

**MINUTES
OF THE MEETING OF THE
PLANNING COMMITTEE
THURSDAY, 13 DECEMBER 2018**

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

PRESENT:

Councillors R Butler (Chairman), J Stockwood (Vice-Chairman), M Edwards, S Hull, R Jones, Mrs J Smith, J Thurman, T Combellack (substitute for N Clarke), R Hetherington (substitute for Mrs M Males) and J Donoghue (substitute for F Purdue-Horan)

ALSO IN ATTENDANCE:

Councillors

OFFICERS IN ATTENDANCE:

T Coop	Constitutional Services Officer
S Sull	Borough Solicitor
A Pegram	Service Manager - Communities
E Dodd	Principal Area Planning Officer

APOLOGIES:

Councillors B Buschman, N Clarke, Mrs M Males and F Purdue-Horan

26 Declarations of Interest

18/02462/FUL – Open Space, Candleby Lane, Cotgrave, Nottinghamshire – Councillor Butler declared a non-pecuniary interest.

18/02185/FUL – 6 Haileybury Road, West Bridgford, Nottinghamshire – Councillor Jones declared a non-pecuniary interest.

18/02226/FUL – 48 Hill Drive, Bingham, Nottinghamshire – Councillor Stockwood declared a non-pecuniary interest.

27 Minutes of the Meeting held on 15 November 2018

The minutes of the meeting held on Thursday 13 November 2018 were accepted as a true record and were signed by the Chairman.

28 Planning Applications

The Committee considered the written report of the Executive Manager - Communities relating to the following applications, which had been circulated previously.

18/00946/FUL – Demolition of former Trentside Social Club building and construction of residential apartment development with 34 units – Trentside Club, 32 Wilford Lane, West Bridgford, Nottinghamshire.

Updates

A representation from Mr Duckworth of 99 Wilford Lane, West Bridgford was received after the agenda had been published and was circulated before the meeting.

In accordance with the Council's Public Speaking Protocol for Planning Committee Mr Richard Anderson (applicant) and Councillor Alan Phillips (ward Councillor) addressed the meeting.

DECISION

SUBJECT TO THE APPLICANT'S AGREEMENT TO CONDITION NOS. 4 AND 6 THE EXECUTIVE MANAGER – COMMUNITIES IS AUTHORISED TO GRANT PLANNING PERMISSION SUBJECT TO THE PRIOR SIGNING OF A SECTION 106 AGREEMENT AND FOR THE REASONS SET OUT IN THE REPORT 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; site plan as proposed MRP/1603/PPSD/10 revision D amended 08.11.2018; context elevations as proposed MRP/1603/PPSD/13 revision C amended 08.11.2018; Block A (riverside block) floor plans and roof plan as proposed MRP/1603/PPSD/11 revision B amended 21.06.2018; Block B (Wilford Lane Block) floor plans and roof plan as proposed MRP/1603/PPSD/12 revision B amended 08.11.2018; building elevations as proposed MRP/1603/PPSD/14 revision C amended 08.11.2018.

[For the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan and Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy.]

3. The development hereby permitted shall not be constructed above damp proof course level until details of the all the facing and roofing materials to be used on all external elevations, including the proposed balconies, have been submitted to and approved in writing by the Borough Council. The development shall only be constructed in accordance with the materials so approved.

[To ensure the appearance of the development is satisfactory and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe

Borough Non-Statutory Replacement Local Plan and Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy.]

4. No development, including demolition and site clearance, shall commence on site until a full arboricultural method statement has been submitted to and approved in writing by the Borough Council. The statement shall include the following details:
 - a) Any pruning required to facilitate access.
 - b) Site management including tree protection measures in accordance with BS5837.
 - c) Prohibition
 - d) Demolition
 - e) Construction
 - f) Services
 - g) Monitoring and Supervision
 - h) An assessment of the impact of the development on the existing hedge along the eastern boundary of the site with Rivermead, and any necessary measures for the protection of the hedge during the construction phase.

The development shall be carried out in accordance with the approved arboricultural method statement.

[To ensure protection of trees in the interest of amenity and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan. This is a pre-commencement condition due to the need to ensure that the site can be developed without harming trees throughout the construction phase.]

5. The access road and raised walkway hereby approved as shown on the site plan as proposed MRP/1603/PPSD/10 revision D amended 08.11.2018 and the context elevations as proposed MRP/1603/PPSD/13 revision C amended 08.11.2018, shall not be constructed until the following details have been provided;
 - a) full details of the construction of the new access road, parking spaces and parking shelters.
 - b) A cross section and construction details showing the service routing contained within the raised walkway between Block B and Wilford Lane.

The development shall be carried out in accordance with the approved details.

[To ensure protection of trees in the interest of amenity and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan.]

6. The development hereby permitted shall not be constructed above damp proof course level until a detailed landscaping scheme for the site has been submitted to and approved in writing by the Borough Council. The scheme shall include the existing trees to be retained within the site, and

for the retention of the existing hedgerow along the eastern boundary of the site, or include suitable alternative treatment to this boundary. The landscaping scheme shall be carried out in the first planting season following the occupation of the first apartment and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Borough Council gives written consent to any variation.

[In the interests of amenity and to comply with policy EN13 (Landscaping Schemes) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

7. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) Revision B, following mitigation measures detailed within the FRA:
 - a. Finished floor levels are set no lower than 25.46m above Ordnance Datum (AOD).
 - b. Flood resilience measures are implemented as described in the FRA.
 - c. Access for the Environment Agency to the flood defences on the River Trent is provided as described in the FRA; with a 4m wide access route to flood defences and an 8 metre easement between the flood defences and the building.
 - d. A raised escape route between the properties and Wilford Lane as described on page 20 of the FRA.

[In order to reduce the risk of flooding to the proposed development and future occupants and to comply with Policy WET2 (Flooding) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

8. No part of the development shall be brought into use until the site access is surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be drained to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the life of the development.

[In the interest of highway safety and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

9. No part of the development shall be brought into use until the parking and turning areas are provided in accordance with drawing MRP/1603/PPSD/10 Revision C. The parking and turning areas shall not be used for any purpose other than the parking and turning of vehicles and shall be retained as such thereafter.

[In the interest of highway safety and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

Replacement Local Plan]

10. No gates shall be erected at the access points to the development from the public highway.

[In the interest of highway safety and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

11. The development hereby approved shall be carried out in accordance with the Noise Assess report (Ref: 12528.01.v2, November 2018), and full design details for the proposed noise mitigation scheme shall be submitted for approval in writing prior to the buildings hereby approved being constructed above damp proof course level. The submission shall include full details of:
 - a. The type and location of acoustic windows to be installed.
 - b. The glazed noise barriers to be installed to the ground floor terrace and the balconies.
 - c. An assessment of the potential for overheating (due to solar gain, etc.) for all habitable rooms that rely on closed windows to achieve the required internal noise levels.
 - d. Detailed proposals for the measures to be put in place to mitigate any significant risk of overheating occurring in any habitable rooms that rely on closed windows to achieve the required internal noise levels. The details shall include an assessment of the internal and external noise levels caused by the operation of any mechanical ventilation system that is relied upon to mitigate overheating.
 - e. Calculations shall be submitted as necessary to validate the design.

The approved noise mitigation scheme shall be implemented in full and maintained to the approved specification for the life of the approved use of the building.

[To ensure a suitable standard of living conditions is provided and maintained for future residents, and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

12. The development hereby approved shall be carried out in accordance with the mitigation measures as set out at 5.2 of the Enviroscope Consulting Bat Emergence and Re-entry Survey Report dated October 2017.

[To comply with the requirements of the Wildlife and Countryside Act 1981 and Policy EN12 (Habitat Protection) of the Rushcliffe Borough Non Statutory Replacement Local Plan.]

13. No unit shall be occupied until a scheme detailing the provision of a minimum of two permanent bat roosting features and 4 bat boxes, and a timetable for their installation, has been submitted to and approved in

writing by the Borough Council. The approved scheme shall be installed in accordance with the approved timetable and shall thereafter be retained and maintained.

[To ensure that adequate compensatory measures are carried out and to comply with policies GP2 (Design & Amenity Criteria) and EN12 (Habitat Protection) of the Rushcliffe Borough Non Statutory Replacement Local Plan.]

14. A copy of the Flood Management and Evacuation Plan by Lumax dated June 2018 shall be issued to every future resident of each residential unit on the site.

[In order to protect future residents in the event of flooding and to comply with Policy WET2 (Flooding) of the Rushcliffe Borough Non Statutory Replacement Local Plan

15. The development hereby approved shall not be brought into use until a scheme detailing the disposal of household waste from the site has been submitted to and approved in writing by the Borough Council. The approved scheme shall be operated throughout the life of the development unless otherwise approved in writing.

[To ensure that household waste is collected in a safe manner, in the interests of amenity and highway safety and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

16. No development, including demolition and site clearance, shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The statement shall provide f

- a) the means of access for construction, delivery and workers traffic;
- b) parking provision for construction traffic, site operatives and visitors;
- c) the loading and unloading of materials;
- d) the storage of plant and materials;
- e) the protection of trees; and
- f) hours of operation

[This is a pre-commencement condition due to the need to ensure that the site can be developed in a safe manner and protect the trees within the site throughout the construction phase, to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan and Policy 10 of the Rushcliffe Core Strategy.]

17. The new substation, pump room, bin stores, car ports and cycle parking areas (which shall be covered cycle parking areas) as shown on Site Plan As Proposed MRP/1603/PPSD/10 Revision D amended on 08.11.2018, shall not be erected until details of their external design and appearance have been submitted to and approved in writing by the

Borough Council. The new substation, pump room, bin stores car ports and covered cycle parking areas shall only be constructed in accordance with the approved details.

[For the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan and Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy.]

18. No development shall take place until a surface water drainage scheme has been submitted to and approved in writing by the Borough Council. The development hereby approved shall be constructed in accordance with the approved surface water drainage scheme, which shall thereafter be retained and maintained for the life of the development.

[This is a pre-commencement condition to ensure that adequate surface water drainage facilities are secured before development commences to prevent the increased risk of flooding downstream and contamination of the water environment, in accordance with Policy WET2 (Flooding) of the Rushcliffe Borough Non-Statutory Replacement Local Plan and guidance contained within the NPPF].

19. All the windows in the western elevation of Block A and Block B shall be permanently fixed shut and fitted with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent to a height of 1700mm above internal floor levels. Thereafter, the windows shall be retained to this specification unless otherwise agreed in writing by the Borough Council. No additional windows shall be inserted in these elevations without the prior written approval of the Borough Council.

[To prevent overlooking and loss of privacy to neighbouring property and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan and Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy.]

20. No development shall commence until a Detailed Contaminated Land Investigation Report and Remediation Report has been submitted to and approved in writing by the Borough Council. The development hereby approved shall be carried out in accordance with the approved Remediation Report. No unit shall be occupied until a Validation Statement, confirming the approved remediation works have been completed, has been submitted to the Borough Council.

[To ensure that the site, when developed is free from contamination, in the interests of public health and safety and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan and Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy. This is a pre-commencement condition as any remediation may involve work that needs to be carried out before work starts on site]

21. Prior to the surfacing of the site access, parking and turning areas within the site, a scheme for the provision of electric vehicle charging points and the necessary infrastructure to facilitate the installation of further electric vehicle charging points within the development, shall be submitted to and approved in writing by the Borough Council. The development shall not be brought into use until the approved scheme has been implemented. The electric vehicle infrastructure and charging points shall be retained and maintained thereafter.

[To facilitate the provision of electric vehicle charging points to minimise the impact on the nearby AQMA and air quality generally, in accordance with Policy 2 (Climate Change) of the Local Plan Part 1: Rushcliffe Core Strategy]

18/02462/FUL – Demolition of existing play area, construction of new play area on site of former police station, and creation of new terrace area and bin store to serve Hotpots café – Open Space, Candelby Lane, Cotgrave, Nottinghamshire.

Updates

Comments from the agent regarding the recommended conditions were received after the agenda had been published and was circulated before the meeting.

After declaring a non-pecuniary interest Councillor Richard Butler left the meeting and did not take part in the subsequent discussion and vote.

DECISION

GRANT PLANNING PERMISSION (SUBJECT TO NO FURTHER REPRESENTATIONS BEING RECEIVED BY THE 18 DECEMBER 2018 THAT RAISE ADDITIONAL PLANNING ISSUES) FOR THE REASONS SET OUT IN THE REPORT 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): 3079 21 Proposed site Plan in existing context; 3079 22 Proposed Site plan in context of 16/02137/FUL; 3079 23 Kids Play Area Layout and 3079 24 Location Plan.

[For the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

3. Prior to the installation of any play equipment details shall be submitted

to the Borough Council for written approval. The play area shall be implemented in accordance with the approved details and no changes shall be made to the play equipment or its location without the Borough Council's prior written approval.

[To protect the amenities of the area and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

4. Prior to the laying of any surfacing to the play area, or the terrace area, hereby approved details shall be submitted in writing for the approval of the Borough Council. The details shall include the finished levels of the play area and terrace relative to existing levels and adjoining land together with the surfacing materials to be used. The development shall be implemented, and thereafter retained, in accordance with the approved details.

[To ensure the appearance of the development is satisfactory and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

5. If any unexpected, visibly contaminated or odorous material or tanks or structures of any sort are encountered during development, remediation proposals shall be submitted to and approved in writing by the Borough Council, before further work is undertaken in the affected area and works shall proceed only in accordance with the agreed remediation proposals.

[To make sure that the site, when developed is free from contamination, in the interests of public health and safety and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

18/02132/FUL – Construction of an area of hardstanding – Hill Top Farm, Cliffhill Lane, Aslockton, Nottinghamshire.

Updates

A representation from Ms Kylie Chapman (Solicitor representing Mr and Mrs Bridge) received after the agenda had been published was circulated before the meeting.

In accordance with the Council's Public Speaking Protocol for Planning Committee Mr Nick Bacon (applicant's agent), Mrs Bridges (Objector) and Councillor Maureen Stockwood (ward councillor) addressed the meeting.

DECISION

GRANT PLANNING PERMISSION FOR THE REASONS SET OUT IN THE REPORT SUBJECT TO THE FOLLOWING CONDITIONS.

1. The area of hardstanding hereby approved as indicated on the submitted block plan and location plan shall be used solely for:

- a) The storage of agricultural implements
- b) Provision of access to the fields beyond

Solely in connection with agricultural purposes and shall not be used in relation to the agricultural contractor's business that operates from the adjacent site at any time.

[To clarify the extent of the permission and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

2. No security lighting or flood lighting shall be installed/erected on the site, edged red on the approved plan, at any time.

[To protect the amenities of the area and to comply with policies GP2 (Design & Amenity Criteria) & EN19 (impact on the Green Belt and Open Countryside) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

18/02185/FUL – Increase roof height of bungalow to create first floor accommodation and external alterations – 6 Haileybury Road, West Bridgford, Nottinghamshire.

Updates

After declaring a non-pecuniary interest Councillor Rod Jones left the meeting and did not take part in the subsequent discussion and vote.

In accordance with the Council's Public Speaking Protocol for Planning Committee Mr Randeep Chahal (applicant), Mr Ian Jones (objector) and Councillor Rod Jones (ward councillor), addressed the meeting.

Comments

Members of the committee did not consider that the application had fully overcome the reasons for refusal of the previous application and expressed concerns that the proposed increase in the height of the property and changes to the materials would significantly alter the appearance of the dwelling and would appear over dominant in the street scene, at odds with the established character of this part of the road.

DECISION

THE ABOVE APPLICATION WAS REFUSED PLANNING PERMISSION (AGAINST OFFICER RECOMMENDATION) FOR THE FOLLOWING REASON.

1. Increasing the height and scale of the property to create first floor accommodation, together with the changes to the materials, would significantly alter the appearance of the existing bungalow to such a degree that it would appear overly dominant within the street scene, and be at odds with the established character of this section of Haileybury

Road. The proposal would therefore be contrary to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy, Policy GP2 (Design and Amenity Criteria) of The Rushcliffe Non-Statutory Replacement Local Plan and guidance contained within the National Planning Policy Framework (2018) specifically paragraphs 127 and 130.

18/02305/FUL – Two storey side extension – 2 Bishops Road, Bingham, Nottinghamshire.

Updates

In accordance with the Council's Public Speaking Protocol for Planning Committee Ms Christina Pankiw (objector) and Councillor John Stockwood (ward councillor), addressed the meeting.

Comments

Members of the committee expressed concerns that the proposed extension would have an overbearing impact on the house and garden at 19 Hill Drive, to the detriment of the amenities of occupants of this property.

DECISION

THE ABOVE APPLICATION WAS REFUSED PLANNING PERMISSION (AGAINST OFFICER RECOMMENDATION) FOR THE FOLLOWING REASONS.

1. The proposed extension would have an overbearing effect on the house and garden of 19 Hill Drive resulting in a significant adverse impact on the residential amenities of the occupiers of this property. The proposal would, therefore, be contrary to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy, Policy GP2 (Design and Amenity Criteria) of The Rushcliffe Non-Statutory Replacement Local Plan and guidance contained within the National Planning Policy Framework specifically paragraphs 127 and 130.

18/02226/FUL – Single storey rear extension – 48 Hill Drive, Bingham, Nottinghamshire.

Updates

There were no updates reported.

After declaring a non-pecuniary interest Councillor John Stockwood left the meeting and did not take part in the subsequent discussion and vote.

DECISION

GRANT PLANNING PERMISSION FOR THE REASONS SET OUT IN THE REPORT 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 18/2 rev E03 and email from the agent regarding the shower room windows dated 1 November 2018.

[For the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

3. The extension(s) hereby permitted shall be constructed in suitable facing and roofing materials to match the elevations of the existing property.

[To ensure the appearance of the development is satisfactory and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

The meeting closed at 9.58 pm.

CHAIRMAN