

**MINUTES
OF THE MEETING OF THE
PLANNING COMMITTEE
THURSDAY, 15 MARCH 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, S Hull, R Jones, J Greenwood, Mrs C Jeffreys, Mrs M Males,
S Matthews, M Edwards and J Thurman

ALSO IN ATTENDANCE:

Councillors R Upton, S Bailey, R Inglis and Mrs M Stockwood
60 members of the public

OFFICERS IN ATTENDANCE:

M Elliott	Constitutional Services Team Leader
I Norman	Legal Services Manager
A Pegram	Service Manager - Communities
H White	Area Planning Officer

APOLOGIES:

Councillors N Clarke, S Mallender and Mrs J Smith

37 Declarations of Interest

17/02907/FUL – White House, Nicker Hill, Keyworth – Councillor Butler
declared a non-pecuniary interest as he personally knew the applicant.

38 Minutes of the Meeting held on 15 February 2018

The Minutes of the meeting held on 15 February 2018 were confirmed as a
correct record and signed by the Chairman.

39 Planning Applications

Councillor Buschman, as Ward Councillor for Abbey withdrew from the
Committee at this point and did not take part in the subsequent discussion and
vote.

**Item 1 - 17/02658/FUL - Demolition of bungalow and erection of
10 apartments with associated parking - 21 Kendal Court, West
Bridgford, Nottinghamshire, NG2 5HE**

Updates

Representations received from the applicant, three local residents objecting to

the application and a member of the public in support of the application, received after the agenda had been finalised, had been circulated to members of the Committee prior to the meeting.

In accordance with the Council's Public Speaking protocol for Planning Committee Kevin Hard (the applicant), Jack Chambers (objector), and Councillor Brian Buschman (Ward Councillor) addressed the meeting.

Comments

Members of the committee were concerned that the proposed development would have an unacceptable adverse impact on the amenity on neighbouring residents with regard to loss of light and outlook due to the height and mass of the proposed development. Members of the committee were also of the view that the proposed development would be an overdevelopment of the site.

DECISION

REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASONS

1. The proposed development by reason of its excessive height, scale and massing would have an undue overbearing impact on the neighbouring residential properties, in particular 9-12 Kendal Court, causing loss of outlook and light to habitable room windows. It would, therefore, be contrary to policy GP2 of the Rushcliffe Borough Non-Statutory Replacement Local Plan which states:

"Planning permission for new development, changes of use, conversions or extensions will be granted provided that, where relevant, the following criteria are met:

- d) The scale, density, height, massing, design, layout and materials of the proposals are sympathetic to the character and appearance of the neighbouring buildings and the surrounding area. They should not lead to an overintensive form of development, be overbearing in relation to neighbouring properties, nor lead to undue overshadowing or loss of privacy and should ensure that occupants of new and existing dwellings have a satisfactory degree of privacy."

2. The proposed building due to its scale, height and massing would be excessively dominant and would result in overintensive development of the site, leading to a loss of privacy and amenities of nearby dwellings and the adjacent canal towpath and would be out of character with the area in general. It would, therefore, be contrary to policy GP2 of the Rushcliffe Borough Non-Statutory Replacement Local Plan which states:

"Planning permission for new development, changes of use, conversions or extensions will be granted provided that, where relevant, the following criteria are met:

- d) The scale, density, height, massing, design, layout and materials of the proposals are sympathetic to the character and appearance of the neighbouring buildings and the surrounding area. They should not lead

to an overintensive form of development, be overbearing in relation to neighbouring properties, nor lead to undue overshadowing or loss of privacy and should ensure that occupants of new and existing dwellings have a satisfactory degree of privacy."

Councillor Buschman re-joined the committee at this point.

Item 2 - 17/02871/OUT - Outline application for the erection of up to 9 dwellings together with associated access, landscaping and other infrastructure works - Land To North Of Cliffhill Lane, Aslockton, Nottinghamshire

Updates

There were no updates reported.

In accordance with the Council's Public Speaking protocol for Planning Committee, Ben Holmes (agent for the applicant), Mansfield Barker (objector), and Councillor Mrs Maureen Stockwood (Ward Councillor), addressed the meeting.

DECISION

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

1. Application for approval of reserved matters must be made not later than three years beginning with the date of this permission and the development must be begun not later than the expiration of two years from the final approval of reserved matters, or in the case of approval of reserved matters on different dates, the final approval of the last such matter to be approved.

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].

2. Application for approval of reserved matters shall be in accordance with the parameters set in the Development Framework Plan (Drawing No. 7112-L-04 D) and the Illustrative Masterplan (Drawing no. 7112-I-02I).

[In order to establish the parameters of the development in the interests of amenity and to comply with policies 10 (Design and enhancing local identity) of the Rushcliffe Local Plan Part 1: Core Strategy and GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

3. The development hereby permitted shall only be carried out in accordance with detailed plans and particulars relating to the following items and the development shall not be commenced until these details have been submitted to and approved in writing by the Borough Council.

- A detailed layout plan of the whole site;
- The means of enclosure to be erected on the site;

- The finishes for the hard surfaced areas of the site;
- The layout and marking of car parking, servicing and manoeuvring areas;
- The design and external appearance of the proposed buildings;
- The means of access; and
- Sections and cross sections of the site showing the relationship of the proposed development to adjoining land and premises.

[To ensure the development will be satisfactory and in the interests of visual amenity and to comply with policies 10 (Design and enhancing local identity) of the Rushcliffe Local Plan Part 1: Core Strategy and GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

4. Prior to construction of the buildings hereby permitted reaching damp proof course level, details of the facing and roofing materials to be used on all external elevations shall be 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 development will be satisfactory and in the interests of visual amenity and to comply with policies 10 (Design and enhancing local identity) of the Rushcliffe Local Plan Part 1: Core Strategy and GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

5. No dwellings shall be occupied until a detailed landscaping scheme for the site has been submitted to and approved in writing by the Borough Council. The approved scheme shall be carried out in the first tree planting season following the substantial completion of the development. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Borough Council gives written consent to any variation.

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

6. No operations shall commence on site until the 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 shall be stored or temporary buildings erected within the perimeter of the fence, nor shall any excavation work 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 ensure existing hedges are adequately protected during the development and to comply with policy EN13 (Landscaping Schemes) of the Rushcliffe Borough Non Statutory Replacement Local Plan. This condition needs to be discharged before work commences on site to ensure that no

damage is caused to the hedges]

7. No dwellings shall be occupied until details of the proposed vehicular access/accesses and visibility splays of 43m x 2.4m together with a new footpath link connecting the site to the existing footpath have been submitted to and approved in writing by the Borough Council, and the approved facilities have been provided in accordance with the approved details. The facilities shall be retained for the life time of the development.

[In the interests of highway safety; and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

8. The development shall not be occupied until facilities for the disposal of foul and surface water drainage have been provided, in accordance with details to be submitted to and approved in writing by the Borough Council. The details shall be informed by the report 'Cliffhill Lane, Aslockton – Flood Risk Assessment, dated March 2016 by BWB' (submitted with application ref. 16/00733/OUT) and the following measures:

- Provision, implementation and maintenance of a Sustainable Drainage (SuDs) System with storage provided up to the 100 year plus climate change allowance and surface water run-off limitation to existing greenfield run-off rates.
- Provision to prevent the unregulated discharge of surface water from the driveways and parking areas to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

[To ensure that adequate drainage facilities are provided to minimise the risk of flooding and pollution, and to comply with policies WET2 (Flooding) and WET3 (Groundwater Resources) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

9. The finished floor levels of the dwellings shall be set no lower than 150mm above the existing ground level.

[To reduce the risk of flooding to the proposed development and future occupants and to comply with policy WET2 (Flooding) of the Rushcliffe Borough Non-Statutory Replacement Local Plan and the National Planning Policy Framework]

10. With the exception of the sections to be removed to provide vehicular and pedestrian access, the hedgerow located along the southern boundary of the application site shall be retained at a minimum height of 2m (unless a lower height is required to provide adequate visibility), and any part of the hedgerow removed, dying, being severely damaged or becoming seriously diseased shall be replaced, with hedge plants of such size and species, details of which shall be submitted to and approved in writing by the Borough Council, within one year of the date of any such loss being brought to the attention of the Borough Council.

[The hedgerow is an important feature in the area and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

Notes to Applicant

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.

With regard to works affecting the highway you are advised that Nottinghamshire County Council are the Highway Authority and it is suggested that you contact the Highways Area Office by telephoning 08449 808080 for further information.

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.

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 958 8242 or by email at info@nottswt.co.uk. If bats are present you should contact Natural England on 0300 060 3900 or by email at enquiries@naturalengland.org.uk.

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.

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.

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.

Item 3 - 17/02703/OUT - Erection of 3no. residential dwellings and associated vehicular access - Land East Of 6 Orston Lane, Orston Lane, Whatton, Nottinghamshire

Updates

There were no updates reported.

In accordance with the Council's Public Speaking protocol for Planning Committee, James Howlett (on behalf of the applicant) and Councillor Mrs Maureen Stockwood (Ward Councillor) addressed the meeting.

DECISION

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

1. Application for approval of the reserved matters must be made not later than three years beginning the date of this permission and the development must be begun not later than the expiration of two years from the final approval of reserved matters, or in the case of approval of reserved matters on different dates, the final approval of the last such matter to be approved.

[To comply with the requirement of Section 92 of the Town and Country Planning Act 1990 (as amended)].

2. The development shall only be carried out in accordance with detailed plans and particulars relating to the following items and the development shall not be commenced until these details have been submitted to and approved in writing by the Borough Council.
 - a) A detailed layout plan of the whole site.
 - b) The siting, design and external appearance of the proposed buildings.
 - c) The means of access.
 - d) Plans, sections and cross sections of access roads and footpaths.
 - e) The means of enclosure to be erected on the site.
 - f) The finished ground levels and floor levels of the dwellings.

[To ensure the development is satisfactory and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan. It is considered that these details should be approved prior to commencement of development as they were not submitted with the planning application].

3. No development shall take place until a detailed landscaping scheme for the site has been submitted to and approved in writing by the Borough Council. The approved scheme shall be carried out in the first tree planting season following the substantial completion of the development. Any trees or plants which within a period of 5 years from the completion of the development die,

are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Borough Council gives written consent to any variation.

[In the interests of amenity and to comply with policy EN13 (Landscape Schemes) of the Rushcliffe Borough Non Statutory Replacement Local Plan. Commencement of the development in advance of the submission of a landscaping scheme could result in insufficient space being available to carry out a satisfactory scheme].

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 ensure existing trees are adequately protected during the development and to comply with policy EN13 (Landscaping Schemes) of the Rushcliffe Borough Non Statutory Replacement Local Plan. Commencement of development in advance of the implementation of tree protection measures could result in loss of or damage to trees and/or hedges which it is considered should be retained.]

5. None of the proposed dwellings shall be occupied until the access and parking facilities have been provided in accordance with the approved details

[In the interest of highway safety; and to comply with policies GP2 (Design & Amenity Criteria) and MOV9 (Car Parking Standards) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

6. The development shall not commence until a Landscape and Ecological Management Plan, which shall include the implementation of the recommendations in the Preliminary Ecological Appraisal, has been submitted to and approved in writing by the Borough Council. Thereafter, the development shall be carried out in accordance with the approved details.

[In the interests of bio-diversity and to comply with policy 17 of the Rushcliffe Local Plan Part 1: Core Strategy. Commencement of development in advance of the submission of a survey could result in habitats or other items of wildlife interest being damaged or destroyed].

7. The development shall not be brought into use until facilities for the disposal of foul and surface water drainage have been provided, in accordance with details previously submitted to and approved in writing by the Borough Council.

[To ensure that adequate drainage facilities are provided in connection with the development and to comply with policy WET3 (Ground Water

Resources) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

8. This planning permission relates to the site shown outlined in red on drawing number 4374/AG/17/001 Rev, A.

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

9. With the exception of the section to be removed to facilitate the formation of the access to the site, the existing hedgerow on the front (southern) boundary of the site shall be retained for the life of the development and shall be protected during the construction of the development in accordance with details submitted to and agreed by the Borough Council pursuant to condition 4.

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

Notes to Applicant

Work impacting on vegetation should preferably be carried out between October and February.

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 during works, work should cease until a suitable qualified ecologist has been consulted. The methodology for amphibians and reptiles recommended by the consultant ecologist at para 7.5 and 7.6 Of the Preliminary Ecological Appraisal should be followed.

All work impacting on vegetation or 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. See also para 7.2 of the consultant ecologist report.

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. See also para 7.3 of the consultant ecologist report.

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.

If work is required on trees, this should not be carried out unless an ecologist

has checked these trees are not used/being used by bats as roosts.

Where possible new trees/hedges should be planted with native species (preferably of local provenance) and existing trees/hedges should be retained and hedgerows gapped up if necessary. If removal of trees is necessary, they should be replaced with new native trees (preferably of local provenance). Root protection zones should be established around retained trees/hedgerows so that storage of materials and vehicles, the movement of vehicles and works are not carried out within these zones.

It is recommended that consideration is given to installing bird and bat boxes/bricks or lofts and ponds and reptile/amphibian habitat features.

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.

With regard to works affecting the highway you are advised that Nottinghamshire County Council are the Highway Authority and it is suggested that you contact the Highways Area Office by telephoning 0300 500 8080 for further information.

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.

Councillor Butler who had declared an interest in this item vacated the Chair, left the room and did not take part in the subsequent discussion and vote. Councillor J Stockwood then took the Chair for this item.

Item 4 - 17/02907/FUL - Erection of a detached, one-bedroomed dwelling with integral garage - White House, Nicker Hill, Keyworth, Nottinghamshire, NG12 5EA.

Updates

Representations received from the agent of the applicant after the agenda had been finalised, had been circulated to members of the Committee prior to the meeting.

In accordance with the Council's Public Speaking protocol for Planning Committee, Tony Hill (the applicant) and Councillor Rob Inglis (Ward Councillor), addressed the meeting.

DECISION

REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASONS

1. The existing property at Nicker Hill (White House) currently enjoys a

generous amount of amenity space, which is in keeping with the spacious character of development in the surrounding area that is generally characterised by properties situated within sizeable, elongated curtilages. The proposed development of a single, two-storey dwelling sited between and behind the existing frontage development, in the layout shown would result in a poorly laid out, cramped and over-intensive form of development, which would not respect the character, pattern and density of development in the surrounding area. The backland form of development proposed would detrimentally affect the pattern of development in the surrounding area and create a precedent for similar inappropriate development. The proposal would therefore be contrary to Policy 10 of the Core Strategy which states that:

All new development should be designed to make a positive contribution to the public realm and sense of place which will be assessed in terms of:

- a) Structure, texture and grain, including street patterns, plot sizes, orientation and positioning of buildings and the layout of spaces; and:
- b) Impact on the amenity of occupiers or nearby residents.

The proposal would also be contrary to Policy HOU2 of the Rushcliffe Non-Statutory Replacement Local Plan which states that planning permission for new, unallocated development will be granted provided, inter-alia, that:

- a) The size and location of the site is such that its development would not detrimentally affect the character or pattern of the surrounding area or the settlement as a whole.

The adverse impacts of granting planning permission for the proposed development would significantly and demonstrably outweigh the benefits and the proposal would also be contrary to guidance in the National Planning Policy Framework.

2. The proposed development would result in adverse impacts on the living conditions of occupiers of The White House and The Orchard by way of the scale, bulk and position of the proposed dwelling in relation to site boundaries, resulting in overbearing and overshadowing impacts, and due to increased noise and disturbance from activity associated with its occupation.

The proposal is therefore considered to be contrary Policy GP2 a) of the Rushcliffe borough Non Statutory replacement Local Plan 2006 which states: planning permission for new development will be granted provided that, where relevant, the following criteria are met:

- a) There is no significant adverse effect upon the amenity, particularly residential amenity, of adjoining properties or the surrounding area, by reason of the type and levels of activity on the site, or traffic generated;

- d) The scale, density, height, massing, design, layout and materials of the proposals are sympathetic to the character and appearance of the neighbouring buildings and the surrounding area. They should not lead to an over-intensive form of development, be overbearing in relation to neighbouring properties, nor lead to undue overshadowing or loss of privacy and should ensure that occupants of new and existing dwellings have a satisfactory degree of privacy.

The adverse impacts of granting planning permission for the proposed development would significantly and demonstrably outweigh the benefits and the proposal would also be contrary to guidance in the National Planning Policy Framework.

Councillor Butler re-joined the meeting and re-took the Chair from Councillor J Stockwood.

Item 5 - 17/01855/FUL - Erection of building for the storage of agricultural vehicles, machinery and equipment for the repair of agricultural machinery and implements - OS Field 0004 Partial Flintham Lane, Sibthorpe, Nottinghamshire.

Updates

There were no updates reported.

In accordance with the Council's Public Speaking Protocol for Planning Committee Rob Devereaux (the applicant), Stuart Bramley (objector), and Councillor Sarah Bailey (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 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 plans ref: Site Location Plan, Block Plan, RB316, Floor Plan of Agricultural Building and Location Plan - Store Building received on 7 August, 19 and 23 November 2017.

[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]

3. Prior to the commencement of development an Environmental Noise Assessment shall be submitted to and approved by Borough Council. This assessment shall be undertaken in accordance with BS4142:2014 methods for rating and assessing industrial and commercial sound. It shall include representative monitoring positions and measurement parameters, as agreed with the Borough Council. Where noise mitigation measures are identified and required as above a sound mitigation scheme to effectively reduce the transmission of noise from the site shall be submitted to and approved by the Borough Council and fully implemented in accordance with the details specified. Thereafter, the mitigation measures shall be retained and maintained for the life of the development.

[To protect the amenities of neighbouring properties and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan. These details need careful consideration and formally approval. The details are needed prior to the start of work so that measures can be incorporated into the build.]

4. Prior to the commencement of development, a method statement detailing techniques for the control of noise, dust and vibration during construction shall be submitted to and approved in writing by the Borough Council. The works shall be carried out in accordance with the approved method statement.

[To protect the amenities of neighbouring properties and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan. The details are needed prior to the start of work to provide protection during the construction of the development.]

5. No development, including site works, shall begin until a landscaping scheme, to include those details specified below, has been submitted to and agreed in writing by the Borough Council:

- (a) the treatment proposed for all ground surfaces, including hard areas;
- (b) full details of tree and shrub planting;
- (c) planting schedules, noting the species, sizes, numbers and densities of plants;
- (d) finished levels or contours;
- (e) any structures to be erected or constructed;
- (f) functional services above and below ground;
- (g) all existing trees, hedges and other landscape features, indicating clearly those to be removed; and,
- (h) a landscape management plan and schedule of maintenance.

The approved landscape scheme shall be carried out in the first tree planting season following the substantial completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Borough Council gives

written consent to any variation.

[To make sure that a satisfactory landscaping scheme for the development is agreed and implemented in the interests of the appearance of the area and to comply with policy EN13 (Landscaping Schemes) of the Rushcliffe Borough Non Statutory Replacement Local Plan. The details are needed prior to the start of work so that measures can be incorporated into the build.]

6. Details of all means of enclosure to be erected on the site shall be submitted to and approved in writing by the Borough Council before development commences beyond the level of damp-proof course. The development shall not be brought into use until the approved means of enclosure have been completed, and they shall be retained thereafter.

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

7. No part of the development hereby permitted shall be brought into use until the vehicle access has been surfaced in a bound material (not loose gravel) for a minimum distance of 7.5 metres rear of the adopted highway boundary. The surfaced vehicle access shall thereafter be retained as such for the life of the development.

[In the interests of highway safety to reduce the possibility of deleterious material being deposited on the public highway and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

8. No part of the development hereby permitted shall be brought into use until the vehicle access has been constructed with provision to prevent the unregulated discharge of surface water from vehicle access to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

[In the interests of highway safety to ensure surface water from the site is not deposited on the public highway causing dangers to road users and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

9. No part of the development hereby permitted shall be brought into use until the vehicle access has been made available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.

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

10. The development hereby permitted shall not be commenced beyond the level of damp proof course 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. Thereafter, the development shall be maintained in accordance with the approved details.

[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].

11. No power tools or machinery shall be operated on the premises outside of the hours of 0700 and 1900 on weekdays and 0700 and 1200 on Saturdays and at no time on Sundays or on Bank Holidays or on the open areas of the site.

[In the interest of protecting the amenity of the neighbouring properties and surrounding area and in accordance with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan.]

12. Before the use is commenced the noise levels for any externally mounted plant or equipment, together with any internally mounted equipment which vents externally, shall be submitted to and approved in writing by the Borough Council, and the plant/equipment shall be installed in accordance with the approved scheme, and retained in good working order to the satisfaction of the Borough Council.

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

13. No open storage of materials, machinery, equipment, parts or refuse shall take place on any open area of the site.

[To ensure that vehicle movements are not obstructed and to ensure that the appearance of open areas of the site is acceptable and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Non-Statutory Replacement Local Plan.]

14. The external doors and windows shall remain shut at all times that machinery and power tools are in operation.

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

15. Prior to the installation of security lighting/floodlighting details of any such lighting shall be submitted to and approved in writing by the Borough Council, together with a lux plot of the estimated illuminance. The lighting shall be installed only in accordance with the approved details and no other lighting shall be installed.

[To protect the amenities of the area and to comply with policy GP2

(Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the premises shall only be used for the purposes specified in the application as amended by the letter from the applicant dated 12 January 2018 (confirming that the building will not be used for the manufacture of metalwork products), and for no other purpose.

[This use only is permitted and other uses, either within the same Use Class, or permitted by the Town and Country Planning (GPD) Order 2015 are not acceptable to the Local Planning Authority in this location because of the site's location outside of the main built up area of the settlement and its proximity to residential properties, and to comply with Rushcliffe Non-Statutory Replacement Local Plan Policy GP2.]

Notes to Applicant

The development makes it necessary to alter a vehicular crossing over the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Highways Area Office tel. 0300 500 80 80 to arrange for these works to be carried out.

Item 6 - 17/02327/FUL - Single storey extension to north west elevation to create dining area and dormer extension above, addition of small store attached to garage, 2 roof lights to south east roof slope - Bunnistone Cottage, 1 Bunnison Lane, Colston Bassett, Nottinghamshire, NG12 3FF

Updates

A representation received from Colston Bassett Parish Council after the agenda had been finalised, had been circulated to members of the Committee prior to the meeting.

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 be carried out in accordance with the following approved plans:

237/01, 237/02, 237/03, 237/04, 237/09, 237/10

With the exception of 2 no. new roof lights and the dormer extension above the proposed single storey extension.

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

3. Prior to construction of the development reaching Damp Proof Course level, details of the facing and roofing materials to be used on all external elevations shall be 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 policies GP2 (Design and Amenity Criteria) and EN2 (Conservation Areas) 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.

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.

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.

You are advised that the site is within a designated Conservation Area and any trees are therefore protected. Prior to undertaking any works to any trees you

should contact the Borough Councils Conservation and Design Officer on 0115 9148243 and/or the Councils Landscape Officer on 0115 914 8558.

Item 7 - 17/02936/FUL - Demolish existing garage and construct two storey side extension. - 5 Harby Lane, Colston Bassett, Nottinghamshire, NG12 3FJ

Updates

A representation received from Colston Bassett Parish Council after the agenda had been finalised, had been circulated to members of the Committee prior to the meeting.

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 be carried out in accordance with the amended plans ref. 239/03, 04A and 07 received on 27 February 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 development hereby permitted shall not continue beyond the level of the damp proof course until details of the facing and roofing materials to be used on all external elevations, which shall incorporate render to the first floor 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 policies GP2 (Design and Amenity Criteria) and EN2 (Conservation Areas) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

4. The opening element of the windows at first floor level in the north west and south east elevations of the proposed extension shall limited to the top half of the windows which shall be top hung opening only and the whole of the window shall be fitted with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent. Thereafter, the windows shall be retained to this specification. No additional windows shall be inserted in these elevations without the prior written approval of the Borough Council.

[To prevent overlooking and loss of privacy to neighbouring property and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

40 **Planning Appeals**

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

The meeting closed at 10.22 pm.

CHAIRMAN