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Our reference:
Your reference:
Date: Wednesday, 28 July 2021

To all Members of the Planning Committee

Dear Councillor

Planning Committee – Thursday, 29 July 2021

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

Yours sincerely



Sanjit Sull
Monitoring Officer

AGENDA

4. Planning Applications (Pages 1 - 10)

The report of the Director – Growth and Economic Development is attached.

Membership

Chairman: Councillor R Upton
Vice-Chairman: Councillor Mrs M Stockwood
Councillors: S Bailey, N Clarke, P Gowland, B Gray, L Healy, A Major, D Mason, F Purdue-Horan and C Thomas

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21/01352/FUL

Applicant	Mr D Lovatt
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Location	Brookland House,4 Park Lane, Sutton Bonington
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Proposal	Construction of two storey 4 bedroom dwelling with swimming pool and attached 3 car garage. Construction of stables and tack room.
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Ward	Sutton Bonington
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LATE REPRESENTATIONS FOR COMMITTEE

1. **NATURE OF REPRESENTATION:** One (1) additional letter of objection
- RECEIVED FROM:** Local resident

SUMMARY OF MAIN POINTS:

The proposed site is alongside the grounds of Sutton Bonington School. The school has been included in the first wave of the Government's School Rebuilding Programme (<http://gov.uk/government/publications/school-rebuilding-programme>). Planners should take into account any repercussions of this rebuilding programme.

PLANNING OFFICERS COMMENTS:

Members are advised that the proposed site is separated from the primary school land by the residential gardens for 6 and 8 Park Lane. There is currently extensive landscaping along this boundary. Furthermore, Members are reminded that they should only assess the relationships that currently exist, not speculate on an unknown design for any alterations/replacement of the primary school building.

2. **NATURE OF REPRESENTATION:** Comment from technical consultee
- RECEIVED FROM:** Environment Agency

SUMMARY OF MAIN POINTS:

The agent clarified the drainage position regarding the proposed new house stating that the foul water and swimming pool drain and backwash would be connected via an extended length of drainage pipe in the private drive to the main sewer in Park Lane/Main Street. Furthermore, the agent clarified that the

surface water from the house and garage would be collected by a rainwater harvesting system to two underground holding tanks.

The Environment Agency have indicated that on the basis that all foul drainage related to the swimming pool is to be discharged to the main foul sewer network, the Environment Agency has no further comment to make.

With regards to the development within Floodzone 2 (the domestic garden and the stables) the Environment Agency advise that their Standing Advice should be followed.

PLANNING OFFICERS COMMENTS:

Officers are satisfied that the Environment Agency are not wishing to comment further but advise that condition 7 (and its reason) should be amended to secure the details stated by the agent. The following amended wording is suggested:

7. *The development shall not be constructed above damp proof course level until a scheme for the provision and implementation of foul and surface water, including swimming pool backwash, has been submitted to and approved in writing by the Borough Council. Thereafter the scheme shall be implemented in accordance with the approved details and retained as such for the lifetime of the development and the dwelling shall not be occupied until the approved scheme has been implemented.*

[To ensure a satisfactory standard of development in terms of the disposal of foul water and to ensure that the development increases water attenuation/storage on the site and minimises the risk of flooding elsewhere having regard to Policy 2 (Climate Change) of the Rushcliffe Local Plan Part 1: Core Strategy (2014), Policies 17 (Managing Flood Risk) and 18 (Surface Water Management) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Paragraphs 163 and 165 of the National Planning Policy Framework (February 2021)].

Furthermore, having assessed the Environment Agencies Standing Advice for development is Floodzone 2 officers are satisfied that the domestic garden would be classified as “Water compatible development” and the stables as “less vulnerable development”. Both of these classifications (“Water Compatible” and “Less Vulnerable”) are both appropriate development in Floodzone 2.

The Standing Advice with regards to the proposed stables was discussed with the agent who has provided additional drawings detailing that they would be constructed on top of a concrete base measuring 451mm high that slopes down to ground level to ensure that the stables are above the flood level. Officers remain satisfied that at an overall height of 3401mm (2950mm for the stable and 451mm for the base) that the proposed development would not be unduly prominent or harmful to the character or appearance of the surrounding open

countryside and that the structure would remain largely screened by the existing vegetation. As such, despite the increase in height of the structure as a result of the base, the officer's assessment is not affected by the clarification that the base would be 451mm high. Nevertheless Condition 2 would need amending to also refer to the new drawings should Members resolve to grant planning permission. Officer suggest the following revision to the wording of condition 2:

2. *The development hereby permitted must be carried out strictly in accordance with the **following** approved drawings:*

Drawing number: 21.031.01 Location Plan 1:1250

Drawing number: 21.031.02 Site Plan 1:500

Drawing number: 21.031.03 Dimensioned Site Plan 1:500

Drawing number: 21.031.04 Ground Floor and First Floor Plans 1:100

Drawing number: 21.031.05 Roof Plan 1:100

Drawing number: 21.031.06 Proposed Elevations 1:100

Drawing number: 21.031.08A Access Plan 1:500

Drawing number: 21.031.09 3D Front Elevation

Drawing number: 21.031.10 3D Rear Elevation

Drawing number: 21.031.11 3D Swimming Pool

Drawing number: 21.031.12A Add. Dimensioned plan 1:500

Drawing number: 21.031.13 Flood Plain Line 1:1250

Drawing number: 21.32.11 Stable block plans 1:100, and

Drawing number: 21.32.12 Stable Block elevations 1:100

[For the avoidance of doubt having regard to Policy 10 of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

3. **NATURE OF REPRESENTATION:** One (1) letter of support

RECEIVED FROM: Local resident

SUMMARY OF MAIN POINTS:

We would like to support this application, as the properties are all diverse dwellings and would be constant with the area.

PLANNING OFFICERS COMMENTS:

Officers have no further comment to make.

4. **NATURE OF REPRESENTATION:** Update to National Planning Policy Framework (NPPF)

RECEIVED FROM: Ministry of Housing, Communities &

SUMMARY OF MAIN POINTS:

On the 20 July 2021 MHCLG published an updated version of the National Planning Policy Framework (NPPF). This revision alters a number of paragraphs referred to in the reports contained within the agenda papers.

PLANNING OFFICERS COMMENTS:

For the avoidance of doubt Para 30 of the report should refer to the NPPF (2021) and not the NPPF (2019).

Similarly the report (at para 41) references “paragraph 78” of the NPPF which should now be read as “paragraph 79” of the NPPF. Furthermore, the reference to “paragraph 79” of the NPPF at para 41 of the report should now read as “paragraph 80” of the NPPF.

The reasons for Conditions 5, and 11 should both also be amended to read “...of the National Planning Policy Framework (February 2021)].”

The alteration to the paragraphs numbers of the NPPF do not make any alteration to the content referred to nor the officer assessment of the proposed development.

21/00354/FUL

Applicant Mr Adrian Kerrison

Location Land West Of, School Lane, Colston Bassett

Proposal Proposed erection of car port/garden store (to be served by previously approved vehicular access)

Ward Nevile And Langar

LATE REPRESENTATIONS FOR COMMITTEE

3. **NATURE OF REPRESENTATION:** Comment

RECEIVED FROM: Local resident

SUMMARY OF MAIN POINTS:

The local resident finds it hard to understand why the report to Committee would suggest that sheds and summer houses which are mainly erected without planning permission are in any way relevant. The local resident's comments relied upon the many previous statements by the Planning Authority including that the use of timber cladding/black timber boarding is not a locally distinctive or local vernacular material, and not a typical feature within southern Nottinghamshire with respect to developments in Car Colston and Langar.

The local resident remains concerned that the Committee is being asked to rubber stamp a clear change in policy without the provision of sufficient evidence or explanation, which could have a widespread negative impact to Conservation Areas across Rushcliffe. The Committee should also be concerned that this change in policy would result in the retention of many of the timber shelters presently in use at many public houses under the present 'temporary' Covid relaxation of planning rules.

PLANNING OFFICERS COMMENTS:

Paragraphs 43 and 44 of the committee report clearly explain why it is considered that timber cladding is considered to be acceptable on a modest car port in this location. It does not represent a change in policy, and every case will continue to be assessed on its merits having regard to the character & context of the site and surroundings. A development constructed from materials which are not of the local vernacular does not necessarily mean that it is not sympathetic to the character of the area. Indeed, Policy D1 the Colston Bassett Neighbourhood Plan supports the use of 'contemporary and innovative materials' (where positive

improvement can be robustly demonstrated without detracting from the historic context).

4. **NATURE OF REPRESENTATION:** Update to National Planning Policy Framework (NPPF)

RECEIVED FROM: Ministry of Housing, Communities & Local Government (MHCLG).

SUMMARY OF MAIN POINTS:

On the 20 July 2021 MHCLG published an updated version of the National Planning Policy Framework (NPPF). This revision alters a number of paragraphs referred to in the reports contained within the agenda papers.

PLANNING OFFICERS COMMENTS:

For the avoidance of doubt Para 30 of the report states that the NPPF refers to the environmental objective being 'contributing to protecting and enhancing our natural, built and historic environment'. However this has been slightly amended to now read as 'to protect and enhance our natural, built and historic environment...'

The alteration to the paragraphs numbers of the NPPF do not make any alteration to the content referred to nor the officer assessment of the proposed development.

5. **NATURE OF REPRESENTATION:** Comment

RECEIVED FROM: Colston Bassett Parish Council

SUMMARY OF MAIN POINTS:

Colston Bassett Parish Council have repeatedly registered objections to this application, as it represents further inappropriate over-development of this site at the centre of the Village Conservation Area. For whatever reason these objections have not been registered to date, so the decision to OBJECT is again registered.

PLANNING OFFICERS COMMENTS:

The Parish Councils concerns are reported in the Committee Report and their initial comments on the originally submitted application plus their comments on the revised plans are available to view on the website.

20/03074/FUL

Applicant	Mr and Mrs Garrard
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Location	38 Florence Road, West Bridgford, Nottinghamshire
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Proposal	Proposed Two Storey and Single Storey Rear Extension, Side and Rear Dormer Windows to Existing Roof, New Front Porch and Internal Alterations (Resubmission of 20/02419/FUL)
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Ward	Trent Bridge
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LATE REPRESENTATIONS FOR COMMITTEE

6. **NATURE OF REPRESENTATION:** Update
- RECEIVED FROM:** Planning Case Officer

SUMMARY OF MAIN POINTS:

Update to proposed condition 4: -

The 2 roof lights hereby approved in the eastern side of the main roof, serving the second floor office/bedroom as shown on the submitted plans shall be permanently obscure glazed to group level 5 security and fixed shut. The windows shall be retained to this specification for the lifetime of the development.

PLANNING OFFICERS COMMENTS:

Condition updated to refer to the two 'new' windows in the east, not west (side) elevation of the roof. The window serving the landing is an existing retained feature and as such would not be controlled, so reference to landing roof light removed.

7. **NATURE OF REPRESENTATION:** Objection
- RECEIVED FROM:** Neighbour

SUMMARY OF MAIN POINTS:

An email has been received from the neighbour expressing a number of concerns about the application, the committee report and the process:

1. The first page of the report (numbered page 59 in the agenda) appears to be an out of date map of Florence Road. Both the property under

consideration (38 Florence Road) and the objector's property (40 Florence Road), along with other neighbouring properties bear no resemblance to their current actual ground plans. This is particularly relevant to the objector's property as there is no indication of their conservatory which is a key element of their objection. As paragraph 38 of the Planning Officer's Report states:

"..it is not considered that the revised scheme under consideration would result in any significant impacts on amenity from either overlooking, overshadowing or overbearing, to the neighbour to the east at 40 Florence Road"

The objector also notes that the Planning Officer does not mention their conservatory in the report under the heading 'Amenity', paragraphs 33 - 38, in which reference is made to the impact on the objector's property i.e. 40 Florence Road.

The objector is very concerned, therefore, that the committee might have a misunderstanding of the layout of the amenities under consideration and might not be aware of the potential detrimental effects of the proposal.

2. The objector notes from the information provided to anyone intending to speak at the meeting the imbalance of input to the committee members. It appears that The Planning Officer has unlimited time to speak to their report which concludes in supporting the application and, therefore, it is presumed their presentation would focus on why, in their opinion, the committee should uphold their recommendation. The applicant would then have 5 minutes if they wished to speak. A single objector would then have only 5 minutes to provide their input. In this case, residents at both 36 and 40 Florence Road have objected and are the most obviously affected. This does not seem to be a reasonable balance and there seems to be little opportunity to counter any of the statements and opinions made in the report. This does not feel 'democratic' and from considerable previous experience of dealing with public input to democratic committees, the objector has never before seen such constraints being placed on members of the public. Particularly following the publication of an Officer's Report.
3. Under the specific item on the agenda - Item 4, bullet points 3 - there is no evidence of the comments (objections) submitted to Planners regarding this application being made available and, therefore, understood by committee members. The Objector comments that he invariably finds difficulties in accessing them.

When submitting objections, the objector was under the impression that they would be read by Planning Officers, but also, should it be necessary, by members of the Planning Committee in preparation for their meeting.

As the minimum, the objector expected a reference to all comments

received to be included within the specific report as part of 'Background Papers' for each item, not merely at the beginning of the general report. When the objector extracted Item 4 from the report in order to obtain a copy of it, the rubric at the start of the report was, therefore, absent. He actually expected to see a printout of the comments to form part of an Appendix to this section of the report. He is disappointed to observe that their comments are continually "noted" without explicitly saying what they are.

He is, therefore, concerned that members of the committee will not have a clear view of the issues raised by them and the neighbours at 36 Florence Road.

4. The objector remains confused as to why the Executive Manager (or Director) Growth and Economic Development has continued to allow this application to proceed with an unamended description. The proposal is described as a "two storey rear extension" when it is clearly a three storey extension, and the description "Single storey rear extension" is clearly misleading as the extent of the single storey extension is not room sized and constitutes an attempt to appear to reduce the effect of the construction that would reduce the sunlight to their property.

PLANNING OFFICERS COMMENTS:

Officers comment as follows, using the same numbering for ease of reference:

1. The map included in the agenda is provided to identify the location of the site only and is not intended to provide an accurate representation of the area and neighbouring properties. This is based on the current ordnance survey base for the area and has clearly not been updated to show any extensions/changes to neighbouring properties since the ordnance survey produced this version of the map. The case officer and the Planning Committee have access to the plans submitted with the application which do appear to include changes to the properties not reflected in the ordnance survey map, including the conservatory to the rear of the objector's property. These plans will also be included in the committee presentation. The case officer also took photographs when he visited the site and the neighbouring properties, which clearly show the conservatory in question.

Whilst the report does not specifically reference the conservatory, it includes a general assessment of the potential impact on the amenities of your property. The case officer has referenced in the report the kitchen window at ground floor and the bedroom window at first floor and the patio as features closest to the boundary with the application site.

2. The representations made by the neighbours/members of the public have been summarised in the report. The public speaking at planning

committee provides a further opportunity for an objector to raise any areas of concern. Many authorities operate a system of public speaking at Committee and it is not uncommon for the time available to address the committee to be limited. In addition, the late representations circulated to members of the Committee before the meeting provides a further opportunity for comments from interested parties to be made after the report has been published and presented to the Committee.

3. All comments on planning applications are available to the case officer. In addition, they are available to Councillors on the Council's website. This includes the comments submitted in respect of 38 Florence Road. All comments are summarised in the report. Therefore, it is not deemed necessary to reproduce third party comment in full in the committee report.
4. Whilst the proposal provides accommodation over three floor, the second floor accommodation is provided within the roof space and the description of development includes reference to a dormer window. The property benefits from existing accommodation within the roof space formed through a loft conversion. Furthermore, the description of development needs to be read in conjunction with the submitted plans which clearly set out the nature of the proposal.

3. **NATURE OF REPRESENTATION:** Update to National Planning Policy Framework (NPPF)

RECEIVED FROM: Ministry of Housing, Communities & Local Government (MHCLG).

SUMMARY OF MAIN POINTS:

On the 20 July 2021 MHCLG published an updated version of the National Planning Policy Framework (NPPF). This revision alters a paragraph referred to in the reports contained within the agenda papers.

PLANNING OFFICERS COMMENTS:

For the avoidance of doubt Para 16 of the report should refer to the NPPF (2021) and not the NPPF (2019). The alteration to the paragraphs numbers of the NPPF do not make any alteration to the content referred to nor the officer assessment of the proposed development.