

**MINUTES
OF THE MEETING OF THE
PLANNING COMMITTEE
THURSDAY, 9 FEBRUARY 2023**

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

PRESENT:

Councillors Mrs M Stockwood (Vice-Chairman), S Bailey, D Mason, V Price,
C Thomas and J Walker

ALSO IN ATTENDANCE:

Councillors A Edyvean, G Moore, A Phillips, J Stockwood

OFFICERS IN ATTENDANCE:

E Dodd	Planning Manager – Development
G Sharman	Team Manager – Area Planning
S Bridges	Area Planning Officer
A Walker	Solicitor
E Richardson	Democratic Services Officer

APOLOGIES:

Councillors R Butler, N Clarke, L Healy and F Purdue-Horan

32 Declarations of Interest

There were no declarations of interest.

33 Minutes of the Meeting held on 12 January 2023

The minutes of the meeting held on 12 January 2023 were approved as a true record and were signed by the Chairman.

34 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.

20/03289/FUL - Extension and alteration of host dwelling; to include two-storey side extension, two-storey rear extension, first-floor front extension, single-storey front porch extension, single-storey rear extension, single-storey link extension to annexe, and roof and fenestration alterations. Erection of detached garage and workshop. Conversion and extension of single-storey garage into annexe; to include a roof raise, single-storey side extension and fenestration alterations. Associated landscaping works - Tacet House, Hickling Lane, Upper Broughton, Nottinghamshire LE14 3AZ

Updates

In accordance with the Council's Public Speaking Protocol for Planning Committee, Mr R Johnson (on behalf of the Applicant) addressed the Committee.

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, received 31 October 2022.

- 6791_03_005 REV B – Proposed Site Plan.
- 6791_03_006 REV B – Proposed Lower and Ground Floor Plans.
- 6791_03_007 REV B – Proposed First Floor and Roof Plans.
- 6791_03-008 REV A – Proposed Elevations.
- 6791_03_009 REV B – Proposed Garage Plans and Elevations.

[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 development hereby permitted must not proceed above the damp proof course level until details of the type, texture and colour of the materials, along with any architectural detailing to be used in the construction of the exterior of the development have been submitted to and approved in writing by the Local Planning Authority. The development must only be constructed in accordance with the approved 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. No operations shall commence on site until the existing trees and/or hedges which are to be retained have been protected in accordance with details to be approved in writing by the Borough Council and that protection shall be retained for the duration of the construction period. No materials, machinery or vehicles are to be stored or temporary buildings erected within the perimeter of the fence, nor is any excavation work to be undertaken within the confines of the fence without the

written approval of the Borough Council. No changes of ground level shall be made within the protected area without the written approval of the Borough Council.

[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 Local Plan Part 1: Core Strategy (2014); Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapter 12 (Achieving Well-designed Places) of the National Planning Policy Framework (February 2019)].

5. Prior to the commencement of works beyond damp proof course level, a landscaping scheme detailing the hard and soft landscaping of the site (including the location, number, size and species of any new trees/shrubs to be planted), shall be 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.

[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 Local Plan Part 1: Core Strategy (2014); Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapter 12 (Achieving Well-designed Places) of the National Planning Policy Framework (February 2019)].

6. The garage/workshop building hereby permitted shall not be occupied at any time other than for purposes incidental to the residential use of the host dwelling known as 'Tacet House' and shall not be sold or let separately.

[To ensure that the use of the building hereby permitted is not used as a separate dwelling independently from the existing dwelling the development is of a nature whereby future development of this type should be closely controlled having regard 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)].

7. If works have not commenced by June 2023, an updated ecological survey shall be submitted to and approved by the Local Authority, and development shall thereafter only take place in accordance with the requirements and mitigation measures outlined within the approved survey report and any details agreed in respect of condition 8 of this permission.

[In the interests of protected species and biodiversity and to comply with Policy 17 (Biodiversity) of the Local Plan Part 1: Core Strategy; Policies 1 (Development Requirements) and 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Local Plan Part 2].

8. Prior to the commencement of works, a mitigation plan and enhancement plan must be supplied to the Local Planning authority and agreed in writing, which sets out how the working methods adopted and the timing of development will avoid impacting bats (reasonable avoidance measures (RAMs)), and how any impacts will be compensated through bat boxes / bricks and wild bird nests. The agreed mitigation and enhancement plan must then be adhered to during construction and following completion.

[In the interests of amenity and biodiversity and to comply with Policy 17 (Biodiversity) of the Local Plan Part 1: Core Strategy; Policies 1 (Development Requirements) and 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Local Plan Part 2].

9. Prior to the installation of any external lighting details of the lighting shall be submitted to and approved in writing by the Borough Council, together with a lux plot of the estimated illuminance and supporting details confirming that any scheme be sensitive to bats. The lighting shall be installed only in accordance with the approved details.

[In the interests of amenity and biodiversity and to comply with Policy 17 (Biodiversity) of the Local Plan Part 1: Core Strategy; Policies 1 (Development Requirements) and 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Local Plan Part 2].

Note-

The application was not the subject of pre-application consultation however any significant concerns have been raised and resolved during the consideration of the scheme allowing for the decision to be issued within an agreed extension of time.

Having regard to the above and having taken into account matters raised there are no other material considerations which are of significant weight in reaching a decision on this application.

NOTES TO APPLICANT

You are advised that this application does not give permission for any change of use of land and any additional land proposed to be used for domestic purposes would be subject to a separate planning application.

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.

The submitted protected species survey has confirmed that there is evidence of bats in the roof of the main house and as such no work should be undertaken to this structure until a licence has been obtained from DEFRA.

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.

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.

Nesting birds and bats, their roosts and their access to these roosts are protected under the Wildlife and Countryside Act 1981. Should birds be nesting in the trees concerned it is recommended that felling/surgery should be carried out between September and January for further advice contact Nottinghamshire Wildlife Trust on 0115 9588248. If bats are present you should contact Natural England on 0300 060 3900.

The use of external lighting (during construction and post construction) should be appropriate to avoid adverse impacts on bat populations, see <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting> for advice and a wildlife sensitive lighting scheme should be developed and implemented.

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 may be CIL liable, as the additional floorspace being created is above the relevant thresholds. Further information about CIL can be found on the Borough Council's website at <https://www.rushcliffe.gov.uk/planningandgrowth/cil/>.

35 **Planning Appeals**

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

The meeting closed at 3.09 pm.

CHAIRMAN