



**MINUTES
OF THE MEETING OF THE
PLANNING COMMITTEE
MONDAY, 16 DECEMBER 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),
N Begum, A Brennan, P Gowland, L Healy, A Major, F Purdue-Horan,
C Thomas, D Viridi and G Williams

ALSO IN ATTENDANCE:

Councillor M Gaunt

OFFICERS IN ATTENDANCE:

D Mitchell
A Pegram
S Sull
L Webb

Executive Manager - Communities
Service Manager - Communities
Monitoring Officer
Democratic Services Officer

APOLOGIES:

Councillors K Beardsall and J Murray

1 Declarations of Interest

Councillor R Butler declared a non-pecuniary interest in planning application 19/01767/FUL and advised that he would withdraw from the committee during this item.

Councillor M Stockwood declared a personal interest in item 19/01939/FUL as one of the near neighbours is an acquaintance. Councillor Stockwood reported that she would remain open minded on the matter and would not leave the meeting.

Councillor M Stockwood and Councillor F Purdue-Horan declared a personal interest in item 19/01767/FUL as the applicant was a former Councillor. Both Councillors reported that they would remain open minded on the matter and would not leave the meeting.

2 Minutes of the Meeting held on 14 November 2019

The minutes of the meeting held on 14 November 2019 were declared a true record and were signed by the Chairman.

3 Planning Applications

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

Councillor Butler who declared a non-pecuniary interest in the following item left the meeting and withdrew from the discussion at this point.

In accordance with adopted committee procedures, Councillor Healy as Ward Councillor for the two following applications left the meeting at this point. Councillor Butler, as Ward Councillor also left the meeting for the second item.

19/01767/FUL – Change of use of land to allow parking (retrospective) – Kilgraney Farm, Owthorpe Road, Cotgrave.

Updates

There were no updates

In accordance with the Council's public speaking protocol, Warren Brown (on behalf of applicant) and Jerry Deacon (objector) addressed the committee.

DECISION

Planning permission be granted subject to the following condition(s)

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 change of use hereby approved shall only apply to the area shown within the red line denoted on the revised Block Plan received on 14 November 2019. There shall be no extension of the existing car parking area as denoted on this block plan.

[For the avoidance of doubt and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

3. Within the first planting season following the grant of this planning permission a hedgerow shall be planted on the front (north western) boundary of the site between the car park and the access drive, in accordance with a scheme, which shall include details of the species, spacing and size of plants, to be first submitted to and approved in writing by the Borough Council. Thereafter, the hedgerow shall be retrained and maintained in accordance with the approved details for the lifetime of the development.

[In the interests of the amenities of the area and to comply with Policies 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and policy 2 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies.]

19/01901/FUL – Single storey side extension – 1 Bakers Close, Cotgrave

Updates

A representation from Cotgrave Town Council which raised no objection to the planning application received after the agenda was published was circulated to the committee before the meeting.

DECISION

Planning permission be granted subject to the following condition(s)

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 strictly in accordance with the following approved plan(s):

- Requesta Plan site location plan at 1:1250 scale (ref: TQRQM19224102259109) received on 13 August 2019.
- Building and Design Services “Block Plan” drawing received on 2 September 2019.
- Building and Design Services “Proposed Elevations & Floor Plans” drawing received on 2 September 2019.

[For the avoidance of doubt having regard to policy 10 of the Rushcliffe Local Plan Part 1: Core Strategy 2014 and the policy 1 Rushcliffe Local Plan Part 2: Land and Planning Policies 2019]

3. The external materials used in the construction of the development hereby permitted must be of a similar appearance to the materials used on the exterior the existing dwelling.

[To ensure the appearance of the development is satisfactory having regard to policy 10 of the Rushcliffe Local Plan Part 1: Core Strategy 2014 and policy 1 the Rushcliffe Local Plan Part 2: Land and Planning Policies 2019]

Councillor Butler and Councillor Healy rejoined the committee at this point.

19/01616/FUL – Erection of 43 no retirement apartments for older people, guest apartment, communal facilities, access, car parking and landscaping – Land at Manor Park, Ruddington.

Updates

A representation from the applicant's agent querying a condition of the application and the Manor Park Residents Association raising objections to the planning application, received after the agenda was published were circulated to the committee before the meeting.

In accordance with the Council's Public Speaking Protocol, Matthew Shellum (applicant's agent), Lorne Stoddart (objector) and Councillor Mike Gaunt (Ward Councillor) addressed the committee.

DECISION

The Executive Manager – Communities be authorised to grant planning permission subject to the prior signing of a Section 106 agreement and the following condition(s)

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 application details and following approved plans and documents:

Plan Ref: 30042RT PL002 – Site Plan/Roof Plan
Plan Ref: 30042RT PL003 - Site Plan/Ground Floor Plan
Plan Ref: 30042RT PL004 – Ground Floor Plan
Plan Ref: 30042RT PL005 – First Floor Plan
Plan Ref: 30042RT PL006 – Second Floor Plan
Plan Ref: 30042RT PL007 – Roof Plan
Plan Ref: 30042RT PL008 – North and East Elevations Sheet 1
Plan Ref: 30042RT PL009 – South and West Elevations Sheet 2
Plan Ref: 30042RT PL0010 - Courtyard Elevation Sheet 3

[For the avoidance of doubt and to comply with policy 1 (Development requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies]

3. Each unit of the development hereby permitted shall be occupied only by:
 - a) persons over 60 years of age;
 - b) persons living as part of a single household with such a person or persons;
 - c) persons who were living in the unit as part of a single household with such a person or persons who have since died.

[In order to support the considerations of the viability assessment which effectively reduced the level of financial obligations required from this development based on the demographic of the proposed occupiers and

subsequently to prevent the sale of these units on the open market to any individual and to comply with policy 43 (Planning obligations Threshold) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

4. 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 18 of the Rushcliffe Local Plan Part 2 – Land and Planning Policies].

5. 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. Any such scheme shall have regard to The Bat Conservation Trust Bats and artificial lighting guidance note (2018). The lighting shall be installed only in accordance with the approved details and retained as such for the life of the development.

[To protect the amenities of the area, non-designated biodiversity assets and the wider ecological network in compliance with policies 1 and 38 of the Rushcliffe Local Plan Part 2 – Land and Planning Policies].

6. Before the use is commenced, a scheme providing for the adequate storage of refuse from this use shall be submitted to and approved in writing by the Borough Council. The agreed details shall be implemented before the development is brought into use and thereafter retained for the lifetime of the development in accordance with the approved details.

[To protect the amenities of the area and to comply with Policy 1 of the Rushcliffe Local Plan Part 2 – Land and Planning Policies].

7. The proposed access road, service areas and car parking areas shall be provided in hard wearing materials in accordance with details submitted to and approved in writing by the Borough Council and the car parking spaces shall be clearly marked out, before the development is first occupied. The approved access, service and parking areas shall be retained for that purpose thereafter for the life of the development.

[In the interest of highway safety and to comply with policy1 of the Rushcliffe Borough Local Plan Part 2 – Land and Planning Policies].

8. During the construction phase there shall be no delivery/collection of goods, materials or arrival/departure of personnel visiting/working on the site during the hours the James Peacock Infant and Nursery School is open for the dropping off and collection of pupils (8:00 am till 9:00am and 3:00pm until 4:00). Details of the management of which shall be

submitted to and approved in writing by the Borough Council prior to the commencement of any development of the site. The approved management plan shall be implemented in full and adhered throughout the construction phase of the development hereby approved.

[In the interest of highway safety and to comply with policy1 of the Rushcliffe Borough Local Plan Part 2 – Land and Planning Policies].

9. Notwithstanding the details submitted, no development shall take place until a detailed landscaping scheme for the site, to be agreed with the Councils Landscape and Design Officer, 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 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.

[In the interests of amenity and to comply with policy 1 of the Rushcliffe Borough Local Plan Part 2 – Land and Planning Policies. This condition needs to be discharged before work commences on site in order to identify any trees/natural growth that is to be retained as part of the landscaping scheme].

10. 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.

[To ensure existing trees are adequately protected during the development and to comply with policies 1 and 37 of the Rushcliffe Local Plan Part 2 – Land and Planning Policies. This condition needs to be discharged before work commences on site to ensure that the trees/natural growth to be retained is appropriately protected before work commences].

11. The development hereby permitted shall not proceed above foundation level until details of the facing and roofing materials to be used on all external elevations have been submitted to and approved in writing by the Borough Council and the development shall only be undertaken in accordance with the materials so approved.

[To ensure a satisfactory development in the interests of visual amenity and to comply with policy 1 of the Rushcliffe Local Plan Part 2 – Land and Planning Policies].

12. The development shall only be carried out in accordance with details of

finished ground and floor levels in relation to an existing datum point, existing site levels and adjoining land which shall be submitted to and approved in writing by the Borough Council before the development commences and the development shall only be undertaken in accordance with the details so approved.

[To ensure a satisfactory development in the interests of visual amenity and to comply with policy 1 of the Rushcliffe Local Plan Part 2 – Land and Planning Policies. This condition needs to be discharged before development commences to ensure that the development can be undertaken having regard to the existing and intended finished ground and floor levels].

13. Prior to their construction, full details of the proposed Plant Room and Buggy Store shall be submitted to and approved by the Borough Council and the buildings will be thereafter constructed in accordance with the approved details.

[To ensure a satisfactory development in the interests of visual amenity and to comply with policy 1 of the Rushcliffe Borough Local Plan Part 2 – Land and Planning Policies].

14. Prior to the development progressing beyond ground floor slab level, a statement of Biodiversity Net Gain from the development shall be submitted to the Borough Council for approval. Any approved mitigation and enhancement scheme, which must include installed within buildings and on retained trees (including Swallow/swift and sparrow cups / boxes) and hedgehog corridors, shall thereafter be implemented prior to the first occupation of any unit and retained for the lifetime of the development.

[To ensure that adequate compensatory measures are carried out and to comply with policy 17 of the Core Strategy and policy 38 of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

15. Prior to the commencement of any works on site, an Ecological Method Statement shall be submitted to and approved in writing by the Borough Council and Good practise construction methods should be adopted including:

- Advising all workers of the potential for protected species. If protected species are found during works, work should cease until a suitable qualified ecologist has been consulted.
- No works or storage of materials or vehicle movements should be carried out adjacent to sensitive areas, including ditches.
- 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.
- 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. Materials such as netting and cutting tools should not be left in the works area where they might entangle or injure animals. No stockpiles of vegetation should be left overnight and if they are left then they should be dismantled by hand prior to removal. Night working should be avoided.

Any approved scheme shall be adhered to thereafter until the development is complete.

[To ensure that adequate compensatory measures are carried out and to comply with policy 17 of the Core Strategy and policy 38 of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

16. No development shall take place until the details of a Construction Management Plan is submitted and approved in writing by the Local Planning Authority. The plan shall have full regard to the Ecological Method Statement required by condition 15 above, and shall include:

- Access and parking of vehicles of site operatives and visitors;
- Loading and unloading of plant and materials;
- Storage of plant and materials used in constructing the development;
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- Wheel washing facilities;
- Measures to control the emission of noise, dust, dirt and vibration during construction;
- A scheme for recycling/disposing of waste resulting from construction works;
- Hours of operation (including demolition, construction and deliveries);
- A scheme to treat and remove suspended solids from surface water run-off during construction;
- An earthworks strategy to provide for the management and protection of soils including handling, stripping and stockpiling and reuse;
- The siting and appearance of contractors compounds including heights of stored materials, boundaries and lighting together with measures for the restoration of the disturbed land and noise mitigation;
- Scheme for temporary signage and other traffic management measures, including routing and access arrangements. The agreed access shall be provided before development commences; and
- The routing of deliveries and construction vehicles to/from the site, to limit where practicable approach to the site from the west along Bunny Lane, and any temporary access points.

The development shall be carried out in full accordance with the

approved Construction Method Statement throughout the construction period.

[In order to minimise the amount of mud, soil and other materials originating from the site being deposited on the highway; to prevent inadequate parking, turning and manoeuvring for vehicles; inadequate materials storage and to ensure adequate recycling of materials in the interests of highway safety, visual amenity and environmental management to comply with Policy 1 of the Rushcliffe Borough Local Plan Part 2: Land and Planning Policies. This is a pre commencement condition to ensure that the amenity of existing occupiers are protected during construction and to ensure regard is had to the existing on-site wildlife].

17. Prior to construction commencing on the plant room, shown on the approved plans to be adjacent Hunters Cottage, full details of the ground source heat pump, including noise levels associated with the plant and any necessary measures to mitigate against vibration, shall be submitted to and approved in writing by the Borough Council. If this information is inconclusive or incomplete then it will be necessary to undertake and submit the results of a full noise assessment, in accordance with BS 4142:2014: Methods for rating and assessing industrial and commercial sound. This report will need to make it clear that the plant/equipment is capable of operating without causing a noise impact on neighbouring properties. Thereafter, the plant shall be installed, operated and maintained only in accordance with the approved details.

[In the interests of the amenities of the area and adjacent residential occupiers and to comply with Policy 1 of the Rushcliffe Borough Local Plan Part 2 – Land and Planning Policies].

18. Prior to the construction of the building proceeding above foundation level, a scheme for the provision of electric vehicle charging points to serve the development shall be submitted to and approved by the Borough Council. If this is not technically feasible, then it must be demonstrated why the positioning of such apparatus to the external fabric of the building or the provision of a standalone vehicle charging points would not be possible or would have an adverse visual impact on the development or street scene. Thereafter, none of the apartments shall be occupied until such time that the electric vehicle charging points have been installed in accordance with the approved scheme and the apparatus shall be retained for the lifetime of the development.

[To comply with and to comply with policy 41 (Air Quality) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

Notes to Applicant

This permission is subject to an Agreement made under the provisions of Section 106 of the Town & Country Planning Act 1990 (as substituted by the Planning & Compensation Act 1992) relating to provision of on-site affordable housing and contributions towards essential infrastructure. Any payments will

increase subject to the provisions set out in the Agreement.

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.

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such, you should undertake every effort to prevent it occurring.

This permission does not give any legal right for any work on, over or under land or buildings outside the application site ownership or affecting neighbouring property, including buildings, walls, fences and vegetation within that property. If any such work is anticipated, the consent of the adjoining landowner must first be obtained. The responsibility for meeting any claims for damage to such features lies with the applicant.

The Borough Council and Nottinghamshire County Council are keen to encourage the provision of superfast broadband within all new developments. With regard to the condition relating to broadband, it is recommended that, prior to development commencing on site, you discuss the installation of this with providers such as Virgin and Openreach Contact details: Openreach: Nicholas Flint 01442208100 nick.flint@openreach.co.uk Virgin: Daniel Murray 07813920812 daniel.murray@virginmedia.co.uk.

19/01939/FUL – Proposed change of use from garden room to dog grooming salon – 52 Hill Drive, Bingham

In accordance with the adopted committee procedures, Councillor Purdue-Horan, as Ward Councillor left the meeting for this item.

Updates

There were no updates.

DECISION

Planning permission be granted subject to the following condition(s)

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 dog grooming business hereby permitted shall only take place only within the outbuilding the subject of this application, and not within the dwelling or external areas of the site save for access and egress.

[To protect the amenities of neighbouring residential properties and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

3. The use hereby permitted shall only take place between the following approved hours:

Monday – Friday: 0900 – 1600;
Saturdays: 0900 – 1400;
Sundays: No operations at any time.

[To protect the amenities of neighbouring residential properties and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

4. Only two dogs to be held on site at any one time, one being attended to and one waiting to be attended to in association with the business.

[To protect the amenities of neighbouring residential properties and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

Councillor Purdue-Horan re-joined the committee at this point.

19/02316/FUL – Single storey rear extension with new pitch roof over existing garage and porch – 36 Orford Avenue, Radcliffe on Trent.

In accordance with the adopted committee procedures, Councillor Brennan as Ward Councillor left the meeting for this item.

Updates

There were no updates

In accordance with the Council's public speaking protocol, Chris Evans (on behalf of applicant) and Sue Clegg (objector, Radcliffe on Trent Parish Council) addressed the committee.

DECISION

Planning permission be granted subject to the following condition(s)

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 plan(s): A103(1), A104(1) and A105(1).

[For the avoidance of doubt and to comply with Policy 1 (Presumption in Favour of Sustainable Development) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land & Planning Policies].

3. The extension(s) hereby permitted shall be constructed in suitable facing and roofing materials to match the elevations of the existing property.

[To ensure the appearance of the development is satisfactory and to comply with Policy 1 (Presumption in Favour of Sustainable Development) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land & Planning Policies].

Councillor Brennan re-joined the committee at this point.

4 **Planning Appeals**

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

The meeting closed at 9.06 pm.

CHAIRMAN