

**MINUTES
OF THE MEETING OF THE
PLANNING COMMITTEE
THURSDAY, 16 AUGUST 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), B Buschman, N Clarke, M Edwards, R Hetherington (substitute for J Greenwood), R Jones, Mrs M Males, S Mallender, F Purdue-Horan (substitute for Mrs J Smith) and J Thurman

ALSO IN ATTENDANCE:

Councillors T Combellack, N Lawrence and R Upton
7 members of the public

OFFICERS IN ATTENDANCE:

J Bate	Conservation Officer
M Elliott	Constitutional Services Team Leader
A Pegram	Service Manager - Communities
S Sull	Borough Solicitor

APOLOGIES:

Councillors J Greenwood and Mrs J Smith

9 **Declarations of Interest**

10 **Minutes of the Meeting held on 12 July 2018**

The Minutes of the meeting held on 12 July 2018 were approved as a correct record and signed by the Chairman.

11 **Planning Applications**

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

18/00856/FUL - Demolish existing house and ancillary buildings, erect 2x apartment blocks comprising 9x2 bed apartments, 1x1 bed apartment, plus 10 allocated parking spaces - 134A Trent Boulevard, West Bridgford, Nottinghamshire, NG2 5BW.

Updates

Representations from Planning officers advising of the submission of revised plans by the applicant and from a neighbouring resident objecting to the

application, received after the agenda had been finalised had been circulated before the meeting.

The Service Manager – Communities recommended two additional conditions relating to need for a further bat survey if work did not commence within 12 months of the date of the permission and a requirement for frosted glass screens on the western end of the balconies to the flats on the first and second floor of the frontage building, as shown on the plans.

In accordance with the Council's Public Speaking Protocol for Planning Committee Keith Clark of CBP Architects (agent for the applicant), and Councillor Sue Mallender (Ward Councillor), addressed the meeting. After addressing the meeting Councillor Sue Mallender withdrew from the committee for the consideration of the item.

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 not proceed beyond foundation level until details of the facing and roofing materials to be used on all external elevations 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 GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

3. The development shall be carried out in accordance with the mitigation measures included in the Flood Risk Assessment March 2017 / 17-0036/BSP Consulting.

[To ensure protection against flooding and to comply with policy WET2 (Flooding) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

4. The development shall not be brought into use until the proposed access and parking/turning area, the bin store and bicycle storage facilities have been constructed with the access driveway fronted by a dropped kerb vehicular crossing with any redundant sections returned to footway. These facilities shall be retained for the lifetime of the development.

[To ensure adequate car parking facilities are provided in connection with the development; and to comply with policies GP2 (Design &

Amenity Criteria) and MOV9 (Car Parking Standards) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

5. The development shall not be brought into use until details of means of enclosure have been submitted to and approved in writing by the Borough Council and the approved means of enclosure have been completed. Thereafter, they shall be retained for the lifetime of the development unless the Borough Council gives written consent to a variation.

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

6. Before development is commenced, a Contaminated Land Report shall be submitted to and approved in writing by the Borough Council. Where the Report identifies potential contamination a remediation report and validation statement confirming the agreed remediation works have been completed, will also be required.

[To ensure that the site is free from contamination and to comply with policy GP2 (Design and Amenity) of the Rushcliffe Borough Non Statutory Replacement Local Plan. A Contaminated Land Report is required prior to development commencing because it may be necessary to carry out remediation measures which could not be carried out once development has commenced.]

7. Details of any proposed external lighting shall be first approved in writing by the Borough Council and the lighting shall be installed and maintained to accord with the approved details, for the lifetime of the development.

[To protect the amenities of neighbouring residential properties and to comply with policies GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

8. Prior to demolition of the existing buildings, a method statement detailing techniques for the control of noise, dust and vibration shall be submitted to and approved in writing by the Borough Council and the works shall be carried out in accordance with the approved details.

[To protect the amenities of neighbouring residential properties and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan. A method statement is required prior to demolition commencing to ensure that the demolition will be carried out in a safe way and without adverse effects on neighbours].

9. Prior to the development being brought into use/occupied, the open areas of the site shall be finished in hard surfacing and soft landscaping in accordance with details to be submitted to and approved by the Borough Council. The open areas of the site shall thereafter be maintained in accordance with the approved details for the lifetime of the development.

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

10. The development shall be carried out in accordance with the submitted plans no. 16058-A-2001 rev P08, 16058-A-0002 rev P02, 16058-A-2002 rev P08, 16058-A-3010 rev P07, 16058-A-4001 rev P06 and 16058-A-4002 rev P05.

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

11. The roof area above flats 7, 8, 9 and 10 shall not be used as a balcony, roof garden or similar amenity area.

[To protect the amenities of neighbouring residential properties and to comply with policies GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

12. In the event that the proposed development does not commence within 12 months of the date of this permission, a further bat survey shall be carried out and submitted to the Borough Council and any mitigation measures carried out in accordance with the report.

[To ensure the survey reflects the situation pertaining at the time and to comply with policy EN12 (Habitat Protection) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

13. Prior to occupation of the respective flats, the frosted glass screens shall be installed on the western end of the balconies at first and second floor level on the rear elevation of the building, shown on drawing number 16058-A-4002 - revision P04. The glass screens shall be rendered permanently obscured to Grade 5 level of privacy or equivalent. Thereafter, the frosted glass screens shall be retained and maintained for the life of the development.

[To protect the amenities of neighbouring residential properties and to comply with policies GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

Notes to 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.

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.

All workers / contractors should be made aware of the potential of protected / priority species being found on site and care should be taken during works to avoid harm (including during any tree works) , if protected species are found then all work should cease and an ecologist should be consulted immediately.

All work impacting on buildings used by nesting birds should avoid the active bird nesting season, if this is not possible a search of the impacted areas should be carried out by a suitably competent person for nests immediately prior to the commencement of works. If any nests are found work should not commence until a suitably qualified ecologist has been consulted.

The use of external lighting (during construction and post construction) should be appropriate to avoid adverse impacts on bat populations, see http://www.bats.org.uk/pages/bats_and_lighting.html for advice and a wildlife sensitive lighting scheme should be developed and implemented. No night work should be carried out.

Best practice should be followed during building work to ensure trenches dug during works activities that are left open overnight should be left with a sloping end or ramp to allow animal that may fall in to escape. Also, any pipes over 200mm in diameter should be capped off at night to prevent animals entering.

It is recommended the installation of bat box and bird boxes be incorporated into the buildings.

Consideration should be given to energy efficiency, water sustainability, management of waste during and post construction and the use of recycled materials and sustainable building methods and sustainable transportation.

Councillor Sue Mallender rejoined the committee at this point.

18/01010/FUL - Construction of two single storey dwellings and demolition of two storey cottages post occupation (resubmission) - Stanton On The Wolds Golf Club, Golf Course Road, Stanton On The Wolds, Nottinghamshire.

Updates

A representation received from Councillor Andy Edyvean (Ward Councillor) in support of the application, received after the agenda had been finalised had been circulated before the meeting.

DECISION

REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASONS.

1. The proposal involves new buildings in the Green Belt and, therefore, constitutes inappropriate development, which is harmful by definition, and the Borough Council is not satisfied that the development falls within one of the exceptions listed within paragraph 145 of the National Planning Policy Framework. Furthermore, the proposed dwellings would, by virtue of their proposed location, divorced from the existing domestic curtilage and built development associated with the golf club and extending further into the open countryside, result in a greater and more harmful impact on the openness of the Green Belt. The Borough Council does not consider it has been adequately demonstrated that all other options to retain the existing buildings or replace them in the existing location have been adequately demonstrated or that very special circumstances have been demonstrated to outweigh the harm to the Green Belt. The proposal is therefore contrary to Policies HOU6 and EN14 of the Rushcliffe Borough Non-Statutory Replacement Local Plan, and the National Planning Policy Framework paragraph 144 which states: "When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt."
2. The proposed development site is located adjacent to a designated Local Wildlife Site and a large number of trees and ground vegetation. It has not been demonstrated to the satisfaction of the local planning authority that the proposal would not cause harm to features of biodiversity, protected species or their habitats and that appropriate mitigation can be provided. The proposal is therefore contrary to paragraph 170 of the NPPF which states that planning decisions should contribute to and enhance the local environment by minimising impacts on and providing net gains for biodiversity and paragraph 175 which requires that local planning authorities refuse planning permission for developments that do not mitigate the impacts of significant harm to biodiversity. The proposal would also be contrary to Policy 17 of the Rushcliffe Local Plan Part 1: Core Strategy which states that designated sites of biological importance for nature conservation will be protected and that development will only be permitted where it can be demonstrated that there is an overriding need for the development and that adequate mitigation measures are put in place.
3. The proposed design of the two new dwellings would not respond sensitively or appropriately to the character and setting of the site, it would, therefore, be contrary to Policy HOU6 of the Rushcliffe Borough Non-Statutory Replacement Local Plan and to Paragraph 130 of the NPPF which states:

"Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents"

18/00163/FUL - Erection of a temporary rural workers dwelling and agricultural building - Land North West of Lammas Farm, Kneeton Road East Bridgford, Nottinghamshire.

Updates

Representations from Councillor Nigel Lawrence (Ward Councillor) and East Bridgford Parish Council objecting to the application, received after the agenda has been finalised had been circulated before the meeting.

In accordance with the Council's Public Speaking Protocol for Planning Committee Councillor Nigel Lawrence (Ward Councillor), addressed the meeting.

DECISION

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

1. This permission shall be for a limited period expiring on the date three years from the date of this permission, on or before which date the occupation of the temporary dwelling shall cease and the building shall be removed from the land, and the land shall be restored to its former condition in accordance with a scheme and timescale to be agreed in writing with the Borough Council.

[The development is of a nature whereby future development of this type should be closely controlled and to comply with policy HOU4 (New Dwellings in the Countryside) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

2. The permission hereby granted relates to the following plans:

Location Plan
Plan SC/BCH/03 - Block Plan
Plan SC/BCH/04 - Plans and elevations - rural workers dwelling
Plan SC/BCH/04 - Plans and elevations - agricultural building

[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 occupation of the dwelling hereby permitted shall be limited to a person solely or mainly working, or last working, in the locality in agriculture, as defined in Section 336 of the Town and Country Planning Act 1990, or in forestry, or a widow or widower or spouse of such a person, and to any resident dependents.

[Permission is only granted on the basis of the dwelling being required for an agricultural worker and to comply with policy HOU4 (New Dwellings in the Countryside) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

4. The development hereby permitted shall not be brought into use until details of any security lighting/floodlighting, including a lux plot of the estimated luminance, have been submitted to and approved in writing by the Borough Council, and the lighting shall only be installed in accordance with the approved details.

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

5. The agricultural enterprise shall not be brought into use until details of the storage and disposal of waste have been submitted to and approved in writing by the Borough Council, and waste shall be stored and disposed of in accordance with the approved details.

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

18/01327/FUL - Single storey rear extension including demolition of existing sun lounge, single storey front extension to garage, replace flat roof dormer with pitched roof bridging gap between dormer and garage, render to front elevation, and Juliet balcony to rear (revised scheme) - The Dovecote, Main Street, Hickling, Nottinghamshire, LE14 3AJ.

Updates

Representations received from the applicant providing supporting comments to the application and from Hickling Parish Council and Councillor Tina Combella (Ward Councillor) withdrawing their objections to the application, received after the agenda had been finalised had been circulated before 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 1:500 block plan received on 01/06/2018, and plan ref. S.H. 02 C, with the exception of the brickwork which shall be Swarland Autumn Brown Sandface, and the roof tiles which shall be Marley Rivendale.

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

2. All screen fencing/walling and means of enclosure to be erected on the site shall be in accordance with the details approved under application ref. 18/01052/DISCON.

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

18/01011/RELDDEM - Demolition of existing gateway and section of boundary wall - Southview Bottom Green Upper Broughton Nottinghamshire LE14 3BA.

Updates

There were no updates reported.

In accordance with the Council's Public Speaking Protocol for Planning Committee Councillor Tina Combellack (Ward Councillor), addressed the meeting.

DECISION

GRANT PLANNING PERMISSION FOR RELEVANT DEMOLITION OF AN UNLISTED BUILDING IN A CONSERVATION AREA 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. This planning permission relates solely to the details as shown on the submitted plan GA275/03C and only undertaken as part of the implementation of planning permission ref 18/00819/FUL.

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

12 Planning Appeals

The report of the Executive Manager - Communities was submitted and noted.

The meeting closed at 8.50 pm.

CHAIRMAN