

When telephoning, please ask for: Tracey Coop
Direct dial 0115 914 8511
Email democraticservices@rushcliffe.gov.uk

Our reference:
Your reference:
Date: Wednesday, 4 August 2021

To all Members of the Planning Committee

Dear Councillor

A Meeting of the Planning Committee will be held on Thursday, 12 August 2021 at 2.30 pm in the Council Chamber, Rushcliffe Arena, Rugby Road, West Bridgford to consider the following items of business.

This meeting will be accessible and open to the public via the live stream on YouTube and viewed via the link: <https://www.youtube.com/user/RushcliffeBC>

Please be aware that until the meeting starts the live stream video will not be showing on the home page. For this reason, please keep refreshing the home page until you see the video appear.

Yours sincerely



Sanjit Sull
Monitoring Officer

AGENDA

1. Apologies for Absence and Substitute Members
2. Declarations of Interest
 - a) Under the Code of Conduct
 - b) Under the Planning Code
3. Minutes of the Meeting held on 29 July 2021 (Pages 1 - 12)
4. Planning Applications (Pages 13 - 22)
The report of the Director - Growth and Economic Development.
5. Planning Appeals (Pages 23 - 28)
The report of the Director - Growth and Economic Development.



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Borough Council

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9.30am - 5pm
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8.30am - 4.30pm

Postal address
Rushcliffe Borough
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Rushcliffe Arena
Rugby Road
West Bridgford
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NG2 7YG



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

Meeting Room Guidance

Fire Alarm Evacuation: in the event of an alarm sounding please evacuate the building using the nearest fire exit, normally through the Council Chamber. You should assemble at the far side of the plaza outside the main entrance to the building.

Toilets: are located to the rear of the building near the lift and stairs to the first floor.

Mobile Phones: For the benefit of others please ensure that your mobile phone is switched off whilst you are in the meeting.

Microphones: When you are invited to speak please press the button on your microphone, a red light will appear on the stem. Please ensure that you switch this off after you have spoken.

Recording at Meetings

The Openness of Local Government Bodies Regulations 2014 allows filming and recording by anyone attending a meeting. This is not within the Council's control.

Rushcliffe Borough Council is committed to being open and transparent in its decision making. As such, the Council will undertake audio recording of meetings which are open to the public, except where it is resolved that the public be excluded, as the information being discussed is confidential or otherwise exempt.



**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



Planning Committee

12 August 2021

Planning Applications

Report of the Director – Growth and Economic Development

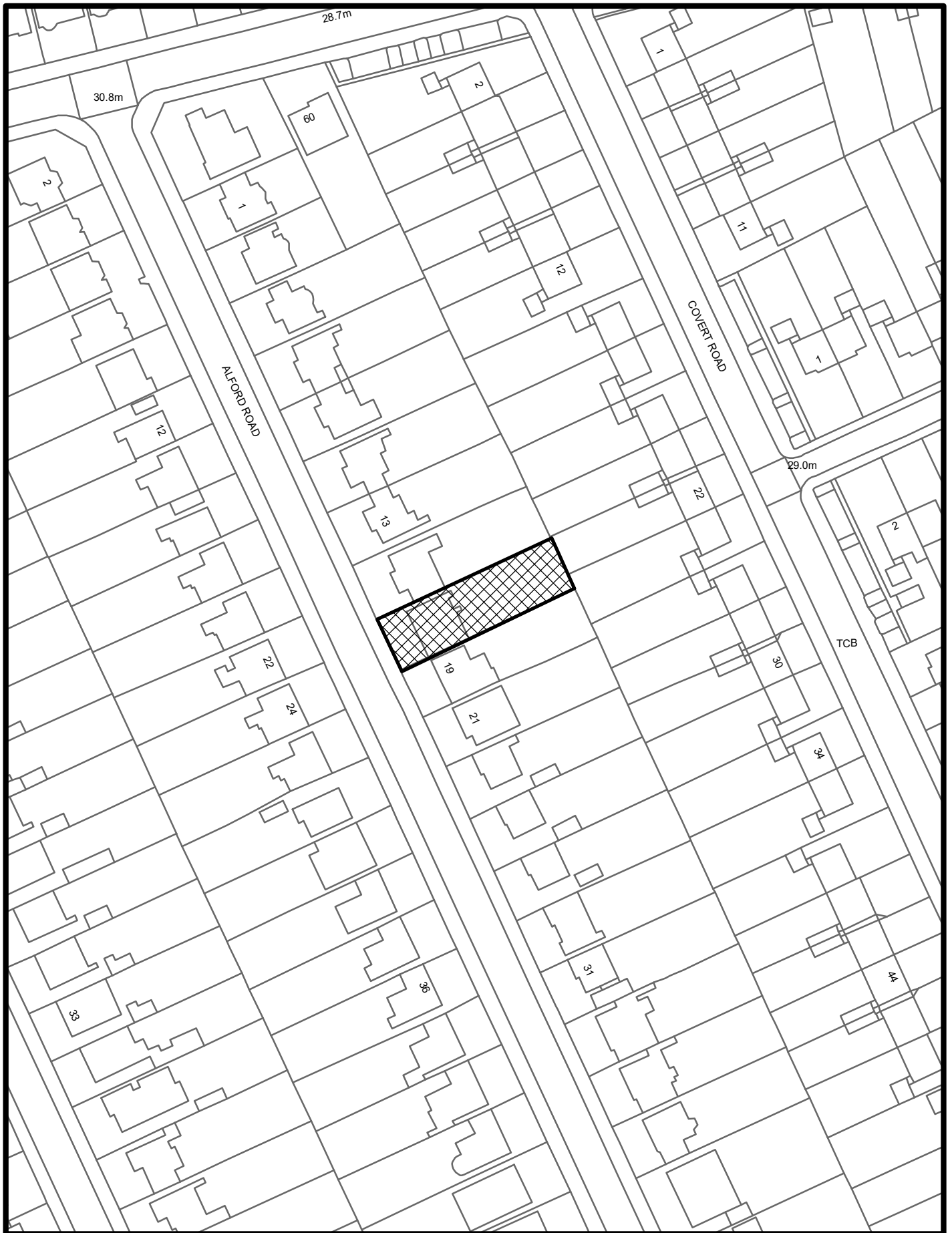
PLEASE NOTE:

1. Slides relating to the application will be shown where appropriate.
2. Plans illustrating the report are for identification only.
3. Background Papers - the application file for each application is available for public inspection at the Rushcliffe Customer Contact Centre in accordance with the Local Government Act 1972 and relevant planning legislation/Regulations. Copies of the submitted application details are available on the website <http://planningon-line.rushcliffe.gov.uk/online-applications/>. This report is available as part of the Planning Committee Agenda which can be viewed five working days before the meeting at <https://democracy.rushcliffe.gov.uk/ieListMeetings.aspx?Committeeld=140> Once a decision has been taken on a planning application the decision notice is also displayed on the website.
4. Reports to the Planning Committee take into account diversity and Crime and Disorder issues. Where such implications are material they are referred to in the reports, where they are balanced with other material planning considerations.
5. With regard to S17 of the Crime and Disorder Act 1998 the Police have advised they wish to be consulted on the following types of applications: major developments; those attracting significant numbers of the public e.g. public houses, takeaways etc.; ATM machines, new neighbourhood facilities including churches; major alterations to public buildings; significant areas of open space/landscaping or linear paths; form diversification to industrial uses in isolated locations.
6. Where the Planning Committee have power to determine an application but the decision proposed would be contrary to the recommendation of the Executive Manager - Communities, the application may be referred to the Council for decision.
7. The following notes appear on decision notices for full planning permissions:
“When carrying out building works you are advised to use door types and locks conforming to British Standards, together with windows that are performance tested (i.e. to BS 7950 for ground floor and easily accessible windows in homes). You are also advised to consider installing a burglar alarm, as this is the most effective way of protecting against burglary.

If you have not already made a Building Regulations application we would recommend that you check to see if one is required as soon as possible. Help and guidance can be obtained by ringing 0115 914 8459, or by looking at our web site at

<http://www.rushcliffe.gov.uk/planningandbuilding/buildingcontrol>

Application	Address	Page
21/01402/FUL	17 Alford Road West Bridgford Nottinghamshire NG2 6GJ Ground and first floor extensions to rear including rear dormer with Juliet balcony.	15 - 22
Ward	Abbey	
Recommendation	Planning permission be granted subject to conditions.	



Application Number: 20/01402/FUL
17 Alford Road, West Bridgford



scale 1:1000

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Rushcliffe Borough Council - 100019419

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21/01402/FUL

Applicant Mr G Pedlar

Location 17 Alford Road West Bridgford Nottinghamshire NG2 6GJ

Proposal Ground and first floor extensions to rear including rear dormer with Juliet balcony.

Ward Abbey

THE SITE AND SURROUNDINGS

1. The application relates to a two storey detached dwelling faced in red brick with a rosemary tile roof. There is a two storey side extension that features a first floor rear door that opens onto a balcony over a single storey flat roof side/rear projection. There is a separate single storey rear extension.
2. There is a block paved driveway to the front providing off-road parking, and a circa 23 metre deep rear garden enclosed by a circa 1.8 - 2 metre high timber fence. The immediate street scene comprises similar two storey detached dwellings.

DETAILS OF THE PROPOSAL

3. The application seeks planning permission for a first floor rear extension over the existing flat roof balcony, and a ground floor rear extension with a first floor dormer above, featuring a rear facing Juliet balcony.
4. The proposed first floor side extension would have a hipped pitched roof measuring 5.1 metres to the eaves and 7.1 metres to the ridge to match the existing two storey side extension. There would be an additional raised section of pitched roof linking between the side extension and main roof.
5. The rear extension would project 4.9 metres from the rear of the dwelling and measure 4.8 metres in width, with a monopitch roof running from a rear eaves height of 3 metres to a maximum height of 5.1 metres. This would feature a first floor flat roof rear dormer with a roof height of 5.3 metres, faced in tile hanging with a Juliet balcony to the rear. The extensions would be faced in brick with roof tiles both to match the existing dwelling.
6. The originally submitted plans proposed a 1.2 metre deep walk-on balcony with 1.7 metre high privacy screens to both sides, faced in tile hanging. Discussions took place during the course of the application and the plans were amended to a Juliet balcony with a fixed balustrade, with the side privacy screens omitted.

SITE HISTORY

7. 8/A2/80/C/277 - Construct hipped roof to existing flat roofed extension. Approved in 1980.

8. 02/01411/FUL - Two storey side and rear extension, single storey rear extension. Approved in 2003.
9. 08/00751/FUL - Single storey front extension and single storey and first floor rear extension. Approved in 2008.
10. 14/00226/FUL - Ground and first floor extensions to rear including rear dormer window. Approved in 2014.

REPRESENTATIONS

Ward Councillor(s)

11. One Ward Councillor (Cllr Gowland) submitted comments objecting to the original set of plans, commenting that first floor extensions in residential roads are a step too far, and likely to result in overlooking and overshadowing of the neighbours. Following the receipt of revised plans, the Ward Councillor submitted a further comment maintaining their objection, noting that whilst the revisions are an improvement in terms of the overlooking of No. 15 due to the omission of the balcony, the massing and shading does not change for the adjacent neighbours.
12. One Ward Councillor (Cllr Bushman) initially raised no objection to the application. Revised comments were subsequently received objecting to the application on the basis of overbearing impacts. No comments have been received from this Councillor in response to the revised set of plans.

Statutory and Other Consultees

13. No comments.

Local Residents and the General Public

14. Representations have been received from 3 neighbours, objecting to the proposal with the comments summarised as follows:
 - a. Size and scale out of keeping with neighbouring properties.
 - b. Overbearing impact on neighbours.
 - c. Overshadowing of neighbours. Overshadowing of the conservatory at No.15 due to this neighbour being to the north, would obstruct light to No. 19 especially in the evenings.
 - d. Impact on views along the road.
 - e. Overintensive development.
 - f. Loss of privacy from first floor balcony.
 - g. Previous application 02/01411/FUL for a two storey side/rear extension was amended during the application to reduce the height of the rear-projecting part of the extension, following neighbour and Ward Councillor objections. Following subsequent applications, the current

proposal appears to have reverted to a similar side profile as the original 2002 plans prior to their amendment.

- h. An alternative approach could be a sloping roof line extension from the existing rear wall of the property to the rear wall of the ground floor extension in harmony with the existing roof pitch, with a Velux window

PLANNING POLICY

- 15. The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: Core Strategy (LPP1) and the Local Plan Part 2: Land and Planning Policies (LPP2). Other material considerations include the 2021 National Planning Policy Framework (NPPF), the National Planning Practice Guidance (the Guidance), and the 2009 Rushcliffe Residential Design Guide.

Relevant National Planning Policies and Guidance

- 16. The relevant national policy considerations for this proposal are those contained within the NPPF (2021) and the proposal should be considered within the context of a presumption in favour of sustainable development as a core principle of the NPPF. In accordance with paragraph 11c), development proposals that accord with an up-to-date development plan shall be approved without delay. The proposal falls to be considered under section 12 of the NPPF (Achieving well-designed places) and it should be ensured that the development satisfies the criteria outlined under paragraph 130. Development should function well and add to the overall quality of the area, not just in the short term but over the lifetime of the development. In line with paragraph 134, development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

Relevant Local Planning Policies and Guidance

- 17. LPP1 Policy 1 reinforces the need for a positive and proactive approach to planning decision making that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The proposal falls to be considered under LPP1 Policy 10 of (Design and Enhancing Local Identity). The development should make a positive contribution to the public realm and sense of place and should have regard to the local context and reinforce local characteristics. Section 2 of this policy sets out the design and amenity criteria that development shall be assessed against.
- 18. The proposal falls to be considered under Policy 1 (Development Requirements) of the LPP2, specifically criterion 4) ensuring the scale, density, height, massing, design, layout and materials of the proposal is sympathetic to the character and appearance of the neighbouring buildings and the surrounding area. It should not lead to an over intensive form of development, be overbearing in relation to neighbouring properties, nor lead to undue overshadowing.

APPRAISAL

- 19. The application property currently has a single storey flat roof projection to the rear north east corner that forms a large terrace, accessed from a first-floor

bedroom. The application seeks a first-floor extension over this area. An additional rear extension is proposed, comprising a ground floor extension with a monopitch roof incorporating a first floor dormer above. The rear extension would project 4.9 metres from the rear of the dwelling, bringing it in line with the bevelled section of the existing rear extension/conservatory which is to be retained.

20. The extension would be set off the boundary with 15 Alford Road by a metre. This neighbour has a single storey rear extension that features rear windows, roof lights and no side windows. The proposed extension would project circa 0.9 metres beyond the rear of this neighbouring extension.
21. At first floor level, the proposed flat roof dormer would project circa 3 metres beyond the rear wall of No. 15. It would not impact on the 45 degree line of sight from the first floor rear windows of this neighbour. In terms of potential impact on the ground floor windows at No. 15, the property has been extended to rear with a single storey extension which projects almost as far as the proposed extension. Therefore, the proposed extension would not impact on the 45 degree line drawn from the centre of the window closest to the boundary with the application site and it is not considered that the proposal would be overbearing on this neighbour or result in unacceptable loss of light.
22. The extensions would be situated 3.7 metres from the boundary with No. 19 Alford Road. The retained rear extension/conservatory would provide some screening although the first floor dormer would be visible above the roof line of the existing extension.
23. The originally submitted plans proposed a walk- on balcony with 1.7 metre high privacy screens to either side. Following officer concerns regarding the additional massing created by the privacy screens and a potential loss of neighbouring privacy, the plans were amended to a Juliet balcony with a fixed balustrade and the privacy screens were omitted.
24. Taking into account the existing rear extension to No. 15, the set-back from the boundary with No. 19, and the reduction in the massing of the side profile of the extension arising from the omission of the privacy screens, it is not considered that there would be an undue overbearing or overshadowing impact on either neighbour.
25. Planning permission was previously granted in 2014 for a ground and first floor rear extensions including a rear dormer window (planning reference 14/00226/FUL), however that permission was not implemented and has now lapsed. Following the omission of the side privacy screens, the overall scale and massing of the side profile of the current scheme would be identical to this previous permission. The only material change is that the proposed rear dormer would feature a Juliet balcony rather than a standard window, resulting in a cut-away section of roof.
26. In the event of planning permission being granted, a condition is recommended to prevent the use of the cut-away section of the roof as an external balcony. As the Juliet balcony would have a fixed balustrade, the level of potential overlooking to neighbouring properties arising from it would be akin to a standard window. It is considered that there is sufficient separation distance from the neighbour to the rear so as not to result in a direct overlooking impact.

27. The proposed extensions would not be visible in the street scene with the exception of a small section of pitched roof that would extend above the existing two storey side projection. The extensions would be subservient to the dwelling and the overall design is considered acceptable.
28. The application was not the subject of pre-application discussions. Negotiations have taken place during the consideration of the application resulting in the submission of revised plans, omitting the external balcony, resulting in an acceptable proposal and a recommendation to grant planning permission.

RECOMMENDATION

It is RECOMMENDED that planning permission be granted subject to the following condition(s)

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: Location Plan, 70421/4 (Proposed Ground Floor), and 70421/6 (Proposed Second Floor), received on 5 May 2021; and 70421/7A (Proposed Elevations), and 70421/5A (Proposed First Floor), received on 7 July 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 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 Local Plan Part 2: Land and Planning Policies].

4. The Juliet balcony shall be fitted with a fixed balustrade in accordance with drawing 70421/7A prior to the development being brought into use and the area of flat roof in front of the Juliet balcony must not be used as a balcony, roof garden or any other similar amenity area whatsoever for the lifetime of the development.

[To protect the occupiers of neighbouring properties from adverse overlooking/loss of privacy 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].

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). The Borough Council considers that the approved development is not CIL chargeable as a household extension provided that the floor space does not exceed 100sqm. Further information about CIL can be found on the Borough Council's website at:
<https://www.rushcliffe.gov.uk/planningandgrowth/cil/>

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.

It is possible that the roofspace, and/or behind the soffit, fascia boards, etc. may be used by bats. You are reminded that bats, their roosts and access to roosts are protected and it is an offence under the Countryside and Wildlife Act 1981 to interfere with them. If evidence of bats is found, you should stop work and contact Natural England on 0300 060 3900 or by email at enquiries@naturalengland.org.uk.



Planning Committee

12 August 2021

Planning Appeals

LOCATION	33 Fox Road, West Bridgford		
APPLICATION REFERENCE	20/01748/FUL		
APPEAL REFERENCE	APP/P3040/D/20/3264786		
PROPOSAL	Proposed Two Storey Rear Extension and Internal Alterations, to Create no. 2 additional flats.		
APPEAL DECISION	Appeal Allowed	DATE	27 th May 2021

PLANNING OFFICERS OBSERVATIONS

The appeal was submitted against the non-determination of the application. The Borough Council was minded to refuse planning permission for the development on grounds that it would represent over-intensive use and development of the site with inadequate private outdoor amenity space for the future occupiers of the ground floor flat. In addition, it was considered that the proposed development would result in a detrimental overbearing and overshadowing impact on the private amenity to the north of the application site. Therefore, the development would be contrary to Policy 10 of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 of the Local Plan Part 2: Land and Planning Policies; and guidance provided with the Rushcliffe Residential Design Guide.

The Inspector concluded that the that the proposal would result in acceptable living conditions for neighbours and future occupiers of the appeal property. Therefore, the Inspector considered that the proposed development would comply with policy 10 of the Local Plan Part 1: Rushcliffe Core Strategy and policy 1 of the Local Plan Part 2: Land and Planning Policies which seek to prevent such harm and the SPD. The appeal was allowed.

LOCATION	Willoughby Service Station, Fosse Way, Willoughby on the Wolds, Nottinghamshire LE14 3QD	
APPLICATION REFERENCE	20/01423/FUL	
APPEAL REFERENCE	APP/P3040/W/21/3267672	
PROPOSAL	Proposed extension to workshop to form MOT station and additional units, change of use of dwelling to MOT reception and admin block and new dwelling with associated garage. (Resubmission).	
APPEAL DECISION	Appeal Allowed	DATE 4 May 2021

PLANNING OFFICERS OBSERVATIONS

The appeal relates to a decision by the Borough Council to refuse planning permission under delegated powers. The application was refused on the basis that the proposal would result in an isolated dwelling in an unsustainable location in the open countryside.

The Inspector considered that the proposal would not result in additional dwelling numbers, as the existing would be removed from housing stock to become an MOT reception building. The proposed dwelling would be in relation to the business rather than open-market, linked to the expansion of business and enterprise in rural areas and helping to secure the long-term future of the business. The Inspector therefore considered that the proposal would not be in conflict with Policy 3 of the Core Strategy or Policy 22 of the Local Plan Part 2.

The Inspector therefore concluded that the appeal should be allowed subject to conditions. An additional condition was imposed to ensure that the existing dwelling remains a business after the new dwelling is built.

LOCATION	Willoughby Service Station, Fosse Way, Willoughby on the Wolds, Nottinghamshire LE14 3QD	
APPLICATION REFERENCE	20/01423/FUL	
APPEAL REFERENCE	APP/P3040/W/21/3267672	
PROPOSAL	Proposed extension to workshop to form MOT station and additional units, change of use of dwelling to MOT reception and admin block and new dwelling with associated garage. (Resubmission).	
APPEAL DECISION	Appeal Allowed	DATE 4 May 2021

PLANNING OFFICERS OBSERVATIONS

The appeal relates to a decision by the Borough Council to refuse planning permission under delegated powers. The application was refused on the basis that the proposal would result in an isolated dwelling in an unsustainable location in the open countryside.

The Inspector considered that the proposal would not result in additional dwelling numbers, as the existing would be removed from housing stock to become an MOT reception building. The proposed dwelling would be in relation to the business rather than open-market, linked to the expansion of business and enterprise in rural areas and helping to secure the long-term future of the business. The Inspector therefore considered that the proposal would not be in conflict with Policy 3 of the Core Strategy or Policy 22 of the Local Plan Part 2.

The Inspector therefore concluded that the appeal should be allowed subject to conditions. An additional condition was imposed to ensure that the existing dwelling remains a business after the new dwelling is built.

LOCATION	31 Bley Avenue East Leake Nottinghamshire LE12 6NX	
APPLICATION REFERENCE	21/00350/PAA	
APPEAL REFERENCE	APP/P3040/D/21/3271003	
PROPOSAL	Single storey rear extension measuring 5.5m from the rear of the dwelling, having a ridge height of 4m and an eaves height of 2.5m	
APPEAL DECISION	Appeal Dismissed	DATE 17 June 2021

PLANNING OFFICERS OBSERVATIONS

The appeal relates to a determination by the Borough Council to refuse planning permission for a development that would represent over-intensive use and development of the site with inadequate private outdoor amenity space for the future occupiers of the ground floor flat. Permission was also refused given the proposed development would result in a detrimental overbearing and overshadowing impact on the private amenity to the north of the application site. Therefore, the development would be contrary to Policy 10 of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 of the Local Plan Part 2: Land and Planning Policies; and guidance provided with the Rushcliffe Residential Design Guide. In determining the appeal, the Inspector agreed with the reasons for refusal and dismissed the appeal.

LOCATION	245 Loughborough Road West Bridgford Nottinghamshire NG2 7EG	
APPLICATION REFERENCE	20/02229/FUL	
APPEAL REFERENCE	APP/P3040/D/21/3268449	
PROPOSAL	Two storey rear extension. Roof remodel for loft conversion including front, rear dormer windows, side dormer window and roof lights. Single storey side lean to conservatory and front garage extension.	
APPEAL DECISION	Appeal Dismissed	DATE 8th May 2021

PLANNING OFFICERS OBSERVATIONS

The site comprises a two storey, detached house which stands in a row of similar properties on the east side of Loughborough Road. The dwelling is built from brick and has a tiled, pyramid-shaped roof. The property is set back 18-20m from the road frontage and has well landscaped front boundaries between 3m and 4m high. As a result the frontage of the property is largely screened from the public realm.

The application form described the proposal as a "Two Storey Rear Extension and roof Space Conversion". The proposal was in effect for a 2-storey rear extension projecting 4m to the rear of the existing building and including a loft conversion above the entire property with a mansard style roof containing dormer windows front and rear and other openings on the side elevations. An extension of the existing single-storey element at the front of the property to extend the garage length by 700mm was also proposed.

The application was refused on three grounds:

- The harm to the character and appearance of the area through the alterations to the roof design of the property;
- The overbearing impact of the rear extension on the neighbouring property; and
- The impact of overlooking from the proposed new openings in the side elevation.

The Inspector dismissed the appeal noting three main issues:

- The effect of the development on the character and appearance of the areas;
- The effect on the living conditions of the neighbours with regards to privacy; and outlook and
- The effect on protected species.

Whilst noting some difference in the designs of houses along Loughborough Road, the Inspector also noted the commonality in the degree of set back and proportions. The inspector noted that the proposal would *"introduce a new roof shape by reason of the gradient of the roof slope being much greater than the existing roof and those utilised on*

the neighbouring houses.” And that “Although the height and eaves of the roof would not be changed, the proposed development would have a bulkier appearance. In result, the development would appear discordant owing to the proposal being divergent from the prevailing character. This is a concern given that a unifying trend is the presence of similarly proportioned dwellings that are set back from the highway by consistent amounts. This means that the proposed development would appear discordant and incongruous within the surrounding area.”

With regard to the impacts on the living conditions of the neighbours the Inspector agreed with the officer concerns that proposed roof shape across the entire property and the proposed rear extension would have a massing akin to a three-storey building. Furthermore, the Inspector also agreed that due to the scale of the proposed development and proximity to the neighbouring properties, the development would have a significant overbearing effect that would result in a loss of outlook for both the users of the rear rooms of the neighbouring dwellings and their respective rear gardens.

The Inspector did acknowledge the appellants suggestion that some of the windows could be fitted with obscure glazing. However, he noted that movement behind the glazing would still be perceptible and noise could be audible should the windows be left open. In consequence, the choice of glazing was not considered to overcome the aforementioned adverse effects on privacy.

Finally, the Inspector considered that due to the scale and scope of the proposed works, the development would disrupt the roof space and potentially adversely affect any bat roosts. This would constitute a significant adverse effect upon a protected species.

The Inspector acknowledged that were they to have allowed this appeal, they could impose a condition that would require a survey into bats to be carried out and, if necessary, to secure mitigation. However, they acknowledged that at this juncture (due to the time of year), it is not possible to identify the effect of the development upon the bat population, it is therefore equally not possible to state the type and scale and mitigation that would be required. As a result, it was not possible to draft a condition of sufficient precision. The Inspector therefore concluded that the proposed development would have an adverse effect on a protected species.

In concluding, the Inspector did consider the improved living conditions for the applicants, but noted that in general planning decisions need to be made in the public interest. The Inspector also noted that the proposal would not have any adverse impact on the highway system, but that these reasons did not outweigh the harm to the character and appearance of the area, the living conditions of the occupiers of neighbouring properties and protected species concluding that the appeal should be dismissed.