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Our reference:
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Date: Friday, 13 December 2019



**Rushcliffe Community
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To all Members of the Planning Committee

Dear Councillor

Planning Committee – Monday, 16 December 2019

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 'Sanjit Sull'.

Sanjit Sull
Monitoring Officer

AGENDA

4. Planning Applications (Pages 1 - 6)

The report of the Executive Manager - Communities.

Membership

Chairman: Councillor R Butler

Vice-Chairman: Councillor Mrs M Stockwood

Councillors: K Beardsall, A Brennan, P Gowland, L Healy, A Major, J Murray,
F Purdue-Horan, C Thomas and D Virdi

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19/01901/FUL

Applicant Mr & Mrs P Ellis

Location 1 Bakers Close, Cotgrave, Nottinghamshire

Proposal Proposed single storey rear/side extension

Ward Cotgrave

LATE REPRESENTATIONS FOR COMMITTEE

1. **NATURE OF REPRESENTATION:** NO objection

RECEIVED FROM: Cotgrave Town Council

SUMMARY OF MAIN POINTS:

Do not object.

PLANNING OFFICERS COMMENTS:

None.

19/01616/FUL

Applicant Churchill Retirement Living

Location Land At Manor Park, Ruddington, Nottinghamshire

Proposal Erection of 43 no retirement apartments for older people, guest apartment, communal facilities, access, car parking and landscaping.

Ward Ruddington

LATE REPRESENTATIONS FOR COMMITTEE

1. **NATURE OF REPRESENTATION:** Query about condition.

RECEIVED FROM: Applicant Agent

SUMMARY OF MAIN POINTS:

Requests that the age restriction condition is amended as the current wording fundamentally changes the development that Churchill Retirement Living provide and is not what has been applied for and therefore suggest an alternative wording for the condition as follows:

“Each of the apartments hereby permitted shall be occupied only by:

- *Persons aged 60 or over; or*
- *A spouse/or partner (who is themselves over 55 years old) living as part of a single household with such a person or persons; or*
- *Persons who were living in one of the apartments as part of a single household with a person or persons aged 60 or over who has since died; or*
- *Any other individual expressly agreed in writing by the Local Planning Authority.”*

PLANNING OFFICERS COMMENTS:

The proposal is for a development of apartments for retirement living for open market sale. The development has been assessed on this basis along with the financial contributions required/offered specifically in respect of the demographic age group it is meant to serve. With regard to the condition being contrary to what is applied for, the planning statement sets out the following:

“The apartments are sold with a lease containing an age restriction which ensures that only people of 60 years or over, or those over this age with a partner

of at least 55, can live in the development. The accommodation will be managed by Millstream Management Services Ltd, an in-house Company which specialises in the management of retirement developments.”

It goes on to state:

“Whilst the age restriction contained in the lease is 60, from recent research undertaken by Churchill it is found that the average age of new occupiers is 80, the majority of which are single female households.”

It is considered that the age restriction as set out above is not specifically requested as part of the application, but simply sets out the age restriction contained in a lease, and has not specifically applied for and as such it is considered that the condition proposed (as set out in the report) is not contrary to the application made and considered necessary to make the application acceptable in planning terms.

2. NATURE OF REPRESENTATION: Objection

RECEIVED FROM: Local Resident

SUMMARY OF MAIN POINTS:

Does not agree with the Conservation Officers comments and 3rd party comments from a conservation specialist should be obtained. The scale and mass of the proposal are out of keeping with the low rise detached nature of Manor Park. Should not be using an expired permission to form the basis for a new permission. If approved, it will set a precedent for conservation areas across the borough.

PLANNING OFFICERS COMMENTS:

It is not considered that there is a need for new comments from a third party conservation specialist as it is the specific role of the Boroughs Conservation Officer to give that specialist advice. The design of the proposal was considered against the buildings in the locality and considered acceptable. Every application is considered on its own merits therefore the granting of this proposal will not set a precedent for developments in the Boroughs conservation areas.

3. NATURE OF REPRESENTATION: Objection

RECEIVED FROM: Local Resident

SUMMARY OF MAIN POINTS:

The height of the building should not be judged against the height chimneys nearby which do not provide a solid view on the skyline.

Disagrees that the Cedar tree to be removed has little aesthetic value as it complements the trees on the opposite side of the road and its aesthetic value is most noticeable during the winter.

Reiterates the problem in respect of parking on the road particularly at school dropping off and picking up times and the matter should not be just an issue for the private road owners to resolve.

Many of the problems would be mitigated against by moving back the building further into the site.

PLANNING OFFICERS COMMENTS:

The height of the building has been given full and proper consideration in the context of its surroundings and the approach taken is in accordance with comments made by the Council's Conservation and Design Officer.

Trees can always be considered as adding some amenity value to an area but in this case, the proposal to fell the cedar tree has been fully considered by the Councils Design and Landscape Officer who supports its removal.

It is acknowledged that parking can be a problem and especially during school times. The level of parking has been assessed by the Highway Authority who accept that it is appropriate for this type of accommodation. With the acceptability that the proposed parking meets the Highway Authority standard it would be difficult to justify that as a reason for refusal and as such if issues do arise, as the Highway Authority has no jurisdiction and it becomes a private matter.

The application is considered on the information submitted which includes the positioning of the building and the site plan provided. There does not appear to be any opportunity to reposition within the confines of the application site.

4. NATURE OF REPRESENTATION: Objection

RECEIVED FROM: Manor Park Residents Association

SUMMARY OF MAIN POINTS:

The site adjoins 2 listed buildings, on the highest point in the village, the proposed ground floor would be 1 storey higher than those on the opposite side of the road, the floor area is larger than that of Morrisons supermarket, the height of the roof is greater than that of the church or Manor House, the building would be closer to the road than that previously approved and contain more bedrooms 57 as opposed to the 40 previously approved.

Comments go on to assess the proposal against Policy 10 (Design and Enhancing Local Identity) of the Core Strategy Local Plan Part 1.

- 1) Due to the size of the building if fails to make a positive contribution to the public realm and sense of place.
- 2) the proposal fails to reinforce valued local characteristics. The larger buildings within Manor Park are 2 storey with accommodation within the roof space, this proposal should reflect this approach.
- 3) It is not clear the size of the site and question the density of the proposal, the positioning of trees to prevent overlooking of Coppertop is not acceptable.
- 4) The scale of the building will result in a loss of residential amenity to adjacent properties. The building should be reduced in height and moved back into the site.
- 5) The site is not as easily permeable as previously, as the pedestrian access to Vicarage Lane to the rear is not included in this scheme as it was previously.
- 6) the proposed mix makes no provision for smaller low cost studio apartment., The design and positioning of the proposal is such to allow further development at a later date to the detriment of the village and existing residents.
- 7) The building is larger than that previously approved and not of a similar size having a larger roof height and 17 more bedrooms and closer to the road. The building should have a floor removed and the roof space utilised for accommodation.

In terms of the proposal and its harm on the conservation area:

- 1) It is the only property in the area that would be set back off the road with parking to the front and which would not be screened by vegetation.
- 2) With reference to the removal of trees, the report states the replacement of trees to be removed would reduce the perceived harm to the conservation area. There is no such thing as perceived harm in the NPPF when considering Heritage assets of which Ruddington Conservation Area is one.
- 3) Question the use of slight harm when describing the impact on the conservation area.
- 4) The planning report does not contain any discussion about the 'considerable importance and weight' that should be applied to the harm to the Conservation Area.
- 5) It is wrong to place the benefit or provision of this type of housing above the less than substantial harm to the Conservation Area.
- 6) The site covers about 1/3 of the land to be purchased by the applicant an alternative proposal covering the whole site would address many of the objections.

PLANNING OFFICERS COMMENTS:

The application has to be considered on the basis as submitted and the recommendation made after assessing its elements. If the Council's planning service consider that a proposal is unacceptable and likely to attract a

recommendation for refusal, it is at that point amendments are sought. In this case, having taking into account all the material planning consideration and comments received it was felt a request for amendment could not be justified. With regard to the density, although the density is higher that might be expected in an urban area, these densities generally relate individual dwellings while apartment proposals will always result in a higher density, it is however acknowledged that the site area is not 0.89 ha . As can be seen from the comments of the Conservation Officer, reflected in para 62 of the report that the impact has been considered and it is collectively with all material planning consideration that there may be less than substantial harm to the area and therefore appropriate (significant) weight has been given to impact on the conservation area.

In terms of the type of housing proposed in the conservation area, there is nothing to prevent proposals of this type of housing within conservation areas and its provision needs to be judged against all policies in the local plan and the a mix of house type provided across the district is one of these.

In terms of using the wider site as explained earlier, applications are considered on the basis of the information submitted at the site they occupy.