



**MINUTES  
OF THE MEETING OF THE  
PLANNING COMMITTEE  
THURSDAY, 15 AUGUST 2019**

Held at 6.30 pm in the Council Chamber, Rushcliffe Arena, Rugby Road, West  
Bridgford

**PRESENT:**

Councillors R Butler (Chairman), Mrs M Stockwood (Vice-Chairman),  
K Beardsall, A Brennan, P Gowland, F Purdue-Horan, C Thomas, D Viridi,  
R Jones, R Hetherington and J Walker

**ALSO IN ATTENDANCE:**

Councillors S Bailey, A Edyvean

**OFFICERS IN ATTENDANCE:**

A Pegram  
S Sull  
L Webb

Service Manager - Communities  
Monitoring Officer  
Democratic Services Officer

**APOLOGIES:**

Councillors L Healy, A Major and J Murray

**55 Declarations of Interest**

There were no declarations of interest.

**56 Minutes of the Meeting held on 18 July 2019**

The minutes of the meeting held on 18 July 2019 were agreed a true record and were signed by the Chairman.

**57 Planning Applications**

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

**19/01229/FUL – Erection of one detached dwelling (revised proposal – part retrospective) – 1 Stamford Road, West Bridgford, Nottinghamshire.**

As ward councillor for Abbey Ward Councillor Penny Gowland withdrew from the committee and did not take place in the subsequent discussion and vote.

**Updates**

A representation of comments from the owner/occupier of 30 Parkcroft Road was received after the agenda was published and was circulated to the

committee before the meeting.

In accordance with the Council's public speaking protocol George Machin (agent for applicant) and Councillor Penny Gowland Ward Councillor) addressed the committee.

## **DECISION**

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

1. The development hereby permitted shall be begun before the expiration of 1 year from the date of this permission.

[To Accord with the requirements of Section 91 of the Town and Country Planning Act, 1990 (as amended)].

2. The development hereby permitted shall be carried out in accordance with the following approved plan(s): Block plan 3548 01A; Proposed Plan 03548 02C; Proposed Elevations 03548 03A; location plan 03548 05; Proposed Schedule of works by Alan Joyce Architects dated 24 July and Elevation Drawing showing the proposed elevations showing current construction 03548 04A all received 25 July 2019.

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

3. Other than work to be agreed with or required by the Borough Council, no further work shall be undertaken to the structure until such time that details of the facing and roofing materials to be used on all external elevations and roof have been submitted to and approved by the Borough Council. The development shall only be undertaken in accordance with the materials so approved and the building shall not be occupied until such time that the external finishes have been completed.

[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].

4. No operations shall commence on site until the existing trees to the front of the site that 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.

[It is necessary to receive these details and ensure the trees are

protected prior to any further works commence on site to ensure the roots, trunk and branches do not get damaged by machinery/storage of materials. To comply with policy EN13 (Landscaping Schemes) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

5. Prior to the access, driveway and parking being constructed, in accordance with the details on plan 3548 02C, details of the method of construction and materials to be used (including details of the permeable finish and provision to prevent the unregulated discharge of surface water from the driveway to the public highway) shall be submitted to and agreed in writing by the Borough Council. Prior to the house being occupied the driveway shall be constructed in accordance with the details as approved and shall be retained as such for the lifetime of the development.

[In the interests of highway safety and tree protection and in accordance with Policy GP2 (Design and Amenity) of the Rushcliffe Non-Statutory Replacement Local Plan 2006].

6. The driveway and access arrangements hereby approved shall not be commenced until details of the proposed construction method, which shall incorporate a 'no dig' or 'reduced dig' method, have been submitted to and approved in writing by the Local Planning Authority. The driveway and access shall then be carried out in accordance with the approved details.

[To ensure the protection of trees, which are to be retained in order to enhance the development and visual amenities of the area and to comply with policy GP1 viii (Delivering Sustainable Development) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

7. Details of all screen fencing/walling and means of enclosure to be erected on the site shall be submitted to and approved in writing by the Borough Council before the occupation of the dwelling hereby approved. The development shall not be brought into use until the approved screen fencing/walling and means of enclosure have been completed, and they shall be retained as such thereafter.

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

8. The window(s) in the first floor rear (north) elevation (serving the bathroom, ensuite and landing) of the dwelling hereby approved shall be permanently fixed shut and 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 for the life of the development.

[To safeguard the reasonable residential amenities of adjoining properties and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

9. Notwithstanding the provisions of Schedule 2, Part 1 Classes A - D of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) there shall be no enlargement or alteration of the proposed dwelling(s), and no insertion of any additional windows, doors or openings of any kind in any elevation at upper floor levels, or the roof of the approved development other than those shown on the approved plans.

[The development is of a nature whereby future development of this type should be closely controlled to protect amenity and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

10. The development shall be undertaken in accordance with the sequence of activities contained within the schedule of works produced by Alan Joyce Architects on the 24 July 2019 as illustrated on plan 0348 04 A. The dwelling shall not be occupied until such time that all of the works contained within the schedule have been completed.

[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 dwelling hereby approved shall not be occupied until a detailed landscaping scheme for the site, to include trees to be retained as part of the scheme, has been submitted to and approved in writing by the Borough Council. The landscaping scheme shall be carried out in the first planting season following the occupation 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 safeguard the residential amenities of adjoining properties and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

12. The rooflights hereby approved on the rear roofslope shall be inserted so that the eave is a minimum 1.7m above the floor level of the room they serve.

[To safeguard the residential amenities of adjoining properties and to comply with policy GP2 (Design and Amenity Criteria) 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.

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.

You are advised to contact Development Control at the Borough Council 14 days before you start work in order to ensure all the necessary conditions have been met.

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 Penny Gowland rejoined the committee at this point.

**19/01374/FUL – Construction of new dwelling in the grounds of the Old School House (resubmission) – The Old School House, Station House, Widmerpool.**

### **Updates**

A representation from Councillor Rob Inglis in support of the application was received after the agenda was published and was circulated to the committee before the meeting.

In accordance with the Council's public speaking protocol Harriet Evans (on behalf of a neighbour) and Councillor Andy Edyvean (Ward Councillor) addressed the committee.

### **DECISION**

**PLANNING PERMISSION BE REFUSED FOR THE FOLLOWING REASON(S)**

1. The application site is located to the east of a sporadic ribbon of properties

outside of the main built-up area of the village and the development would result in the encroachment of the open countryside. The site falls outside of the key settlements for growth identified under Policy 3 of the Rushcliffe Local Plan Part 1: Core Strategy and the site would not constitute a small scale infill or exception site for local needs as set out in 3.3.17 of the Core Strategy. Paragraph 3.9 of the Emerging Local Plan Part 2 lists a number of smaller settlements capable of accommodating a limited number of dwellings, which exclude Widmerpool. Paragraph 3.10 states that beyond these allocations, development will be limited to small scale infill development, defined as development of small gaps within the existing built fabric of the village or previously developed sites whose development would not have a harmful impact on the pattern or character of the area. The proposed dwelling sits outside of the main settlement and would not constitute infill development as envisaged in 3.3.17 and would, therefore, be contrary to policy 3 of the Core Strategy.

The proposal is also contrary to Policy HOU2 (Development on Unallocated Sites) of the Rushcliffe Borough Non Statutory Replacement Local Plan (2006) which states: "Planning permission for new unallocated development within settlements will be granted providing that:

- a) the development of the site would not extend the built-up area of the settlement;
  - b) the development would not have an adverse visual impact or be prominent from locations outside the settlement
  - c) the proposal does not fall within an area of sporadic or ribbon development outside a settlement, nor is situated in the countryside"
2. The proposed dwelling would result in harm to the rural character and appearance of the area, contrary to paragraph 127 c) of the National Planning Policy Framework whereby development should be sympathetic to local character and history, including the surrounding built environment and landscape setting. A decision to refuse planning permission would accord with paragraph 130 of the NPPF which states that "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".

**19/00731/FUL – Removal of entrance door and addition of entrance lobby and detached kitchen extension – The Stables Hall Farm, Chapel Lane, Granby.**

### **Updates**

A representation from Granby cum Sutton Parish Council which confirmed that there were no objections to the application and from Councillor Sarah Bailey

which confirmed their support for the application was received after the agenda was published and was circulated to the committee before the meeting.

In accordance with the Council's public speaking protocol Harriet Evans (on behalf of a neighbour) and Councillor Sarah Bailey (Ward Councillor) addressed the committee.

## **DECISION**

### **PLANNING PERMISSION BE REFUSED FOR THE FOLLOWING REASON(S)**

1. The proposed extension, by virtue of its design, materials and siting, would fail to respect the traditional form and character of the converted agricultural building and would have an adverse impact on the appearance of the property, which is part of a range of buildings identified in the Granby Townscape Appraisal as Positive Buildings/Key Unlisted Buildings. The proposal would also have an adverse impact on the setting of the property within the Granby Conservation Area and fail to either preserve or enhance the Conservation Area, as is considered to be a 'desirable' objective within section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This conflict gives rise to a statutory presumption against granting planning permission. The harm to the Conservation Area would be less than substantial, however, no public benefits to the scheme have been identified that would be sufficient to outweigh this harm.

The proposal would therefore be contrary to Policies 10 (Design and Enhancing Local Identity) and 11 (Historic Environment) of the Rushcliffe Local Plan Part 1: Core Strategy (2014), Policies GP2 (Design and Amenity Criteria) and EN2 (Conservation Areas) of The Rushcliffe Borough Non-Statutory Replacement Local Plan, and guidance contained within The National Planning Policy Framework (2019).

## **58 Planning Appeals**

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

The meeting closed at 8.30 pm.

CHAIRMAN