would, therefore, be contrary to Policy 10 (Design and Enhancing the Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy which specifies that development will be assessed in terms of, inter alia, the following criteria:
 - a) structure, texture and grain, including street patterns, plot sizes, orientation and positioning of buildings and the layout of spaces;
 - b) impact on the amenity of occupiers or nearby residents;
 - e) density and mix; and
 - f) massing, scale and proportion;

The proposal is also contrary to Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan which states that planning permission for new development, changes of use, conversions or extensions will be granted provided that, inter-alia:

- (d) 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 over-intensive 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.

Item 4 - 17/01619/FUL - Proposed new cottage and alterations to existing cottage - 15-17 Derry Lane Bingham Nottinghamshire NG13 8DG

UPDATES

There were none reported.

In accordance with the Council's Public Speaking Protocol Ms Wale (the applicant), Mr Peter Johnstone (objector) and Councillor George Davidson (ward Councillor), 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 not proceed beyond foundation level until details of the facing and roofing materials, including the colour finish of any render and cladding, to be used on all external elevations have been submitted to and approved in writing by the Borough Council and the development shall only be undertaken in accordance with the materials so approved. Thereafter, the development shall be maintained in accordance with the approved details.

[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].

3. The development shall not be brought into use until the proposed access and parking/turning area have been constructed. These facilities shall be retained for the lifetime 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]

4. The development shall not be brought into use until car parking facilities for the existing property, Piglet's Cottage, have been provided in accordance with details to be first submitted to and approved in writing by the Borough Council. These facilities shall be retained for the lifetime 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]

5. Prior to occupation of the dwelling hereby approved, the first floor windows in the west elevation of the proposed development shall be fitted with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent. Thereafter, the windows shall be retained to this specification. No additional windows shall be inserted in this elevation without the prior written approval of the Borough Council.

[To protect the privacy and amenity of neighbours and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

6. The development shall be carried out in accordance with the submitted plans ref. H239/4 and H239/5.

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

7. Prior to occupation of the dwelling hereby approved, the ground floor and first floor windows in the north elevation of the element of Piglet's Cottage which will abutt the boundary with the site of the new dwelling shall be fixed shut and fitted with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent. Thereafter, the windows shall be retained to this specification. No additional windows shall be inserted in this elevation without the prior written approval of the Borough Council.

[To protect the privacy and amenity of neighbours and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

8. No development shall take place until a condition survey of Derry Lane, between its junction with the public highway (Grantham Road) and the frontage of the application site has been undertaken, submitted to and approved in writing by the Borough Council. The survey shall establish the

existing condition of Derry Lane together with any existing defects and include measures to repair what damage, if any, has been caused as a result of the access to the site by vehicles associated with the construction of the development. Any repairs required to Derry Lane shall be agreed with the Borough Council and undertaken within three months of the substantial completion of the development.

[In the interest of the amenity of the area and local residents and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan. The condition requires measures to be undertaken prior to commencement of development in order to ascertain the current condition of the road prior to construction/delivery vehicles first accessing the site].

Notes to Applicant

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.

Item 5 - 17/01420/FUL - Construction of new dwelling including landscape and means of enclosure - York House Chapel Lane Aslockton Nottinghamshire NG13 9AR

UPDATES

There were none reported.

In accordance with the Council's Public Speaking Protocol Councillor Mrs Maureen Stockwood (ward Councillor), 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 amended plan(s): 12/015 - P01 Rev. F received 23 August 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. No work shall be carried out and no plant, equipment or materials shall be brought onto the site until the following have been submitted to and approved in writing by the Borough Council:
 - (a) a plan showing the location of and allocating a reference number to each existing tree and hedge on and adjacent to the site showing which trees and hedges are to be retained and the crown spread of each retained tree;
 - (b) details of any proposed topping or lopping of any retained tree; and
 - (c) details of the specification and position of fencing (and of any other measures to be taken) for the protection of any retained tree or hedge from damage before or during the course of development.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above. The tree protection measures shall be retained for the duration of the construction period. No materials, machinery or vehicles are to be stored or temporary buildings erected within the perimeter of the fence, nor is any excavation work to be undertaken within the confines of the fence. No changes of ground level shall be made within the protected area.

[In the interests of amenity and to comply with policy EN13 (Landscaping Schemes) of the Rushcliffe Borough Non Statutory Replacement Local Plan. This is a pre-commencement condition as it is considered necessary to secure protected fencing prior to commencement of work to ensure the trees are adequately protected]

4. The development hereby permitted shall not proceed beyond foundation level until details of the facing and roofing materials to be used on all external elevations have been submitted to and approved in writing by the Borough Council and the development shall only be undertaken in accordance with the materials so approved.

[To ensure the appearance of the development is satisfactory and to comply with policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

5. The development shall not be brought into use until the access driveway has been surfaced in a suitably bound material (not loose gravel) for a minimum distance of 5.0 meters behind the highway boundary, and which shall be drained to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall then be retained for the life of the development.

[In the interests of highway safety; and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

6. The ground floor window in the south west elevation of the proposed

development shall be permanently fixed shut and fitted with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent. Thereafter, the window shall be retained to this specification. No additional windows shall be inserted in this elevation.

[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]

7. Notwithstanding the provisions of Schedule 2, Part 1 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking or re-enacting that Order with or without modification) there shall be no enlargement or alteration of the proposed dwelling(s).

[The development is of a nature whereby future development of this type should be closely controlled and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

8. Notwithstanding the provisions of Schedule 2, Part 1 Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) no sheds, buildings or structures shall be erected on the site.

[The development is of a nature whereby future development of this type should be closely controlled and to comply with policies 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.

This Authority is charging for the discharge of conditions in accordance with revised fee regulations which came into force on 6 April 2008. Application forms to discharge conditions can be found on the Rushcliffe Borough Council website.

The Borough Council is charging 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.

Item 6 - 17/01577/FUL - Garage and storage building - Manor House Main Street Hickling Nottinghamshire LE14 3AQ

UPDATES

A representation from a neighbour of the application site, 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 Councillor Tina Combella (ward Councillor), 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 materials specified in the application 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 policies GP2 (Design and Amenity Criteria) and EN2 (Conservation Areas) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

3. No construction traffic shall access the site from The Green, construction traffic shall use the route from Clawson Lane previously approved under application 16/00557/FUL. Within three months of completion of the development the land across which the access is built shall be restored to its original condition.

[To make sure that a satisfactory means of access is provided, in the interests of road safety and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan.]

4. With the exception of that part to be removed to form the access to the site, the hedge located on the southern boundary of the application site shall be retained and any part of the hedge removed, dying, being severely damaged or becoming seriously diseased shall be replaced, with hedge plants of such size and species, details of which shall be submitted to and approved in writing by the Borough Council, within one year of the date of any such loss being brought to the attention of the Borough Council.

[The hedge is an important feature in the area and its retention is necessary to help screen the new development and sustain the character and appearance of Hickling Conservation Area in accordance with policy GP1viii (Delivering

Sustainable Development) and EN2 (Conservation Areas) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

5. Any gates to be erected to the proposed access shall be set back not less than 5m metres from the highway boundary and shall be hung so as to open into the site only.

[In the interests of highway safety; and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

6. The development hereby permitted shall be carried out in accordance with the following approved plan(s): GA211/05H; GA211/11G

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

Item 7 - 17/00911/VAR - Vary condition 2 of 15/02394/FUL relating to new brick wall and Hawthorn hedge, and two sections of replacement hedgerow (Yew) to south east boundary - Land South of Sulney Fields Colonels Lane Upper Broughton Nottinghamshire

UPDATES

There were none reported.

In accordance with the Council's Public Speaking Protocol Ms Judith Mason (objector) and Councillor Tina Combellack (ward Councillor), addressed the meeting.

COMMENTS

Members of the Committee were of the opinion that the wall, the white gate and the hawthorn screening were both incongruous with the small rural lane where they were located and as a consequence caused harm to the appearance and character of the conservation area. Members of the committee were also concerned that the removal of the hedge on the south east boundary and its replacement with a Yew hedge caused harm to the character and appearance of the Conservation Area and that Yew was slow growing and would not provide an effective hedge screen in the short term, and was also not in keeping with surrounding hedge types in the wider conservation area.

DECISION

REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASONS

1. In the opinion of the Borough Council, due to its siting, scale and design, the section of wall represents an incongruous feature within a boundary formed by hedgerow, and has a harmful impact on the rural character and appearance of Upper Broughton Conservation Area. The proposal is, therefore, contrary to the environmental role of the National Planning Policy Framework, one of the core planning principles which states that planning should conserve heritage

assets in a manner appropriate to their significance, and the objectives of Chapter 12 (Conserving and enhancing the historic environment). The proposal is also contrary to the objectives of policies 10 (Design and Enhancing Local Identity) and 11 (Historic Environment) of the Rushcliffe Local Plan Part 1: Core Strategy, and policies GP2 h) & policy EN2 a) of the Rushcliffe Borough Non-Statutory Replacement Local Plan.

2. The south eastern boundary of the site adjoins the open countryside and the removal of the hedgerow along this boundary, the majority of which was shown to be retained on the approved plans for the development of the site, has resulted in a detrimental impact on the rural character of the area, causing harm to the character and appearance of the Upper Broughton Conservation Area. The replacement of this hedge with Yew is considered to be incompatible with the species of planting in other/existing hedgerows in the area and, due to the slow rate of growth of Yew, will not provide an effective hedge in the short term to mitigate the loss of the original hedge and the harm to the Conservation Area. Therefore, the proposal is contrary to the environmental role of the National Planning Policy Framework, one of the core planning principles which states that planning should conserve heritage assets in a manner appropriate to their significance, and the objectives of Chapter 12 (Conserving and enhancing the historic environment). The proposal is also contrary to the objectives of policies 10 (Design and Enhancing Local Identity) and 11 (Historic Environment) of the Rushcliffe Local Plan Part 1: Core Strategy, and policies GP2 h) & policy EN2 a) of the Rushcliffe Borough Non-Statutory Replacement Local Plan.

In accordance with Council Minute No.7 (2017/18), with the time having reached 10:32pm, the Chairman closed the meeting and noted that the two outstanding applications would be considered at the next available meeting of the Planning Committee.

The meeting closed at 10:32pm.

CHAIRMAN