



**MINUTES  
OF THE MEETING OF THE  
PLANNING COMMITTEE  
THURSDAY, 14 OCTOBER 2021**

Held at 2.30 pm in the Council Chamber, Rushcliffe Arena, Rugby Road, West  
Bridgford

**PRESENT:**

Councillors R Upton (Chairman), Mrs M Stockwood (Vice-Chairman), R Adair,  
S Bailey, L Healy, D Mason, J Murray, A Phillips and C Thomas

**ALSO IN ATTENDANCE:**

7 members of the public

**OFFICERS IN ATTENDANCE:**

L Ashmore	Director of Development and Economic Growth
A Baxter	Senior Area Planning Officer
P Cook	Principal Planning Officer
E Dodd	Principal Area Planning Officer
A Pegram	Service Manager - Planning
R Sells	Solicitor
L Webb	Democratic Services Officer

**APOLOGIES:**

Councillors N Clarke, P Gowland, B Gray and F Purdue-Horan

**12 Declarations of Interest**

Councillor Upton as a current member of the Planning Committee and Councillor at Nottinghamshire County Council declared a non-pecuniary interest in the planning application Land South Of Burrows Farm Barton Lane Barton In Fabis Nottinghamshire.

Councillor Adair as a previous member of the Policy Committee of Nottinghamshire County Council and a current Councillor for Nottinghamshire County Council declared a non-pecuniary interest in the planning application Land South of Burrows Farm, Barton in Fabis, Nottinghamshire.

**13 Minutes of the Meeting held on 9 September 2021**

The minutes of the meeting held on 9 September 2021 were approved as a true record of the meeting and were signed by the Chairman.

**14 Planning Applications**

The Committee considered the written report of the Director – Growth and Economic Development relating to the following applications, which had been

circulated previously.

**21/01464/REM – Reserved matters application pursuant to outline permission 19/00678/OUT to seek approval of the appearance, landscaping, layout and scale for residential development comprising 71 new homes - Central Works Depot, Abbey Road, West Bridgford, Nottinghamshire, NG2 5NE**

## **Updates**

The Committee were advised that the recommendation should be grant planning approval and not grant planning permission as set out in the report.

In accordance with the Council's Public Speaking Protocol for Planning Committee, Toby Evison (architect), and Councillor Penny Gowland (Ward Councillor) addressed the Committee.

## **Decision**

### **PLANNING APPROVAL BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. The development hereby permitted shall be carried out strictly in accordance with the following approved drawings, received with the original submission 11 May 2021:

- Abbey Road Site Location Plan
- 3573-111 B-MATERIALS BOARD
- DETAILS
- ARWB-BSP-ZZ-XX-DR-C\_0100-P02\_s38 Stopping up 1 of 2
- ARWB-BSP-ZZ-XX-DR-C\_0101-P01\_s38 Stopping up 2 of 2
- ARWB-BSP-ZZ-XX-DR-C\_0130-P03\_S38 Construction Layout 1 of 2
- ARWB-BSP-ZZ-XX-DR-C\_0135-P01\_S38 Construction Details

Additional plans received 1 September 2021:

- Additional Supporting Statement
- Sustainability and CO2 Saving document
- RammSanderson Landscape and Ecological Management Plan RSE\_4660\_R1\_V5\_LEMP September 2021
- 3573-107 D-Unit Mix and Affordable Housing
- 3573-108 D-Street Elevations 1
- 3573-109 D-Street Elevations 2

- 3573-110 D-Street Elevations 3
- 3573-201 L-Housetype GAs - House
- Type A
- 3573-202 L-Housetype GAs - House
- Type B
- 3573-203 K-Housetype GAs - House
- Type B
- 3573-205 K-Housetype GAs - House
- Type C
- 3573-206 K-Housetype GAs - House
- Type C
- 3573-207 I-Housetype GAs - House
- Type D
- 3573-208 D-Housetype GAs - House
- Type D
- 3573-209 D-Housetype GAs - House
- Type E
- 3573-210 D-Housetype GAs - House
- Type E
- 3573-211 F-Housetype GAs -
- Apartments Block 1
- 3573-212 E-Housetype GAs -
- Apartments Block 2
- 3573-213 F-Housetype GAs -
- Apartments Block 2
- 3573-214 A-Housetype GAs - House
- Type F
- Abbey rd, Low Carbon and Energy  
Statement 31.08.21.
- ARWB-BSP-ZZ-XX-DR-C-0105-  
P03\_SPA\_Refuse\_Vehicle\_1of2
- ARWB-BSP-ZZ-XX-DR-C-0106-  
P03\_SPA\_Refuse\_Vehicle\_2of2
- ARWB-BSP-ZZ-XX-DR-C-0111-  
P04\_S38\_HA\_&\_Setting\_Out\_2of2
- ARWB-BSP-ZZ-XX-DR-C-0120-  
04\_S38\_Longitudinal\_Sections\_1of2
- ARWB-BSP-ZZ-XX-DR-C-0121-  
04\_S38\_Longitudinal\_Sections\_2of2
- ARWB-BSP-ZZ-XX-DR-C-0131-P04  
S38 Construction Layout 2of2

Further additional plans received on the 21 September 2021:

- 3573-103 T Proposed Masterplan
- 3573-106 F Hard Surfacing & Energy strategy

And 22 September:

- ARWB-BSP-ZZ-XX-DR-C-0135\_P02\_S38\_CONSTRUCTION\_  
DETAILS

And 23 September:

- GL1535 01C DETAILED LANDSCAPE PROPOSALS

And 24 September:

- GL1535 - Landscape Management Plan - Rev C 24-09-2021

And 28 September:

- ARWB-BSP-ZZ-XX-DR-C-0110-  
P06\_S38\_HA\_&\_Setting\_Out\_1of2
- ARWB-BSP-ZZ-XX-DR-C\_0130-  
P06\_S38 Construction Layout 1 of 2
- ARWB-BSP-ZZ-XX-DR-C-0132-P06 \_S38\_AGREEMENT\_PLAN

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

2. The external elevations of the development hereby permitted must be constructed using only the materials specified in the submitted application and materials board submitted and approved under condition 2.

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

3. The construction of the dwellings hereby permitted must not proceed above damp proof course level until a scheme for the provision of Electric Vehicle Charging Point(s) (EVCP) has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme must include details of the type, number and location of the proposed EVCP apparatus. The dwellings hereby permitted must not be first occupied until the plot specific EVCP's has been installed in accordance with the approved details. Thereafter EVCP's must be permanently retained on the site in accordance with the approved scheme throughout the lifetime of the development.

[To promote sustainable transport measures that will help lead to a reduction in carbon emissions within the Borough and help contribute towards an improvement in general air quality having regard to Policy 2 (Climate Change) of the Local Plan Part 1: Core Strategy (2014) and Policy 41 (Air Quality) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Paragraph 112 of the National Planning Policy Framework (February 2021).

4. Prior to their first occupation, each dwelling within the development hereby permitted must have been provided with a full fibre broadband

connection in accordance with condition 19 of the outline permission.

[To ensure the provision of advanced high quality and reliable communications infrastructure that can enable working from home initiatives that reduce travel demand, supports economic growth and helps to promote social well-being having Policy 14 (Managing Travel Demand) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policy 13 (Health Impacts of Development) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Paragraph 114 of the National Planning Policy Framework (February 2021)].

5. Dwellings within the development hereby permitted shall not be occupied until the optional requirement for water efficiency (i.e: not exceeding 110 litres per person per day) set out at Regulation 36(2)(b) of the Building Regulations 2010 as amended)(or any equivalent regulation revoking and/or re-enacting that Statutory Instrument) has been complied with. Thereafter this water efficiency standard must be retained throughout the life of each dwelling on the site.

[To promote a reduction in water consumption having regard to Policy 12 (Housing Standards) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

6. The hard and soft landscaping shown on the submitted drawing(s) (RammSanderson Landscape and Ecological Management Plan RSE\_4660\_R1\_V5\_LEMP 1 September 2021, 3573-103 T; Proposed Masterplan and 3573-106 F Hard Surfacing & Energy strategy received 21 September; GL1535 01C DETAILED LANDSCAPE PROPOSALS received 23 September 2021 and GL1535 - Landscape Management Plan - Rev C 24-09-2021 received on the 24 September 2021) must be carried out and completed in accordance with those approved details not later than the first planting season (October – March) following either the substantial completion of the development hereby permitted or it being first brought into use, whichever is sooner. If, within a period of 5 years of from the date of planting, any tree or shrub planted as part of the approved LS is removed, uprooted, destroyed, dies or become diseased or damaged then another tree or shrub of the same species and size as that originally planted must be planted in the same place during the next planting season following its removal.

[To ensure the development creates a visually attractive environment and to safeguard against significant adverse effects on the landscape character of the area having regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapter 12 (Achieving Well-designed Places) of the National Planning Policy Framework (February 2021)].

7. Notwithstanding the provisions of the Schedule 2 Part 1 Class A, B, C, D, E and F of the Town and Country Planning (General Permitted

Development) (England) Order 2015 (or any order revoking and/or re-enacting that Order) no enlargement, porches, or any other alteration including to the roof of the dwelling(s) and including the insertion of windows, shall be carried out to the dwelling(s) hereby permitted and no outbuildings or other structures shall be erected, and no hard surfaces or alterations to garden levels shall be constructed or undertaken within the curtilage of the dwelling(s) on plots 1-29 and 46-71 hereby permitted without express planning permission from the Local Planning Authority.

[To enable the Local Planning Authority to retain control over any future enlargements and/or alterations that may harm the amenities of neighbouring properties, the appearance of the dwelling, the character of the area and to ensure that any unexpected contamination that is encountered is appropriately remediated so that the site is suitable for the approved development without resulting any unacceptable risk to the health of any construction workers, future users of the site, occupiers of nearby land or the wider environment having regard to Policy 1 (Presumption in Favour of Sustainable Development) and Policy 10 (Design and Enhancing Local Identify) of the Rushcliffe Local Plan Part 1: Core Strategy (2014), Policies Policy 1 (Development Requirements), 39 (Health Impacts of Development) and 40 (Pollution and Land Contamination) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Paragraphs 183 of the National Planning Policy Framework (February 2021)].

8. The flat roof areas above the 2<sup>nd</sup> floor level of the dwellings on plots 1-7, 16-24, 30-35, 36-45, 51- 61, 62 and 63 (other than those expressly authorised by this permission) hereby permitted must not be used as a balcony, roof garden or any other similar amenity area whatsoever.

[To protect the amenities of occupiers of neighbouring properties from adverse overlooking/loss of privacy having regard to Policy 10 (Design and Enhancing Local Identify) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

9. Notwithstanding the provisions of section 55(2)(a)(i) and 55(2)(d) of the Town and Country Planning Act 1990 or Article 3(1) of the Town and Country Planning (Use Classes) Order 1987 the garages/ car ports/parking areas serving plots [1-7, 13-15, 18, 21, 24, 51, 54, 58, 62-68] hereby permitted must be kept available at all times for the parking of motor vehicles of the occupants of the dwelling(s) and their visitors and must not be used for any other purpose whatsoever. The garage doors shall open as per the approved plans, and the car ports shall be retained with no doors, for the life of the development.

[To ensure that sufficient parking provision is retained at the site having regard to Policy 10 (Design and Enhancing Local Identify) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

10. The windows serving bathrooms and ensuites to all plots hereby approved, must be fitted with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent and the window on the second floor side elevation serving a bedroom in House Type A hereby permitted must be:
  - a. non-opening to the side facing and;
  - b. fitted with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent.

Thereafter, those window(s) must be retained to this specification throughout the lifetime of the development and no window openings (other than those expressly authorised by this permission) shall be inserted into the elevations of the dwelling(s) hereby permitted without express planning permission from the Local Planning Authority.

[To preserve the amenities of neighbouring properties, and to enable the Local Planning Authority to retain control over the insertion of any additional window openings or rooflights that may adversely affect the amenities/privacy of neighbouring properties having regard to Policy 10 (Design and Enhancing Local Identify) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

11. Occupation of the proposed dwellings/apartments shall not take place until details of their respective bicycle parking/storage has been submitted for the prior written approval of the Borough Council and the bicycle parking/ storage has been provided in accordance with the approved details. Thereafter the bicycle parking/storage must be retained on the site in accordance with the approved details and must be kept available for the parking bicycles at all times.

[To ensure the there is adequate provision for the secure and undercover parking/storage of bicycles within the site to encourage the use of bicycles as an alternative to using motor vehicles having regard to Policy 14 (Managing Travel Demand) of the Rushcliffe Local Plan Part 1: Core Strategy (2014)].

12. The development will require the stopping up of public highway and no part of that development hereby permitted (or any temporary works or structures) shall obstruct the public highway until it has been formally stopped up.

[To prevent the obstruction of the public highway in the interest of highway safety, having regard to Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

13. No part of the development hereby permitted shall take place until details of the new roads have been submitted to and approved in writing by the Local Planning Authority, including longitudinal and cross-sectional gradients, street lighting, drainage and outfall proposals, construction specification, provision of and diversion of utilities services,

and any proposed structural works. The development shall be implemented in accordance with these details to the satisfaction of the Local Planning Authority.

[To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential/highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway, having regard to Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019). This is a pre commencement condition required to ensure that the setting out of the development accords with Highway design guides].

14. No dwelling shall be occupied until any redundant accesses have been permanently closed and the access reinstated as verge/footway in accordance with details first submitted to and approved in writing by the Local Planning Authority.

[To reduce the number access points into the site in the interest of highway safety, having regard to Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

15. Occupation of the proposed dwellings shall not take place until their respective driveways have been surfaced in a bound material (not loose gravel) for a minimum distance of 5 metres behind the highway boundary, and which shall be drained 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 lifetime of the development.

[In the interest of highway safety and to ensure adequate vehicle parking spaces are provided on the site for use in connection with the development hereby permitted having regard to Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

16. Notwithstanding Class A or AZ of Part 20 of Schedule 2 of the General Permitted Development Order 2015 (as amended) the flats hereby approved shall not benefit from the construction of up to two additional floors on a purpose built detached block of flats or for the Demolition of buildings & construction of new flats or a house for the life of the development.

[To enable the Local Planning Authority to retain control over any future enlargements and/or alterations that may harm the amenities of neighbouring properties, the appearance of the dwelling or the character of the area having regard to Policy 10 (Design and Enhancing Local Identify) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].



17. Notwithstanding Class AA of Part 1 or Class AC and Class AD of Part 20 Schedule 2 of the General Permitted Development Order 2015 (as amended) the dwellinghouses hereby approved shall not benefit from the enlargement of a dwellinghouse by construction of additional storeys, **or new flats on terrace buildings in use as houses or new flats on detached buildings in use as houses for the life of the development.**

[To enable the Local Planning Authority to retain control over any future enlargements and/or alterations that may harm the amenities of neighbouring properties, the appearance of the dwelling or the character of the area having regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

19. Prior to any of the dwellings hereby approved being constructed above foundation level, details of the design and materials to be used in the erection of any boundary walls, fences or any other means of enclosure shall be submitted to and approved by the Local Planning Authority and all means of enclosure shall be erected in accordance with the approved details prior to the first occupation to any plot to which it relates.

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

### **Notes to Applicant**

The applicant is reminded that the development is also subject to a planning obligation made under the provisions of section 106 of the Town and Country Planning Act 1990 (as amended) the purpose of which is to exercise controls to secure the proper planning of the area. The planning obligation runs with the land and not with any person or company having an interest therein.

Condition 6 requires the new dwelling(s) 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 that this requirement is a condition of this planning permission. Guidance of this process and the associated requirements can be found in Approved Document G under requirement G2, with the requirements laid out under regulations 36 and 37 of the Building Regulations 2010 (as amended).

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.

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.

The owner of the neighbouring property claims that there is a legal right of access to your ground in order to maintain that property. You may wish to seek legal advice as to whether that is the case. This grant of planning permission does not override or supersede any such right.

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.

A Stopping Up Order will be required under S247 of the Town and Country Planning Act 1990. This is a separate legal process that sits outside of the planning process and will require the applicant to apply to the Department for Transport. It is an offence for the highway to be obstructed prior to the granting of an order.

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority, the new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks.

- a) The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.
- b) It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site.

Correspondence with the Highway Authority should be addressed to:  
[hdc.south@nottscc.gov.uk](mailto:hdc.south@nottscc.gov.uk)

In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In

order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact [hdc.south@nottscc.gov.uk](mailto:hdc.south@nottscc.gov.uk) for details.

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.

Severn Trent Water advises that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development. If the applicant proposes to divert the sewer, the applicant will be required to make a formal application to the Company under Section 185 of the Water Industry Act 1991. They may obtain copies of our current guidance notes and application form from either our website ([www.stwater.co.uk](http://www.stwater.co.uk)) or by contacting our Developer Services Team (Tel: 0800 707 6600)

For the use or reuse of sewer connections either direct or indirect to the public sewerage system the applicant will be required to make a formal application to the Company under Section 106 of the Water Industry Act 1991. They may obtain copies of our current guidance notes and application form from either our website ([www.stwater.co.uk](http://www.stwater.co.uk)) or by contacting our Developer Services Team (Tel: 0800 707 6600).

Notwithstanding the submitted and approved plans the tree identified as 'replacement street tree' is not acceptable for the purposes of the mitigation scheme required under condition 24 (Removal of the mature highway tree - Tree 15) from planning permission 19/00678/OUT. You are advised to liaise directly with Nottinghamshire County Council regarding what would constitute a suitable mitigation scheme. Please also note that once a scheme is approved under the discharge of condition 24 of 19/00678/OUT separate permission will be required from Nottinghamshire County Council to remove the tree identified as T15 in the AT2 tree survey.

**21/00775/VAR – Variation of Condition 9 of planning permission ref 18/00300/OUT to allow a change in time frame for offsite highway improvements - Land North Of Asher Lane Asher Lane Ruddington Nottinghamshire**

### **Updates**

Late representations were received from two objectors and the applicant and were circulated to the committee prior to the meeting.

In accordance with the Council's Public Speaking Protocol for Planning Committee, Cllr Mike Gaunt (Ward Councillor) (written statement) addressed the Committee.

Members requested that the draft s.106 Deed of Variation be provided to the Ward Councillors, the Parish Council and Ruddington Action Group for their comments prior to its completion.

## **Decision**

**The Director for Development and Economic Growth be authorised to grant planning permission subject to the prior completion of a S106 agreement and subject to the following conditions:**

1. The access, appearance, landscaping, layout, and scale, (hereinafter called 'the reserved matters') shall be carried out in accordance with those details submitted and approved under application 19/001983/REM.

[This is an outline planning permission and the matters specified above have been reserved for subsequent approval by the Local Planning Authority in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 and Parts 1 and 3 of the Town and Country Planning (Development Management Procedure) Order 2015].

2. Existing trees and hedges which are to be retained shall be protected in accordance with details submitted and approved under 20/00704/DISCON 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 any fence erected to protect the retained trees and/or hedges, nor is any excavation work to be undertaken within the confines of the fence, without the written approval of the Local Planning Authority. No changes of ground level shall be made within the protected area without the written approval of the Local Planning Authority.

[To ensure the adequate protection of the existing trees and hedgerows on the site during the construction of the development regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policies 37 (Trees and Woodlands) and 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapter 15 (Conserving and Enhancing the Natural Environment) of the National Planning Policy Framework].

3. With the exception of the sections to be removed to enable the provision of the vehicular and pedestrian access points, the hedgerows located along the southern, western and northern boundaries of the site shall be retained and any part of the hedgerows 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 Local Planning Authority, within one year of the date of any such loss being brought to the attention of the Local Planning Authority.

[To ensure the adequate protection of the existing trees and hedgerows on the site during the construction of the development having regard to regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policies 37 (Trees and Woodlands) and 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapter 15 (Conserving and Enhancing the Natural Environment) of the National Planning Policy Framework (February 2019)].

4. The development shall be carried out in accordance with the details submitted as part of the Construction Management approved under reference 20/00471/DISCON

[In the interests of highway safety and to protect the amenities of the area having regard to Policy 10 (Design and Enhancing Local Identify) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

5. No dwellings shall be occupied until the following off-site highway improvement works have been completed:

- a) Access arrangement off Musters Road (as indicated on drawing 20999\_08\_020\_11) unless otherwise submitted to and approved in writing by the Local Planning Authority.

And no more than 35 dwellings shall be occupied until;

- b) A financial contribution, secured via the S106 agreement, has been made to the Local Highway Authority in lieu of Improvements to the High Street/Kirk Lane/Charles Street junction.
- a) The off-site highway improvement works to the A60/Kirk Lane/Flawforth Lane junction have been completed in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority.

[In the interests of highway safety having regard to Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

6. No development hereby permitted shall take place until an appropriate agreement under Section 278 of the Highways Act 1980 has been entered into with Highways England to facilitate improvements to A52 junctions in accordance with the provisions of the A52/A606 Improvement Package Developer Contributions Strategy Memorandum of Understanding September 2015.

[In the interests of highway safety having regard to Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land

and Planning Policies (2019)].

7. The dwellings hereby approved shall not be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The requirements as set out in the approved Travel Plan shall be implemented from occupation of the first dwelling and operated thereafter.

[To promote sustainable travel within the Borough having regard to Policy 14 (Managing Travel Demand) of the Rushcliffe Local Plan Part 1: Core Strategy (2014)].

8. The design, layout and specifications for the surface water drainage system shall be carried out in accordance with the details approved under 20/00566/DISCON. No part of the development shall be occupied until facilities for the disposal of surface water drainage have been provided, in accordance with the approved details and the development shall be constructed in accordance with the approved drainage details, levels and layout.

[To ensure that the development increases water attenuation/storage on the site and minimises the risk of flooding elsewhere having regard to Policy 2 (Climate Change) of the Rushcliffe Local Plan Part 1: Core Strategy (2014), Policies 17 (Managing Flood Risk) and 18 (Surface Water Management) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Paragraphs 163 and 165 of the National Planning Policy Framework].

9. The development shall not be brought into use until the facilities for the disposal of foul water drainage have been provided, in accordance with details approved under 21/00053/DISCON

[To ensure a satisfactory standard of development in terms of the disposal of foul water having regard to Policy 2 (Climate Change) of the Rushcliffe Local Plan Part 1: Core Strategy (2014), Policies 17 (Managing Flood Risk) and 18 (Surface Water Management) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Paragraphs 163 and 165 of the National Planning Policy Framework].

10. The dwellings shall be constructed in accordance with the glazing and ventilation specifications approved under 20/01121/DISCON. The said glazing and ventilation shall thereafter be retained and maintained to the approved specifications. Each dwelling, to which the acoustic boundary fencing is to be installed, shall not be occupied until the approved acoustic boundary fencing for that dwelling has been installed. The acoustic fencing shall thereafter be retained and maintained to the approved specifications.

[To ensure that future occupiers of the development hereby approved are not adversely affected by unacceptable noise pollution having regard to Policies 1 (Development Requirements), 39 (Health Impacts of Development) and 40 (Pollution and Contaminated Land) of the

Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

11. The dwellings hereby approved shall not be occupied until bird boxes and bat boxes and/or access points to bat roosts have been installed in accordance with details previously submitted to and approved in writing by the Local Planning Authority. Thereafter the bird and bat boxes and/or access points shall be permanently retained and maintained.

[To ensure the development contributes to the enhancement of biodiversity on the site having regard to Policy 17 (Biodiversity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019); Chapter 15 (Conserving and enhancing the natural environment) of the National Planning Policy Framework].

12. The development shall be carried out in accordance with the Bird Management Plan (BMP) approved under 20/00654/DISCON.

[To ensure the development contributes to the protection of biodiversity on the site having regard to Policy 17 (Biodiversity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019); Chapter 15 (Conserving and enhancing the natural environment) of the National Planning Policy Framework].

As Ward Councillor for Trent Bridge Ward, Cllr Murray withdrew from the committee and did not take part in the following debate.

**21/01802/FUL & 21/01803/LBC – (i) Internal alterations to existing toilets, installation of boiler flue and new external storage container (ii) Internal alterations to existing store to create accessible WC and to existing female/junior toilets including the removal of the existing partially glazed door within the entrance hall, installation of boiler flue, clipped to the existing wall, fixings into mortar joints and new external storage container- Rushcliffe Borough Council Lutterell Hall Church Drive West Bridgford Nottinghamshire**

### **Updates**

There were no updates.

### **Decision**

#### **(i) PLANNING PERMISSION BE GRANTED SUBJECT TO 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:

- G/1168/03 – Proposed Play Group Toilet Plans
- G/1169/04 – Proposed Male and Assessable Toilet
- Proposed internal and External Alterations received August 2021

[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 shall be used for the external walls and roof of the storage building hereby approved and no additional or alternative materials shall be used.

[To ensure the appearance of the development is satisfactory having regard to Policy 10 of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

**(ii) LISTED BUILDING CONSENT BE GRANTED SUBJECT TO 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 18 of the Planning (Listed Buildings & Conservation Areas) Act 1990].

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

- G/1168/03 – Proposed Play Group Toilet Plans
- G/1169/04 – Proposed Male and Assessable Toilet
- Proposed internal and External Alterations received August 2021

[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. Only like-for-like traditional materials (lime plaster and breathable paint) shall be used in the making good of the existing plaster walls should any repairs be necessary following the approved alterations.

[In the interests of the special architectural and historic interest of the listed building and to comply with policy 11 (Historic Environment) of the Rushcliffe Local Plan Part 1: Core Strategy and policy 28 (Conserving and Enhancing Heritage Assets) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].



Councillor Murray re-joined the committee at this point

Councillor Upton and Councillor Adair left the meeting at this point and did not take part in the following debate.

Councillor M Stockwood was the chairman for the remainder of the meeting.

**17/02096/CMA – The extraction and processing of sand and gravel, including the construction of a new site access road, landscaping and screening bunds. Mineral washing plant and other associated infrastructure with restoration to agriculture and nature conservation areas. - Land South Of Burrows Farm Barton Lane Barton In Fabis Nottinghamshire**

### **Updates**

Late representations were received from the ward councillor Cllr Rex Walker, objections from 7 residents, the Nottinghamshire County Council archaeologist, the development management team at Nottinghamshire County Council and a clarification from the case officer and were circulated to the committee prior to the meeting.

The late representations recommended deleting 'air quality' from reason for refusal 2.

In accordance with the Council's Public Speaking Protocol for Planning Committee, Councillor Rex Walker (Ward Councillor – written statement) addressed the Committee.

The planning officer agreed to send a copy of the committee report to Nottinghamshire County Council with their decision.

### **Decision**

Nottinghamshire County Council be informed that the Borough Council objects to the proposal and recommends refusal for the following reasons

1. The proposal would represent inappropriate development in the Green Belt. The development constitutes an engineering operation that does not maintain the openness of the Green Belt. Having regard to the scale of the engineering operations, together with the associated urbanising effects, it is considered the proposal would have an unacceptable impact on the openness of the Green Belt. Therefore, the proposed development by definition is, therefore, harmful. It is not considered that there are any other considerations that clearly outweigh the harm to the Green Belt, which would amount to very special circumstances to justify the grant of permission. Therefore, it is considered to be contrary to the provisions of the National Planning Policy Framework 2021 and local planning policy 21 of the Rushcliffe Borough Local Plan Part 2.
2. It has not been demonstrated to the satisfaction of the Council that the

proposed development would not have significant adverse impacts in respect of noise, dust, air quality, landscape impact, ecology or the cumulative impact with the housing allocations/applications/permissions.

Should the County Council be minded to approve the application, then the Council would like the comments and suggested conditions from the Borough Council's consultees to be included in any decision. Their full comments are attached with this decision in order that that they can be fully incorporated.

The meeting closed at 4.32 pm.

CHAIRMAN