



**MINUTES
OF THE MEETING OF THE
PLANNING COMMITTEE
THURSDAY, 17 JANUARY 2019**

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

PRESENT:

Councillors R Butler (Chairman), J Stockwood (Vice-Chairman), B Buschman, J Donoghue, M Edwards, R Hetherington, S Hull, Mrs M Males, S Mallender, Mrs J Smith and J Thurman

ALSO IN ATTENDANCE:

Councillors A Edyvean, R Inglis and R Jones

OFFICERS IN ATTENDANCE:

L Webb	Constitutional Services Officer
O Pennington	Area Planning Officer
A Pegram	Service Manager - Communities
I Norman	Legal Services Manager

APOLOGIES:

Councillors N Clarke and F Purdue-Horan

29 Declarations of Interest

Councillor S Mallender declared an interest on application 18/02456/FUL.

30 Minutes of the Meeting held on 13 December 2018

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

31 Planning Applications

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

18/02286/FUL - Demolish existing bungalow and erect 4 no. semi-detached dwellings (resubmission) – Whitegates 9 Thelda Avenue, Keyworth, Nottinghamshire

Updates

A representation from a neighbour objecting to the application 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 Mrs Susan Poole (objector) and Councillor Rob Inglis (ward Councillor) addressed the meeting.

Comments

Members of the committee considered that the proposal would have an overbearing and overshadowing impact on windows in the side elevation of the neighbouring property (Greenacres), serving the lounge, by reason of the height, massing and proximity of the buildings to the boundary with this property, to the detriment of the amenities of the occupants of this property.

DECISION

THE ABOVE PLANNING APPLICATION WAS REFUSED PLANNING PERMISSION FOR THE FOLLOWING REASON.

1. The proposal, by reason of the height and massing of the dwellings and proximity of the pair to the northern boundary of the site, would result in an overbearing and overshadowing impact to the side windows of the neighbouring property at 'Greenacres', thereby having a detrimental impact on the residential amenity of occupiers of this neighbouring property, contrary to paragraph 127 of the National Planning Policy Framework (NPPF) 2018 which, amongst other things, requires developments to create places with a high standard of amenity for existing and future users, Policy GP2 (Amenity and Design) of the Rushcliffe Borough Non Statutory Replacement Local Plan and the objectives of the Rushcliffe Residential Design Guide which seek to safeguard the amenities of neighbouring occupiers from unacceptable impacts, including through loss of daylight and overbearing impacts.

18/02578/FUL - Proposed erection of new dwelling.- Land south west of 98 Nicker Hill, Keyworth, Nottinghamshire.

Updates

Representations from the Lead Local Flood Authority (LLFA) and the applicant's agent were received after the agenda had been published and were circulated before the meeting.

In accordance with the Council's Public Speaking Protocol for Planning Committee Mr Gary Neill (objector) and Councillor Andy Edyvean (ward Councillor) addressed the meeting.

Comments

Members of the committee considered that the proposed access and parking arrangements, and increase in vehicular movements generated by the development would give rise to noise and disturbance to the neighbouring properties to the detriment of the amenities of the occupiers of those dwellings.

DECISION

THE ABOVE PLANNING APPLICATION WAS REFUSED PLANNING PERMISSION FOR THE FOLLOWING REASON.

1. The proposal would be likely to generate increased vehicular movements and lead to reduced parking space for 184 Mount Pleasant which would result in a detrimental impact to the residential amenity of the neighbouring properties at number 182 and 184 Mount Pleasant by reason of increased noise and disturbance from vehicle movements, contrary to paragraph 127 of the National Planning Policy Framework (NPPF) 2018 and Policy GP2 (Amenity and Design) of the Rushcliffe Borough Non Statutory Replacement Local Plan.

18/02716/OUT - Development of one detached dwelling with new access (Outline application with all matters reserved except for access) (resubmission) – 63 Moor Lane, Gotham, Nottinghamshire

Updates

A representation from the applicant 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 Simon Horner (the applicant) addressed the meeting.

DECISION

PLANNING PERMISSION BE REFUSED FOR THE FOLLOWING REASON SET OUT IN THE REPORT.

1. The proposal would result in an inappropriate form of development in the Green Belt, which is harmful by definition, and also to the openness and character of the Green Belt at this location. It is not considered that 'very special circumstances' exist or have been demonstrated to outweigh this harm. Therefore, the proposal is contrary to the policies contained in the National Planning Policy Framework which are applicable to development in the Green Belt and Policy ENV14 of the Rushcliffe Borough Non-Statutory Replacement Local Plan which states:

"Within the green belt as defined on the proposals map planning permission will only be granted for appropriate development for the following purposes:

- a) agriculture, and forestry
- b) for other uses which preserve the openness of the green belt, including essential facilities for outdoor sport and recreation and for cemeteries;
- c) alteration and limited extension or replacement of existing dwellings;
- d) limited residential infilling in existing settlements within the green belt.

Planning permission will not be granted for inappropriate development,

including the construction of new buildings other than those set out in the criteria, unless very special circumstances can be shown to outweigh the resulting harm to the green belt"

18/01115/FUL – Single storey extension (retrospective change to previous planning permission 17/02766/FUL) – 62 Repton Road, West Bridgford, Nottinghamshire.

Updates

There were no updates.

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

DECISION

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

1. The development hereby permitted shall be carried out in accordance with the Floor Plans (1:50), Site Plan (1:500) and Site Location Plan (1:1250) received on 14 May 2018 and the revised elevations (scale 1:100) received on 2 January 2019.

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

2. Within two months of the date of this permission, with the exception of the two top hung opening casement windows, the glazing in the window in the north elevation of the single storey extension shall be replaced with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent and the window shall be retained as non-opening. Thereafter, the window shall be retained to this specification for the lifetime of the development.

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order with or without modification) no additional windows, doors or openings of any kind shall be formed in the north (side) or south (side) elevations of the approved development without first obtaining the relevant planning permission to do so.

[To safeguard the reasonable residential amenities of adjoining

properties and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

4. Other than for general maintenance, cleaning and repairs the flat roofed area shall not be accessed for any purpose incidental to the enjoyment to the occupiers of the property, nor shall the flat roofed area be used as a balcony/terrace at any time.

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

5. Within 6 months of the date of this decision the overall height of the extension shall be reduced (by removing courses of brickwork from the parapet wall) to accord with the approved plans (received by the Borough Council on 2 January 2019) which show the extension to have a maximum height of 3.675 metres above ground level.

[For avoidance of doubt, in the interest of the amenities of neighbouring properties and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

Notes to Applicant

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.

18/02456/FUL – Two storey side extension; single storey front and rear extensions; raised patio area and rendering of extension and existing property – 119 Gertrude Road, West Bridgford, Nottinghamshire.

Updates.

There were no updates reported.

As ward councillor for Lady Bay Councillor Sue Mallender withdrew from the committee for the consideration of this item.

In accordance with the Council's Public Speaking Protocol for Planning Committee, Mrs Morley (applicant), Friedel Plant (objector) and Councillor Sue Mallender (ward councillor) addressed the committee.

DECISION

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

DECISION

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): 18-1629-1, 18-1629-2.

[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 materials specified in the application and the agents email of 12 November 2018 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 GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non- Statutory Replacement Local Plan].

4. Prior to the raised patio being brought in to use privacy screens with a height of 1.8m above the level of the patio shall be installed on both side boundaries for the full length of the patio, in accordance with details to be first submitted to and approved by the Borough Council. Thereafter, the privacy screens shall be retained in accordance with the approved details for the lifetime of the development.

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

Notes to Applicant

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.

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.

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.

Councillor Sue Mallender rejoined the Committee at this point.

18/0145/FUL – 2 storey side extension – 5 Pendock Court, Tollerton, Nottinghamshire, NG12 4FN

Updates

There were no updates reported.

In accordance with the Council's Public Speaking Protocol for Planning Committee, Ashley Murdock (applicant), Neville Denham (objector) and Councillor Debbie Mason (ward Councillor) addressed the committee.

DECISION

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

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 plan(s): M.PC.02 Rev D (Proposed Plans), received on 8 October 2018; Site/ Block plan Rev A, received on 27 November 2018; and M.PC.P5 (Parking Plan), received on 30 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].

4. The first floor window in the rear elevation of the proposed development shall be permanently fixed shut and fitted with glass which has been rendered permanently obscured to Group 5 level of privacy or

equivalent. Thereafter, the window shall be retained to this specification.

[To ensure a satisfactory development in the interests of amenity and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

5. Prior to parking space 2 being brought into use it shall be surfaced in block paving in accordance with the details submitted on the Proposed Parking Plan (drawing number M.PC.P5)

[To ensure the satisfactory appearance of the development in accordance with Policy Gp2 (Design and Amenity) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

The meeting closed at 10.13 pm.

CHAIRMAN