

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

Held at 2.30 pm in the Council Chamber, Rushcliffe Arena, Rugby Road, West
Bridgford

PRESENT:

Councillors R Butler (Chairman), Mrs M Stockwood (Vice-Chairman), S Bailey,
L Healy, D Mason, A Phillips, F Purdue-Horan, V Price and C Thomas

ALSO IN ATTENDANCE:

5 members of the public

OFFICERS IN ATTENDANCE:

E Dodd	Planning Manager - Development Lead Specialist
S Bridges	Area Planning Officer
R Gaskell	Area Planning Officer
C Thompson	Area Planning Officer
T Pettit	Landscape Officer
A Walker	Solicitor
T Coop	Democratic Services Officer

APOLOGIES:

Councillors N Clarke and J Walker

29 **Declarations of Interest**

There were no declarations of interest recorded.

30 **Minutes of the Meeting held on 8 December 2022**

The minutes of the meeting held on 8 December 2022 were approved as a true
record and signed by the Chairman.

31 **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.

**22/00169/TORDER – Objection to the Granby No. 1 Tree Preservation
Order 2022 – The Old Vicarage, Sutton Lane, Granby, Nottinghamshire.**

Updates

In accordance with the Council's Public Speaking Protocol for Planning
Committee Dr L Wilson (Objector), addressed the Committee.

DECISION

THE GRANBY NO. 1 TREE PRESERVATION ORDER 2022 BE GRANTED WITHOUT MODIFICATION.

22/00186/TORDER – Objection to East Bridgford No. 1 Tree Preservation Order 2022 – 4 Farm Close, East Bridgford, Nottinghamshire.

Updates

There were no updates for this item.

DECISION

THE EAST BRIDGFORD NO. 1 TREE PRESERVATION ORDER 2022 BE GRANTED WITHOUT MODIFICATION.

22/00181/TORDER – Objection to Hickling No. 1 Tree Preservation Order – Land East of Hickling Road, Hickling, Nottinghamshire.

Updates

In accordance with the Council's Public Speaking Protocol for Planning Committee Mr M Parker representing Sherwood Farms (Objector), addressed the Committee.

DECISION

THE HICKLING NO. 1 TREE PRESERVATION ORDER 2022 BE GRANTED WITHOUT MODIFICATION.

22/01945/FUL – Rear single storey extension and two storey side extension above existing garage – 92 Davies Road, West Bridgford, Nottinghamshire.

Updates

There were no updates for this item.

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 drawing(s):

- Site Location Plan - received 10 October 2022
- Proposed Block Plan - dwg. no. 22-020 01003 - received 11 October 2022
- Proposed Elevations - dwg. no. 22-020 03002 P1 - received 10 October 2022
- Proposed Floor Plans - dwg. no. 22-020 02004 rev. D - received 10 October 2022.

[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 exterior of the development hereby permitted must be constructed using only the materials specified in the submitted application form and dwg. no. 22-020 03002 P1 both received 10 October 2022. If any alternative materials are proposed to be used, then prior to the development advancing beyond damp proof course level, the details of all alternative external materials must be submitted to and approved in writing by the Borough Council. Thereafter the development must be carried out in accordance with the approved, alternative materials.

[To ensure the appearance of the development is satisfactory 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.]

4. The development shall be carried out in accordance with the recommended mitigation found within the submitted Flood Risk Assessment received 21st December 2022.

[To reduce the risk of flooding to the proposed development and future occupants having regard to Policy 2 (Climate Change) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 17 (Managing Flood Risk) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Paragraph 167 of the National Planning Policy Framework (2021).]

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/>.

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 landowner 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 boundaries with the neighbouring properties. 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. You can find more information about the Party Wall Act here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/523010/Party_Wall_etc_Act_1996_-_Explanatory_Booklet.pdf.

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.

22/01081/FUL – Demolition of existing garage; Single storey rear and side extension; Extended raised patio to rear; Loft conversion including side hip to gable and rear dormer. (Resubmission of 21/01993/FUL) – 59 Dunster Road, West Bridgford, Nottinghamshire.

Updates

Additional representations were received after the agenda had been published and these were circulated to the Committee before the meeting. In accordance with the Council's Public Speaking Protocol for Planning Committee Mr A Broxholme (applicant) and Mr J Stockdale (objector) addressed the Committee. The Solicitor read out a statement from Councillor P Gowland (Ward Councillor).

Comments

Members of the Committee requested an additional condition to protect the roots of the cherry tree in the neighbours garden when constructing the raised patio.

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 strictly in accordance with the following approved drawings/ information:
 - 1010_BS_XX_ZZ_DR_A_0300. Proposed General Arrangement Plans. Received 25 July 2022.
 - 1010_BS_XX_ZZ_DR_A_0601. Proposed Rear Boundary Treatments. Received 15 August 2022.

[For the avoidance of doubt having regard to policy 10 of the Rushcliffe Local Plan Part 1: Core Strategy and policy 1 of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

3. The exterior of the development hereby permitted must be constructed using only the materials specified in the submitted application form. If any alternative materials are proposed to be used, then prior to the development advancing beyond damp proof course level, the details of all alternative external materials must be submitted to and approved in writing by the Borough Council. Thereafter the development must be carried out in accordance with the approved, alternative materials.

[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 second floor window in the side elevation of the development hereby permitted must be;
 - a) non-opening to a height of 1.70m above finished floor level, and;
 - b) fitted with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent.

Similarly, the balustrade of the Juliet balcony in the rear elevation of the rear dormer, hereby permitted, must be fitted with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent.

Thereafter, the window and balustrade 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 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)].

5. Prior to the raised terrace hereby permitted being brought into use, boundary fencing/screening must be installed as per the approved plans, above, on both side boundaries, to a height as depicted in the

approved plans. Thereafter, the fencing should be retained for the lifetime of the development.

[To preserve the amenities 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).]

6. Prior to commencement of construction of the rear patio, details shall be submitted to the Borough Council outlining the method of construction designed to protect the roots of the Cherry Tree in the neighbour's garden. The patio shall not be commenced until the details are approved by the Borough Council and it shall be constructed in accordance with the approved details.

[To protect the Cherry Tree in the neighbouring garden and to preserve amenity in accordance with 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)]

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 the additional floorspace being created is below the relevant thresholds. 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 landowner 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.

22/01980/FUL – Raised roof, loft conversion with dormer to rear – 46 Stanhome Drive, West Bridgford, Nottinghamshire.

Updates

An additional representation was received after the agenda had been 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 Walloch (Applicant) and Councillor B Gray (Ward Councillor), addressed the Committee.

Comments

Members of the Committee disagreed with the Officers comments in relation to the proposed loft conversion being significantly unbalanced resulting in a subordinate addition to the host dwelling, adding that the prevailing character of the street is varied and that the proposal would be sympathetic to the existing street scene. Members of the Committee requested that consideration should be given to an ecological survey in respect of any implications when removing the current roof space and to mitigate any adverse impact on protected species.

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:

- 22//2499-2 – Proposed Elevations and Floor Plans (received 14th October 2022)
- Site Location Plan (licence no. 100041041) (received 14th October 2022)

[For the avoidance of doubt having regard to 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]

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 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

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 all work immediately and contact Natural England on 0300 060 3900.

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.

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.

Please be advised that all applications approved on or after the 7th October 2019 may be subject to the Community Infrastructure Levy. Further information about CIL can be found on the Borough Council's website at <https://www.rushcliffe.gov.uk/planningandgrowth/cil/>

The meeting closed at 5.28 pm.

CHAIRMAN