

MINUTES
OF THE MEETING OF THE
PLANNING COMMITTEE
THURSDAY, 10 SEPTEMBER 2020
Held at 7.30 pm virtually via Zoom

PRESENT:

Councillors R Butler (Chairman), Mrs M Stockwood (Vice-Chairman), A Brennan, N Clarke, P Gowland, L Healy, A Major, J Murray, F Purdue-Horan, C Thomas and J Stockwood

ALSO IN ATTENDANCE:

Councillor R Mallender

OFFICERS IN ATTENDANCE:

T Coop	Democratic Services Officer
A Pegram	Service Manager - Communities
R Sells	Solicitor
H Tambini	Democratic Services Manager

APOLOGIES:

Councillors D Viridi

It was noted that the Planning Committee was temporarily adjourned until 7.30pm, for the Council's IT department to resolve some technical issues with the live YouTube streaming.

8 Declarations of Interest

There were no declarations of interest recorded.

9 Minutes of the Meeting held on

The minutes of the meeting held on 13 August 2020 were approved as a true record.

10 Planning Applications

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

As ward Councillors for Cotgrave, Councillor R Butler and Councillor L Healy withdrew from the meeting at this point and did not take part in the consideration of the following item.

20/01309/FUL – Erection of 3 dwellings with associated parking – Land North of 19 Marlwood, Cotgrave, Nottinghamshire.

Updates

Further representations were received from residents objecting to the development or making observations, and additional information was received from the applicant after the agenda had been published and were circulated to the committee before the meeting.

In accordance with the Council's public speaking protocol, Mr Gatehouse (applicant), Mr Douglas (objector) and Councillor Healy (Ward Councillor), addressed the committee.

DECISION

PLANNING PERMISSION BE REFUSED FOR THE FOLLOWING REASONS.

1. It has not been adequately demonstrated that the provision of three affordable dwellings would outweigh the harm caused by the loss of open space that contributes to the character of the area, amenities of existing occupiers and wellbeing of local residents by virtue of its contribution to opportunities for informal communal recreation. The proposal would, therefore be contrary to Policies 11 (Housing Development on Unallocated Sites Within Settlements) and 34 (Green Infrastructure and Open Space Assets) of the Rushcliffe Local Plan Part 2: Land and Planning Policies.

Councillor Butler and Councillor Healy re-joined the meeting at this point.

20/01035/FUL – Demolition of a single storey bungalow and the erection of a 3 bedroomed, two storey detached dwelling with a raised patio to the rear on the existing plot – 1A Adbolton Grove, West Bridgford, Nottinghamshire.

Updates

In accordance with the council's public speaking protocol, Mr Sewell (applicant) and Councillor R Mallender (Ward Councillor), addressed the committee.

Comments

The Service Manager – Communities recommended two extra conditions requiring the development to meet the higher 'Optional Technical Housing Standard' for water consumption and for the provision of an electric vehicle charging point.

Members of the committee considered the development to be of an innovative design, was not overbearing on neighbouring properties and that it sits well on the existing footprint.

DECISION

GRANT PLANNING PERMISSION FOR THE REASONS SET OUT ABOVE AND 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): PL-004, PL-005, PL-006A.

[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. Construction of the dwelling shall not proceed beyond damp proof course until details of all external materials have been submitted to and approved in writing by the Borough Council, and the development shall only be undertaken in accordance with the materials so 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 development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) by Ambiental Environmental Assessment (Ref: 5402) dated 30th June 2020 and the following mitigation measures detailed within the FRA:

- Finished floor levels are set no lower than 23.63m above Ordnance Datum (AOD) as stipulated within section 7.3 of the FRA.
- The flood resilient design measures stipulated within the section 7.3 of the FRA shall be implemented in to the development.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Borough Council.

[To ensure that occupants are safe for the lifetime of the development and to comply with policy 17 (Managing flood risk) of the Rushcliffe Local Plan Part 2: Land and Planning Policies]

5. The dwelling shall not be occupied until the driveway has been surfaced in a bound material for a distance of 5m behind the highway boundary, and provided with drainage to prevent the discharge of surface water on to the public highway. The hard surfacing and drainage shall be retained 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]

6. The dwelling hereby permitted shall not be occupied until bird nesting boxes have been installed on the site in accordance with details to be previously submitted to and approved in writing by the Borough Council. Thereafter the bird nesting boxes shall be retained for the lifetime of the development.

[To ensure the incorporation of features that benefit biodiversity, and to comply with 38 (Non-designated biodiversity assets and the wider ecological network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies]

7. Notwithstanding the provisions of Schedule 2, Part 1 Class A - C 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) there shall be no enlargement or alteration of the proposed dwelling including no alteration to or insertion of windows other than those shown on the plans, without the prior written approval of the Borough Council.

[The development is of a nature 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. The dwellings 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].

9. An Electric Vehicle Charging Point shall be provided for the dwelling hereby approved and installed prior to occupation and retained in that form thereafter for the lifetime of the development.

[To promote sustainable travel, aid in the reduction of air pollution levels and help mitigate climate change, in accordance with Policy 2 (Climate Change) of the Rushcliffe Local Plan Part 1: Core Strategy].

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 CIL chargeable. Full details of the amount payable, the process and timescales for payment, and any potential exemptions/relief that may be applicable will be set out in a Liability Notice to be issued following this decision. 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.

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.

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 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

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 8.58 pm.

CHAIRMAN