



Rushcliffe  
Borough Council

**MINUTES  
OF THE MEETING OF THE  
PLANNING COMMITTEE  
THURSDAY 12 OCTOBER 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, S J Hull, Mrs M M Males, S E Mallender, Mrs J A Smith and J E Thurman

**ALSO IN ATTENDANCE**

Councillors T Combellack, Mrs M Stockwood, R J Upton and J G A Wheeler

20 Members of the public

**OFFICERS IN ATTENDANCE**

M Elliott	Constitutional Services Team Leader
D Mitchell	Executive Manager - Communities
I Norman	Legal Services Manager
A Pegram	Service Manager – Communities
H White	Area Planning Officer

**APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**17. DECLARATIONS OF INTEREST**

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

17/01628/FUL – Land west of Millfield, Langar Road, Barnstone– Councillor Hull declared a non-pecuniary interest.

17/02096/CMA – Land South of Burrows Farm, Barton in Fabis – Councillors Butler and Clarke declared a non-pecuniary interest as they were members of Nottinghamshire County Council.

## 18. MINUTES

The Minutes of the meeting of the Planning Committee held on Thursday 14 September 2017 were approved as a correct record and signed by the Chairman.

## 19. PLANNING APPLICATIONS

Councillor Butler referred to the Council's Public Speaking Protocol for Planning Committee and informed the meeting that in consideration of fairness to all speakers, all speakers who had registered to speak in advance of the meeting would be allowed five minutes each to address the committee. This change is to be introduced for future meetings pending a full review of the procedures.

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

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

### **Item 1 - 17/01416/FUL - Dropped kerb and vehicular access - 1 Church Court Plumtree Road Cotgrave Nottinghamshire NG12 3QW**

#### **UPDATES**

There were no updates reported.

#### **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 and documents; Site Location Plan Drawing Number BUT-001-D/LP/001 dated 13th June 2017; Technical Note by Vectio Consulting dated 19th May 2017; Proposed Access Arrangements Drawing Number VC0116 Sheet No.1 dated 16th May 2017. The new driveway shall be retained and maintained as such thereafter.

[For the avoidance of doubt, and in the interests of highway and pedestrian safety, to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan and Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy]

3. The new vehicular access hereby approved shall not be brought into use until the visibility splays (including the reduction of the front boundary wall to a maximum height of 600mm above ground level) as shown on the Proposed Access Arrangements Drawing Number VC0116 Sheet No.1 dated 16th May 2017 have been provided. The visibility splays shall be retained and kept free from obstruction thereafter.

[In the interests of highway and pedestrian safety, to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan and Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy.]

Councillor Butler returned to the room at this point but did not re-join the Committee for the consideration of the next item being a ward councillor for Cotgrave.

Councillor Hull who had declared an interest in the following application left the room for the consideration of the application.

**Item 2 - 17/01725/FUL - Amendment to the ground levels within this area to reduce the gradient of the slope. The ground will then be planted with a low maintenance seed mix - Colliers Business Park Colliers Way Cotgrave Nottinghamshire**

**UPDATES**

There were no updates reported.

**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. This permission shall relate to the application as submitted including plans s1091/20; 16064/S03; 16064/210 revision E and the soil analysis by Kiwa.

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

3. This permission does not permit the reduction in land level in the application area.

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

**Item 3 - 17/01628/FUL - 4 no. dwelling (to meet local need) - Land West of Millfield Langar Road Barnstone Nottinghamshire**

**UPDATES**

There were no updates reported.

In accordance with the Council's Public Speaking Protocol Mr George Machin of Grace Machin Planning and Property (agent for the applicant), Mr Dawn (objector) and Councillor Tina Combellack (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 plans ref. 3334 03, 04, 05 and 06 received on 13 July 2017 and amended plans ref. 3334 01A and 02C received on 18 July 2017.

[For the avoidance of doubt and to comply with policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

3. 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.]

4. 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. A pre-commencement condition is required to safeguard the trees before work onsite is begun.]

5. No development shall proceed above foundation level 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].

6. Before development is commenced, a Contaminated Land Report shall be submitted to and approved in writing by the Borough Council. As a

minimum, this report will need to include a Desktop Study documenting historical uses of the site and its immediate environs, site specific interpretation and a conceptual site model explaining results. Where the Desktop Study identifies potential contamination a Detailed Investigation Report will also be required, including a site investigation documenting the characteristics of the ground, an evaluation of all potential sources of contamination and a risk assessment, together with an updated conceptual model. In those cases, where a Detailed Investigation Report confirms that contamination exists, a remediation report and validation statement confirming the agreed remediation works have been completed, will also be required. All of these respective elements of the report will need to be submitted to and approved in writing by the Borough Council, prior to development commencing, and the development shall be carried out in accordance with the approved details.

[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. A pre-commencement condition is required to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.]

7. Prior to the commencement of any on site works, a Construction Method Statement detailing techniques for the control of noise, dust and vibration during construction shall be submitted to and approved in writing by the Borough Council. The works shall be carried out in accordance with the approved method statement.

[In the interests of residential amenity; and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan. The agreement of these details is necessary before work commences on site to ensure the amenities of surrounding properties are protected during the construction of the development.]

8. Occupation of the proposed dwellings shall not take place until their respective access and parking/turning areas, including measures to prevent the unregulated discharge of surface water to the highway, have been constructed in accordance with details to be first approved by the Borough Council and these facilities shall be retained for the lifetime 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].

9. The access driveway shall not be brought into use until it has been surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres 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 be retained for the life of the development.

[In the interests of highway safety, to prevent deleterious material / surface water from being discharged to the public highway; and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan.]

10. No part of the development hereby permitted shall be brought into use until a dropped vehicular footway crossing has been made available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Borough Council.

[In the interests of highway safety, to ensure that drivers can cross the public highway in a safe and controlled manner; and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan.]

11. Occupation of the proposed dwellings shall not take place until a new footway link connecting the site to the existing footway network has been provided, in accordance with details to be submitted to and approved by the Borough Council.

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

12. During the construction period working practices shall be introduced in the interest of protected species and habitat including:

- Ensuring that all open excavations will be backfilled each night or left with sloping ends to allow badgers to escape, should they fall in.
- Taking relevant measures to avoid disturbance to nesting birds, such as sensitive timings of construction.

[To prevent harm to protected species and to comply with policies GP2 (Design & Amenity Criteria) and EN12 (Habitat Protection) of the Rushcliffe Borough Non Statutory Replacement Local Plan.]

13. Removal of vegetation shall only take place outside the bird nesting season, or if this is not practical, shall be preceded by a survey of ground nesting birds and any mitigation measures carried out should be in accordance with details to be submitted to and approved in writing by the Borough Council.

[In the interest of protected species and habitats and to comply with policies GP2 (Design and Amenity) and EN12 (Habitat Protection) of the Rushcliffe Borough Non Statutory Replacement Local Plan.]

## **Notes to Applicant**

For further information on the content of Contaminated Land Reports, please refer to the Councils Publication "Developing Land within Nottinghamshire - A Guide to Submitting Planning Applications for Land that may be Contaminated." This booklet is available from both Rushcliffe Borough Council's website [www.rushcliffe.gov.uk](http://www.rushcliffe.gov.uk) (use the A-Z search for Contaminated Land) or by contacting the Environmental Health Service directly or use the following link:

<http://www.rushcliffe.gov.uk/media/rushcliffe/media/documents/pdf/environmentandwaste/Notts%20developers%20guide%202013.pdf>

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 [hdc.south@nottscc.gov.uk](mailto:hdc.south@nottscc.gov.uk) for details.

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 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.

Nesting birds and bats, their roosts and their access to these roosts are protected under the Wildlife and Countryside Act 1981. Should birds be nesting in the trees concerned it is recommended that felling/surgery should be carried out between September and January for further advice contact Nottinghamshire Wildlife Trust on 0115 958 8242 or by email at [info@nottswt.co.uk](mailto:info@nottswt.co.uk). If bats are present you should contact Natural England on 0300 060 3900 or by email at [enquiries@naturalengland.org.uk](mailto:enquiries@naturalengland.org.uk).

Swifts are now on the Amber List of Conservation Concern. One reason for this is that their nest sites are being destroyed. The provision of new nest sites is urgently required and if you feel you can help by providing a nest box or similar in your development, the following website gives advice on how this can be done: <http://swift-conservation.org/Nestboxes%26Attraction.htm>

Advice and information locally can be obtained by emailing: [carol.w.collins@talk21.com](mailto:carol.w.collins@talk21.com)

The use of external lighting (during construction and post construction) should be appropriate to avoid adverse impacts on bat populations, see [http://www.bats.org.uk/pages/bats\\_and\\_lighting.html](http://www.bats.org.uk/pages/bats_and_lighting.html) for advice and a wildlife sensitive lighting scheme should be developed and implemented.

The provision of bat bricks / lofts / boxes and bird nest bricks / boxes and



hedgehog boxes within the development site is recommended as well as the provision of a wildlife friendly pond or wetland within the garden and amphibian habitats and features.

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 erection or alteration of any mill, dam, weir or other like obstruction to the flow, or erection or alteration of any culvert, whether temporary or permanent, within the channel of a riparian watercourse will require Trent Valley Internal Drainage Board's prior written consent.

Surface water run-off rates to receiving watercourses must not be increased as a result of the development.

The design, operation and future maintenance of site drainage systems must be agreed with the Lead Local Flood Authority and Local Planning Authority.

If you require any further information, please contact Trent Valley Internal Drainage Board's Operations Manager Matt Everett.

Councillor Hull rejoined the meeting at this point.

#### **Item 4 - 17/01038/FUL - Proposed permanent agricultural workers dwelling - Kingston Brook Farm Wymeswold Road Thorpe in the Glebe Nottinghamshire NG12 5QX**

#### **UPDATES**

There were no updates reported.

In accordance with the Council's Public Speaking Protocol Mrs Julie Hibbitt (the applicant), addressed the meeting.

#### **DECISION**

#### **PLANNING PERMISSION TO BE REFUSED FOR THE FOLLOWING REASONS.**

1. It has not been clearly demonstrated that the farming enterprise presents a functional need for a full time agricultural worker to live at the site. The proposal would not, therefore, constitute a sustainable form of development which would be contrary to the overarching principles of the National Planning Policy Framework and, in particular, paragraph 7 and 55 and Policy HOU4 (New dwellings in the Countryside) a), b) and c) of the Rushcliffe Borough Non-Statutory Replacement Local Plan which states:

New dwellings will not be permitted outside settlements unless they are necessary for the purposes of agriculture or other activities appropriate to the countryside and where it can be demonstrated that:

- a) The existing farm or forestry business is financially sound, or in the case of a proposed business, that it has been planned on a sound financial basis;
  - b) There is a long-term need for a dwelling verified by an expert report;
  - c) The need for the accommodation cannot reasonably be met in a nearby settlement or dwelling.
2. The proposal is also in conflict with the guidance contained in Annex A of Planning Policy Statement 7: Sustainable Development in Rural Areas.

**Item 5 - 17/01883/FUL - Erection of two storey dwelling and detached garage - Hill Top Farm Cliffhill Lane Aslockton Nottinghamshire NG13 9AP**

**UPDATES**

Representations from Aslockton Parish Council, neighbours of the application site and the applicant's agent, 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 Mrs Linda Bridge (objector) and 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 approved plans:

- 1:200 Proposed Site Plan
- 1:200 Proposed Plans
- 1:100 Elevations
- 1:100 Garage Plans and Elevations

[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 shall be used for the external walls and roofs 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. Before development is commenced, a Contaminated Land Report shall be submitted to and approved in writing by the Borough Council. As a minimum, this report will need to include a Desktop Study documenting historical uses of the site and its immediate environs, site specific interpretation and a conceptual site model explaining results. Where the Desktop Study identifies potential contamination a Detailed Investigation Report will also be required, including a site investigation documenting the characteristics of the ground, an evaluation of all potential sources of contamination and a risk assessment, together with an updated conceptual model. In those cases, where a Detailed Investigation Report confirms that contamination exists, a remediation report and validation statement confirming the agreed remediation works have been completed, will also be required. All of these respective elements of the report will need to be submitted to and approved in writing by the Borough Council, prior to development commencing, and the development shall be carried out in accordance with the approved details.

[This information was not submitted with application and it is important that the information is submitted prior to work commencing on site to ensure 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]

5. The development hereby permitted shall not be occupied until details of hard surfacing of the vehicular access and driveway for a distance of 5m from the carriageway edge together with a means to prevent the discharge of surface water on to the public highway have been submitted to and approved in writing by the Borough Council, and the facilities have been provided in accordance with the approved details. These facilities shall be retained for the lifetime 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 development hereby permitted shall not be occupied 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 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 development hereby permitted shall not be occupied until details of all screen fencing/walling and means of enclosure to be erected on the site have been submitted to and approved in writing by the Borough Council, and have been completed in accordance with the approved details. Thereafter the approved screen fencing/walling and means of enclosure shall be retained for the lifetime of the development.

[In the interest of amenity 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 A-C of the Town and Country Planning (General Permitted Development) 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 including no alteration to or insertion of windows other than those shown on the approved plans without the prior written approval of the Borough Council.

[The development is of a nature whereby future development of this type should be closely controlled, and to comply with policies 10 (Design and enhancing local identity) of the Rushcliffe Local Plan Part 1: Core Strategy, and GP2 (Design & Amenity Criteria) & EN20 (Protecting open countryside) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

### **Notes to Applicant**

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 development makes it necessary to improve a vehicular crossing over a verge of the public highway. You are therefore required to contact Via (in partnership with Nottinghamshire County Council) on 0300 500 8080 to arrange for these works to take place.

For further information on the content of contaminated land reports please refer to the Borough Council's publication "Developing Land within Nottinghamshire - A Guide to submitting Planning Applications for Land that may be contaminated". This booklet is available from Rushcliffe Borough Council's web site [www.rushcliffe.gov.uk](http://www.rushcliffe.gov.uk) or by contacting the Environmental Health Services direct on 0115 914 8485.

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.

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 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.

This grant of planning permission does not alter the private legal situation with regard to the carrying out of any works involving land which you do not own or control. You will need the consent of the owner(s) involved before any such works are started.

There is a lake in close proximity to the site where Great Crested Newts may be present. Great Crested Newts are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and under the Conservation (Natural Habitats, etc) Regulations 1994. These statutory instruments protect both the species themselves and their associated habitats.

If great crested newts are discovered during work on the development, the relevant work should be halted immediately and Natural England should be notified and further advice sought. Failure to comply with this may result in prosecution and anyone found guilty of an offence is liable to a fine of up to £5,000 or to imprisonment for a term not exceeding six months or both.

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 6 - 17/01629/FUL - Construction additional eight car parking spaces - The Gamston Lock Radcliffe Road Gamston Nottinghamshire NG2 6NP**

### **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 Mr Steve Buckley of Peacock and Smith (agent for the applicant), Mr Richard Drury (objector) and Councillor Jonathan Wheeler (ward Councillor), addressed the meeting.

## **DECISION**

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

1. This planning permission relates to the submitted plans 0102 16 02 01 and 0102 16 02 09 Rev A.

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

2. Within three months of the date of this permission, an acoustic fence shall be erected in accordance with a scheme, which shall detail the height, position and method of construction, to be submitted to and approved by the Borough Council. The acoustic fence shall thereafter be retained and maintained in accordance with the approved details for the life of the development.

[To safeguard the residential amenities of neighbouring properties, in accordance with Policy GP2 of the Ruscliffe Borough Non-Statutory Replacement Local Plan]

### **Notes to Applicant**

Your attention is drawn to condition 2 requiring the erection of an acoustic fence. The Planning Committee considered that such provision was necessary in the interests of the amenities of the neighbouring properties and that the barrier/fence should be of a sufficient height and means of construction to mitigate the impacts of noise and light pollution arising from the use of the parking spaces on the neighbouring properties in Derwent Close.

Councillor Clarke who had declared an interest in the following application left the room for the consideration of the application.

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

**Item 7 - 17/02096/CMA - The extraction and processing of sand and gravel, including the construction of a new site access road, landscaping and screening bunds. Mineral washing plant and other associated infrastructure with restoration to agriculture and nature conservation areas – London Rock Supplies Ltd.**

## **UPDATES**

Representations from Councillor Matthews and Nottinghamshire County Council, received after the agenda had been finalised, had been circulated to members of the Committee prior to the meeting.

## **DECISION**

### **THAT NOTTINGHAMSHIRE COUNTY COUNCIL BE INFORMED THAT THE BOROUGH COUNCIL OBJECTS TO THE PROPOSAL AND RECOMMENDS REFUSAL FOR THE FOLLOWING REASONS**

1. The proposal would represent unjustified and inappropriate development in the Green Belt. The development constitutes an engineering operation that does not maintain the openness of the Green Belt. Having regard to the scale of the engineering operations, together with the associated urbanising effects, it is considered the proposal would have a significant impact on the openness of the Green Belt. The proposed development by definition is, therefore, harmful. It is not considered that there are very special circumstances of sufficient weight to clearly outweigh the harm caused and, therefore, it is considered to be contrary to the provisions of the National Planning Policy Framework and local planning policies EN14 and EN19 of the Rushcliffe Borough Non-Statutory Replacement Local Plan.
2. It has not been demonstrated to the satisfaction of the Council that the proposed development would not have significant adverse impacts in respect of noise, dust, air quality, landscape impact, archaeology or the cumulative impact with the housing allocations/applications.

## **20. APPEAL DECISIONS**

The report of the Executive Manager - Communities was submitted and noted.

The meeting closed at 9:20pm.

CHAIRMAN