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Our reference:
Your reference:
Date: Monday, 15 October 2018



To all Members of the Planning Committee

Dear Councillor

Planning Committee – Thursday, 25 October 2018

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

Yours sincerely

A handwritten signature in black ink, appearing to read 'S Sull'.

Sanjit Sull
Monitoring Officer

Membership

Chairman: Councillor R Butler
Vice-Chairman: Councillor J Stockwood
Councillors: B Buschman, N Clarke, M Edwards, J Greenwood, R Jones,
Mrs M Males, S Mallender, Mrs J Smith and J Thurman

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First Saturday of
each month
9am - 1pm

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18/01705/OUT

Applicant Mr & Mrs Horner

Location Land Adjacent To 63 Moor Lane, Gotham, Nottinghamshire

Proposal Outline application for proposed erection of one detached dwelling with new access.

Ward Gotham

LATE REPRESENTATIONS FOR COMMITTEE

1. **NATURE OF REPRESENTATION:** Consultee

RECEIVED FROM: Environmental Health

SUMMARY OF MAIN POINTS:

- No objections raised.

2. **NATURE OF REPRESENTATION:** Consultee

RECEIVED FROM: Trent Valley Internal Drainage Board

SUMMARY OF MAIN POINTS:

- The site is outside of the Trent Valley Internal Drainage Board and there are no board watercourses in close proximity to the site.
- The erection or alteration of any mill dam, weir or other obstruction to the flow or erection of any culvert temporary or permanent within the channel of a riparian watercourse will require the Boards 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.

PLANNING OFFICERS COMMENTS:

There are no further comments to add.

3. NATURE OF REPRESENTATION: Statement in support of the application

RECEIVED FROM: The Applicant (full statement available online)

SUMMARY OF MAIN POINTS:

- There is no specific definition of limited infilling but nonetheless the width and distance from the road are deemed too large in the report
- There seem to be many definitions and in some cases many variants of 'limited infilling'
- It is not the case that if a proposal meets one of the exception criteria set out in the National Planning Policy Framework (NPPF) 2018 it also has to be shown that very special circumstances exist
- The Gotham Neighbourhood Plan was submitted in June and will be open for the final 6 week consultation on the 19th before it is inspected. So obviously carries some weight
- A recent application for infill in the green belt was given permission where the frontage was 150m
- Similarly at 16 Loughborough Road, Bunny, in this case there was no mention of gap size but the proposal was found to be limited infill in the Green Belt where the frontage was 46 metres and 35 metres from the road
- The report states that the open countryside begins beyond the last house on Moor Lane, the main consideration is actually whether the proposal is for limited infill in villages in which case there is no need to consider the effect on the openness of the Green Belt
- The proposal meets the NPPF Green Belt exception criteria for limited infill in villages
- Side spacing will be maintained in accordance with the Rushcliffe Residential Design Guide

PLANNING OFFICERS COMMENTS:

It is accepted that there are many different variants in defining the term 'limited infilling' and that neither local nor national planning policy gives a specific measurement for gap sizes in terms of what is deemed to be limited infilling and what is not. The Planning Portal Glossary defines it as 'the development of a relatively small gap between existing buildings', however this is treated as a guide and again is not specific in terms of actual distance. As this is the case it is therefore treating each case on its own merit and each case will be assessed separately to determine whether it constitutes limited infilling.

Paragraph 143 of the NPPF outlines that inappropriate development is harmful to the Green Belt and should not be approved unless in very special circumstances. Officers do not consider that this case represents very special circumstances. The NPPF also outlines limited infilling in villages as an exception to inappropriate development in the NPPF. As mentioned above each case is treated differently for limited infilling and as

mentioned in the main report the proposal does not constitute limited infilling due to the size of the plot and the location of the plot therefore in conflict with the exception criteria outlined in the NPPF. As such it would impact upon the openness of the Green Belt. The proposal has been designed to reflect the design of the host property at 63 Moor Lane. However this property was only allowed on the condition it was used as an agricultural farmers dwelling which is deemed an exception for residential development in the Green Belt. The proposal would bridge a substantial gap between the host property at number 63 and the neighbouring property on the other side at 'Redroofs'. This would impact on the openness of the Green Belt and the views of the countryside to the rear of the site which can currently be viewed from Moor Lane.

This isn't the last property on the road before entering the open countryside however the plot is very much on the edge of the village. As mentioned in the main report Local Plan Part 2 intends to inset Gotham from the Green Belt, however it is only the main built up area of Gotham with this plot falling outside of this area therefore due to remain in the Green Belt. It is accepted that this has not been formally adopted as yet so carried little weight but it gives an indication of the value of the site in retaining it within the Green Belt and that it would not constitute the main built up core of the village. Likewise the Gotham Neighbourhood Plan cannot be given much weight at this stage even though as mentioned in the applicant's statement this plot has been earmarked in that plan as a potential development site for future housing.

The statement references a recent approval for residential development in Bunny, also in the Green Belt. The site is 15 Church Street, Bunny (ref no 18/01489/FUL). This site is in the centre of the village of Bunny and not bordering any open countryside. The width of the plot facing the road is wide but it is not a very deep plot. The main village of Bunny, just like with Gotham is proposed to be inset from the Green Belt as outlined in the Green Belt Review forming part of the new draft Local Plan. This site falls within the area to be inset and the review considers this area does not contribute to the openness of the Green Belt.

Another recent approval mentioned was at 16 Loughborough Road, Bunny (ref no 17/03038/FUL). Again this site was in the built up core of the village of Bunny where it is proposed to be inset from the Green Belt as outlined in the Green Belt Review.

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18/01543/FUL

Applicant Mr Liam Duggan

Location 14 The Rushes, Gotham, Nottinghamshire

Proposal Demolition of garage, two storey side extension, and single storey front and rear extensions.

Ward Gotham

LATE REPRESENTATIONS FOR COMMITTEE

1. **NATURE OF REPRESENTATION:** Further objection

RECEIVED FROM: Neighbour

SUMMARY OF MAIN POINTS:

- The committee report doesn't establish the nature of the rooms served by the two windows in my house.
- There have been noise issues from the builders contrary to what the committee report states.
- Applicant has accused neighbour of trespass

PLANNING OFFICERS COMMENTS:

The nature of the rooms in the side serve a bathroom and a staircase. These rooms are not principal rooms so they are not afforded protection as outlined in the main report. The comment with regards to there being no noise or issues from the builders was submitted by another neighbour and summarised in the representations, which was separate to the summary of the objection letter. The issue of trespassing or allowing permission onto a neighbours land is a civil matter not covered within the planning process.

2. **NATURE OF REPRESENTATION** Planning Officer Update
SUMMARY OF MAIN POINTS

The site is located within the Green Belt.

Saved Policy ENV15 (Green Belt) of the Rushcliffe Borough Local Plan 1996 defines the full and detailed extent of the Green Belt within

Rushcliffe.

Policy 4 (Nottingham-Derby Green Belt) of the Local Plan Part 1: Rushcliffe Core Strategy 2014 confirms the principle of the Nottingham Derby Green Belt within Rushcliffe will be retained and it will only be altered where it is demonstrated that exceptional circumstances exist.

Paragraph 143 of the National Planning Policy Framework (Protecting Green Belt Land) sets out that development in the Green Belt should be regarded as inappropriate which is, by definition, harmful and should not be approved except in very special circumstances. Local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to inappropriate development are set out in paragraphs 145 and 146 of the NPPF and include extensions, provided that they are not 'disproportionate'.

Policies EN14 (Protecting the Green Belt) and EN19 (Impact on the Green Belt and Open Countryside) of the Rushcliffe Borough Non-Statutory Replacement Local Plan should be given weight as a material consideration in decision making. Policy EN14 states that within the green belt permission will only be granted for (amongst other things) alteration and limited extension or replacement of existing dwellings. Policy EN19 requires proposals to have no significant adverse impact upon the open nature of the Green Belt.

Neither the NPPF nor the Council's Local Planning Policy prescribes what would amount to a disproportionate addition to a dwelling; however, it is common practice at Rushcliffe to accept an increase of around 50% in terms of floor space and/or volume to the original dwelling, subject to the individual property, specifics of the site and planning history. The property sits in an average sized plot within the village of Gotham. The proposed extensions would, in part, replace an existing single storey garage to the side and a single storey extension to the rear. The proposed two storey side extension and single storey front and rear extensions, by reason for their relatively modest size and scale, would not result in disproportionate additions to the original dwelling. The proposal is not therefore considered to be inappropriate development in the Green Belt.

The essential characteristics of the Green Belt are its openness and its permanence. The property is not an isolated house in the Green Belt, but is within the settlement of Gotham, which is proposed to be inset from the Green Belt under Part 2 of the Local Plan. The proposed development would be wholly contained within the residential curtilage of the property and remove more unsympathetic additions. The proposal would therefore safeguard the countryside from encroachment and protect the openness of the Green Belt.

No change to the recommendation is necessary.

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