

MINUTES
OF THE MEETING OF THE
PLANNING COMMITTEE
THURSDAY, 10 DECEMBER 2020
Held at 6.30 pm in the

PRESENT:

Councillors R Butler (Chairman), Mrs M Stockwood (Vice-Chairman), N Clarke, P Gowland, L Healy, A Major, D Mason, J Murray, F Purdue-Horan, C Thomas and J Stockwood

ALSO IN ATTENDANCE:

OFFICERS IN ATTENDANCE:

T Coop
A Pegram
R Sells
L Webb

Democratic Services Officer
Service Manager - Communities
Solicitor
Democratic Services Officer

APOLOGIES:

Councillor D Viridi

19 **Declarations of Interest**

There were no declarations of interest reported.

20 **Minutes of the Meeting held on 12 November 2020**

The Minutes of the meeting held on 12 November 2020 were approved after Mr Pegram clarified the second reason for refusal for application reference 20/01817/FUL, which had not been included within the printed minutes.

21 **Planning Applications**

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

20/1839/FUL – Erect a building comprising of 2 apartments – 1 Gorse Road, Keyworth, Nottinghamshire.

Updates

In accordance with the Council's public speaking protocol for planning committee, Cllr Rob Inglis (Ward Councillor) addressed the Committee.

Comments

The Committee considered the proposal and requested that the provision of electric vehicle charging points be added as an additional condition to the scheme.

Decision

PLANNING PERMISSION BE GRANTED 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: OS Site Map, Block Plan, and COE/300/02 (Proposed Plans Sections and Elevations), received on 30 July 2020.

[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. The materials specified in the application (Design and Access Statement) shall be used for the external walls and roof of the development hereby approved and no additional or alternative materials shall be used.

[To ensure the appearance of the development is satisfactory and to comply with Policy 1 (Development Requirements) of the Local Plan Part 2: Land and Planning Policies].

4. The windows in the south elevation of the development hereby approved shall be restricted opening to no more than 10cm 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.

[In the interest of neighbouring amenity and to comply with Policy 1 (Development Requirements) of the Local Plan Part 2: Land and Planning Policies].

5. The development shall not be brought into use until the shared rear garden space has been provided in accordance with drawing COE/300/02. Thereafter the rear garden shall be retained to this specification, shall not be subdivided and shall be kept available for the use of all residents of the resultant apartment buildings for the lifetime of the development.

[To ensure that the resultant development has sufficient amenity space and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

6. The development shall not be brought into use until the parking area has been provided, surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and is constructed with provision to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the life of the development.

[To ensure an adequate form of development in the interests of highway safety and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

7. Prior to the first occupation of the development hereby approved, a landscaping scheme for the planted area on the frontage shall be submitted to and approved by the Borough Council. The landscaping scheme shall be implemented within the next planting season following the approval of the landscaping scheme. Any trees/plants which subsequently die, become seriously damaged or diseased within a period of five years of planting shall be replaced in the next planting season with others of a similar size and species, details of which shall be agreed in writing with the Borough Council.

[To ensure a satisfactory appearance of development and to comply with policy 16 (Green Infrastructure, Landscape, Parks and Open Space) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) of the Local Plan Part 2: Land and Planning Policies

8. The apartments hereby approved shall be designed and constructed to meet the higher Optional Technical Housing Standard for water consumption of no more than 110 litres per person per day.

[To promote a reduction in water consumption and to comply with criteria 3 of Policy 12 (Housing Standards) of the Local Plan Part 2: Land and Planning Policies].

9. No apartments within the development hereby permitted shall be occupied until a scheme for the provision of electric vehicle charging points has been submitted to and approved in writing by the Borough Council and the points have been installed in accordance with the approved details. Thereafter the charging points shall be maintained and operated in accordance with the approved scheme for the lifetime of the development.

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

NOTES TO APPLICANT

Please be advised that all applications approved on or after the 7th October 2019 may be subject to the Community Infrastructure Levy (CIL). The Borough Council considers that the approved development may be CIL chargeable, as the proposal is for apartments, some with independent access. Further information about CIL can be found on the Borough Council's website at:
<https://www.rushcliffe.gov.uk/planningandgrowth/cil/>

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.

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

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 provision of a vehicular footway crossing requires works within the public highway on land outside your control. You are therefore advised to contact the Highways Authority- Nottinghamshire County Council by telephoning 0300 500 80 80.

Condition 8 requires the new dwellings to meet the higher 'Optional Technical Housing Standard' for water consumption of no more than 110 litres per person per day. The developer must inform their chosen Building Control Body of this requirement as a condition of their planning permission.

Swifts are now on the Amber List of Conservation Concern. One reason for this

is that their nest sites are being destroyed. The provision of new nest sites is urgently required and if you feel you can help by providing a nest box or similar in your development, the following website gives advice on how this can be done:

<http://swift-conservation.org/Nestboxes%26Attraction.htm>

Advice an information locally can be obtained by emailing:

carol.w.collins@talk21.com

20/01744/FUL – Conversion and associated changes to existing agricultural building to single dwellinghouse including formation of domestic curtilage – Grange Farm, Town End Lane, Flintham, Nottinghamshire.

Updates

One representation was received after the agenda had been published and was circulated to the Committee before the meeting.

In accordance with the Council's public speaking protocol, Mr George Machin (Applicants Agent) and Cllr Sarah Bailey (Ward Councillor) addressed the Committee.

Decision

PLANNING PERMISSION BE REFUSED FOR THE FOLLOWING REASON:

1. Other than the steel frame/uprights little of the original building would be retained. As a result of the extensive extensions and alterations proposed to the original building the proposal does not involve the 'reuse' or 'conversion' of an existing building, instead the resultant development would be tantamount to a new building/new build dwelling within the open countryside and is therefore contrary to Policy 22 (Development within the Countryside) of the Rushcliffe Local Plan Part 2: Land and Planning Policies.

As Ward Councillor for Musters, Councillor Annie Major removed herself from the meeting and did not take part in the following discussion.

20/00489/FUL – First floor extensions including raising of roof height, balcony to rear, conservatory, internal alterations, replacement grey windows and render brick, and raised decking to rear – 36 Boundary Road, West Bridgford, Nottinghamshire.

Updates

In accordance with the Council's public speaking protocol Mr John Darby (Objector) and Councillor Rod Jones (Ward Councillor), addressed the Committee.

Comments

The Committee considered that the proposal and height of the roof would be over bearing and overshadowing on the neighbouring property adversely impacting on its amenities and that the proposal was over dominant and not in keeping with the street scene.

Decision

PLANNING PERMISSION IS REFUSED FOR THE FOLLOWING REASONS:

1. The increase in the height and mass of the roof arising from the proposed alterations would result in a property of a design that would be out of keeping in the street scene and overbearing and overdominant in relation to neighbouring properties, to the detriment of the character and appearance of the area, and would not have a positive impact on the public realm or sense of place of the area, contrary to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy, Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies, the Rushcliffe Residential Design Guide 2009 and Chapter 12 of the NPPF.
2. The proposed development would be unduly overbearing, overdominant and overshadowing on the neighbouring properties, in particular at 34 Boundary Road, which would be seriously harmful to the residential amenities of the occupiers of this property, contrary to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy, Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies, the Rushcliffe Residential Design Guide 2009 and Chapter 12 of the NPPF.

Councillor Annie Major re-joined the meeting.

20/01543/FUL – Demolition of existing single-storey double garage and the construction of two-storey front extensions, including additional dormer windows. Rear single storey roof alteration from hipped gable end. Landscaping alterations. Re-roofing of existing structure to introduce additional insulation, change of colour of existing windows – Brook Close, 22 Main Street, Kinoulton, Nottinghamshire.

Updates

An additional representation was received from a neighbour objecting to the proposal which was made after the agenda had been published and was circulated to the Committee before the meeting.

In accordance with the Council's public speaking protocol Ms Sharon Gray (Objector) and Councillor Tina Combellack (Ward Councillor) addressed the meeting.

Decision

PLANNING PERMISSION BE GRANTED 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 plan(s):

P20-0533_001 01B Proposed ground floor plan
P20-0533_001 02B Proposed first floor plan
P20-0533_002 01B Proposed elevations
P20-0533_002 02B Proposed elevations

[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 materials specified in the application shall be used for the external walls and roof of the development hereby approved and no additional or alternative materials shall be used.

[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].

20/02164/FUL – Erection of single storey rear extension – Walnut Tree Farm, Cotgrave Road, Owthorpe, Nottinghamshire.

Updates

In accordance with the Council's public speaking protocol, Ms Maggie Kenney (Applicant) and Councillor Tina Combella (Ward Councillor) addressed the Committee.

Decision

PLANNING PERMISSION BE REFUSED FOR THE FOLLOWING REASONS:

1. The extension proposed, in combination with previous additions to the dwelling, is considered to comprise disproportionate additions over and above the size of the original building. As such, it does not fall within the exceptions set out in NPPF para 145 and 146 and would therefore be inappropriate development in the Green Belt. It is not considered that

there are any 'very special circumstances' in this case which would outweigh the identified harm to the Green Belt. The development is contrary to Policy 21 of the Local Plan Part 2: Land and Planning Policies, and section 13 of the NPPF.

The meeting closed at 10.20 pm.

CHAIRMAN

DRAFT