

18/02412/FUL

Applicant Mrs Helen Dawkins

Location Land Between Platt Lane And Station Road, Keyworth, Nottinghamshire

Proposal Proposed development of 187no. dwellings with access off Platt Lane and Station Road, associated landscaping, drainage and highway infrastructure, and a 40 space grasscrete car park to serve the neighbouring sporting facilities; 3m high fence / ball stop netting.

Ward Keyworth And Wolds

LATE REPRESENTATIONS FOR COMMITTEE

1. **NATURE OF REPRESENTATION:** Officer update
RECEIVED FROM: Case Officer

SUMMARY OF MAIN POINTS:

Conditions update.

PLANNING OFFICERS COMMENTS:

Condition 9 amended to include text in bold below making reference to document submitted during the application process.

No development shall commence until a ball stop nett/ fence scheme has been submitted to and approved in writing by the Local Planning Authority. **The scheme shall be designed so as to take into account the findings and mitigation recommendations advised in the Ball Strike Boundary Assessment, Labosport, report number LSUK.18-1000, 14 December 2018 received 18 February 2019.** The scheme shall include details of the design, location, timing of provision, installation and provision for its on-going management and maintenance for the life of the development. The approved scheme shall be installed prior to the occupation of any dwelling on plots 28 to 34, 55 to 61 and plot 79 as identified on Planning Layout KEY/DPL/01 Rev F. The approved Nett/ fence shall be managed and maintained in accordance with the approved management scheme for the life of the development by a Management Company.

Condition 25 - Bird nesting season is between 1st March and **31st August**

2. **NATURE OF REPRESENTATION:** Revised Plans:

Revision Layout G and landscape plan P18-1983-08C Detailed POS Landscape Proposals both received on the 8 July 2019

RECEIVED FROM: Agent

SUMMARY OF MAIN POINTS:

Landscape officer highlighted a discrepancy in the plans regarding a footpath location.

PLANNING OFFICERS COMMENTS:

Revision Layout G and landscape plan P18-1983-08C Detailed POS Landscape Proposals both received on the 8 July 2019 to reflect landscape officer comments in the report. As a result of this, a number of the conditions in the report would have to be revised to reflect these plan references, should it be resolved to support the recommendation.

The Landscape Officer has advised that “the landscape plan now shows the cut through from both turning circles to the pavement. The site layout plan is much clearer and the paths follow the same alignment as the landscape plans.”

Conditions are to be updated with the revised plan references.

3. **NATURE OF REPRESENTATION:** Supporting comments

RECEIVED FROM: Agent

SUMMARY OF MAIN POINTS:

Part L of the Building regulations 2013 require dwellings to achieve a Target CO₂ Emission Rate (TER) and Target Fabric Energy Efficiency (TFEE) to ensure a good minimum standard for fabric (the longest lasting part of homes) is embedded in all new homes.

Water Conservation and Efficiency

Through a combination of the following measures, the residential elements of the proposed development will reduce water consumption to a minimum 105 litres/person/day:

- Installing flow restrictors to reduce the flow rate of kitchen sink taps and bathroom basin taps;
- The use of low flow showers and small capacity baths;
- Installing dual flush toilets; and

- Using water-efficient appliances (e.g. those with an 'A' or 'B' rating as defined by the European Water Label).

Minimising Energy Demand and Maximising Energy Efficiency

The proposed development will be designed to achieve Part L of the Building Regulations 2013 (and successive changes to the Regulations for later phases). A typical Building Regulations 2013 compliant design includes:

- Good levels of insulation in the building envelope to retain heat (i.e. good u-values);
- Good building envelope air-tightness; and
- A low level of thermal bridging to decrease heat loss.

In addition to the carbon target, the new Regulations require dwellings to achieve a Target CO₂ Emission Rate (TER) Target Fabric Energy Efficiency (TFEE) to ensure a good minimum standard for fabric (the longest lasting part of homes) is embedded in all new homes.

Where practical, buildings are orientated within 30° of due south to maximise the use of natural sunlight, whilst managing issues such as overheating from solar gain.

White goods, if provided, will achieve an 'A' rating under the EU Energy Efficiency Labelling Scheme. Refrigeration equipment will achieve an 'A++' rating, in accordance with the requirements of the Sustainability Checklist. An information leaflet explaining the scheme and the benefits of purchasing appliances with higher ratings will be provided to each dwelling.

All new dwellings are fitted with low-energy lighting.

Waste Management and Resource Efficiency

Where construction and demolition waste is to be disposed, this will be done in accordance with the waste hierarchy. Any waste that cannot be utilised on site will be managed appropriately by a specialist waste contractor. To support this, the principal contractor will produce a Site Waste Management Plan (SWMP) that contains the following commitments and procedures:

- Benchmark targets for resource efficiency (e.g. m³ of waste per 100 m² or tonnes of waste per 100 m²);
- Procedures and commitments to minimise non-hazardous construction waste;
- Procedures for minimising hazardous waste;
- Monitoring, measuring and reporting of hazardous and non-hazardous site waste production;
- Procedures for sorting and diverting at least three construction waste streams from landfill; and

- A commitment to divert a percentage of non-hazardous construction waste generated by the project from landfill.

Secure bin stores will be provided with adequate storage space for recyclables and residual waste as identified by the Council's Waste Management staff. The bin stores will be fully accessible to the waste collection services.

Phase 2 Ground Investigation states that:

"The desk study indicates that a geological fault runs through the site, although no evidence was noted during our investigation works. Should evidence of a fault be encountered during construction works (such as excavation of foundations), then further investigation works may become necessary. Any foundations that would ultimately straddle the fault would need to be Engineer Designed and are likely to require mesh reinforcement."

In summary, nothing was found during site investigation, however this will be monitored during construction. Any faults found on site would result in a need to "beef-up" the foundations with mesh to safeguard any potential ground movement.

Given nothing was found during the Site Investigation, risk is LOW.

PLANNING OFFICERS COMMENTS:

Nothing to add to the report.

18/02920/HYBRID

Applicant Wilford Lane Developments Limited

Location Land on Wilford Lane, West Bridgford

Proposal Hybrid application comprising full planning permission for construction of retail units (Class A1), café / restaurant (Class A3), and drinking establishment (Class A4), along with associated highway works including new access off Wilford Lane, servicing, landscaping and boundary treatments, and outline planning permission (with all matters reserved except for access) for residential uses (Class C3)

Ward Compton Acres

LATE REPRESENTATIONS FOR COMMITTEE

1. **NATURE OF REPRESENTATION:** Updated comment and revised wording for suggested condition.

RECEIVED FROM: The Environment Agency

SUMMARY OF MAIN POINTS:

The applicant's flood specialist discussed possible revisions to the Flood Risk Assessment (FRA) directly with the Area Flood Risk Officer at the Environment Agency in April 2019. That discussion resulted in an informal agreement between those parties that, subject to evidence being provided in the form of an updated FRA, a lower finish floor level for the proposed residential development may be permissible. A revised FRA was recently submitted to the Local Planning Authority and the Environment Agency have advised that they are happy to amend their suggested condition to reflect the changes made to the FRA, that permits lowering the finished floor levels (FFL) to 25.18m AOD (from previously stated 26.3m AOD) for residential development. The suggested FFL for the "less vulnerable" commercial (A1, A3 and A4) uses remains unaltered at 23.40m AOD.

PLANNING OFFICERS COMMENTS:

If Members are minded to approve the application, it is recommended that condition 8 on pages 183 and 184 of the agenda be revised to read as follows (changes underlined for ease of reference):

8. *"The development of any phase permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) compiled by RSK (Ref 881536-R1(03)) dated May 2019 and in particular the following mitigation measure detailed within:*

- *Identification and provision of safe route(s) into and out of the site to an appropriate safe haven.*
- *All habitable finished floor levels (FFL) for the first floor residential areas (including retirement apartments) to be set no lower than 25.18m above ordnance datum (AOD) as stipulated within sections 8.1 of the FRA.*
- *All FFL for commercial 'less vulnerable' uses to be set no lower than 23.40mAOD as stipulated within sections 8.1 of the FRA.*

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

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

2. NATURE OF REPRESENTATION: Objection

RECEIVED FROM: Mr Sagstad on behalf of Scottish and Newcastle Plc.

SUMMARY OF MAIN POINTS:

Members have received a copy of Mr Sagstad’s objection in full directly from the objector. The main points raised are that the level of analysis undertaken by the applicant in respect of the planning application (18/02920/HYBRID) is simply insufficient for the true cumulative effects of the proposals to be assessed. Until the highways analysis is fit for purpose, the application is not in a position to be robustly determined. Furthermore, the current site access arrangements for the application site from The Becket Way are inadequate as they prevent the provision of safe access into the Scottish and Newcastle site.

PLANNING OFFICERS COMMENTS:

A copy of the objection was forwarded to the Highway Authority for their further consideration. The objection raises two, ‘Fundamental Issues’:

1. Inadequacy of submitted Transport Assessment; and
2. It would Prevent Sustainable Development on the adjacent parcel of land.

Issue 1 is predominantly centred on flaws in the TRANSYT modelling provided in the Transport Assessment. The Highway Authority also had concerns about the

use of TRANSYT Software in the initial submission and, therefore requested an alternative model be built using LINSIG software, and it was this model upon which the latest Highway Authority comments were based. As the Highway Authority did not review the TRANSYT model they cannot comment on the issues raised with regard to that model.

The base LINSIG model was built using operational parameters provided by Nottinghamshire County Council Traffic Signals Team and validated with onsite observations by the consultant. Traffic associated with the development was then added into the model for the assessment years using agreed trip rates. The outputs of the modelling were then checked by the County Council's Traffic Engineers and were deemed to be acceptable.

With regard to objectors comments regarding car parking and trip generation, the applicant has calculated trip rates using average values taken from the Trip Rate Information Computer System (TRICS) database based on actual use class and square meterage, as is the industry standard.

The use of total parking spaces on site to calculate the number of trips can give a skewed result, as it would work on the assumption that all spaces are suddenly filled and emptied within the peak hour. This is unlikely to be the case. For example on the residential element development people may own cars but may not choose use them during the peak hour for any number of reasons i.e. they may work from home, be retired, or choose to use public transport to travel to work. The latter is particularly salient given the proximity of the Tram (NET) and bus stops to the site.

Issue 2 suggests that the development should not be permitted until the applicant has proven that their development does not prejudice access to the adjacent site. The neighbouring site is currently unoccupied, and unallocated within the Local Plan. No indication is given within the objection document as to what is intended for the site and, therefore it is not possible to ascertain what the likely traffic demands of a future development would be. Consequently the Highway Authority rightly question how it is possible to design a junction to meet the requirements at this stage. Notwithstanding this, any future development would be subject to a planning application and would need to demonstrate its own acceptability in terms of highway safety and capacity as part of that process. The Highway Authority advises that they would not want to pre-empt this process by commenting on the possible access solutions at this time.

3. **NATURE OF REPRESENTATION:** Objection

RECEIVED FROM: Local Resident.

SUMMARY OF MAIN POINTS:

It is understood that Members of the Planning Committee have received this objection direct by email from Mr Cole raising the issue of air pollution as a result

of additional traffic generated by the proposal and traffic congestion. The objector asks for consideration to be given not only to the impacts on this development, but also to the cumulative impact of the other developments in the immediate area such as Clifton, Edwalton (Sharphill), and the traffic levels that currently exist in the area already causing air pollution.

PLANNING OFFICERS COMMENTS:

The application included the submission of an Air Quality Assessment that was examined by the Borough Council's Environmental Health Officer who noted that the air quality assessment is comprehensive and indicates that the development will not have any significant adverse impacts on the air quality in the immediate vicinity or on the Trent Bridge Air Quality Management Area.

4. **NATURE OF REPRESENTATION:** Objection

RECEIVED FROM: Local Resident.

SUMMARY OF MAIN POINTS:

After being advised that the objector was too late to speak at the meeting they have chosen to write confirming their reasons for objecting to the proposal. The objections are as follows:

- *“An increased safeguarding issue as young children that go to the Becket will be more susceptible to county lines or criminal exploitation of children as what is being proposed to be built next to the school is not appropriate for that area*
- *Young, impressionable children will be more susceptible to witnessing adults behaving in inappropriate ways such as smoking and drinking just outside their school as a pub is being proposed.*
- *More traffic will intensify an already increased pollution issue in the area. There is a Public Health England report into the effects of increased pollution around schools. The link to this is as follows:
<https://www.gov.uk/government/news/public-health-england-publishes-air-pollution-evidence-review>*
- *More traffic will also put children's lives at a greater risk if the entrance to the proposed site is via the Beckett Way. This should never have even been considered as an option.*
- *What message are we sending to our children by building up every available green area? This is hypocritical as we are trying to teach them sustainability in the curriculum?*

- *Why do you continue to give them the message that it is acceptable to destroy the environment for financial gain?*
- *You can employ people and create jobs in other ways. Why do you not ask your community for feedback? Why do you not listen to your constituents? How many people have opposed this and you are still considering it?*
- *Why are we not proposed sites where children can feel safe and be with their friends like a youth centre? You can employ people for this as well? Why should it always be retail?*
- *What are you doing to help children's mental wellbeing by being with nature and not by removing their interaction with nature?*
- *West Bridgford does not need more retail units, it needs more places for children to feel they can go to and feel safe and not be on social media but relearn to be with others.*
- *Why is it that the other high schools in West Bridgford do not have retail units next to them?*
- *If you need more housing, fine only build the apartments, but please do not include any of the retail part such as the pub, coffee shop or the supermarket. We have enough. If you only build the apartments, you can lower the height of these and so they cannot overlook the school.*
- *Have you mitigated the risk of the noise and effect this building work will have on the students? The students need peace and quiet to be able to listen to their teachers and to learn and study. What about when they are in GCSE and A level exams, what then?*
- *Just to give you an idea, in Compton acres precinct, the pub shut down and only after many months has been refurbished and reopening. The same happened with the pub near the Coop on Wilford Lane. The Lidl in Clifton and the Aldi in Lady Bay and now Edwalton, are close enough. We already have a huge Asda and a Morrison's. Why do you want more supermarkets? Oh, and not to mention the Tesco Direct in the Compton acres precinct and the Coop on Wilford Lane. The new coffee shop in the precinct is almost always empty. By having a major chain on Wilford Lane will destroy this new business as they do not have a major brand behind them."*

Reference is also made to supporting the children and respecting their human rights.

PLANNING OFFICERS COMMENTS:

The issues raised in the objection are covered in the report.

19/00045/COU

Applicant Mr Chris Grice

Location Wharf Building Adjacent Wharf House, Main Street, Hickling

Proposal Proposed change of use of the site area for the mooring of canal boats for holiday lets and additional seating in connection with existing tea rooms including additional parking (resubmission).

Ward Nevile And Langar

LATE REPRESENTATIONS FOR COMMITTEE

1. **NATURE OF REPRESENTATION:** Comment in Support of Application

RECEIVED FROM: Member of the Public

SUMMARY OF MAIN POINTS:

The comment raises a question that as a villager for nearly 40 years, why are barges being stopped from being placed onto the canal, where they belong?

They note parking has been provided, they would be stationary and would add to the environment. The contributor notes they would love to see barges on the basin and they are better than the large houses that are given permission in the village.

PLANNING OFFICERS COMMENTS:

For clarity additional parking is provided as part of this proposal and has not yet been provided as suggested.

No further comment required.

2. **NATURE OF REPRESENTATION:** Comment in objection to the Application

RECEIVED FROM: Member of the Public

SUMMARY OF MAIN POINTS:

The contributor expresses disappointment the application has been recommended for approval despite the strength of local opposition. The contributor also states commercial gain has been given priority over the resident's wishes and needs.

PLANNING OFFICERS COMMENTS:

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The recommendation has been made having regard to relevant policies of the development plan as required. The economic benefits of the scheme represent a material consideration that must be weighed in the planning balance. With regard to 'residents wishes and needs', for clarity, the 'volume' of local opposition or support for a proposal does not represent a material planning consideration. The content of comments made in objection or support to the scheme are however considered and weighed in the balance as part of any recommendation, so far as they represent a material consideration in determining the scheme.

3. **NATURE OF REPRESENTATION:** Comment in objection to the Application

RECEIVED FROM: Member of the Public

SUMMARY OF MAIN POINTS:

The resident sets out a desire to register a strong objection to the scheme.

The contributor states that the proposal would have a major detrimental impact on the village for reasons detailed by many of the other objectors - in particular to the canal basin and the surrounding area which is a key feature of Hickling's Conservation Area. The contributor also states that the impact on the existing wildlife and general ecology of the canal would be catastrophic.

PLANNING OFFICERS COMMENTS:

Issues of ecology and the conservation area have been considered within the committee report and this comment does not raise any new issue not previously considered.

4. **NATURE OF REPRESENTATION:** General Comment

RECEIVED FROM: Member of the Public

SUMMARY OF MAIN POINTS:

The comment highlights that Paragraph 126 of the report, stating the Faulks Yard does not have any restrictions, is incorrect, as the site has a VOSA imposed restriction on hours of operation.

The contributor highlights that Rushcliffe Borough Council have issued a noise abatement notice on the Faulks Haulage site.

The contributor finally notes that noise is an issue, and that waste collections should be undertaken during normal daytime hours.

PLANNING OFFICERS COMMENTS:

The first point in relation to paragraph 126 is noted, however the officer comment relates to planning restrictions on the site for which there are none due to the historic nature of the use. Any separate VOSA imposed restrictions fall outside the planning regime and the authority's jurisdiction.

It is correct that a noise abatement notice was served on the Faulks Haulage site in early 2019 due to certain operations occurring on site that were considered to amount to a statutory noise nuisance. This was in part due to the uncontrolled operations of the site. One of the requirements of this notice is for all HGV/LGV movements to be limited to outside of 1800 – 0600 Mondays to Saturdays with no movements on bank holidays.

The contributor is correct in identifying that noise implications are a material planning consideration. Whilst waste collections would be required to take place outside of operating hours for the tea rooms, this does not necessarily require it to take place outside of 'normal working hours' with the tea rooms not currently opening until 10am. As such, an appropriate planning condition has been recommended to ensure exact details of waste management and collection procedures are agreed with the authority, prior to the use commencing. This would ensure the authority has control to ensure the operations could not occur at unreasonable hours.

5. **NATURE OF REPRESENTATION:** Comment in objection to the application

RECEIVED FROM: Member of the Public

SUMMARY OF MAIN POINTS:

The contributor states that planning officer's report has made a serious error in the calculations around parking provision. The comment states that the officer's calculations do not take account of the fact that the existing 13 spaces are already in full use and that there is a problem with displacement/overspill onto Main Street (an attachment with pictures was also submitted in evidence of this).

The comment states that highways identifies that at least 11 (plus staff) spaces are needed for the extension projects (the subject of this application) – these need to be new spaces, because the existing spaces are already in full use. The commenter suggests that this means the officer report should show a deficit of 9 spaces. The comment goes on to identify that highways advice finds any deficit is a sufficient reason to decline the application on safety grounds.

In evidence the commenter identifies comments made on the 2018 application for 5 narrow boats and a wide beam boat that was withdrawn, as well as the consultee

responses to this application. For clarity, the points made are as follows:

- (19/4/2018) “Any new development should therefore be provided with an appropriate level of provision to avoid an intensification of the existing situation (on Mains St.) resulting in a safety problem.”
- (19/4/2018) “We envisage the narrow boats will each generate a parking demand for one vehicle with the food retail element generating one space per 14sqm, plus staff. The applicant should therefore review how many spaces are being provided within the site to determine whether the proposed allocation is sufficient to prevent vehicles being displaced on to the street”
- (24/1/2019) “We envisage the A3 use will generate an off-street parking demand for 11 vehicles plus staff. We previously advised the boats would each generate a demand for 1 space.”

The commenter makes clear further concerns over capacity of the wide beam barge and car occupancy rates, relating this to the car parking calculations.

The comment states that the evidence as presented shows officers have made a clear and serious error in including the existing 13 car parking spaces within their car park demand calculations.

The comments further acknowledge that parking problems along Main Street are not solely the fault of the tea rooms, and that they did pre-date the business, but suggesting problems have worsened in years since the tea rooms opening. The contributor makes clear that it is the planning department’s responsibility to ensure any new application does not make the current parking situation any worse.

The comments also state that the primary purpose of the village is not as a developing tourist location, but as a farming and residential village.

PLANNING OFFICERS COMMENTS:

Officers seek to clarify that Nottinghamshire County Council as Local Highways Authority do not object to this application.

The contributor’s conclusions are based on an interpretation of advice given on the former ‘withdrawn’ application, and comments made on the current proposal. Member are advised that only comments made on the current live application are most pertinent to the determination of the proposal before them.

For clarity, the calculations are set out below. The proposed wide beam barge would have a usable area of circa 42.5 square metres, as scaled from plan. The existing Old Wharf Tea Rooms building and business, including first floor space and the current store which has permission for use as additional seating (not yet implemented), has a total floor area of 68.8 square metres at ground floor and 41.2 square metres at first floor. Highways advice (as with the previous application)

states that parking levels on site should be justified on the basis of 1 space per 14 square metres of A3 floor area. Therefore:

42.5 + 68.8 + 41.2 = 152.5 square metres - Total proposed A3 use floor area.

Total floor area for the site / Area per parking space = Number of spaces required to serve the use

$$152.5 / 14 = 10.9$$

Officers therefore seek to clarify that the requirement for 11 spaces (plus staff) relates to the whole use class A3 operation on site and not that generated solely by the proposed wide beam barge.

The comments regarding capacity of the wide beam barge are therefore not pertinent, as parking calculations are based on floor areas rather than number of covers.

The concerns over the village becoming a tourist location are addressed in the committee report where the scale of the business, impacts and benefits are all weighed into the consideration of the application as well as policy considerations from the development plan.

6. **NATURE OF REPRESENTATION:** Comment in objection to the application

RECEIVED FROM: Member of the Public

SUMMARY OF MAIN POINTS:

The comment reiterates previous objections with regards to increased noise beyond that already experienced from the site due to service providers moving on/off site. The comment also reiterates that car parking facilities would be inadequate causing increased congestion and on street parking on Main Street.

The comment also identifies that in the commenters opinion and from local knowledge, water levels in the basin would appear circa 1 foot lower than the same time last year, which may necessitate dredging with its own environmental impacts.

PLANNING OFFICERS COMMENTS:

Noise and parking considerations have been set out in detail within the committee report and no further comment is required.

The issue of water levels and dredging are also considered within the report and a condition regarding a more detailed water levels survey and the possible dredging implications thereof has been included within the recommendation and report.

7. **NATURE OF REPRESENTATION:** Comment in objection to the application

RECEIVED FROM: Member of the Public

SUMMARY OF MAIN POINTS:

The comment reiterates previous objections to the scheme in an email copied to several members.

The comment lists 10 reasons for objection to the scheme including loss of green space, impact on character of a conservation village, impact on the natural tranquillity of the basin, car parking, noise issues emanating from the holiday lets, damage to the quality of life of residents and inconsistent use to the established character of the area.

PLANNING OFFICERS COMMENTS:

The above raised concerns are all considered within the original committee report.

19/00217/FUL

Applicant S Longia

Location 21 Gordon Road, West Bridgford, Nottinghamshire

Proposal Change of use of treatment/consulting rooms to retail, extension to shop front, partial demolition of boundary wall.

Ward Trent Bridge

LATE REPRESENTATIONS FOR COMMITTEE

1. **NATURE OF REPRESENTATION:** Consultation on revised plans
- RECEIVED FROM:** Nottinghamshire County Council as Highway Authority

SUMMARY OF MAIN POINTS:

The Highway Authority cannot see any changes proposed that would affect previous highway comments and recommendation, which therefore remain unchanged.

It is not envisaged that this proposal will change the existing situation.

PLANNING OFFICERS COMMENTS:

This representation does not alter the recommendation.

2. **NATURE OF REPRESENTATION:** Comment on revised plans
- RECEIVED FROM:** Neighbour at 23 Gordon Road

SUMMARY OF MAIN POINTS:

The comments reiterate the objections made originally that have been outlined in the committee report and conclude that the revisions to this planning application do not adequately deal with the concerns previously raised, therefore, the resident maintains his objections to the proposal.

PLANNING OFFICERS COMMENTS:

This representation does not alter the recommendation.