

**MINUTES
OF THE MEETING OF THE
PLANNING COMMITTEE
THURSDAY, 12 OCTOBER 2023**

Held at 6.00 pm in the Council Chamber, Rushcliffe Arena, Rugby Road, West
Bridgford
and live streamed on [Rushcliffe Borough Council's YouTube channel](#)

PRESENT:

Councillors R Butler (Chair), T Wells (Vice-Chair), A Brown, S Calvert,
J Chaplain, S Mallender, H Parekh, C Thomas and R Walker

OFFICERS IN ATTENDANCE:

E Dodd	Planning Manager - Development Lead Specialist
Tom Pettit	Senior Design and Landscape Officer
Gareth Elliot	Senior Area Planning Officer
Bev Pearson	Area Planning Officer
A Walker	Solicitor
E Richardson	Democratic Services Officer

APOLOGIES:

Councillors A Edyvean and E Georgiou

16 Declarations of Interest

Councillor Parekh declared a non-pecuniary interest as Ward Councillor in application 23/01403/FUL and would remove herself from the discussion and vote for this item.

17 Minutes of the Meeting held on 14 September 2023

The minutes of the meeting held on 14 September 2023 were approved as a true record and were signed by the Chair.

18 Planning Applications

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

23/00063/TORDER – To the West Bridgford No.1 Tree Preservation Order 2023 - 42 Wilford Lane, West Bridgford, NG2 7RL

DECISION

It was RESOLVED that the West Bridgford No.1 Tree Preservation Order 2023 be confirmed without modification.

Councillor Parekh removed herself from the Committee and did not contribute to the discussion or vote on the following application.

23/01403/FUL - Construction of new single storey detached community centre, bin store, parking, access with gates and associated external works - Edwalton Community Centre Land Southwest of Cornelia Grove Edwalton Nottinghamshire

Updates

In accordance with the Council's Public Speaking Protocol for Planning Committee, Councillor H Parekh (Ward Councillor) addressed the Committee.

Comments

Members of the Committee discussed the environmental aspects of the application and asked for Advisory Notes to be added for the following aspects of the development; for the flood lights to have solar panels; that the cycle park area be covered; for the car park area to include electronic vehicle charging points; that as part of the landscaping (Condition 6) that any hardstanding be permeable and that the landscaping include green planting and some shade.

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 following approved plan(s)/drawings/documents:

- G_1208_01 – Site Location Plan – received 21st July 2023
- G_1208_02 – Block Plan – received 24th July 2023
- G/1208_03 - Proposed Floor Plan received 21st July 2023
- G/1208_04 – Proposed North Elevation received 21st July 2023
- G/1208_05 – Proposed South Elevation received 21st July 2023
- G/1208_06 – Proposed East Elevation received 21st July 2023
- G/1208_07 – Proposed West Elevation received 21st July 2023
- G/1208_08 Proposed Roof Plan received 21st July 2023
- G/1208_09 – Proposed Bin Store received 21st July 2023
- G/1208_10 – Landscaping Scheme received 21st July 2023
- G/1208_11 - Section Plan received 21st July 2023
- G/1208_12 Proposed underground drainage received 21st July 2023
- G/1208_14 Hardstanding Plan received 21st July 2023.

[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. Prior to the development hereby permitted being constructed above DPC, details of the proposed external finished materials, including walling, soffits and fascia's, rainwater goods, windows and roofing materials shall be submitted to and approved by the Local Planning Authority and only those materials shall be used in the construction of the development, unless otherwise agreed in writing by the Local Planning Authority.

[Reason: To ensure the appearance of the development is satisfactory having regard to policy 10 (Design and Enhancing Local Identity) 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)].

4. The development hereby permitted must not be occupied or first brought into use until a written scheme the hard and soft landscaping of the site (including the location, number, size and species of any new trees/shrubs to be planted) has been submitted to and approved in writing by the Local Planning Authority.

Thereafter the scheme must be carried out and completed in accordance with the approved details no later than during the first planting season (October – March) following either the substantial completion of the development hereby permitted or it being brought into use, whichever is sooner.

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.

[Reason: 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.]

5. Prior to the proposed development first being occupied or brought into use a parking management scheme shall be first submitted to and approved by the Borough Council. Thereafter the car park shall be managed in accordance with the approved details for the life of the development unless otherwise agreed in writing by the Local Planning Authority.

[Reason: To ensure adequate vehicle parking spaces are provided on the site for use in connection with the development hereby permitted having regard to Policy 1 and Policy 15 (Employment Development)] (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).]

6. The development hereby permitted must not be occupied or first brought into use until the vehicle parking area shown on the submitted drawing G_1208_02 – Block Plan received 24th July 2023 has been surfaced and the individual parking spaces have been clearly marked out in accordance with the submitted plan. Prior to the surfacing commencing further details of hardsurfacing and location of EV charging points (where practicable) shall be submitted and approved by the Borough Council. The development shall be carried out in accordance with the approved details. Thereafter the spaces shall be retained in accordance with the submitted plan and kept permanently available for the parking of vehicles in connection with the development hereby permitted.

[Reason: To ensure adequate vehicle parking spaces are provided on the site for use in connection with the development hereby permitted having regard to Policy 1 (Development Requirements) and Policy 15 (Employment Development) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019). To promote sustainable transport measures that will help lead to a reduction in carbon emissions within the Borough and help contribute towards a reduction in general air quality having regard to Policy 2 (Climate Change) of the Local Plan Part 1: Core Strategy (2014) and Policy 41 (Air Quality) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Paragraph 112(e) of the National Planning Policy Framework (July 2021).]

7. The new car park and all hard surfaces within the site must be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway. Such drainage measures must thereafter be retained throughout the life of the development.

[Reason: To prevent surface water discharging onto the public highway in the interests of highway safety having regard to Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).]

8. The development hereby permitted must not be occupied or first brought into use until the 'biodiversity gain' improvements outlined in section 4 of the Ecology Appraisal by FPCR received 24th July 2023 submitted with the application have been completed in accordance with that report. Thereafter the biodiversity gain improvements must be retained on the site throughout the lifetime of the development.

[Reason: To ensure the development contributes to the enhancement of biodiversity on the site having regard to 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 (2021).]

9. The proposed development hereby approved shall be carried out in accordance with reasonable avoidance measures detailed within the

submitted Ecology Appraisal by FPCR received 24th July 2023.

Reason: To ensure the local ecology is safeguarded having regard to 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 (2021).

10. Before being brought into first use, the noise levels for any externally mounted plant or equipment, together with any internally mounted equipment which vents externally, shall be submitted to and approved by the Local Planning Authority. If this information is inconclusive or not complete, then the applicant will be required to undertake a full noise assessment in accordance with BS 4142:2014+A1:2019: Methods for rating and assessing industrial and commercial sound. This report will need to make it clear that the plant/equipment is capable of operating without causing a noise impact on neighbouring properties.

[Reason: To protect nearby residential properties from unacceptable levels of noise pollution having regard to Policies 1 (Development Requirements), 39 (Health Impacts of Development) and 40 (Pollution and Contaminated Land) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).]

11. Notwithstanding the details provided, prior to the development being brought into first use, the submission and approval of a lighting assessment for the external lighting (together with a lux plot of the estimated illuminance). Any such assessment should consider the potential for light spill and/or glare, in accordance with the Institute of Lighting Professionals (ILP) Guidance Note for the Reduction of Obtrusive Light 01/21).

[Reason: To protect nearby residential properties from unacceptable levels of light pollution having regard to Policies 1 (Development Requirements), 39 (Health Impacts of Development) and 40 (Pollution and Contaminated Land) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).]

12. Prior to the installation of the air source heat pumps at the site, precise technical specification and design details of these shall be submitted to and approved in writing by the Local Planning Authority. The development must only be constructed in accordance with the approved details

Reason; To protect the amenities of nearby residential properties at having regard to 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).

13. The use hereby permitted shall only take place between the following hours:

08:00 to 22:00 on Mondays to Saturdays and;

08:00 20:00 on Sundays and Bank or Public Holidays.

To protect the amenities of nearby residential properties, having regard to 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. All windows and doors shall be shut while amplified music is being played within the application building.

Reason: To protect the amenities of nearby residential properties, having regard to 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. Prior to the development hereby permitted first being brought into use, the bin store set out on approved plan ref: G/1208_09 – Proposed Bin Store shall be erected and available for use and shall remain so for the life of the development unless otherwise agreed in writing by the Local Planning Authority.

[Reason: To ensure the appearance of the development is satisfactory having regard to policy 10 (Design and Enhancing Local Identity) 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).]

16. Prior to the development hereby permitted first being brought into use, the cycle stored proposed for the site shall be erected and available for use details of which shall be submitted to and approved by the local planning Authority and shall remain available for use for the life of the development.

[Reason: To ensure the appearance of the development is satisfactory having regard to policy 10 (Design and Enhancing Local Identity) 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).]

Notes to applicant

Prior to development commencing it is recommended that consideration is given to the following measures that will promote sustainability;

- Surfacing of the car park in a permeable material
- Use of solar panels on floodlights
- Creation of shade for the outdoor areas using natural (planting) or other means
- Covered areas for cycle storage

These measures should be incorporated into the development where practicable and information included within relevant applications to discharge

conditions.

Councillor Parekh re-joined the meeting.

23/01258/FUL - Change of use from C3 to C2 children's home - Tythby Grange Farmhouse Bingham Road Tithby Nottinghamshire NG13 8GR

Updates

Additional representation was received after the agenda was published and this was circulated to the Committee before the meeting.

In accordance with the Council's Public Speaking Protocol for Planning Committee, Mr M Stanway (Applicant) and Councillor T Birch (Ward Councillor) addressed the Committee.

Comments

Members of the Committee expressed concern about the number of children in care in Nottinghamshire and the lack of local provision available to look after them within the County. Members of the Committee thought that the rural location of the application could offer benefits to the children giving access to nature and gardens and green spaces. Members of the Committee noted the lack of public transport to the accommodation and thought that this could limit the pool of potential employees and visits from family and friends of the children.

On the basis of seeking further evidence as to the benefit to children of proximity to green spaces, Councillor Thomas moved for deferral of the application and this was seconded by Cllr S Mallender and the vote was lost.

Councillor Parekh moved to reject the recommendation and approve the application with additional conditions for the application to have a travel plan to manage travel for staff members and birth parents and for CT use to be restricted specifically for children and for a maximum of four children.

This motion to grant planning permission with the additional conditions was seconded by Councillor Ellis and the vote was carried.

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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking

and/or re-enacting that Order) the property to which this permission relates must only be used for the purposes of a Use Class C2 (Children's Home) and for no other purpose whatsoever within Use Class C2 (Residential Institutions) of the Schedule of the Town and Country Planning (Use Classes) Order 1987 (or any provision equivalent to that class in any Statutory Instrument revoking and/or re-enacting that Order with or without modification) without express planning permission from the Local Authority.

[In order that the Local Planning Authority may retain control over any future use the land due its particular character and location, 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)].

3. The development hereby permitted must not be occupied or first brought into use until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan must set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes to include arrangements for staff, children and visitors to the site and shall include arrangements for the monitoring of progress of the proposals. The approved Travel Plan shall be implemented in accordance with the timetable set out in that Plan.

[To promote sustainable travel within the Borough having regard to Policy 14 (Managing Travel Demand) of the Rushcliffe Local Plan Part 1: Core Strategy (2014)].

4. The children's home hereby approved shall not be occupied by more than four resident young people between the ages of 6years -17 years of age at any one time.

[For the avoidance of doubt. The site is located in an area where residential institutions are not normally permitted. This permission has been granted solely on the basis of the details submitted with the application deposited on the 30th June 2023].

19 **Planning Appeals**

The Committee noted the Planning Appeals Decision report which had been circulated with the agenda.

The Planning Manager Deelopment referred to application 22/01972/HYBRID at Landmere Lane for erection of a drive-thru coffee shop with associated access and parking and noted that the Planning Inspectorate had upheld the Council's decision at appeal.

The meeting closed at 7.58 pm.

CHAIR