



**MINUTES
OF THE MEETING OF THE
PLANNING COMMITTEE
THURSDAY, 29 JULY 2021**

Held at 6.30 pm in the Council Chamber, Rushcliffe Arena, Rugby Road, West
Bridgford

PRESENT:

Councillors R Upton (Chairman), Mrs M Stockwood (Vice-Chairman), S Bailey,
N Clarke, B Gray, A Major, D Mason, A Phillips, F Purdue-Horan and
C Thomas

ALSO IN ATTENDANCE:

L Ashmore - Director - Growth and Economic Development

OFFICERS IN ATTENDANCE:

M Dunne	Principal Area Planning Officer
G Sharman	Area Planning Officer
P Taylor	Area Planning Officer
R Sells	Solicitor
T Coop	Democratic Services Officer

APOLOGIES:

Councillors P Gowland and L Healy

1 Declarations of Interest

There were no declarations of interest reported.

2 Minutes of the Meeting held on 10 June 2021

The minutes of the meeting held on 10 June 2021 were approved as a true
record and signed by the Chairman.

3 Planning Applications

The Committee considered the written report of the Director - Growth and
Economic Development relating to the following applications, which had been
circulated previously.

**21/01352/FUL – Construction of two storey 4 bedroom dwelling with
swimming pool and attached 3 car garage. Construction of stables and
tack room – Brookfield House, 4 Park Lane, Sutton Bonington,
Nottinghamshire.**

Updates

Additional representations were received after the agenda had been published

and were circulated to the Committee before the meeting.

In accordance with the Council's Public Speaking Protocol for Planning Committee Councillor M Barney (Ward Councillor) addressed the Committee.

DECISION

PLANNING PERMISSION BE GRANTED 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 must be carried out strictly in accordance with the approved plan(s)/drawings/documents listed in the drawing schedule received on the 24 June 2021.

[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. The dwelling and stable buildings hereby permitted shall not be constructed above damp proof course level until details of the facing and roofing materials to be used on all external elevations, together with details of the door and window frames, have been submitted to and approved in writing by the Borough Council. Thereafter the dwelling shall only be constructed in accordance with the materials as 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 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies.]

4. The dwelling hereby approved shall not be constructed above damp proof course level until a hard and soft landscaping scheme for the site, including details of the boundary treatment to all the site boundaries, has been submitted to and approved in writing by the Borough Council. The hard landscaping shall be completed prior to the occupation of the dwelling hereby approved. The soft landscape planting shall be completed no later than the first planting season (October - March) following occupation of the dwelling hereby approved.

If, within a period of 5 years of from the date of planting, any tree or shrub planted as part of the approved scheme is removed, uprooted, destroyed, dies or become diseased or damaged then another tree or shrub of the same species and size as that originally planted must be planted in the same place during the next planting season following its removal.

Once provided all hard landscaping works shall thereafter be permanently retained throughout the lifetime of the development.

[To ensure the development creates a visually attractive environment and to safeguard against significant adverse effects on the landscape character of the area having regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapter 12 (Achieving Well-designed Places) of the National Planning Policy Framework (February 2019)].

5. The development hereby permitted must not commence and no preparatory operations in connection with the development hereby permitted (including demolition, site clearance works, fires, soil moving, temporary access construction and / or widening, or any operations involving the use of motorised vehicles or construction machinery) shall take place on the site until a detailed Arboricultural Method Statement (AMS) prepared in accordance with BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations', has been submitted to and approved in writing by the Local Planning Authority and all protective fencing has been erected as required by the AMS. The AMS must include full details of the following:
 - a) The timing and phasing of any arboricultural works in relation to the approved development;
 - b) Detailed tree felling and pruning specification in accordance with BS3998:2010 Recommendations for Tree Works;
 - c) Details of a Tree Protection Scheme in accordance with BS5837:2012 which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site which are to be retained or which are the subject of any Tree Preservation Order;
 - d) Details of any construction works required within the root protection area as defined by BS5837:2012 or otherwise protected in the Tree Protection Scheme;
 - e) Details of the location of any underground services and methods of installation which make provision for protection and the long-term retention of the trees on the site. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, no services shall be dug or laid into the ground other than in accordance with the approved details;
 - f) Details of any changes in ground level, including existing and proposed spot levels, required within the root protection area as defined by BS5837:2012 or otherwise protected in the approved Tree Protection Scheme;
 - g) Details of the arrangements for the implementation, supervision and monitoring of works required to comply with the AMS.

[This is a pre-commencement condition to ensure that appropriate controls are secured prior to development commencing, to protect the

health of existing trees and hedgerows on the site during the construction of the development having regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policies 37 (Trees and Woodlands) and 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapter 15 (Conserving and Enhancing the Natural Environment) of the National Planning Policy Framework (February 2019)].

6. The dwelling hereby approved shall not be occupied until the associated parking and turning provision, as shown on the approved plans referred to under condition 2 of this approval, has been constructed. Thereafter the parking and turning areas must be retained on the site throughout the life of the development and must remain available for vehicle turning at all times.

[To ensure that there is adequate provision for vehicles to turn around within the site having regard highway safety and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

7. The development shall not be constructed above damp proof course level until a scheme for the provision and implementation of surface water run-off limitation measures has been submitted to and approved in writing by the Borough Council. Thereafter the measures 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 that adequate surface water drainage provision is secured for the site, in accordance with Policy 18 (Surface Water Management) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

8. The construction of the dwelling hereby permitted must not proceed above damp proof course level until a scheme for the provision of Electric Vehicle Charging Point(s) (EVCP) has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme must include details of the type, number and location of the proposed EVCP apparatus. Thereafter, unless it has been demonstrated that the provision of an electric vehicle charging point is not technically feasible, the dwelling shall not be occupied until such time as the site has been serviced with the appropriate electric vehicle charging infrastructure, in accordance with the approved scheme. The electric vehicle charging infrastructure shall thereafter be retained and maintained for the lifetime of the development.

[To ensure the development is capable of promoting sustainable modes of transport and to comply with Policy 41 (Air Quality) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

9. The residential dwelling hereby permitted shall be designed to meet the higher 'Optional Technical Housing Standard' for water consumption of

no more than 110 litres per person per day.

[To promote a reduction in water consumption and to comply with criteria 3 of Policy 12 (Housing Standards) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

10. The development hereby permitted must not commence and no preparatory operations in connection with the development (including demolition, site clearance works, fires, soil moving, temporary access construction and / or widening, or any operations involving the use of motorised vehicles or construction machinery) shall take place on the site until a site specific Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP must include details outlining:

- a) appropriate provision for the parking of vehicles within the site belonging to construction operatives and/or visitors;
- b) areas for loading and unloading plant and material
- c) the location and appearance of any site compound/material storage areas, including heights of any cabins to be sited and details of any external lightings;
- d) the hours of operation
- e) details of how noise (including construction works and deliveries) will be controlled and managed during the site clearance and construction processes
- f) measures to control the emission of dust and dirt during the site clearance and construction processes

The approved CMP must be adhered at all times throughout the site clearance and construction periods for the development.

[This is a pre-commencement condition to ensure that the site can be developed in a safe manner and limit the impacts upon residential amenity and highways safety throughout the construction phase, having regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

11. Prior to the installation of any security lighting / floodlighting on either the dwelling or the stable buildings hereby approved, details of the lighting, its design and location together with a lux plot of the estimated illuminance and mitigation measures to minimise any impact on neighbouring properties and wildlife should be submitted to and be approved in writing by the Local Planning Authority. Thereafter the lighting shall be installed in accordance with the approved details and retained as such for the lifetime of the development.

[To ensure the appearance of the development and any impacts on neighbours is acceptable and that the development contributes to the enhancement of biodiversity on the site having regard to Policy 10 (Design and Enhancing Local Identity and Policy 17 (Biodiversity) of the

Rushcliffe Local Plan Part 1: Core Strategy (2014); Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019); Chapter 15 (Conserving and enhancing the natural environment) of the National Planning Policy Framework (February 2019)].

12. Notwithstanding the provisions of the Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that Order) no enlargement or any other alteration shall be carried out to the dwelling(s) hereby permitted without express planning permission from the Local Planning Authority.

[To enable the Local Planning Authority to retain control over any future enlargements and/or alterations that may harm the amenities of neighbouring properties, the appearance of the dwelling or the character of the area having regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

13. Notwithstanding the provisions Schedule 2 Part 1 Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that Order) no outbuildings or other structures shall be erected within the curtilage of the dwelling(s) hereby permitted without express planning permission from the Local Planning Authority.

[To enable the Local Planning Authority to retain control over any future outbuildings and other structures within its curtilage that may harm the amenities of neighbouring properties or the character of the area having regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

14. Notwithstanding the provisions of the Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that Order) no window openings or rooflights (other than those expressly authorised by this permission) shall be inserted into the north-west (side) elevation of the dwelling, the north-west (rear) elevation of the garage (including the internal stairwell) or the north-east (side) elevation of the garage hereby permitted without express planning permission from the Local Planning Authority.

[To enable the Local Planning Authority to retain control over the insertion of any additional window openings or rooflights that may adversely affect the amenities/privacy of neighbouring properties having regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land

and Planning Policies (2019)].

15. The three windows at first floor level in the north-west (side) elevation of the dwelling hereby permitted serving two en-suites and a bedroom must be:
 - a) non-opening, and;
 - b) fitted with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent.

Thereafter, those windows must be retained to this specification throughout the lifetime of the development.

[To preserve the amenities of neighbouring properties, having regard to Policy 10 (Design and Enhancing Local Identify) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

16. The stables and paddocks hereby permitted shall be used only for purposes ancillary to the enjoyment of the associated dwelling and not as a riding school, livery stables or any other business or commercial use.

[For the avoidance of doubt and to ensure that the approved use has an acceptable relationship to the amenities of neighbouring properties, highway movements and the character of the area having regard to Policy 10 (Design and Enhancing Local Identify) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

Notes to Applicant

Please be advised that all applications approved on or after the 7th October 2019 may be subject to the Community Infrastructure Levy (CIL). Further information about CIL can be found on the Borough Council's website at <https://www.rushcliffe.gov.uk/planningandgrowth/cil/>

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.

All wastes should be disposed of in an appropriate manner. Field heaps of manure should not be located where there is a risk of run-off to nearby field drains; or within 10m of a water course; or within 50m of a well/spring/borehole that supplies water for human consumption. There should be no burning of wastes on site. The keeping of horses/ponies should not give rise to nuisance (for example from odours or flies) to nearby premises.

During and post construction, a sensitive lighting scheme should be implemented to prevent disturbance to commuting and foraging bats in the local area. Lighting should be directed away vegetative features within the site and along boundaries, and light overspill of over 1lux should be avoided within these vegetated areas.

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 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

Any security / floodlighting should be designed, located and installed so as not to cause a nuisance to neighbouring residents in accordance with the Institute of Lighting Professionals (ILP) Guidance Note for the Reduction of Obtrusive Light (01/20).

Condition 9 requires the new dwelling to meet the higher 'Optional Technical Housing Standard' for water consumption of no more than 110 litres per person per day. The developer must inform their chosen Building Control Body of this requirement as a condition of their planning permission.

21/00354/FUL – Proposed erection of car port/garden store (to be served by previously approved vehicular access) – Land West of School Lane, Colston Bassett, Nottinghamshire.

Updates

Additional representations were received after the agenda had been published and were circulated to the Committee before the meeting.

In accordance with the Council's Public Speaking Protocol for Planning Committee Mr N Mayglothing (Objector) and Councillor T Combellack (Ward Councillor) addressed the Committee.

Comments

Members requested an amendment to condition no. 7 in respect of the purpose of use and asked whether a lighting scheme could be submitted, to protect the neighbouring amenities.

DECISION

PLANNING PERMISSION BE GRANTED 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 plan(s): PL100C, PL110C.

[For the avoidance of doubt and to comply with policy 1 (Development requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

3. 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 policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

4. No works relating to construction of the car port/garden store shall take place until the existing trees and/or hedges which are to be retained have been protected in accordance with details approved under application ref. 20/01510/DISCON or, if alternative protection measures are proposed, details have been submitted to and approved in writing by the Borough Council. The approved protection measures shall be retained for the duration of the construction period, and no materials, machinery or vehicles shall be stored or temporary buildings erected within the perimeter of the fence, nor shall 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 construction of the development, and to comply with policy 37 (Trees and Woodlands) of the Rushcliffe Local Plan Part 2: Land and Planning Policies. If alternative protection measures are proposed, this condition needs to be discharged before works commences on site to ensure that measures are in place to ensure trees are protected during construction of the development].

5. The vehicular access, driveway and parking area shall only be constructed using a no-dig construction in accordance with the details to be previously submitted to and approved in writing by the Borough Council.

[To ensure trees are adequately protected during construction of the development and to comply with policy 37 (Trees and Woodlands) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

6. The car port/garden store shall not be brought into use until the vehicular access has been surfaced in a hard bound material for a distance of 5m behind the carriageway edge and provided with measures to prevent the discharge of surface water on to the public highway, and the visibility splays as shown indicatively on drawing SAL/1921/PPSD/10 submitted with application ref. 19/02622/FUL have been provided. These facilities shall be retained and the area within the splays shall be kept free of all obstructions, structures or erections exceeding 1.05 metres in height for the lifetime of the development.

[In the interests of highway safety and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

7. 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 alterations shall be made to the external appearance of the car port/garden store without the prior written approval of the Borough Council. The buildings shall only be used for the purposes applied for and for no other use.

[The development is of a nature and within an area whereby future development of this type should be closely controlled and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

8. Prior to the installation of lighting on the building details of any such lighting shall be submitted to and approved in writing by the Borough Council, together with lux plot of the estimated illuminance. The lighting shall be installed only on accordance with the approved details.

[To protect the amenities of the area and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

20/03074/FUL – 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) – 38 Florence Road, West Bridgford, Nottinghamshire.

Updates

Additional representations were received after the agenda had been published and were circulated to the Committee before the meeting.

In accordance with the Council's Public Speaking Protocol for Planning Committee Mr A Gerrard (Applicant) and Mr M Kekus (Objector) addressed the Committee.

DECISION

PLANNING PERMISSION BE GRANTED 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:

- Proposed Floor Plans, Elevations, Site Block Plan & OS Plan – '907.002 Rev.G' - Received 14/04/2021;

[For the avoidance of doubt and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

3. The materials specified in the application shall be used for the external walls and roof of the development hereby approved as identified on the approved plans, and no additional or alternative materials shall be used, unless they have first been submitted to and approved by the Borough Council.

[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 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

4. The 3 roof lights hereby approved in the western side of the main roof, serving the second floor office/bedroom and landing 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.

[To prevent overlooking and loss of privacy to neighbouring property and to comply with policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan part 1: Core Strategy and policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

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 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.

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.

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.

The meeting closed at 8.10 pm.

CHAIRMAN