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Our reference:
Your reference:
Date: Wednesday, 12 February 2020



**Rushcliffe Community
Contact Centre**
Rectory Road
West Bridgford
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NG2 6BU

To all Members of the Planning Committee

Dear Councillor

Planning Committee – Thursday, 13 February 2020

The following is a schedule of representations received after the agenda for the Planning Committee was finalised.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sanjit Sull'.

Sanjit Sull
Monitoring Officer

AGENDA

4. Planning Applications (Pages 1 - 10)

The report of the Executive Manager – Communities is attached.

Membership

Chairman: Councillor R Butler
Vice-Chairman: Councillor Mrs M Stockwood
Councillors: K Beardsall, A Brennan, P Gowland, L Healy, A Major, J Murray,
F Purdue-Horan, C Thomas and D Virdi

In person
Monday to Friday
8.30am - 5pm
First Saturday of
each month
9am - 1pm

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19/01287/FUL

Applicant Mr Max Whitehead

Location Land North East Of Marl Close, Wilford Road, Ruddington

Proposal Residential development of 167 new homes on land south of Packman Dyke together with associated infrastructure, including ground remodelling for flood compensation works, landscaping and public open space, and vehicular access via Wilford Road. Watercourse realignment, ground remodelling and other sustainable drainage measures, landscaping and public open space on land north of Packman Dyke.

Ward Ruddington

LATE REPRESENTATIONS FOR COMMITTEE

1. **NATURE OF REPRESENTATION:** Correction to Committee Report

RECEIVED FROM: Officers

SUMMARY OF MAIN POINTS:

Paragraph 91 provides details of the number of representations received in respect of the application and summarises the grounds for objection/concerns raised by residents. The summary of points raised is correct, however, the number of representations received is incorrect in this paragraph. A total of 210 representations have been received.

The application was originally publicised and subject of a consultation exercise in early June 2019. Following revisions to the scheme, including a reduction in the number of dwellings proposed, a further consultation exercise was carried out in late October 2019. As a result of the publicity/consultation on this application, a total of 207 representations were received from local residents and 1 from an action group, Protect Ruddington, objecting to the application. In addition, 1 representation was received making comments on the proposal and 1 from a resident neither objecting to or supporting the proposal (neutral), the latter is correctly referred to in paragraph 92 of the committee report. As the proposal was subject to a further consultation exercise, a number of households have submitted more than one representation.

PLANNING OFFICERS COMMENTS:

No further comments.

2. **NATURE OF REPRESENTATION:** Comment

RECEIVED FROM: Environmental Health officer

SUMMARY OF MAIN POINTS:

Previous comments in relation to noise and air quality have not been addressed and there have been no additional reports submitted to review in relation to noise and air quality. As a result, she recommends conditions to address these issues.

PLANNING OFFICERS COMMENTS:

The matter of Air Quality is dealt with in paragraph 159 of the committee report.

The issue of noise relates to the impact of road traffic noise on the dwellings and a requirement for a sound insulation scheme to effectively reduce the transmission of noise from external sources. The condition would require the submission of a sound insulation scheme to effectively reduce the transmission of noise from external sources and a complimentary ventilation scheme to be designed to ensure that the windows can remain closed. The distance between the road and the nearest property would be around 24 metres and it is considered that the impact of road noise is unlikely to give rise to significant adverse impacts on the amenities of future occupiers. As such any noise study could be limited to the properties closest to the road.

19/01983/REM

Applicant Mr Aaron Grainger

Location Land North of Asher Lane, Ruddington

Proposal Reserved matters application for outline permission 18/00300/OUT to seek approval of the access, appearance, landscaping, layout and scale for the development of 175 new dwellings

Ward Ruddington

LATE REPRESENTATIONS FOR COMMITTEE

1. **NATURE OF REPRESENTATION:** Objection.

RECEIVED FROM: Neighbour.

SUMMARY OF MAIN POINTS:

The reduction of the strip of land along the northern boundary of the site, adjacent to Musters Road, from 10 metres to 5/6 metres would be a very significant issue. There is a watercourse in this location and access is required for its maintenance (which is normally 9m in width), together with sufficient space for landscape buffer planting. The reduction in the width of this strip of land would be detrimental to the maintenance of the watercourse.

PLANNING OFFICERS COMMENTS:

As detailed in the report, Trent Valley Internal Drainage Board have confirmed that there are no Board maintained watercourses either on or within close proximity of the site.

Nottinghamshire County Council as Lead Local Flood Authority raise no objection and recommend the approval of the reserved matters application. Any surface water management conditions on the outline approval will still require discharging.

The applicant's agent has provided a Severn Trent Drainage plan which confirms that a culverted watercourse runs adjacent the northern boundary, but not within the site. This culverted watercourse appears to run through the rear gardens of properties fronting Musters Road. It is understood that, in general terms, an easement with a minimum width of around 6 to 7 metres (3m to 3.5m either side of the centre line of the watercourse) would be required for maintenance purposes. On this basis it is considered that sufficient space could be maintained for the purposes of maintaining the culvert, however, the easement required would be dependent on a number of factors, including the size and depth of the culvert. This

matter is subject to further investigation and an update will be provided at the meeting of the Planning Committee.

2. **NATURE OF REPRESENTATION:** Consultee response.

RECEIVED FROM: The Borough Council's
Recycling2go Officer

SUMMARY OF MAIN POINTS:

Having viewed the swept path analysis, there are a number of the hammer head turning points where either the front or the rear of the Refuse Collection Vehicle cross over the footpath. This should be factored out of the forward and reverse manoeuvre.

PLANNING OFFICERS COMMENTS:

It should be noted that, for the most part, the hammerheads referred to also give access to private drives serving a number of properties. Therefore, whilst the comments of the Recycling2go Officer are noted, vehicles would need to cross these pavement areas on a regular basis to gain access to the properties.

In addition, this matter has been discussed with the Highway Authority, who have reviewed the refuse tracking drawing, and have commented as follows:

- The amount of body over hang is minimal and at no point is the refuse vehicle force to mount the pavement.
- The overhang occurs in turning areas, where pedestrians would reasonably expect to encounter turning vehicles.
- Even with the overhang there is sufficient space on the adjacent footways for pedestrians to wait while the vehicle turns.
- Any potential conflict, will occur on average for a few seconds once a week where banksmen are likely to be present.

In view of the above, the Highway Authority do not consider risk to Highway safety to be significant and consequently have no concerns about accepting the proposed layout.

3. **NATURE OF REPRESENTATION:** Update to report.

RECEIVED FROM: Officers

SUMMARY OF MAIN POINTS:

The layout includes an emergency access in the south eastern corner of the development, making provision for access on to Asher Lane. The use of this access by vehicles would need to be restricted/controlled to ensure it is used only

by emergency vehicles and not by residents of the development or the general public.

PLANNING OFFICERS COMMENTS:

Additional condition recommended:

No building shall proceed above foundation level until such time that a scheme detailing the methods to manage and control the use of the 'emergency access' off Asher Lane, as shown on the approved Planning Layout ASH-SL-001 Rev H, has been submitted to and approved in writing by the Borough Council. The approved scheme shall be implemented prior to the first dwelling being occupied, or such other timescale to be agreed with the Borough Council, and shall thereafter be retained and operate throughout the lifetime of the development.

[To prevent vehicles accessing the site via Asher Lane (other than in an emergency), 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].

19/01871/VAR

Applicant Miss Sarah Allsopp & Mr Simon Waterfield

Location Land At Former RAF Newton, Wellington Avenue, Newton

Proposal Variation of conditions 2, 3, 4, 5, 6, 8, 10, 11, 12, 13, 15, 16, 21, 22, 24, 26, 29, and 43, and removal of condition 41 of 16/02864/VAR to relocate village centre and memorial, remove bus gate, replace play areas with 'hierarchy of play space', removal of TPO trees, relocation of public art focal point, removal of references to 'green squares/squares' and to focal building in village centre, revision to swales/ponds, retention of bridleway in existing alignment, retention of north west car park, and revised access to allotments

Ward East Bridgford

LATE REPRESENTATIONS FOR COMMITTEE

1. **NATURE OF REPRESENTATION:** Comment

RECEIVED FROM: Saxondale Parish Meeting

SUMMARY OF MAIN POINTS:

Saxondale's principle concern in relation to this application remains, as stated in previous comments, the issues of lack of infrastructure relating to highways.

However, in respect of this particular application they would support the comments of East Bridgford Parish Council and those of stated officers in relation to the start dates for the infrastructure elements of the development, in particular the lack of inclusion of the proposed school within the building schedule which will mean additional, and unacceptable pressures on existing schools.

They would like to see a revised building schedule put in place prior to any permission granted under this application to include all necessary infrastructure and other issues in relation to the project as a whole.

They also note the loss of a substantial amount of seemingly good quality trees and would request that the Planning Committee carefully consider the loss of so much of the natural environment.

PLANNING OFFICERS COMMENTS:

The issue of the school has been addressed in the report, however for clarity the proposal is a revision to the OUTLINE planning permission and seeks to substitute

the masterplan, hence the number of conditions affected. The new masterplan shows the location of a new primary school as part of the development and the S106 requirements for the provision of a new primary school remain unaltered as a result of this application.

The issue of trees is also addressed in the agenda papers.

2. **NATURE OF REPRESENTATION:** Comment

RECEIVED FROM: Applicant

SUMMARY OF MAIN POINTS:

Having read the report there are several points we wish to highlight:

- Paragraph 5 – the retention of the car park towards the north-west of the site is to serve the existing commercial premises, not the allotments. A separate car park for the allotments is proposed.
- Paragraph 6 j. – the application also seeks removal of condition 13 g) (the bus gate)
- Paragraph 66 – Wellington Garden should be Wellington Avenue. *Furthermore, the roundabout within the scheme is to be designed and constructed such that its geometry would **not** permit access to the employment land via the principle access road into the employment/hangar site.* The word 'not' appears to be a typo. As noted in the cover letter to the application the roundabout on the Principal Street will be designed such that HGVs are unable to turn onto Wellington Avenue when leaving the commercial area.
- Paragraph 69 – The situation with the bridleway/footpath has obviously advanced following correspondence with the Highways Authority since this paragraph was written.
- Paragraph 72 – note it is stated that Seven Trent Water will not formally adopt the surface water drainage beneath Wellington Avenue. To clarify it is not that the drains cannot be adopted per se. The TCRCL could apply under s102/s104 for the drains to be adopted
- Paragraph 76 – note that Wellington Avenue has now been re-surfaced and thus is in a good state of repair and built to adoptable standards
- Paragraph 85 – would wish to highlight that the replacement trees will be semi-mature (this is obviously detailed and can be secured through the RM application)
- Paragraph 103 – the Deed of Variation has obviously advanced since the report was written. It is assumed a verbal update can be provided at the meeting

Applicants have highlighted a number of points in the conditions and notes to applicant which do not reflect the change in circumstances throughout the application process and up to date plans and documents.

PLANNING OFFICERS COMMENTS:

Officers acknowledge the points raised by the applicants and comment that the document was evolving during its drafting hence some of the points raised having occurred and needing to be updated.

The applicants are correct that the relevant conditions should refer to the following documents and not their previous iterations as stated in the recommended conditions:

- Phasing Plan should be **Rev H** (received on 22 January 2020)
- Design and Access Statement **Rev G, November 2019**

Condition 2 is proposed to be redrafted to allow the development to have multiple phases of development running concurrently whilst ensuring all phases have the relevant infrastructure and facilities within them.

The proposed amendment to conditions 3, 5, 6, 13 (including the deletion of point e)) are agreed.

It is agreed that the requirements of Condition 15 are not necessary in light of the archaeological comments made at para.24 of the report. This condition should therefore be removed from the recommendation.

Finally, it is agreed that the reference in the notes to applicant regarding the need for a Natural England Licence may still be required in relation to the Water Tower on site, and serves as a reminder to the applicants to comply with legislation outside of the Planning Systems remit.

19/02622/FUL

Applicant Mr Adrian Kerrison

Location Land West Of, School Lane, Colston Bassett

Proposal Proposed New Dwelling (resubmission)

Ward Nevile And Langar

LATE REPRESENTATIONS FOR COMMITTEE

1. **NATURE OF REPRESENTATION:** Additional comments from Ward Councillor

RECEIVED FROM: Cllr Combellack

SUMMARY OF MAIN POINTS:

Cllr Combellack has contacted officers regarding a recent meeting with the Parish Council and Environment Agency following recent flooding in the village which focussed on the flooding mechanisms affecting the village and how the community can take action to manage these affects. Cllr Combellack has also reiterated her concerns and acknowledges School Lane is not the badly flood affected area of Colston Bassett. However, the application refers to water draining to the River Smite and it is the rising of the Smite which causes the flooding at the bridge on Hall Lane and contributes to the flooding around the church. Cllr Combellack feels very strongly that, until this flooding problem is resolved, we should not be contributing to the increase in water levels however slight.

PLANNING OFFICERS COMMENTS:

The drainage report submitted with the application states '*any subterranean groundwater will travel towards the River Smite to the north of the site and therefore any groundwater movement could not affect surrounding houses to the south of School Lane due the natural gravitational direction of flow*'. As stated in the committee report, in the absence of an objection from the Lead Local Flood Authority or the Environment Agency, a refusal on grounds of flood risk could not be justified.

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