

When telephoning, please ask for: Tracey Coop
Direct dial 0115 914 8277
Email democraticservices@rushcliffe.gov.uk

Our reference:
Your reference:
Date: Wednesday, 4 May 2022

To all Members of the Planning Committee

Dear Councillor

A Meeting of the Planning Committee will be held on Thursday, 12 May 2022 at 2.30 pm in the Council Chamber, Rushcliffe Arena, Rugby Road, West Bridgford to consider the following items of business.

This meeting will be accessible and open to the public via the live stream on YouTube and viewed via the link: <https://www.youtube.com/user/RushcliffeBC>
Please be aware that until the meeting starts the live stream video will not be showing on the home page. For this reason, please keep refreshing the home page until you see the video appear.

Yours sincerely



Sanjit Sull
Monitoring Officer

AGENDA

1. Apologies for Absence and Substitute Members
2. Declarations of Interest
 - a) Under the Code of Conduct
 - b) Under the Planning Code
3. Minutes of the Meeting held on 14 April 2022 (Pages 1 - 20)
4. Planning Applications (Pages 21 - 80)
The report of the Director – Development and Economic Growth.

Rushcliffe Borough
Council Customer
Service Centre

Fountain Court
Gordon Road
West Bridgford
Nottingham
NG2 5LN

Email:
customerservices
@rushcliffe.gov.uk

Telephone:
0115 981 9911

www.rushcliffe.gov.uk

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9.30am - 5pm
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8.30am - 4.30pm

Postal address
Rushcliffe Borough
Council
Rushcliffe Arena
Rugby Road
West Bridgford
Nottingham
NG2 7YG



Membership

Chairman: Councillor R Upton

Vice-Chairman: Councillor Mrs M Stockwood

Councillors: S Bailey, N Clarke, P Gowland, B Gray, L Healy, D Mason, F Purdue-Horan, C Thomas and V Price

Meeting Room Guidance

Fire Alarm Evacuation: in the event of an alarm sounding please evacuate the building using the nearest fire exit, normally through the Council Chamber. You should assemble at the far side of the plaza outside the main entrance to the building.

Toilets: are located to the rear of the building near the lift and stairs to the first floor.

Mobile Phones: For the benefit of others please ensure that your mobile phone is switched off whilst you are in the meeting.

Microphones: When you are invited to speak please press the button on your microphone, a red light will appear on the stem. Please ensure that you switch this off after you have spoken.

Recording at Meetings

The Openness of Local Government Bodies Regulations 2014 allows filming and recording by anyone attending a meeting. This is not within the Council's control.

Rushcliffe Borough Council is committed to being open and transparent in its decision making. As such, the Council will undertake audio recording of meetings which are open to the public, except where it is resolved that the public be excluded, as the information being discussed is confidential or otherwise exempt



MINUTES OF THE MEETING OF THE PLANNING COMMITTEE THURSDAY, 14 APRIL 2022

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), S Bailey, P Gowland, B Gray, D Mason, F Purdue-Horan, C Thomas, V Price, R Butler and A Phillips

OFFICERS IN ATTENDANCE:

A Ashcroft
L Ashmore

M Hilton
M Klabou
S Sull
T Coop

Planning Services Consultant
Director of Development and
Economic Growth
Area Planning Officer
Area Planning Officer
Service Manager - Legal Services
Democratic Services Officer

APOLOGIES:

Councillors N Clarke and L Healy

31 Declarations of Interest

Councillor B Gray declared a non-pecuniary interest in item 22/00011/FUL and would remove himself from the discussion and vote for this item.

32 Minutes of the Meeting held on 10 March 2022

The minutes of the meeting held on 10 March 2022 were approved as a true record and were signed by the Chairman.

33 Planning Applications

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

As Ward Councillor for East Leake, Councillor C Thomas removed herself from the meeting and did not take part in the following discussions or votes on the first two items.

21/0287/FUL and 21/02993/RELDEM – (i) Demolition of existing shed. Construction of new detached garage, new access to include new driveway, alterations to front boundary wall including partial demolition and new dropped kerb – (ii) Partial demolition of front boundary wall – 1A Station Road, East Leake, Nottinghamshire.

Updates

An additional 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 for Planning Committee, Mr W Brown (Applicants Agent), Mr C Robinson (Objector), Councillor L Taylor (Parish Councillor) and Councillor L Way (Ward Councillor) addressed the Committee.

DECISION

(i) 21/02987/FUL - 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 must be carried out strictly in accordance with the following approved plan(s)/drawings/documents:

- Application Form received 18 November 2021
- Flood Risk Assessment received 22 November 2021
- Proposed Garage Plans A-004B received 4 January 2022
- Design and Access Statement received 4 January 2022
- Planning Statement received 6 January 2022
- Proposed Site Plan A-003G received 6 January 2022
- Garden Wall Plans and elevations A- 005A Received 6 January 2022

[For the avoidance of doubt having regard to Policy 10 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 development hereby permitted must be undertaken in accordance with the brick and tiles indicated on the application form and approved plans. The coloured finish of the timber shall be submitted to and approved in writing by the Local Planning Authority prior to the development proceeding beyond the damp proof course level. In respect of the boundary wall to Brookside traditional matching materials should be used where it is not possible to use the originals. The development must only be constructed in accordance with the approved materials and colour finish.

[To ensure the appearance of the development is satisfactory having regard to policies 10 (Design and Enhancing Identity) and 11 (Historic Environment) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policies 1 (Development Requirements) and 28 (Conserving and Enhancing Heritage Assets) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapters 12 and 16 of the National Planning Policy Framework (2021)]

4. The development hereby permitted must not proceed above the damp proof course level until details of the existing hardsurfaced areas to be removed and the permeable materials to be used in the construction of the new driveway and parking area have been submitted to and approved in writing by the Local Planning Authority. The hard surface areas must be removed and new areas of driveway and parking constructed in accordance with the approved details prior to the use of the garage hereby approved being commenced. Notwithstanding the provisions of the Schedule 2 Part 1 Class F of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that Order) no hard surfaces (other than those expressly authorised by this permission) shall be constructed within the curtilage of the dwelling hereby permitted without express planning permission from the Local Planning Authority.

[To ensure the appearance of the development is satisfactory and to enable the Local Planning Authority to retain control over the construction of additional hard surfaces that may adversely affect surface water runoff from the site having regard to Policies 2(10) (Climate Change), 10 (Design and Enhancing Identity) and 11 (Historic Environment) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policies 1 (Development Requirements), 17 (Managing Flood Risk), 18 (Surface Water Management) and 28 (Conserving and Enhancing Heritage Assets) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapters 12 and 16 of the National Planning Policy Framework (2021)]

5. No development shall take place until a detailed landscaping scheme for the site has been submitted to and approved in writing by the Borough Council. The scheme shall include root barriers (if required), hedgerow and replacement trees species, size and numbers. The approved scheme shall be planted in position(s) previously agreed in writing by the Borough Council in the first planting season after the felling of the tree(s) to be removed. Any tree(s) within a period of 5 years from the completion of the planting which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Borough Council gives written consent to any variation.

[To ensure the appearance of the development is satisfactory having regard to policies 10 (Design and Enhancing Identity) and 11 (Historic Environment) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policies 1 (Development Requirements) and 28 (Conserving and

Enhancing Heritage Assets) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapters 12 and 16 of the National Planning Policy Framework (February 2021)]. This is a pre commencement condition required to ensure that existing features to be retained are identified and protected, to ensure adequate mitigation is in place before any intrusive site works take place]

6. No development shall be commenced until a scheme for the provision and implementation of surface water run-off limitation measures has been submitted to and approved in writing by the Borough Council. The scheme shall be implemented in accordance with the approved programme and details.

[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 (2021) This is a pre commencement condition to ensure that flood risk is mitigated and the measures can be incorporated in to the build phase].

7. No development shall take place until the applicants, or their agents or successors in title, have secured the implementation of a programme of archaeological control and supervision to be carried out during demolition, construction or excavation work on the site, by a professional archaeologist or archaeological organisation. The details of such a scheme of investigation shall be submitted to and approved in writing by the Borough Council also prior to the commencement of the development on the site

[To ensure that any archaeological items and/or features are recorded in a manner proportionate to their significance and to make the recorded evidence (and any archive generated) publicly accessible, having regard to Policy 11 (Historic Environment) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); and Policies 28 (Historic Environment: Conserving and Enhancing Heritage Assets) and 29 (Development Affecting Archaeological Sites) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2021). This is a pre-commencement condition required to ensure that if archaeological interest is identified it is recorded]

8. The proposed access shall be constructed to Nottinghamshire Highway Authority specification.

[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)].

9. The development shall not be brought into use until the existing access has been closed permanently to vehicles and the land within the highway reinstated, in accordance with details previously submitted to and approved in writing by the Borough Council prior to the use of the access and garage hereby approved being brought into use. The approved closure details shall be retained for the life of the development.

[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)].

10. 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 garage hereby permitted must be kept available at all times for the parking of motor vehicles of the occupants of the dwelling (1a Station Road) and their visitors and must not be used for any other purpose whatsoever.

[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)].

11. There shall be no enlargement or any other alteration to the appearance, [including alterations to the roof of the garage] 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 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) and Policy 11 (Historic Environment) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policy 28 (Historic Environment: Conserving and Enhancing Heritage Assets) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2021)].

Note to applicant

1. The development should not increase flood risk to existing properties or put the development at risk of flooding.
2. Any discharge of surface water from the site should look at infiltration – watercourse –sewer as the priority order for discharge location.
3. SUDS should be considered where feasible and consideration given to ownership and maintenance of any SUDS proposals for the lifetime of the development.

4. Any development that proposes to alter an ordinary watercourse in a manner that will have a detrimental effect on the flow of water (eg culverting / pipe crossing) must be discussed with the Flood Risk Management Team at Nottinghamshire County Council.

For these works to be carried out to the satisfaction of the Highway Authority. You are therefore required to contact Via (in partnership with Nottinghamshire County Council) on 0300 500 8080 or at Licences@viaem.co.uk to arrange for these works to be carried out.

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.

Please be advised that all applications approved on or after the 7th October 2019 may be subject to the Community Infrastructure Levy (CIL). Further information about CIL can be found on the Borough Council's website at <https://www.rushcliffe.gov.uk/planningandgrowth/cil/>

You are advised that your property falls within an area identified to be at risk of flooding in the Environment Agency's Flood Risk Maps. It is therefore recommended that the design and construction of the garage incorporates advice with regard to flood resilience and resistance techniques which is available to view on the Environment Agency's website.

(ii) 21/02993/RELDEM – 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 must be carried out strictly in accordance with the following approved plan(s)/drawings/documents:
 - Application Form received 18 November 2021
 - Flood Risk Assessment received 22 November 2021
 - Proposed Garage Plans A-004B received 4 January 2022
 - Design and Access Statement received 4 January 2022
 - Planning Statement received 6 January 2022
 - Proposed Site Plan A-003G received 6 January 2022
 - Garden Wall Plans and elevations A- 005A Received 6 January

For the avoidance of doubt having regard to Policy 10 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).

21/03223/FUL – The erection of 47 dwellings with associated access, parking and landscaping – Land North of Rempstone Road, East Leake, Nottinghamshire.

Updates

An additional 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 for Planning Committee, Mr H White (Applicant) and Councillor C Thomas (Ward Councillor) addressed the Committee.

DECISION

THE DIRECTOR – DEVELOPMENT AND ECONOMIC BE AUTHORISED TO GRANT PLANNING PERMISSION SUBJECT TO THE PRIOR SIGNING OF A SECTION 106 AGREEMENT AND 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. This permission shall be constructed in accordance with the approved plans and documents as stated in the drawing register, document reference H8112-ELP2-001-REV.D-DRAWING REGISTER dated 10.03.2022 and the following documents submitted under application ref 20/00888/FUL:

- a) The Construction Environmental Management Plan: Biodiversity (CEMP) prepared by RammSanderson (report ref RSE_3254_01_V3_CEMP) dated February 2020;
- b) The Biodiversity Offsetting Strategy prepared by RammSanderson (report ref RSE_3433_03_V1) dated September 2020; and
- c) The updated Preliminary Ecological Appraisal contained within the letter from RammSanderson (ref RSE_3254_L1_V1) titled "Rempstone Road, East Leake - Ecology Update Survey" dated 21 October 2019.

[For the avoidance of doubt and to comply with Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) Local Plan Part 2: Land and Planning Policies].

3. The materials, as specified on drawing number H8112/002/02 Rev F, shall be used for the external walls and roof of the development hereby approved. If any alternative materials are proposed to be used, prior to the plots affected by any proposed change of materials advancing beyond foundation level, details of any alternative facing and roofing materials to be used on their external elevations shall be submitted to and approved in writing by the Borough Council. Thereafter the development shall be undertaken in accordance with the materials as approved.

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

4. No dwelling shall be occupied until the vehicle access, parking, maneuvering and turning areas for that dwelling have been constructed in accordance with the approved drawings and are available for use. Thereafter they shall remain as such for the lifetime of the development.

[To ensure a suitable access is provided in the interests of highway safety and to comply with Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) Local Plan Part 2: Land and Planning Policies.]

5. No dwelling shall be occupied until the driveway and parking areas associated with that plot have been surfaced in a bound material 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 interests of highway safety and to comply with Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) Local Plan Part 2: Land and Planning Policies.]

6. No reflective materials, surfaces or finishes shall be used in the construction of any of the buildings or structures hereby approved.

[Reason: Flight safety; to prevent ocular hazard and distraction to pilots using East Midlands Airport].

7. Notwithstanding the provisions of Schedule 2, Part 14, Class A, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) (or any order revoking or re-enacting that order with or without modification) no solar panels or solar photovoltaics may be installed on any of the dwellings hereby permitted without first obtaining planning permission to do so.

[Reason: To be able to first assess any impact on Flight safety, specifically to ensure that they would not cause any ocular hazard and distraction to pilots using East Midlands Airport].

8. The development hereby approved shall be carried out in accordance with the guidance and recommendations contained within the following documents submitted as part of application ref 20/00888/FUL:
 - a) The Construction Environmental Management Plan: Biodiversity (CEMP) prepared by RammSanderson (report ref RSE_3254_01_V3_CEMP) dated February 2020, specifically but not exclusively Section 4 "Practical Measures" and the relevant Figures in Section 5 "References" of the report;
 - b) The Biodiversity Offsetting Strategy prepared by RammSanderson (report ref RSE_3433_03_V1) dated September 2020, specifically but not exclusively those contained within Section 5 "Management Plan" of the report; and
 - c) The updated Preliminary Ecological Appraisal contained within the letter from RammSanderson (ref RSE_3254_L1_V1) titled "Rempstone Road, East Leake - Ecology Update Survey" dated 21 October 2019.

[For the avoidance of doubt, for reasons for flight safety as dust and smoke are hazardous to aircraft engines; dust and smoke clouds can present a visual hazard to pilots and air traffic controllers and to ensure the proposed ecological mitigation is undertaken in accordance with Policy 17 of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

9. Prior to the first occupation of any dwelling hereby approved bat and bird boxes shall be placed on or built into the new dwellings and hedgehog boxes shall be located within retained hedgerows or ornamental planting in accordance with details first submitted to and approved in writing by the Local Planning Authority. Thereafter the bat, bird and hedgehog boxes shall be installed in accordance with the approved details and retained as such for the lifetime of the development.

[To ensure the proposed ecological mitigation is undertaken in accordance with Policy 17 of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies and the guidance contained within para xi of the updated PEA].

10. Any brash vegetation removed from site shall be chipped, and any small logs retained, and placed onsite within the site margins.

[To provide reptile and amphibian refuge habitats and ensure the proposed ecological mitigation is undertaken in accordance with Policy

17 of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

11. Prior to the installation of any lighting on site a detailed lighting strategy shall be submitted to and approved in writing by the Local Planning Authority to safeguard bats and other nocturnal wildlife. The strategy should provide details of the chosen luminaires and any mitigating features such as dimmers; PIR sensors and timers. The strategy should also include a lux contour plan to demonstrate acceptable levels of light spill to any sensitive ecological zones/features. Guidelines can be found in Guidance Note 08/18 - Bats and Artificial Lighting in the UK (BCT and ILP, 2018). Furthermore, all lighting shall be capped at the horizontal. Thereafter all lighting shall be installed and retained in accordance with the approved details for the lifetime of the development.

[To safeguard bats and any other nocturnal wildlife in accordance with Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies and for Flight safety; to prevent ocular hazard and distraction to pilots using East Midlands Airport].

12. No hedgerows, trees, shrubs, brambles or long grass (over 100mm) shall be removed from the site between 1st March and 31st August (inclusive), unless a survey has been undertaken by a suitably qualified ecologist to assess the nesting bird activity on site during this period. If any nesting bird interest is found on the site, details of measures to protect any nesting bird found on the site, including the timescales for implementing and retaining said measures, shall be submitted to and be approved in writing by the local planning authority. Thereafter the approved measures shall be implemented and retained for the time periods set out in the approved details.

[To safeguard against any harm to nesting birds and their nesting sites in accordance with Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies.]

13. No development shall take place, (excluding topsoil strip, earthworks to form balancing ponds and foul sewer diversion, survey works in connection with ecology and archaeology), until the technical approval under S38 (or equivalent) has been agreed with Nottinghamshire County Council for the construction of the roads and associated works within the site. The development shall thereafter be implemented in accordance with the approved details and no dwelling shall be occupied until the roads necessary to serve that property have been constructed to base level.

[To ensure a suitable access is provided in the interests of highway safety and to comply with Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) Local Plan Part 2: Land and Planning

Informative Notes:

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 is CIL chargeable. Full details of the amount payable, the process and timescales for payment, and any potential exemptions/relief that may be applicable will be set out in a Liability Notice to be issued following this decision. 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 applicant's attention is drawn to the new procedures for crane and tall equipment notifications, please see: <https://publicapps.caa.co.uk/docs/33/CAP1096%20E2.1%20September%202020%20FINAL.pdf>

A pre-start meeting to be arranged with EMA Safeguarding prior to construction starts. Email ops.safety@eastmidlandsairport.com with reference number 2019-S29 to arrange a meeting, due to the construction activity being under the approach to East Midlands Airport.

If the use of a crusher is required on site, this should be sited as far as possible from nearby dwellings and be operated in accordance with its process authorisation.

Details of the sensitive lighting on site, as required by condition 11 should follow the guidance set out in Bats and Lighting in the UK (BCT and ILP, 2018). Therefore, associated site lighting proposals must consider the following:

- Avoid lighting where possible;
- Install lamps and the lowest permissible density;
- Lamps should be positioned to direct light to avoid upward spill onto any green corridors that could be used by commuting bats or features with bat roost potential;
- LED lighting - with no/low UV component is recommended;
- Lights with a warm colour temperature - 3000K or 2700K have significantly less impact on bats;
- Light sources that peak higher than 550nm also reduce impacts to bats;

- and
- The use of timers and dimmers to avoid lighting areas of the site all night is recommended.

Where new landscape planting is proposed native species commonly occurring locally should be specified and planting of species known to encourage invertebrates, particularly those that are night-flowering would be beneficial for foraging bats (further information can be found in para ix of the updated PEA.

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.

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.

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.

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.

Councillor C Thomas re-joined the meeting.

Councillor B Gray declared a non-pecuniary interest in the following item, and removed himself from the meeting and did not take part in the discussion or vote.

22/00011/FUL – Proposed residential use of existing agricultural building to create 1no. dwelling, includes creation of residential curtilage and parking – Agricultural Barn on Land North of Back Lane, Willoughby on the Wolds, Nottinghamshire.

Updates

There were no updates.

In accordance the Council's Public Speaking Protocol for Planning Committee, Mr G Mann and Mr N Baseley (Applicants Agent) and Councillor A Edyvean (Ward Councillor) addressed the Committee.

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: 17.039 S03.01 (Proposed Floor Plan and Elevations) received on 5 January 2022; and 17.039 S01.02 Rev B (Location and Proposed Layout Plan), received on 23 March 2022.

[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. Prior to development progressing beyond the removal of the existing cladding, a Preliminary Risk Assessment (PRA) shall be submitted to and approved in writing by the Borough Council. Where the PRA identifies potential unacceptable risks associated with the contaminant linkages present in the initial CSM, the development (excluding any demolition) hereby permitted must not commence until a written report of the findings of any exploratory Site Investigation (SI) with either a generic and/or detailed quantitative risk assessment of those findings has been submitted to and approved in writing by the Borough Council.

Where the findings of the submitted SI identifies unacceptable risks to human health and/or the environment, the development (excluding any demolition) hereby permitted must not commence until a detailed Remediation Scheme (RS) has been submitted to and approved in writing by the Local Planning Authority. The submitted RS must include:

- full details of how the contamination on the site is to be remediated and include (where appropriate) details of any options appraisal undertaken;
- the proposed remediation objectives and criteria, and;
- a verification plan.

The RS must demonstrate that as a minimum the site after remediation will not be capable of being classified as contaminated land under Part 2A of the Environmental Protection Act 1990.

[To make sure that the site, when developed is free from contamination,

in the interests of public health and safety and to comply with policy 1 of the Rushcliffe Borough Local Plan Part 2 - Land and Planning Policies].

4. Where a RS is required by condition 3, the development hereby permitted must not be occupied or first brought into use until the site has been remediated in accordance with the approved RS and a written Verification Report (VR) confirming that all measures outlined in the approved RS have been successfully carried out and completed has been submitted to and agreed in writing by the Local Planning Authority. The VR must include, where appropriate the results of any validation testing and copies of any necessary waste management documentation.

[To make sure that the site, when developed is free from contamination, in the interests of public health and safety and to comply with policy 1 of the Rushcliffe Borough Local Plan Part 2 - Land and Planning Policies].

5. Prior to the cladding of the external elevations of the building, details the facing materials to be used on all external elevations shall be 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 the appearance of the development is satisfactory and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

6. Prior to occupation of the dwelling a detailed hard and soft landscaping scheme for the site shall be submitted to and approved in writing by the Borough Council. The hard landscaping shall be carried out in accordance with the approved details and the approved soft landscaping scheme shall be carried out in the first tree planting season following the substantial completion of the development. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Borough Council gives written consent to any variation.

[In the interests of amenity and biodiversity and to comply with Policy 17 (Biodiversity) of the Local Plan Part 1: Core Strategy and to comply with policies 1 (Development Requirements), 22 (Development Within the Countryside) and 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Local Plan Part 2: land and Planning Policies]

7. Prior to the occupation of the dwelling, details of ecological enhancement measures shall be submitted to and approved in writing by the Borough Council for the provision of bird/ bat boxes to be incorporated into the building and/or on retained trees. The approved ecological enhancement measures shall be installed prior to the occupation of the dwelling and thereafter retained to the approved specification for the lifetime of the development

[To ensure that the proposed development contributes to the

conservation and enhancement of biodiversity within the site and for the wider area in accordance with paragraphs 174-175 of the NPPF and Policy 17 of the Local Plan Part 1: Rushcliffe Core Strategy].

8. Prior to any occupation of the dwelling, details of boundary treatments or means of enclosure shall be submitted to and approved in writing by the Borough Council. The approved boundary treatments shall provide for the complete delineation of the site boundaries as per the approved site plan and shall be implemented in full in accordance with the approved details prior to the occupation of the building. Thereafter the boundary treatment shall be retained to the approved specification.

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

9. Prior to the occupation of the dwelling, a scheme for the provision of electric vehicle charging points shall be submitted to and approved by the Borough Council. The scheme shall provide details of the provision of electric vehicle charging points to serve the dwelling. Thereafter, the dwelling shall not be occupied until such time as it has been serviced with the appropriate electric vehicle charging infrastructure, where practicable, in accordance with the agreed 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].

10. The dwelling hereby permitted shall not be occupied until the existing access has been upgraded in accordance with details to be first submitted to and approved in writing by the Borough Council. The upgraded access shall be widened in accordance with Highway Authority specifications, surfaced in a hard- bound material for a minimum distance of 5m to the rear of the highway boundary, constructed with provision to prevent the unregulated discharge of surface water from the driveway to the public highway, and fronted with an appropriate dropped- kerb access.

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

11. Prior to the occupation of the development the parking and turning provision shall be provided in accordance with the approved site plan. These provisions shall thereafter be retained for the lifetime of the development.

[In the interests of amenity and highway safety and to comply with Policy 1 (Development Requirements) of the Local Plan Part 2: land and Planning Policies]

12. The development hereby permitted shall be brought into use until an appropriate visibility splay has been provided, details of which shall be first submitted to and approved in writing by the Borough Council. Thereafter the area within the agreed splays shall be kept free of all obstructions, structures or erections exceeding 0.6 metres in height above carriageway level

[In the interest of highway safety and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

13. 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 to be submitted to and approved in writing by the Borough Council.

[To ensure the proper drainage of the site and to accord with the aims of Policy 2 (Climate Change) of the Local Plan Part 1 Rushcliffe Core Strategy].

14. Prior to installation of any external lighting, a bat-sensitive lighting scheme should be submitted to and approved in writing by the local planning authority. The lighting scheme should be in accordance with Conservation Trust (2018) "Bats and artificial lighting in the UK. The lighting scheme shall be implemented in accordance with the approved details and retained to this specification thereafter.

[To ensure that the proposed development contributes to the conservation and enhancement of biodiversity within the site and for the wider area in accordance with paragraphs 174-175 of the NPPF and Policy 17 of the Local Plan Part 1: Rushcliffe Core Strategy].

15. This permission does not authorise any further demolition and/or re-building of the buildings to be converted than that identified in the submitted structural report (Dragon Structural Ltd Engineering Consultants - 19-293). For the avoidance of doubt this includes only the following works:

- External re-cladding of the existing walls;
- Insertion of windows and doors and any internal walls;
- Installation of services;
- Provision of insulation within the building envelope;

[To ensure the works are completed as conversions to comply with Policy 1 (Development Requirements) and Policy 22 (Development Within the Countryside) of the Local Plan Part 2: land and Planning Policies].

16. The dwelling hereby permitted shall be designed 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 Rushcliffe Local Plan Part 2: Land and Planning Policies].

17. Notwithstanding the provisions of Schedule 2, Part 1 Class A; B; C; D; E and G of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking or re-enacting that Order with or without modification) there shall be no enlargement or alteration of the proposed dwelling(s), or erection of any outbuildings without the prior written approval of the Borough Council.

[The development is of a nature whereby future development of this type should be closely controlled and to comply with Policy 1 (Development Requirements), Policy 22 (Development Within the Countryside) of the Local Plan Part 2: land and Planning Policies]

18. Notwithstanding the provisions of Schedule 2 Part 2 Class A of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no fence, wall, or other built form seen as a means of enclosure other than those shown on the approved plans shall be erected or planted on the site without the prior written approval of the Borough Council.

[The development is of a nature whereby future development of this type should be closely controlled and to comply with Policy 1 (Development Requirements), Policy 22 (Development Within the Countryside) of the Local Plan Part 2: land and Planning Policies]

Note:-

Having regard to the above and having taken into account matters raised there are no other material considerations which are of significant weight in reaching a decision on this application.

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 is CIL chargeable. Full details of the amount payable, the process and timescales for payment, and any potential exemptions/relief that may be applicable will be set out in a Liability Notice to be issued following this decision. Further information about CIL can be found on the Borough Council's website at <https://www.rushcliffe.gov.uk/planningandgrowth/cil/>

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 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

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 Area Office by telephoning 08449 808080 to arrange for these works.

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 proposed works require the removal of asbestos cement sheeting. You are advised that the demolition and disposal of asbestos requires special measures. Further advice can be obtained from Nottinghamshire County Council: <https://www.nottinghamshire.gov.uk/waste-and-recycling/recycling-and-disposing-of-waste/how-to-recycle-or-dispose-of-common-waste-items/asbestos>

No removal of hedgerows, trees or shrubs shall take place between 1st March and 30st September inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

- The use of external lighting (during construction and post construction) should be appropriate to avoid adverse impacts on bat populations, see http://www.bats.org.uk/pages/bats_and_lighting.html for advice and a wildlife sensitive lighting scheme should be developed and implemented.
- A simple biodiversity net gain assessment (demonstrating gains over losses) should be provided.
- An ecological construction method statement incorporating reasonable avoidance measures (RAMs) including any recommendations by the consultant ecologists, should be agreed and implemented
- Permanent artificial bat boxes / bricks and wild bird nests should be installed within buildings and on retained trees, plus hedgehog corridors and 'bug hotels' suitable for bees and other insects are recommended.
- New wildlife habitats should be created where appropriate, including wildflower rich neutral grassland, hedgerows, trees and woodland, wetlands and ponds.
- Any existing hedgerow / trees should be retained and enhanced, any hedge / trees removed should be replaced. Boundary verges should be retained and enhanced.
- Where possible new trees / hedges should be planted with native species (preferably of local provenance and including fruiting species). See:
- <https://www.rushcliffe.gov.uk/conservation/trees/hedgesandlandscaping/landscaping>

- gandtreeplanting/plantingonnewdevelopments/ for advice including the planting guides (but exclude Ash (*Fraxinus excelsior*))
- Good practice 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 in or immediately adjacent to ecological mitigation areas or 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.
 - Root protection zones should be established around retained trees / hedgerows so that storage of materials and vehicles, the movement of vehicles and works are not carried out within these zones.
 - Pollution prevention measures should be adopted
 - It is recommended that consideration should be given to energy efficiency, alternative energy generation, water efficiency, travel sustainability (including electric vehicle charging points and cycle storage), management of waste during and post construction and the use of recycled materials and sustainable building methods.

Councillor B Gray re-joined the meeting.

21/03219/FUL – Demolition of existing dormer bungalow, garage and out buildings and erection of replacement dwelling and detached garage. Landscaping and associated external works including boundary treatments and alterations to access – Christmas Cottage, Flawforth Lane, Ruddington, Nottinghamshire.

Updates

There were no updates.

In accordance with the Council's Public Speaking Protocol for Planning Committee, Mr S Millett (Applicant) and Councillor G Dickman (Ward Councillor) addressed the Committee.

DECISION

PLANNING PERMISSION BE REFUSED FOR THE FOLLOWING REASONS:

1. The proposed development would result in a building materially larger than the one which it replaces and has significant impacts on the openness of the Green Belt. This would represent inappropriate development in the Green Belt. The Borough Council has considered the Very Special Circumstances submitted by the applicant and affords them no weight. As such, the proposal is contrary to Local Plan Part 2 Policy 21 – Green Belt and Chapter 13 – Protecting Green Belt land and paragraph 147 of the NPPF 2021.
2. The proposed development would, by nature of its design and appearance, have a significantly negative impact on the character and appearance of the immediate street-scene. It would not, therefore, comply with Local Plan Part 1 Policy 10 – Design and Enhancing Local Identity and Local Plan Part 2 - Development Requirements and NPPF Chapter 12 - Achieving well-designed places

21/00198/TORDER – Objection to Tree Preservation Order – 3 Cumbria Grange, Gamston, Nottinghamshire.

Updates

There were no updates.

In accordance with the Council's Public Speaking Protocol for Planning Committee, Mr D Hardcastle addressed the Committee.

DECISION

The Tree Preservation Order be confirmed without modification.

The meeting closed at 6.08 pm.

CHAIRMAN



Planning Committee

Thursday, 12 May 2022

Planning Applications

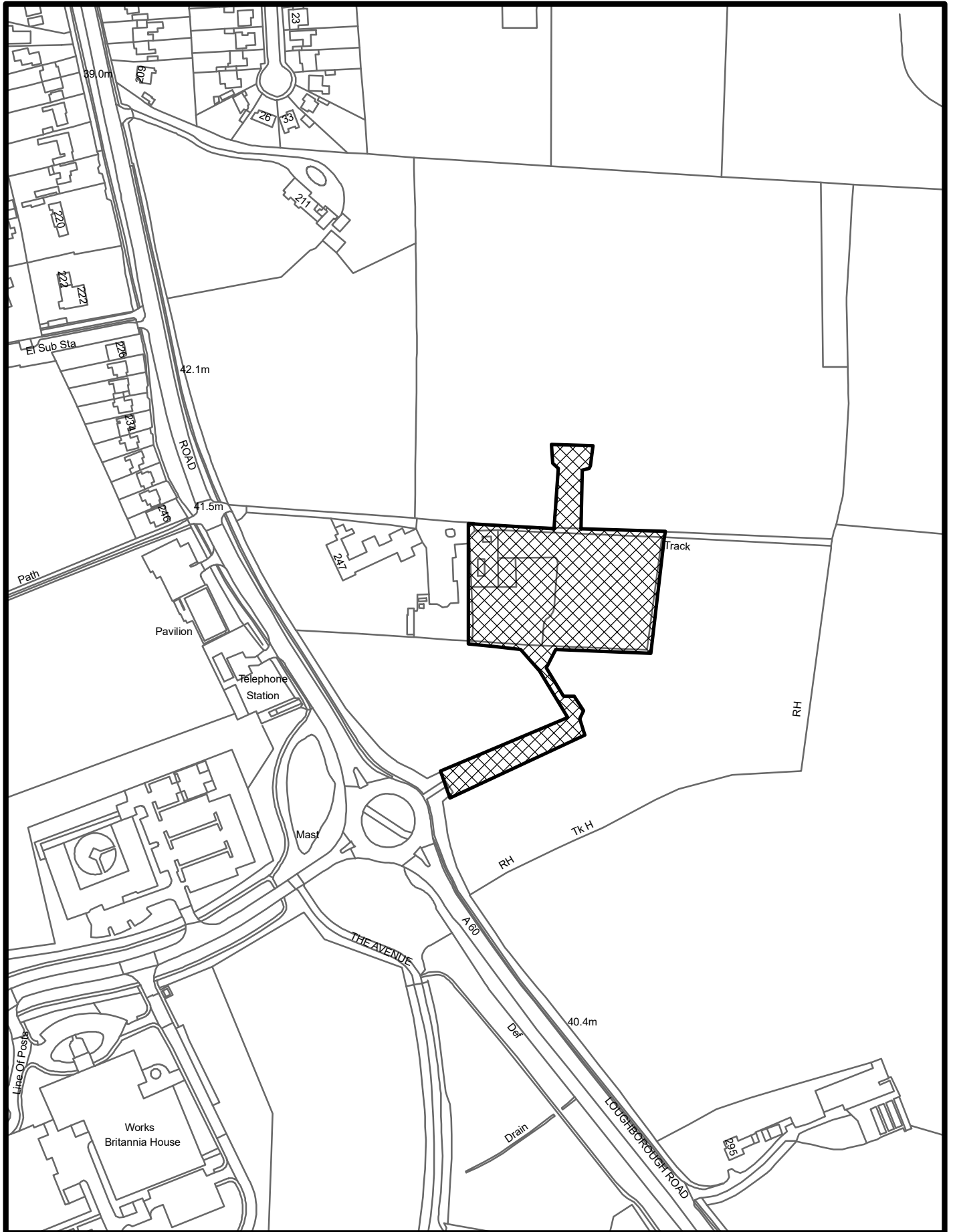
Report of the Director – Development and Economic Growth

PLEASE NOTE:

1. Slides relating to the application will be shown where appropriate.
2. Plans illustrating the report are for identification only.
3. Background Papers - the application file for each application is available for public inspection at the Rushcliffe Customer Contact Centre in accordance with the Local Government Act 1972 and relevant planning legislation/Regulations. Copies of the submitted application details are available on the website <http://planningon-line.rushcliffe.gov.uk/online-applications/>. This report is available as part of the Planning Committee Agenda which can be viewed five working days before the meeting at <https://democracy.rushcliffe.gov.uk/ieListMeetings.aspx?Committeeld=140> Once a decision has been taken on a planning application the decision notice is also displayed on the website.
4. Reports to the Planning Committee take into account diversity and Crime and Disorder issues. Where such implications are material they are referred to in the reports, where they are balanced with other material planning considerations.
5. With regard to S17 of the Crime and Disorder Act 1998 the Police have advised they wish to be consulted on the following types of applications: major developments; those attracting significant numbers of the public e.g. public houses, takeaways etc.; ATM machines, new neighbourhood facilities including churches; major alterations to public buildings; significant areas of open space/landscaping or linear paths; form diversification to industrial uses in isolated locations.
6. Where the Planning Committee have power to determine an application but the decision proposed would be contrary to the recommendation of the Director – Development and Economic Growth, the application may be referred to the Council for decision.
7. The following notes appear on decision notices for full planning permissions:
“When carrying out building works you are advised to use door types and locks conforming to British Standards, together with windows that are performance tested (i.e. to BS 7950 for ground floor and easily accessible windows in homes). You are also advised to consider installing a burglar alarm, as this is the most effective way of protecting against burglary.

If you have not already made a Building Regulations application we would recommend that you check to see if one is required as soon as possible. Help and guidance can be obtained by ringing 0115 914 8459, or by looking at our web site at <http://www.rushcliffe.gov.uk/planningandbuilding/buildingcontrol>

Application	Address	Page
21/01768/FUL	Land East of Loughborough road, Ruddington, Nottingham Residential development of 24 No. dwellings and associated landscaping	23 - 52
Ward	Ruddington	
Recommendation	The Director – Development and Economic Growth be authorised to grant planning permission subject to the prior signing of a Section 106 agreement and conditions	
21/02484/FUL	2 Cambridge Road, West Bridgford, Nottinghamshire Two storey side and rear extension	53 - 66
Ward	Abbey	
Recommendation	Grant planning permission subject conditions	
22/00570/CTY	53 Evans Road, East Leake, Nottinghamshire Erection of a Primary School for 1.5 Forms of Entry, plus 26 place Nursery with associated Car Parking. Associated areas of soft plan, hard play, grass playing field with landscaping works. Erection of 2.4m high security fencing and gates to perimeter and sprinkler tank. Provision of bound surface and lit cycle and footpath on route of public footpath East Leake FP5.	67 - 80
Ward	Leake	
Recommendation	The County Council be informed that the Borough Council does not object to the proposal subject to conditions (along with any other conditions that the County council consider appropriate)	



Application Number: 21/01768/FUL
east of Loughborough Road, Ruddington



scale 1:3000

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21/01768/FUL

Applicant Mrs Sarah Taylor

Location Land East of Loughborough Road Ruddington Nottinghamshire

Proposal Residential development of 24 No. dwellings and associated landscaping.

Ward Ruddington

THE SITE AND SURROUNDINGS

1. The application site is located to the south east of Ruddington and comprises a 0.88ha parcel of land east of the A60, Loughborough Road and the Balmore Nursing Home.
2. Bounding the site on three sides (north, south and west) is a housing site allocated under Policy 6.3 of the Local Plan Part 2 which was granted planning permission (planning application reference 19/02909/REM) in June 2020 to construct 180 dwellings. The adjacent site is currently under construction and for the purposes of this report, will hereafter be referred to as 'Phase 1'.
3. A mature band of unkept coniferous hedgerows defines the western boundary, beyond which is Balmore Country House Care Home.
4. Following the adoption of the Rushcliffe Local Plan Part 2: Land and Planning Policies in October 2019, whilst the application site was not allocated for development, the site was released from the Green Belt.

DETAILS OF THE PROPOSAL

5. This proposal seeks the erection of 24 dwellings, of which 30% would be affordable homes (17 market and 7 affordable) with a density of 27dph. The housing mix is summarised as:

Market Housing (17 homes)	Affordable Housing (7 homes)
3 x 2 bed, 2 storey homes	2 x 1 bed apartments Affordable Rent (Plots 185 & 186)
7 x 3 bed, 2 storey homes	1 x 2 bed bungalow Affordable Rent (Plot 184)
2 x 3 bed, 2.5 storey homes	2 x 2 bed, 2 storey homes Intermediate (Plot 194) Social Rent (Plot 187)
5 x 4 bed, 2 storey homes	2 x 3 bed, 2 storey homes Intermediate (Plots 193 & 195)

Table 1: Housing Mix

6. The tenure mix would comprise 3no homes to be provided as Affordable Rent, 3no homes to be provided as Intermediate homes and 1no for social rent.
7. The site would be served by two points of access from the adjoining Phase 1 development, one to the south (private drive) and one to the north (adopted road). The primary access to the site will be from the north which will consist of the extension of the main carriageway into a turning head which will continue to serve two private drives. The southern access will also serve private drives to the east and west. A secure access track running east to west for farm vehicles would be retained along the northern boundary.
8. At the request of Officers, the existing overgrown hedgerow along the western boundary would be replaced with a low hedgerow together with a number of trees. The landscape proposals also include new tree planting and hedgerow planting, where practicable, throughout the site, along with pockets of open space (0.45ha) interspersed within the site. Pedestrian access to an equipped play area within the Phase 1 development would be provided.
9. The proposed dwellings would be predominately 2 storeys high comprising of a mix of traditional designs to include one bungalow located in the north-eastern corner along with semi-detached and detached housetypes. The dwellings will vary in height ranging between 7.6m to 8.7m across the development. The bungalow would be approximately 5.2m in height. There would be 2no x 2.5 storey buildings (Plots 190 and 191), reaching a maximum height of 10.1m located centrally at the northern entrance.
10. The application is supported by a range of technical documents including:
 - a. Combined Phase 1 and Phase II Geo-Environmental Assessment
 - b. Arboricultural Survey and Impact Assessment
 - c. Ecological Assessment
 - e. Archaeology and Heritage Assessment
 - f. Planning Statement
 - g. Design and Access Statement

SITE HISTORY

11. There is no relevant planning history for the application site, however, it is important to note the planning history for adjoining sites:

Baltimore Nursing Home 245-247 Loughborough Road Ruddington

- a. Application 20/00709/FUL - Proposed two storey extension with rooms-in-roof to existing nursing home to provide 61 assisted living apartments (use class C2) and alterations including additional car parking spaces, and landscaping including raised patios. Approved.

Land East Of Loughborough Road Ruddington (Phase 1)

- a. Application 21/00300/VAR - Variation of conditions 1, 2 and 3 of planning permission 19/02909/REM to allow plot substitutions, change in materials and change in boundary treatments. Approved.

- b. Application 19/02909/REM - Application for approval of matters reserved under application ref 19/00535/OUT relating to appearance, landscaping, layout and scale. Approved.
- c. Application 19/00535/OUT - Outline application (with all matters reserved apart from access) for residential development of around 180 homes with associated landscaping, public open space and infrastructure. Approved.

REPRESENTATIONS

Ward Councillor(s)

- 12 One Ward Councillor, Cllr Walker, objects to the proposal on the ground of over intensification.

Town/Parish Council

- 13. Ruddington Parish Council - The Parish Council object to this application as it is over intensive and would support the request from Nottinghamshire County Council Highways for a deferral if this is necessary. The Parish Council secured a contribution of £73,000 through the Section 106 Agreement pursuant to the adjacent site, Land East of Loughborough Road (19/00535/OUT), to provide a Community Centre for the village. As this planning application will form an extension to the extant permission, the Parish Council request that a planning obligation of £9,700 is included towards the provision of a new community centre. The contribution figure is calculated using the same formula as was used in determining the level of contribution for the adjacent application. This application represents a 0.76% increase based on the 2011 census population figures.

Statutory and Other Consultees

The Borough Council

- 14. Planning Policy Officer - Core Strategy Policy 3 sets out the spatial hierarchy for future development in the Borough over the plan period. Development should, where possible, be directed to locations within or adjacent to the main urban area of Nottingham, followed by locations at the six towns and villages which are classified by LPP1 as "key settlements" for growth. Ruddington is listed as one of the key settlements for growth and Policy 3(2)(b)(vii) sets a minimum housing target of 250 homes in or adjoining Ruddington. On top of the minimum targets set for each settlements, the plan allows for infill development across the Borough.
- 15. The LPP2 allocates sites across the Borough for housing development and considers that Ruddington can sustain around 525 dwellings in total adjacent to the village. To accommodate this growth, the LLP2 allocated four sites around Ruddington, which were removed from the Green Belt. The 525 dwellings is not expressed as a maximum.
- 16. Given that the site is or will be surrounded by development, the proposal would constitute infill development. Infill development is acceptable in principle so

long as it is in accordance with other policies in the plan when read as a whole, including whether impacts on infrastructure highlighted in responses from infrastructure providers to the planning application are able to be mitigated through planning condition and/or planning obligation.

17. It is understood that the application site was not considered for allocation through the LPP2 as it was not promoted for residential development at that time, although it is almost entirely surrounded by the Phase 1 allocation established within LPP2 and given this, it is likely it may have been included within that allocation had it come forward at that time.
18. The application site is considered to be an additional, unallocated site within Ruddington and as such should be considered against the various criteria set in Policy 11(1) of the LPP2.
19. Strategic Housing Team - The site lies within the 'Ruddington' housing submarket area. In line with Policy 8 (Housing Size, Mix and Choice) of the LPP1 the proposed development should provide of 30% affordable housing. This would equate to 7 affordable dwellings out of the 24 dwellings proposed in the application.
20. The level of provision is evidenced in the Nottingham Core Strategic Housing Market (SHMA) Needs Update (2012). As indicated by the SHMA update, the supporting text to Policy 8 states that 42% of the affordable dwellings should be intermediate housing (aka affordable housing for sale), 39% should be affordable rented housing and 19% should be social rented housing. In terms of this application that equates to 3 intermediate dwellings, our preference for which would be shared ownership, 3 affordable rented dwellings and 1 social rented dwelling.
21. In order to be compliant with the tenure percentage breakdown and in order to meet existing and predicted needs throughout the lifetime of the development, it is recommended that the proposed 2 bed house at plot 187 be provided for social rent rather than for affordable rent
22. The provision of 30% affordable housing on this site will assist the Borough Council in meeting its strategic aims to address housing need in the Borough whilst reducing the number of households in temporary accommodation by increasing the supply of permanent affordable housing.
23. Subject to the preferred type/tenure mix outlined above being secured and provided onsite, the Strategic Housing Manger has no objection to the proposed development.
25. Sustainability Officer - advises that an Ecological Assessment has been supplied with surveys carried out in Sept - Oct and Dec 2020 and April 2021; these appear to have been carried out according to good practice and are in date. The site consists of building, poor semi improved grassland, ruderal habitats, scrub, Scattered coniferous and broadleaf trees.
26. No protected species were identified using the site. The site has low potential to support roosting and foraging wild birds, foraging bats, badger, hedgehogs, brown hare, harvest mice and invertebrates, however the surrounding development is likely to have impacted on this site. No priority habitats were

identified on site. Offsite habitats include Urban settlement, agricultural land and county park.

27. A demonstrated biodiversity net gain has been shown providing 11.42% for Habitat Units and 56.95% for Hedgerow Units across the Lace Fields Main and this Extension Sites. The favourable conservation status of Protected Species is unlikely to be impacted by this development.
28. A number of recommendations were made as either conditions or informatives.
29. Environmental Health - As the site has had an agricultural use there is the potential for land contamination to be present. Therefore, to ensure the site is suitable for the proposed use and there is no unacceptable risk to human health or the environment we would recommend appropriate conditions.
30. There are a number of potential noise sources in the vicinity of the site, including the A60 and the residential care home adjacent to the proposed development site. Further, as the proposed development site is in close proximity to sensitive premises and to ensure the amenity of any future occupants is protected appropriate conditions are recommended.
31. Waste - advised that:
 - a. Bin Collection Points should be provided for the following:
 - i. plots 184 to 187 this looks like this has already been considered as shown on drawing P22-2335_012 FOR PSD
 - ii. the position of the BCP for plots 193 - 197 should be moved adjacent to the hammer head turning point.
 - iii. BCP.s should be of sufficient size to cater for the likely number bins which will be presented on collection days, please make the developers aware that on one of the collections weeks there is likely to be two bin per property (blue & green) if residents take up the garden waste subscription service.
 - b. Where properties do not have direct access to the garden and have to walk their bins along boundary footpath, it is common practice not to remove bins from the highway or frontage off the house. Where this is the case plots ie195 & 198 please provide a storage cabinet at the front of the property so residents can place bins away post collection.
 - c. I'm unsure of the ability of the Refuse Collection Vehicle to make the turn into and out of the outlined turning area close to plots 201, 202 and various plots associated with the adjoining development. I would like to see a tracking analysis which shows that approach.

Nottinghamshire County Council

32. Archaeology Officer - Recommend that groundworks on this site be carried out under archaeological control and supervision to ensure that any archaeological features discovered during those groundworks are appropriately recorded and, if possible, characterised.
33. As Highway Authority - following initial comments, a refuse vehicle tracking

plan has been submitted which annotates that the private access road would be constructed to adoptable specification to fully support a laden refuse wagon with an overall length of 11.6m. Revised comments have been received from the Highway Authority confirming no objections are raised subject to conditions.

34. As Lead Local Flood Authority - raise no objection subject to the imposition of a condition for a detailed surface water drainage scheme. The applicant has since submitted drainage plans which the LLFA deem more than sufficient to overcome initial concerns.

Planning Policy – as Minerals and Waste Authority

35. "*Minerals*" - In relation to the Minerals Local Plan, there are no Minerals Safeguarding and Consultation Areas covering or in close proximity to the site. There are no current or permitted minerals sites close to the application site. Therefore, the County Council does not wish to raise any objections to the proposal from a mineral's perspective.
36. "*Waste*" - In terms of the Waste Core Strategy, there are no existing waste sites within the vicinity of the site whereby the proposed development could cause an issue in terms of safeguarding existing waste management facilities (as per Policy WCS10).

Other Consultees

37. Highways England - offer no objection.
38. Trent Valley Internal Drainage Board - Advise that the site is outside of the Trent Valley Internal Drainage Board district but within the Board's catchment. There are no Board maintained watercourses in close proximity to the site.
39. No development should be commenced until the Local Planning Authority, in consultation with the Lead Local Flood Authority has approved a scheme for the provision, implementation and future maintenance of a surface water drainage system. The Board would wish to be consulted directly if the following cannot be achieved and discharge affects the Boards District:
- a. Surface water run-off limited to the greenfield rate for other gravity systems.
 - b. Brownfield sites limited to the greenfield rate.
40. Surface water run-off rates to receiving watercourses must not be increased as a result of the development.
41. The suitability of soakaways, as a means of surface water disposal, should be ascertained prior to planning permission being granted. Soakaways should be designed to an appropriate standard and to the satisfaction of the Approving Authority in conjunction with the Local Planning Authority. If the suitability is not proven the Applicant should be requested to re-submit amended proposals showing how the Site is to be drained. Should this be necessary this Board would wish to be re-consulted.
42. Where surface water is to be directed into a Mains Sewer system the relevant

bodies must be contacted to ensure the system has sufficient capacity to accept the additional surface water. The Board also requests that the applicant identify the receiving watercourse that the sewer discharges into and provide details on the potential effect that the proposed discharge may have on the receiving watercourse.

43. The design, operation and future maintenance of site drainage systems must be agreed with the Lead Local Flood Authority and Local Planning Authority.
44. NHS - have commented noting the site could provide 58 dwellings and should be subject to a Section 106 contribution of £20,680 which will be used directly to provide additional health care services to meet patient demand.
45. Sport England advised that the proposed development does not fall within their statutory remit and have not provided a detailed response.

Local Residents and the General Public

46. Six neighbouring representations were received which can be summarised as follows:
 - a. Harmful to the countryside
 - b. Loss of green belt
 - c. Insufficient amenities to cope with additional residents
 - d. Impact on pollution / climate change / mental health problems
 - e. Impact on road network
 - f. Increased traffic
 - g. Is the access suitable for a refuse vehicle
 - h. No street lighting

PLANNING POLICY

47. The Development Plan for Rushcliffe consists of the Rushcliffe Local Plan Part 1: Core Strategy (adopted December 2014) and the Rushcliffe Local Plan Part 2: Land and Planning Policies (adopted October 2019). Other material planning considerations include the National Planning Policy Framework (NPPF).
48. Ruddington is identified in Policy 3 of the Core Strategy as one of six key settlements for housing growth. The Core Strategy does not identify sites in Ruddington where development will take place. The sites for the delivery of housing are, however, allocated in the Local Plan Part 2, including the adjacent site on Loughborough Road (Policy 6.3).
49. The Ruddington Neighbourhood Plan was adopted on 23 July 2021 and must therefore be given appropriate weight. Whilst the Neighbourhood Plan does not allocate land for development, it acknowledges that sites will be allocated through the Local Plan Part 2.

Relevant National Planning Policies and Guidance

50. The following sections of the NPPF are relevant to the current proposal:

- Section 2 - Achieving sustainable development
- Section 5 - Delivering a sufficient supply of homes
- Section 9 - Promoting sustainable transport
- Section 12 - Achieving well -designed places
- Section 14 - Meeting the challenge of climate change, flooding and coastal change
- Section 15 - Conserving and enhancing the natural environment
- Section 16 - Conserving and enhancing the historic environment

A copy of the National Planning Policy Framework 2021 can be found [here](#)

A copy of the Planning Practice Guidance can be found [here](#)

Relevant Local Planning Policies and Guidance

51. The relevant policies of the Rushcliffe Local Plan Part 1: Core Strategy are:

- Policy 1 - Presumption in Favour of Sustainable Development
- Policy 2 - Climate change
- Policy 3 - Spatial strategy
- Policy 8 - Housing Size, Mix and Choice
- Policy 10 - Design and Enhancing Local Identity
- Policy 11 - Historic Environment
- Policy 14 - Managing Travel Demand
- Policy 16 - Green Infrastructure, Landscape, Parks and Open Spaces
- Policy 17 - Biodiversity
- Policy 19 - Developer Contributions

A copy of The Rushcliffe Local Plan Part 1: Core Strategy (LPP1) can be found [here](#)

52. The relevant policies of the Rushcliffe Local Plan Part 2: Land and Planning Policies are:

- Policy 1 - Development Requirements
- Policy 11 - Housing Development on Unallocated Sites within Settlements
- Policy 12 - Housing Standards
- Policy 17 - Managing Flood Risk
- Policy 18 - Surface Water Management
- Policy 29 - Development affecting Archaeological Sites
- Policy 32 - Recreational Open Space
- Policy 37 - Trees and Woodlands
- Policy 38 - Non-Designated Biodiversity Assets and the Wider Ecological Network
- Policy 40 - Pollution and Land Contamination
- Policy 41 - Air Quality
- Policy 43 - Planning Obligations Threshold

A copy of The Local Plan Part 2: Land and Planning Policies (LLP2) can be found [here](#)

53. The Ruddington Neighbourhood Plan Policies was made on 23 July 2021 and now forms part of the development plan for Rushcliffe. It sets out the vision and objectives for Ruddington with particular reference to delivering a mix of housing, including affordable housing, to meet the needs of Ruddington, whilst enhancing the character of the village through sensitive, sustainable and good quality design, without overly burdening the village infrastructure. It seeks to promote sustainable alternatives to use of the private vehicles, with particular focus on improving infrastructure for walking and cycling and encouraging good access for all to public services, facilities, and other local connections.
55. Other relevant policies include:
- Policy 5 - Pedestrian network
 - Policy 6 - Cycle network
 - Policy 7 - Connection to new development
 - Policy 8 - Traffic and new development
 - Policy 9 - Parking
 - Policy 14 - Home working
 - Policy 16 - Ruddington Design Guide
 - Policy 17 - Sustainable design
 - Policy 18 - Landscape in new developments
 - Policy 19 - Biodiversity in new developments
 - Policy 21 - Green infrastructure network

The Ruddington NP also includes a design guide for major development schemes which should be considered through any design process and can be viewed at:

<https://www.rushcliffe.gov.uk/planningpolicy/neighbourhoodplanning/#d.en.45838>

APPRAISAL

Principle of development

56. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
57. One of the key Governments objectives is to significantly boost the supply of housing. Chapter 5 of the NPPF recognises at Paragraph 60 that it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
58. Paragraph 73 of the NPPF states that 'the supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities'.

59. Following the adoption of the Local Plan Part 2, as detailed above, the site was released from the green belt and therefore objections relating to the loss of the Green Belt are unfounded. As previously set out, infill development is acceptable in principle providing it is in accordance with other policies in the plan.
60. Planning permission was granted under planning ref: (19/02909/REM (Phase 1)) to develop land surrounding the application site for 180 dwellings. It is therefore reasonable to consider that the application site lies within the settlement of Ruddington which is one of the Borough's 'key settlements' identified for growth under Policy 3 of the Core Strategy.
61. Policy 11 of the Local Plan Part 2 is of relevance and supports housing developments on unallocated sites within settlements subject to satisfying a set of criteria which include:
- a) the proposal in terms of scale and location is in accordance with Local Plan Part 1: Core Strategy Policy 3 (Spatial Strategy);
 - b) the proposal is of a high standard of design and does not adversely affect the character or pattern of the area by reason of its scale, bulk, form, layout or materials;
 - c) the existing site does not make a significant contribution to the amenity of the surrounding area by virtue of its character or open nature;
 - d) the proposal would not result in the loss of any existing buildings considered to be heritage assets unless the harm is, in the case of designated heritage assets, outweighed by substantial public benefits or, in the case of non-designated heritage assets, the loss of significance to the asset is justified;
 - e) the proposal would not have an adverse visual impact or be unduly prominent from locations outside the settlement;
 - f) the proposal would not cause a significant adverse impact on the amenity of nearby residents and occupiers; and
 - g) appropriate provision for access and parking is made.
62. With regards to criterion a), the site falls within Ruddington which is identified within Policy 3 of the Local Plan Part 1 as a key settlement for growth. The scale and layout of the proposed development has been derived from the Phase 1 development, currently under construction, to ensure it complements and responds to its surroundings.
63. With regards to Criterion b) and c), the proposed layout, design, scale and materiality of the proposed development has built upon the design principles of the Phase 1 development and local character area. The detailed layout would largely be two storeys utilising a predominantly brick finish with tones of render. The different house types have been designed with a range of local architectural detailing such as chimneys, bay windows and gabled frontages so as to complement the existing character area. In consideration of the adjacent site, in which the proposed layout has been derived, and that the application site would be enclosed on three sides by Phase 1 development, this application is considered to meet criterion b) and c).
64. Criterion d) relates to the protection of heritage assets. The impact upon the setting of the Conservation Area was considered as part of the Phase 1 development where it was deemed that the degree of harm would be less than

substantial and at the lower end of the spectrum. It would be unreasonable to reach a different conclusion in this case.

65. In relation to criterion e), as detailed above, the site was released from the Green Belt following the adoption of the Rushcliffe Local Plan Part 2: Land and Planning Policies in October 2019 and therefore falls within the settlement boundary for Ruddington. Given the site would be bounded by built form, there would be no adverse visual impact from locations outside the settlement.
66. With regards to criterion f), careful consideration has been given to ensure the proposed layout and orientation of the dwellings respects the character and pattern of the Phase 1 development in order to protect the amenities of future occupants.
67. The Balmore Country House lies to the west of the site and planning permission has recently been granted to extend this facility. Plots 200 and 201 would be set circa 13m to the edge of the western boundary and would be orientated such to prevent the scheme from having any undue amenity impacts on the neighbours at Balmore Country Home. It is considered that the layout of the scheme would ensure that there would not be any excessive or unacceptable overbearing, overshadowing or overlooking impacts on neighbouring properties due to the positioning, scale and layout of the dwellings in relation to the adjacent properties.
68. In accordance with criterion g), car parking provision for each unit would be provided either within garage spaces or the front or side of the dwellings and each drive would be tarmacked with concrete edging. In addition, electric vehicle charging points would be provided to all properties.
69. Given the sustainability of the settlement of Ruddington, it is reasonable to conclude that the application site represents an infill development and, in relation to the specific site requirements set out above, residential development is considered to be acceptable 'in principle' subject to other material planning considerations which are considered below.

Ruddington Neighbourhood Plan

70. The neighbourhood plan forms part of the development plan and therefore careful consideration is given to the policies within it. The vision for Ruddington is to sustain Ruddington as a thriving village, promoting a well-connected, sustainable, and safe environment whilst protecting its special historic and rural character with an attractive and vibrant Village Centre.
71. Eight key objectives have been developed to assist with the delivery of the policies and strategies that form the plan and are as follows:
 - a) Village centre - To improve the village centre, promoting it as a vibrant and varied retail centre, with an attractive and useable public realm. To support improvements to accessibility for pedestrians and parking provision in the village centre
 - b) Housing - to deliver a mix of housing, including affordable housing, to meet the needs of Ruddington, whilst enhancing the character of the village

through sensitive, sustainable, and good quality design, without overly burdening the village infrastructure.

- c) Connectivity - To promote sustainable alternatives to use of the private vehicles, with particular focus on improving infrastructure for walking and cycling and encouraging good access for all to public services, facilities, and other local connections.
 - d) Heritage - To protect and celebrate Ruddington's heritage, giving residents and tourists the opportunity to learn more about the area's history and maintaining key assets and the character of the +
 - e) village.
 - f) Economy - To support developments that would lead to increased economic activity and encourage the growth and creation of small and medium enterprises, promoting Ruddington as a diverse business community.
 - g) Design and sustainability - To provide design guidance that requires sustainability as well as high quality design that is in keeping with the character of the village. This is supported by the Ruddington Design Guide which the Local Planning Authority will also afford weight in decision making.
 - h) Environment - To support and protect green and open spaces in Ruddington, preserving wildlife and enhancing biodiversity and encouraging the development of community initiatives
 - i) Community infrastructure - To ensure all residents have access to high quality services and facilities, promoting healthy communities with an emphasis on wellbeing.
72. There are no specific policies within the Ruddington Neighbourhood Plan that relate to market housing, however, one of the key objectives is to deliver a mix of housing, including affordable housing, to meet the needs of Ruddington, whilst enhancing the character of the village through sensitive, sustainable, and good quality design, without overly burdening the village infrastructure. Whilst not allocated, it is considered that the site accords with the broad strategic direction of growth within the village.
73. Policy 5 - (Pedestrian network) and Policy 7 (Connection to new development) supports new development where they contribute to the creation of a network of safe and well-surfaced footpaths.
74. Policy 8 (Traffic and new development) requires all developments to demonstrate how they have ensured that they can be accessed via sustainable transport modes for all ages and abilities.
75. Pedestrian linkages would be provided within the site that would integrate into the wider Phase 1 development by the creation of public footpaths thereby providing suitable connectivity to the wider public transport network.

76. Policy 9 relates to parking spaces and states that, as a minimum, parking spaces would measure 2.4 m x 5.5 m with 0.5 m. Dedicated car parking is provided for each plot and no objections have been raised by the Highway Authority on this matter and therefore accords with the main aims of the policy.
77. The proposed scheme for 24 dwellings on this 0.88ha site would represent a density of 27dph. Part 3 of the Ruddington Design Guide tables the typical densities for each character area. For Loughborough Road, the typical density is c13dph, however, the area outlined within the design guide does not include the application site nor does it include the Phase 1 development.
78. The resultant gross density for the Phase 1 development is circa 21dph. Taken as a whole, the density for the application site and Phase 1 would equate to an overall density of circa 22dph. Whilst the proposed density is marginally greater than the Phase 1 development, it is considered the development makes the best use of the site by offering an alternative mix of house types and open space and is in general accordance with the overall vision and objectives of the Ruddington Neighbourhood Plan.

Highways

79. Policy 1 (Development Requirements) of the LPP2 requires that a suitable means of access to the development is achieved without detriment to the amenity of the adjacent properties or highway safety.
80. Policy 14 'Managing Travel Demand' of the Local Plan Part 1: Core Strategy sets out that the need to travel, especially by private car, will be reduced by securing new developments of appropriate scale in the most accessible locations following the Spatial Strategy in Policy 3 (Core Strategy). It is already established that Policy 3 identifies Ruddington as a key settlement for growth.
81. The application is supported by a Design and Access Statement which includes details of site access and layout. This concludes that the proposal can achieve a well-connected movement network, accessible by all users to ensure that all areas of the proposed development are easy to navigate, safe and secure. The application and supporting information have been considered by the Highway Authority.
82. Access to the site would be served by two points of access from the Phase 1 development. A primary access would be from the north with a secondary access to the south. The primary access will consist of the extension of the main carriageway into a turning head which will serve two private drives to the east and to the west running south into the site. The southern access will also serve private drives to the east and west. The proposed development would also see the creation of footpaths to ensure pedestrian connectivity to the wider Phase 1 development. A secure access track running east to west for farm vehicles will be retained along the northern boundary.
83. Following initial comments from the Highway Authority, a refuse vehicle tracking plan and access plan was submitted which confirms that the proposed development can accommodate a fully laden refuse vehicle. Following reconsultation, the Highway Authority raise no objections subject to appropriate conditions.

84. The proposed access arrangements are therefore considered to accord with the requirements of Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies which seeks to secure a suitable means of access for all new developments without detriment to the highway safety.

Electric Vehicle Charging Points

85. In order to promote a more efficient and sustainable use of private vehicles, an electric vehicle charging point plan has been submitted which details their proposed locations. It shows the car charging points will be provided to all properties either located on a pedestal or within garages.

Affordable dwellings

86. Policy 8 of the Local Plan Part 1 requires new residential developments to provide for a proportion of affordable housing on sites of 5 dwellings or more or 0.2 hectares or more. As tabled in paragraph 5 above, the application proposes the provision of 30% (7) affordable units. In order to meet the policy requirements, an amended plan was received to show provision for 1no. social rent. The affordable housing mix would comprise a mixture of 1, 2 and 3 bedroomed dwellings grouped around the north-eastern and north-western corners of the site. The location of the affordable units is in accordance with the advice provided by the Borough's Strategic Housing Officer. Therefore, the proposal is compliant with this aspect of Policy 8.

Design, Layout and Amenity

87. Policy 10 'Design and Enhancing Local Identity' of the Local Plan Part 1 and Policy 1 'Development Requirements' of the Local Plan Part 2 requires the scale, density, height, massing, design, layout and materials of a development proposal to be sympathetic to the character and appearance of the neighbouring buildings and the surrounding area.
88. In developing the proposed layout, consideration has been given to the Phase 1 development in order to contribute to the character and pattern of the wider development as a whole. The nearest residential properties are those associated with the Phase 1 development which surrounds the application site on three boundaries.
89. The proposed layout has been designed to ensure that appropriate separation distances are in place to protect the residential amenities of neighbouring properties. The submitted plans indicate that there would be a minimum distance of 23m between existing and proposed dwellings.
90. The layout also provides for appropriate levels of private amenity space for future residents with gardens broadly complying with the garden sizes as advocated in the Rushcliffe Residential Design Guide.
91. It is considered that the resulting relationships would not result in a development that would lead to significant adverse overlooking/loss of privacy either within the development or to neighbouring properties. As a result, it is considered that the interrelationship of these adjacent sites has been considered and no significant adverse impacts are expected.

92. Details of the means of enclosure across the site have been submitted which shows the majority of dwellings would be screened by a 1.8m close boarded fence or a 1.8m timber fence screen. The majority of the outer plots would be screened by a 1.8m brick wall. A 1.1m timber post and rail fence would screen the access track to the north.
93. The surrounding properties comprise a mix of styles, materials and heights and it is considered that the proposed dwellings would satisfactorily blend in with the existing character.
94. The proposed layout would provide pockets of open space and would provide linkages to the Phase 1 development where larger areas of open space are provided.
95. The proposal would represent an attractive form of development with a variety of house types/traditional designs with public open space and landscaping which would be sympathetic to the character of the surrounding area.
96. Overall it is considered that the application accords with Policy 10 of the Core Strategy, Neighbourhood Plan policies and Policy 1 of LPP2, and the NPPF which acknowledges at Section 12 (Achieving well designed places) that good design is a key aspect of sustainable development, and that acceptable standards of amenity will be maintained and achieved.

Trees and Landscaping

97. Policy 34 of the Local Plan Part 2 supports development proposals that protect, enhance or widens their green infrastructure importance providing it does not adversely affect their primary function.
98. Policy 37 of the Local Plan Part 2 states that adverse impacts on matures trees must be avoided, mitigated, or if its removal is justified, it should be replaced.
99. An arboricultural survey has been submitted which identifies the majority of the existing trees on the site as being of Category C (low value). The coniferous hedgerow to the western boundary is identified as being Category B (moderate value).
100. Following advice of the Borough's Landscape Officer, the existing overgrown hedgerow along the western boundary would be replaced with tree planting. 3no. trees along the southern and south-eastern boundaries would be retained and a number of low value trees would be removed. In combination with the adjacent Phase 1 development, there would be a significant increase of tree, shrub and hedgerow planting as detailed on the submitted soft landscaping plan.

Ecology

101. Core Strategy Policy EN1 and Policy 38 of the LPP2 requires development to contribute towards the conservation, enhancement or restoration of biodiversity and ecological networks throughout the landscape. The NPPF (Section 15) advises that the planning system should contribute to and enhance the natural and local environment by; minimising impacts on

biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

102. Policy 17 'Biodiversity' of the Local Plan Part 1: Core Strategy, sets out the biodiversity of Rushcliffe will be increased over the plan period by seeking to ensure that new development provides new biodiversity features and improves existing biodiversity features wherever appropriate.
103. Policy 19 'Biodiversity in new developments' of the Ruddington Neighbourhood Plan supports new development where it can provide net gain for local biodiversity.
104. An ecological assessment has been undertaken which draws upon baseline information provided within the ecology surveys and assessments informing the wider Phase 1 development site. A biodiversity net gain assessment has also been undertaken.
105. As detailed within the submitted ecological assessment, the habitats within the site comprise a mosaic of unmanaged species-poor grassland, bramble scrub and mixed native and non-native trees standing individually, in groups and in tall hedgerows. It concludes that the habitats within the site have been determined to be of low to moderate ecological value at the lower end of the scale.
106. A biodiversity net gain assessment has been undertaken which incorporates the application site and the Phase 1 development. It demonstrates a 11.42% habitat unit gain and a 56.95% hedgerow unit gain.
107. The ecological assessment has been considered by the Council's Sustainability Officer who advises that the favourable conservation status of Protected Species is unlikely to be impacted by this development and no objections are raised subject to appropriate conditions being imposed. The proposal would, therefore, accord with the aims of the Framework and the provisions of Policy 17 of the Core Strategy.

Waste

108. A refuse vehicle tracking plan has been submitted which demonstrates that the proposed development can accommodate a fully laden refuse vehicle and would therefore provide adequate and safe movement of refuse vehicles within the site.
109. Provision is made for the storage of bins in the rear gardens of all properties and therefore the request for secure bin storage by the Borough's Waste Advisor to the front of the terraced properties is not considered to be justified in this case. Therefore, the proposed waste provision is considered to be acceptable.

Heritage and Archaeology

110. An archaeology and built heritage assessment has been submitted which has been reviewed by the County Archaeologist.

111. The Borough Archaeology Officer comments that the geophysical work carried out on the adjacent site work showed two double-ditched trackways perpendicular to each other and several enclosure features. It is advised that only one of these features holds any resemblance to features on the historic mapping and it is likely therefore that these features represent activity older than the mapping evidence available. Two of the linear features in the plot to the north appear to extend towards the application site and there is the possibility that they may have further features associated with them. The map regression exercise in the DBA is helpful in confirming that the site was taken out of cultivation in the early 20th century and therefore any archaeological remains may be better-preserved than in the adjacent fields. As such a condition is recommend for groundworks be carried out on the under archaeological control and supervision.
112. With regards to the Ruddington Conservation Area which lies to the east, an assessment of the harm to designated heritage assets was made under the Phase 1 development where it was concluded that the Phase 1 development would result in some minor 'less than substantial harm' to the setting of the Ruddington Conservation Area. It would be unreasonable to reach a different conclusion in this case.
113. As required by paragraph 203 of the NPPF, a balanced judgement of the identified harm upon designated heritage assets against the public benefits of the scheme must be undertaken. The proposal would result in economic benefits through the direct and indirect employment benefits to support economic growth and promoting expenditure to the benefit of the local area. The scheme would deliver 7 affordable dwellings which would result in a significant social benefit. There would be environmental benefits such as additional tree planting and pockets of open spaces thereby providing opportunities to enhance landscaping, biodiversity and each dwelling would be equipped with an electric vehicle charging point. The public benefits are considered to outweigh the limited harm to the setting of the Ruddington Conservation Area.

Drainage

114. As the site lies wholly within Flood Zone 1 and is below 1ha, there is no requirement to submit a Flood Risk Assessment, however, drainage details have been submitted and reviewed by the Lead Local Flood Authority.
115. The application has advised that as part of the approved Phase 1 development, drainage infrastructure has been designed to accommodate additional drainage from the application site. In this regard, the LLFA are satisfied with the details submitted.

Land Contamination

116. The NPPF (Section 15) requires that decisions should ensure that a site is suitable for its proposed use taking into account ground conditions and any risks arising from natural hazards or former activities.
117. A combined Phase 1 and Phase II Geoenvironmental Assessment has been submitted in support of the application which has reviewed by the Borough's

Environmental Health Officer. It concludes that there is no requirement for risk management of remediation at the site. Officers draw the same conclusions. In this regard, conditions are proposed to confirm that if there is evidence of contamination during construction, a remediation strategy and validation statement would be required.

Planning obligations

118. Planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms. Planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind. These tests are set out as statutory tests in the Community Infrastructure Levy Regulations 2010 (as amended) and as policy tests in the National Planning Policy Framework. Attached to this report is a table which sets out the contributions sought by infrastructure providers and the applicants submitted a draft s106 agreement.
119. Ruddington Parish Council have also requested a planning obligation of £9,700 towards the provision of a new community facility.
120. Contributions have also been requested for primary education to provide additional capacity and a sustainable transport contribution to provide bus taster tickets for future occupants to encourage sustainable modes of travel together with the provision of 30% affordable housing on site.

Conclusion

121. The site is located within Ruddington, one of the Council's identified key rural sustainable settlements identified for growth. Through the adoption of the LPP2, the application site has been removed from the Green Belt, thus removing a significant policy constraint to the delivery of housing.
122. For the reasons set out above, the proposed development would comply with relevant policies in the Development Plan and relevant parts of the Neighbourhood Plan and the NPPF.
123. The scheme accords with the development plan as a whole, but the balance of material considerations also weighs in its favour. Consequently, it is recommended that the Planning Committee support the resolution to grant planning permission, subject to the completion of a s106 in respect of contributions for infrastructure, affordable housing and primary education.

RECOMMENDATION

It is **RECOMMENDED** that the Director - Development and Economic Growth is 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.

amended by the Planning & Compulsory Purchase Act 2004].

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

S11-19-SR-2 (Soar)
S11-19-SR(PC)-2 (Soar)
S11-19-KD-1 SP (Kildale)
S11-19-HY-1 (Helmsley)
S11-19-DL-1-SP Dalton)
S11-19-BD-1 (Bedale)
S11-19-SV-4 (Severn)
S11-19-SR(PC)-2 (Soar)
S11-19-SL-2-SP (Solway)
S11-19-SD-4 (Swindale)
S11-19-RR-1-SP (Rother)
S11-19-MM-2 (Minsmere)
S11-19-LA-7 (Lea)
S11-19-DK-1 (Denwick)
S11-19-DE-1 (Dove)
S11-19-BM(PC)-2 (Beamish)
15-819 GB07 (Garage)
15-819 GB06 (Garage)
P20-2335_001 Rev E
P20-2335_005 Rev Q - Sheet 1 Planning Layout
P20-2335_005 Rev Q - Sheet 2 Planning Layout
P20-2335_005D Refuse Vehicle Tracking Plan
P20-2335_006 Rev L - Materials
P20-2335_007 Rev P - Boundary Treatments Plan
P20-2335_008 Rev L - Hard Landscaping Plan
P20-2335_011 Rev D - Garden Compliance Plan
P20-2335_012 Rev C - EVCP
P20-2335_013 Rev A - Open space plan
P20-2335_100 Rev L - Soft Landscape
Access Extract
101 Rev E - Drainage Area
140 Rev N - Drainage

[To ensure an acceptable development in accordance with Policy 10 (Design and Enhancing Local Identity) 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.]

3. The development hereby permitted shall only be constructed in accordance with the materials as detailed on the approved materials plan - P20-2335_006 Rev L, unless details are otherwise submitted to and agreed in writing by the Borough Council.

[To ensure an acceptable development in accordance with Policy 10 (Design and Enhancing Local Identity) 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.]

4. The boundary treatment and means of enclosure, as detailed on plan

reference - P20-2335_007 Rev P, shall be erected prior to the occupation of the respective dwelling(s)

[To ensure an acceptable appearance to the development and to comply with Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) of the Local Plan Part 2: Land and Planning Policies].

5. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - a. the parking of vehicles of site operatives and visitors
 - b. loading and unloading of plant and materials
 - c. storage of plant and materials used in constructing the development
 - d. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - e. wheel washing facilities
 - f. measures to control the emission of dust and dirt during construction
 - g. a scheme for recycling/disposing of waste resulting from demolition and construction works.
 - h. The routing of deliveries and construction vehicles to site and any temporary access points.

[In the interest of highway safety, and to minimise disruption to users of the public highway and protect the amenity of local residents.]

6. No development shall take place, excluding topsoil strip, earthworks to form balancing ponds and foul sewer diversion, survey works in connection with ecology and archaeology, until the technical approval under S38 (or equivalent) has been agreed with Nottinghamshire County Council for the construction of the roads and associated works within the site. The development shall thereafter be implemented in accordance with the approved details and no dwelling shall be occupied until the roads necessary to serve that property have been constructed to base level.

[In the interests of highway safety.]

7. No dwelling shall be occupied until the vehicle access, parking, maneuvering, and turning areas for that dwelling have been constructed in accordance with the approved drawings, and are available for use.

[In the interests of highway safety.]

8. 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 interests of highway safety.]

9. If during the course of carrying out the development hereby permitted any unexpected contamination is found that has not been previously identified, it must be reported to the Local Planning Authority within (48 hours). All development on the site must cease immediately and must not recommence until a written scheme for the investigation and risk assessment of the unexpected contamination has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme must be prepared by a suitably qualified 'competent person' (as defined in the National Planning Policy Framework July 2021) and must be in accordance with the Environment Agency's 'Land Contamination Risk Management' (LCRM).

[To ensure that a satisfactory assessment of any land contamination and an appropriate strategy for its remediation from the site is carried out to ensure 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) of the Rushcliffe Local Plan Part 1: Core Strategy (2014), Policies 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 and 185 of the National Planning Policy Framework.)]

10. Where remediation of the contamination is necessary no further development shall commence on the site until a Remediation Strategy (RS) has been submitted to and approved in writing by the Local Planning Authority. The submitted RS must include:
 - a. full details of how the contamination on the site is to be remediated and include (where appropriate) details of any options appraisal undertaken;
 - b. the proposed remediation objectives and criteria, and;
 - c. a verification plan.

The RS must demonstrate that as a minimum the site after remediation will not be capable of being classified as contaminated land under Part 2A of the Environmental Protection Act 1990.

[To ensure that a satisfactory assessment of any land contamination and an appropriate strategy for its remediation from the site is carried out to ensure 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) of the Rushcliffe Local Plan Part 1: Core Strategy (2014), Policies 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 and 185 of the National Planning Policy Framework.]

11. The development hereby permitted must not be occupied or first brought into use until the site has been remediated in accordance with the approved RS and a written Verification Report confirming that all measures outlined in the approved RS have been successfully carried out and completed has been submitted to and approved in writing by the Local Planning Authority. The Verification Report must include, where appropriate the results of any validation testing and copies of any necessary waste management documentation.

[To ensure that a satisfactory assessment of any land contamination and an appropriate strategy for its remediation from the site is carried out to ensure 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) of the Rushcliffe Local Plan Part 1: Core Strategy (2014), Policies 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 and 185 of the National Planning Policy Framework.]

12. Any topsoil (natural or manufactured), or subsoil that is to be imported onto the site must be assessed for chemical or other potential contaminants in accordance with a written scheme of investigation which shall be submitted to and approved in writing by the local planning authority prior to the material being brought onto the site. Only material that has been tested in accordance with the approved investigation scheme shall be imported onto the site.

[To ensure that a satisfactory assessment of any land contamination and an appropriate strategy for its remediation from the site is carried out to ensure 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) of the Rushcliffe Local Plan Part 1: Core Strategy (2014), Policies 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 and 185 of the National Planning Policy Framework.]

13. The development hereby permitted must not commence until a Noise Impact Assessment (NIA) has been submitted to and approved in writing by the Local Planning Authority. The NIA must be prepared by a suitably qualified acoustician and as a minimum must include the following:
 - a. A survey of the existing level of noise on and around the site, identifying the locations of all noise generating source(s) and the maximum and minimum noise levels from those source(s) from within and around the site;
 - b. A prediction of the level of noise impact on the proposed development as a result of existing noise source(s) around the site;
 - c. Propose mitigation measures to protect future occupiers of the

proposed development from existing noise generated off the site. The development hereby permitted must be carried out and completed in accordance with the approved NIA and any mitigation measures proposed must be fully implemented prior to the development being occupied or first brought into use.

[To ensure that future occupiers of the development hereby approved are not adversely affected by unacceptable noise pollution from nearby sources 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) and paragraphs 185 and 187 of the NPPF (July 2021).]

14. Prior to the occupation of each dwelling submitted as part of the planning application each dwelling shall be provided with ducting to enable the connection to high speed fibre optic Broadband.

[To assist in reducing travel demand by enabling working from home initiatives and in the interests of encouraging sustainable forms of travel in accordance with the aims of Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy.]

15. The dwelling(s) hereby permitted must not be occupied until the Electric Vehicle Charging point(s) (EVCP's) shown on drawing P20-2335_012 Rev B have been installed in accordance with that drawing. Thereafter an EVCP must be permanently retained at the dwelling(s) in accordance with the approved drawing 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 a reduction 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 110 of the National Planning Policy Framework

16. The development hereby permitted must not be occupied or first brought into use until the 'biodiversity gain' improvements outlined in the Ecological Assessment dated May 2021 submitted with the application have been completed in accordance with that report. Thereafter the biodiversity gain improvements must be retained on the site throughout the lifetime of the development.

[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]

17. The hard and soft landscaping shown on the submitted drawings P20-2335_008 Rev L and P20-2335_100 Rev L 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 from the date of planting, any tree or shrub planted as part of the approved LS is removed, uprooted, destroyed, dies or becomes 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.]

18. No development shall take place until the applicants, or their agents or successors in title, have secured the implementation of a programme of archaeological control and supervision to be carried out during demolition, construction or excavation work on the site, by a professional archaeologist or archaeological organisation. The details of such a scheme of investigation shall be submitted to and approved in writing by the Borough Council also prior to the commencement of the development on the site.'

[To ensure that any unexpected archaeology is appropriately recorded and investigated in a manner proportionate to its significance having regard to Policy 11 (Historic Environment) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); and Policies 28 (Historic Environment: Conserving and Enhancing Heritage Assets) and 29 (Development Affecting Archaeological Sites) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework.]

19. The development hereby permitted must not be occupied or first brought into use until details of any proposed street lighting have been submitted to and approved in writing by the Local Planning Authority.

[In the interests of highway safety and to protect the amenities 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).]

20. None of the dwellings within the development hereby permitted shall 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)]

21. The development hereby permitted must not commence until details of both

the existing and proposed land levels across the site and relative to adjoining land, together with the finished floor levels of the proposed building(s), have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development hereby permitted must be carried out and completed in accordance with the approved details.

[To ensure the satisfactory appearance of the development in respect of its relationship to adjoining properties having regard to policies 10 (Design and Enhancing 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 of the National Planning Policy Framework.]

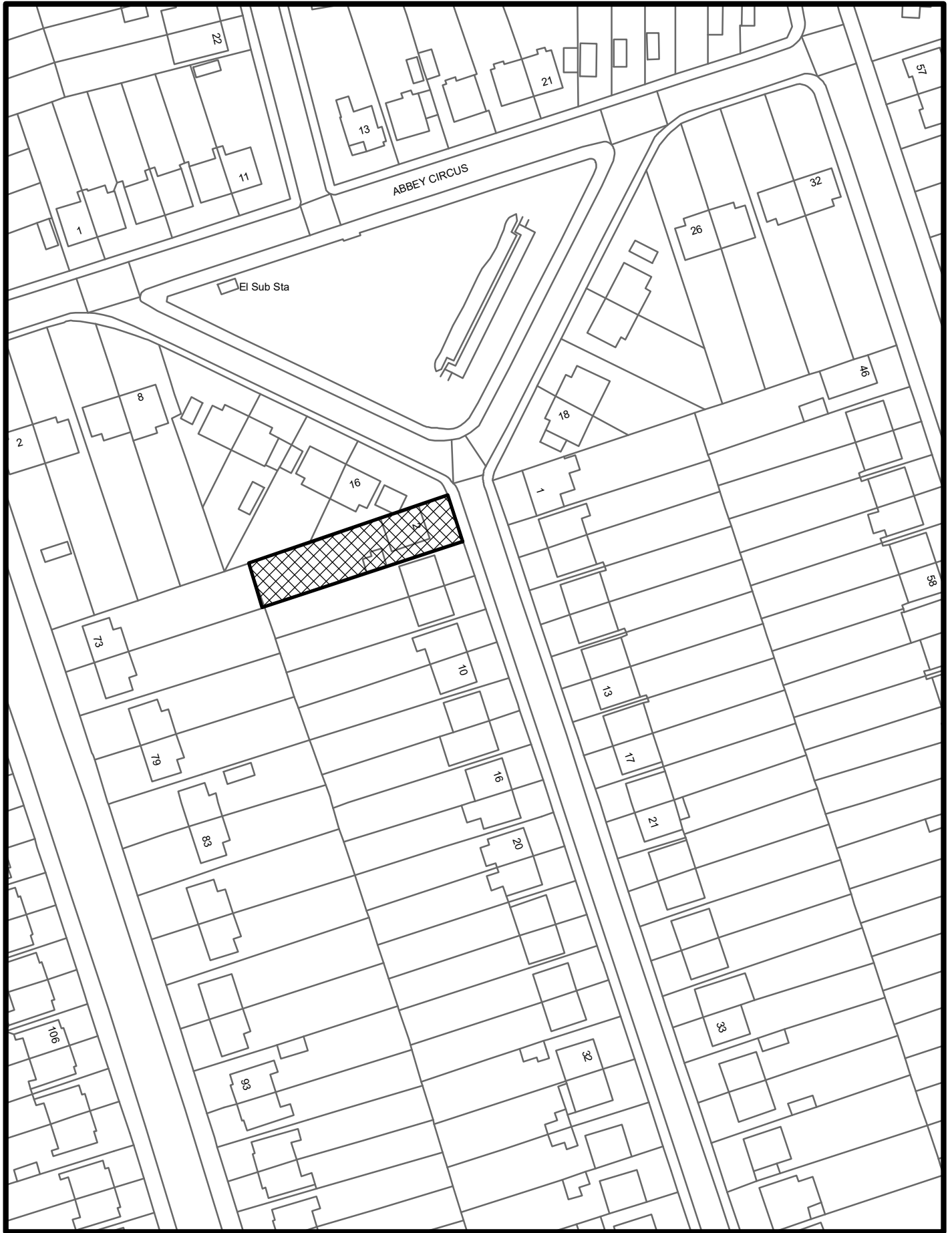
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21/01768/FUL Land East of Loughborough Road, Ruddington – S106 Heads of Terms Summary
 - WITHOUT PREJUDICE AND SUBJECT TO CONTRACT.

WORK IN PROGRES DOCUMENT - May be subject to change.

Item/Policy	Detail/Requirement	Developer Proposes	RBC comment	Trigger sought by consultees
Primary School contribution can accommodate a fully laden refuse vehiclehis	A development of 24 dwellings would yield an additional 5 primary school places and there is insufficient capacity to accommodate the additional pupils. A contribution of £88,065 (based on 5 pupils x £17,613 per place) is sought	Applicant has submitted a draft s106 incorporating the full requirement sought		To be paid prior to first occupation
Secondary School Contribution	This development would generate 4 new secondary places and there is an deficiency of secondary school places in West Bridgford. A contribution of £101,712 (4 places x £25,428) would be required.		This is covered by the Borough's Community Infrastructure Policy	
Affordable Housing	Policy 8 of the Local Plan Part 1 requires provision of 30% affordable dwellings. The tenure mix would comprise 3no homes to be provided as Affordable Rent, 3no homes to be provided as Intermediate homes and 1no would be for social rent.	Applicant has submitted a draft s106 incorporating the 30% affordable housing provision	The applicant has agreed to the provision of 30% affordable housing through the submission of a draft s106	Prior to occupation of 40% market dwellings.
Health	CGG require a contribution of £20,680 towards provision of additional health care services to meet patient demand		This request is covered by the Borough's Community Infrastructure Levy	

Sustainable Travel Contributions	The County Council secured a contribution of £40,000 as part of the Phase 1 development to provide bus taster tickets. The County Council request a planning obligation of £5,328 towards sustainable travel	Applicant has submitted a draft s106 incorporating the full requirement sought		To be paid prior to occupation of the first dwelling
Community Centre Contribution	The Parish Council secured a contribution of £73,000 towards the provision of a Community Centre for the village. The Parish Council request a contribution of £9,700 towards provision of a new community centre	Applicant has submitted a draft s106 incorporating the full requirement sought		To be paid upon first occupation of the 10 th dwelling to be occupied.
Monitoring Fee	S106 monitoring costs of £273 per obligation.	Amount to be agreed.	The monitoring fee shall be agreed prior to the conclusion of the s106 agreement.	Prior to commencement of development to pay the Council the Monitoring Fee. Not to occupy more than 10 dwellings until the monitoring fee has been paid to the Council
Indexation	The contributions subject to indexation of the Retail Prices Index	TBA	TBA	TBA
Legal Costs	The applicant is required to pay the Council's legal fees of £1,500 .		Required to complete legal agreement	To be paid on completion of agreement.



Application Number: 21/02484/FUL
2 Cambridge Road, West Bridgford



scale 1:1000

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21/02484/FUL

Applicant Mr Tanvir Hossain

Location 2 Cambridge Road, West Bridgford, Nottinghamshire

Proposal Two storey side and rear extension.

Ward Abbey

THE SITE AND SURROUNDINGS

1. The application site refers to No.2 Cambridge Road, West Bridgford which is a two-storey detached dwelling with private amenity space to the rear. The application site benefits from a front driveway which can accommodate at least two cars.
2. The surrounding area can be classified as predominately residential with two-storey detached dwellings with private amenity space to the rear. The application site is located within the main settlement of West Bridgford.

DETAILS OF THE PROPOSAL

3. The application seeks planning permission for the erection of a 'Two storey side and rear extension' at No.2 Cambridge Road, West Bridgford.
4. The proposed two storey side extension would have a maximum height of 8.3m dropping to 5.1m at the eaves. The width of the extension would be 2.25m and would have a depth of 10.35m. One rooflight has been proposed to the front and rear roof slope.
5. The proposed two storey rear extension would have a maximum height of 6.7m dropping to 5.1m at the eaves. The width would be 6.6m and would have a depth of 2.3m.
6. The applicant has annotated on the planning application form that the proposed material finish of the property would be as follows:
 - Walls - Brick to match existing
 - Roof - Tiles to match existing

SITE HISTORY

7. 15/02225/FUL – Planning permission was granted for a 'Two storey side and rear extensions' on the 24th March 2016. – This permission was not implemented.

REPRESENTATIONS

Ward Councillor(s)

8. One ward member, Councillor Buschman, raised no objection to the

development. One ward member, Councillor Penny Gowland raised an objection to the development on the grounds of overlooking.

Town/Parish Council

9. No Town/Parish Council for this area.

Statutory and Other Consultees

10. No statutory/other consultations required.

Local Residents and the General Public

11. Four neighbouring properties have been consulted with regards to the proposed development. Two objections have been received; these are summarised below:
 - a. Cause overshadowing and loss of privacy.
 - b. Existing extension stretches 9m along shared boundary. Beyond the size allowable for an extension. Unclear the width of the extension.
 - c. Site plan is incorrect.
 - d. Existing single storey is poor quality, concerns that this will be repeated if approved.
 - e. Impact on noise levels and parking.
 - f. Likely to be a 5/6 bedroomed property.
 - g. Inadequate living space and not enough rear garden space.
 - h. Inadequate maintenance of property will occur.
 - i. Contrary to planning policy.
 - j. Risk of creating a precedent.

PLANNING POLICY

12. The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: Core Strategy (LPP1) and the Local Plan Part 2: Land and Planning Policies (LPP2). Other material considerations include the National Planning Policy Framework (NPPF) (2021), the National Planning Practice Guidance (the Guidance) and the Rushcliffe Residential Design Guide.

Relevant National Planning Policies and Guidance

13. The relevant national policy considerations for this proposal are those contained within the National Planning Policy Framework (NPPF) and the proposal should be considered within the context of a presumption in favour of sustainable development as a core principle of the NPPF.
14. The NPPF includes a presumption in favour of sustainable development. Local planning authorities should approach decisions on proposed development in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development. Decision-makers at every level should seek to approve applications for sustainable development where possible.

15. Achieving sustainable development means that the planning system has three overarching objectives, an economic objective, a social objective and an environmental objective, which are interdependent and need to be pursued in mutually supportive ways, so that opportunities can be taken to secure net gains across each of the different objectives.
16. As such, the following sections in the NPPF with regard to achieving sustainable development are considered most relevant to this planning application:
 - Chapter 2 - Achieving Sustainable Development
 - Chapter 12 - Achieving Well Designed Places

A copy of the National Planning Policy Framework 2021 can be found [here](#)

A copy of the Planning Practice Guidance can be found [here](#)

Relevant Local Planning Policies and Guidance

17. The LPP1 sets out the overarching spatial vision for the development of the Borough to 2028. The following policies in the LPP1 are relevant:
 - Policy 1 - Presumption in Favour of Sustainable Development
 - Policy 10 - Design and Enhancing Local Identity

A copy of The Rushcliffe Local Plan Part 1: Core Strategy (LPP1) can be found [here](#)

18. Under LPP2, the following relevant policies are pertinent to highlight in relation to the proposal:
 - Policy 1 - Development Requirements
 - Policy 17 - Managing Flood Risk

A copy of The Local Plan Part 2: Land and Planning Policies (LLP2) can be found [here](#)

19. The Rushcliffe Residential Design Guide states that extensions to existing dwellings need to adhere to many design principles, notably those addressing scale, proportion, building and roof lines and privacy. Extensions should be designed so they are not readily perceived as being merely 'add-ons' to the original building. As a general rule, the style and design of the original dwelling should remain the dominant element with the extension subordinate to it.

A copy of the Rushcliffe Residential Design Guide can be found [here](#)

APPRAISAL

20. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan

should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

21. The main material planning considerations in the determination of this planning application are:
 - a. Principle of Development
 - b. Design considerations
 - c. Amenity considerations
 - d. Flood Risk

Principle of the development

22. The overarching Policy 1 in the LPP1 reinforces that a positive and proactive approach to decision making should be had which reflects the presumption in favour of sustainable development contained in the NPPF. In this instance the proposed development comprises extensions to an existing dwelling within the main settlement of West Bridgford. As such, it is considered to be a sustainable development and therefore is acceptable in principle subject to other material considerations being acceptable.
23. It should also be noted that that the proposal is the resubmission of an identical application previously granted permission in 2016 and was therefore accepted in principle at that time.

Impact upon the character of the area

24. Core Strategy policy 10, Design and Enhancing Local Identity, states that development should make a positive contribution to the public realm and sense of place and should have regard to the local context and reinforce valued local characteristics. Development should be assessed, amongst other things, in terms of its massing, scale, proportions, materials, architectural style and detailing. This is reinforced under policy 1 of the Local Plan Part 2, which also states that development should be sympathetic to the character and appearance of neighbouring buildings and the surrounding area.
25. Chapter 12 of the NPPF concerns achieving well-designed places. Specifically it requires that development should function well and add to the overall quality of the area, not just in the short term but over the lifetime of the development. Development should also be visually attractive as a result of good architecture, layout and landscaping and should be sympathetic to local character and history and maintain a strong sense of place.
26. The Residential Design Guide SPD (2009) states that 'Extensions should be designed so that they are not readily perceived as being merely "add-ons" to the original building and therefore scale, proportion and roof form are very important. However, as a general rule the style and design of the original dwelling should remain the dominant element with the extension subordinate to it'.

Two storey side extension

27. With regards to the proposed two storey side extension, officers note that the development has not been set below the ridgeline of the main dwelling, nor

has it been set back from the front building line at first floor level. However, officers note that planning permission was approved under 15/02225/FUL for a 'Two storey side and rear extensions' on the 24th March 2016. Therefore, it appears that this is a resubmission of a previously approved scheme. Within the delegated report, the case officer noted that following:

'Although it would be preferable to include a setback from a terracing impact, it is not considered reasonable to insist upon in this case. The narrowness of the extension would add an element of subserviency and this is further strengthened by prominence of the existing two storey bay window on the front façade. Furthermore, the terracing would only be on the western side as the host dwelling is first on the street, and the proposal could not be replicated along Cambridge Road due to different style of properties and the comparatively small gaps between each pair of semi-detached dwellings.'

28. With regards to the current application, officers note that the two-storey side extension has been set level with the ridgeline of the main dwelling, and while it would be preferable to have this part of the development set below the ridgeline, taking into the size, scale and location of the proposal, it is considered to be acceptable. The extension has been designed taking into account the existing design traits and characteristics of the main dwelling which has incorporated a pitched roof element which would reflect sympathetically upon the main dwelling. Therefore, due to the size and scale of this element of the proposal, it is considered to be a subordinate addition, maintaining the existing front gable and bay feature as the dominant feature to the road.
29. Officers note that the current proposal would be visible from Cambridge Road, therefore it occupies a prominent site and the proposal would be highly visible. Officers are of the view that as the development is considered to be a sympathetic addition to the main dwelling, it would not result in an incongruous form of development which fails to relate sympathetically to the existing street scene along Cambridge Road. Therefore, it would not have a detrimental impact upon the character of the area.
30. Therefore, taking into account the previously approved permission on the site and the above information, officers are of the view that the development does not have a detrimental impact upon the property or the character of the area.

Two storey rear extension

31. Similar to the two-storey side extension, officers note that planning permission was approved under 15/02225/FUL for a 'Two storey side and rear extensions' on the 24th March 2016. Therefore, it appears that this is a resubmission of a previously approved scheme. Within the delegated report, the case officer noted that following:

'To the rear, the extensions would largely be out of view from the public realm due to the proximity of neighbouring properties. The extensions would add a significant amount to the rear elevation; however, the design and massing would reduce the visual impact, breaking up the rear elevation into a number of smaller parts. The single storey rear projection is already in position and flanks the western boundary. On balance, although the level of extension is significant, it is not considered to represent over-development and would be sufficiently sympathetic to the character and the appearance of the property,

site and street scene'.

32. Officers are of the view that the proposed two storey rear extension would add a significant amount to the main dwelling, however, this element of the proposal has been designed in a manner which would reduce the visual impact of the proposal. As such, the extension is considered to relate sympathetically to the main dwelling
33. This part of the development would not be visible from Cambridge Road however, notwithstanding this, officers are of the view that this element of the proposal has been designed to relate sympathetically to the main dwelling with a subservient double hipped form. Therefore, this element of the proposal is not considered to have a detrimental impact upon the character of the area.
34. Overall, the scale and design of the development proposal is considered acceptable and in accordance with Core Strategy Policy 10, Policy 1 of the Local Plan Part 2 and the NPPF.

Impact upon residential amenity

35. Core Strategy policy 10 states that development should be assessed in terms of its impact on the amenity of nearby residents. This is reinforced under policy 1 of the Land and Planning Policies document, which states that development should not be granted where there is a significant adverse effect upon the amenity of adjoining properties.
36. Under the previously approved planning application 15/02225/FUL, the case officer noted that the following within the delegated report,

'The two-storey extension would extend just 2.3 metres to the rear. Given the relatively shallow depth and the existing extension to the rear of No.4 the extension would not have an overbearing or overshadowing impact upon this property. The outlook from the neighbouring property would also be limited given the limited depth and the extension would incorporate a lower ridge height. Although the single storey rear kitchen element appears deep this is already on the site and would be remodelled. Due to the angle with No. 16, the development would not have an overshadowing or overbearing impact upon No.16. The amenity would again be preserved by reason of the limited depth of the two-storey extension. The single storey extension would abut the boundary with No.16; however, this would be of a limited height and depth and on balance it is not considered a refusal could reasonably be defended.'

Two storey side extension

37. The proposed two storey side extension would be constructed flush with the shared boundary with No.4 Cambridge Road. No windows are proposed on the side elevation, therefore, no direct overlooking/loss of privacy would occur upon No.4. It is noted that on the first-floor rear elevation, a degree of overlooking may occur from the windows, however, as these would face primarily upon the rear garden of the application site, it is not considered to be significant as to warrant refusal of the application. Officers acknowledge that a degree of overshadowing/loss of sunlight would occur upon the private amenity of No.4, however, it is considered that this would not result in a level of harm to warrant a refusal of planning permission. With the development being constructed flush with the shared boundary, it has the potential to appear as

an overbearing and visually dominant addition, however, It is noted that No.4 has a rear garden with a depth of 26.15m, which is considered to be sufficient to mitigate any detrimental impact. Furthermore number 4 has an existing single storey rear extension as well as permission for further extension (20/01503/FUL) further limiting any dominance of the proposed works.

38. Whilst the side windows at 4 Cambridge Road are noted, these features are noted to appear to represent bathroom and landing windows at first floor level, thereby representing 'non-habitable' spaces to which limited weight can be given. Whilst these windows would be impacted by the development, they would retain a 0.8m gap across the neighbours' side access in separation from the scheme, and the impact of overbearing and loss of light on these non-habitable windows would not be considered any significant impact on the amenities of neighbouring occupiers. At ground floor level the windows at 4 Cambridge appear to represent secondary features for rooms also served by rear windows, and as such any loss of light to these features would not be so significant to the amenities of adjacent occupiers so to as represent any significant amenity impact sufficient to warrant refusal.
39. Due to the siting and location of the proposed two storey side extension, it is not considered to have a detrimental impact upon the private amenity space upon No.16 Abbey Circus. The two-storey side extension would be 23m from the shared boundary with No.73 Gordon Road, which is considered to be sufficient separation distance to ensure that this element of the proposal would not have a detrimental impact upon their amenity.

Two-storey rear extension

40. The proposed two storey side extension would be constructed flush with the shared boundary with No.16 Abbey Circus. No windows are proposed on the side elevation of the extension therefore, no direct overlooking would occur. While it is noted that a degree of overlooking would occur from the first-floor rear windows, as the windows would face primarily upon the garden of the application, it is not considered to be significant as to warrant refusal of the application. Officers acknowledge that a degree of overshadowing/loss of sunlight would occur upon the private amenity of No.16, however, it is not considered to be significant as to warrant refusal of the application.
41. Due to the siting and location of the proposed two storey side extension, it is not considered to have a detrimental impact upon the private amenity space upon No.4 Cambridge Road. The two-storey rear extension would be 23m from the shared boundary with No.73 Gordon Road, which is considered to be sufficient separation distance to ensure that this element of the proposal would not have a detrimental impact upon their amenity.
42. Therefore, taking the above information into account, officers are of the view that the proposed alterations would not have a detrimental impact upon the residential amenity of the adjoining properties.

Impact upon highway/parking

43. Policy 1 (2) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) notes that all development must provide suitable means of access can be provided to the development without detriment to the amenity of adjacent properties or highway safety and the provision of parking is in accordance with

advice provided by the Highways Authority, while policy 11 (g) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) states appropriate provision for access and parking is made.

44. In accordance with the Nottingham County Council (NCC) Highway Design Guide it states that a dwelling with 4 or more bedrooms it must be able to provide a minimum of three parking spaces. The proposal seeks to provide 4 bedrooms.
45. Nottingham County Council (NCC) Highway Design Guide further states that 'The minimum single driveway width is 3.0m or 3.6m when access is needed to both sides of the vehicle. A width of 3.6m is also appropriate if a driveway is located between two dwellings or other width restriction. A further 3.0m is required for a double width driveway with no physical separation between spaces and then a further 2.4m for each additional vehicle to be parked at 90 degrees to the carriageway side by side'. Officers note that the applicant currently has a hardstanding area to the front of the property with a depth of 5.58m and a width of 8.77m.
46. Therefore, taking into account, the above information into account, officers are of the view that there is sufficient parking to the front of the property to accommodate the additional demand, as such the proposal is not considered to be detrimental to highway safety/parking.

Third Party Representations

47. During the consultation process, a number of objections have been received regarding the proposed development. Objections have been received from a ward councillor and members of the public. The objections have been summarised below and will now be addressed:
48. Cause overshadowing and loss of privacy/Impact on noise levels and parking.
 - As noted within the 'Impact upon residential amenity' section of the report, the proposed extension would result in a degree of overshadowing and overlooking however these are not considered to be significant as to warrant refusal of the application.
49. Existing extension stretches 9m along shared boundary. Beyond the size allowable for an extension. Unclear the width of the extension.
 - Officers believe that the objector is confusing what is the permitted depth of an extension as set out under Class A – enlargement, improvement or other alteration of a dwellinghouse of Part 1 Development within the curtilage of a dwellinghouse, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
50. Site plan in incorrect.
 - Officers have not found any information to suggest that the plans submitted are incorrect.

51. Existing single storey is poor quality, concerns that this will be repeated if approved.
- Officers would like to note that the Council has no control over who builds the extension and how the extension is built. Conditions can be attached regarding the proposed material finish to ensure that the development would be in keeping with the character of the area. Any developer would need to meet the requisite building regulations specifications controlled under separate legislation.
52. Likely to be a 5/6 bedroomed property.
- The proposed development seeks to implement 4 bedrooms within the property. It is noted that stairs provide access to the loft space which could provide additional accommodation however the development represents a use class C3 dwelling, and additional bed space would not alter the assessments as made above.
53. Inadequate living space and not enough rear garden space.
- Officers are of the view that sufficient living space has been provided internal for the development. Officers have measured the rear garden area which amounts to 161.31sqm. Officers note that this would comply with the Rushcliffe Residential Design Guide (2009) which states that detached dwellings should provide 110sqm of amenity space.
54. Inadequate maintenance of property will occur.
- Officers are of the view that the above comment is not a material consideration for the assessment of the application. Maintenance and liability represent a private legal matter.
55. Contrary to planning policy.
- Officers have carried out a complete assessment against all of the relevant planning policies for the Council and are of the view that the development is considered to be acceptable.
56. Risk of creating a precedent.
- Officers would like to note that each application must be assessed based on its own merits.

Conclusion

57. The proposal would be visually acceptable, would not impact on residential amenity and would not be harmful to highway safety. There would also be no adverse impact on the character and appearance of the area. As set out above, the proposal was also considered acceptable and granted planning permission previously. Since the granting of that permission there has been no significant change in planning policy that would justify a variance to that earlier recommendation, which is a material planning consideration. Accordingly, the proposed development is considered to conform with the objectives of Policies

1 and 10 of the LPP1, Policy 1 of the LPP2 and the Design Guide. The application is therefore recommended for approval subject to conditions.

58. The application was not the subject of pre-application discussions. The scheme however is considered acceptable and no discussions or negotiations with the applicant or agent were considered necessary.

RECOMMENDATION

It is RECOMMENDED that 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 drawings, received on the 27th August 2021:
 - Floor plans and elevations
 - Planning application form
 - Plans as existing
 - Site location plan
 - Site 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]

3. The external materials to be used in the development hereby permitted shall be in strict accordance with those specified in the application.

[To ensure the appearance of the development is satisfactory having regard to policy 10 of the Rushcliffe Local Plan Part 1: Core Strategy and 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 is not CIL chargeable. 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 landowner 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.

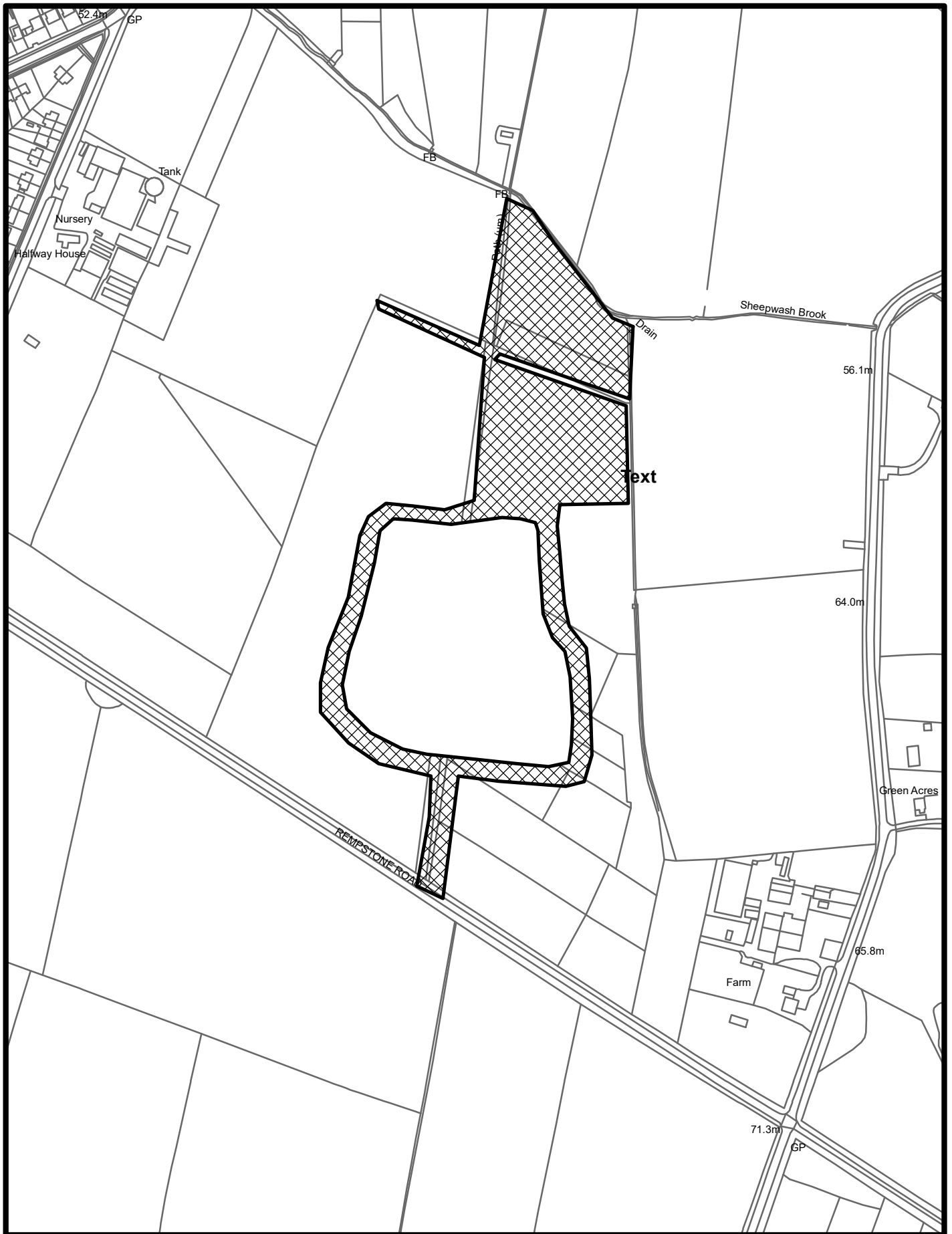
This grant of planning permission does not alter the private legal situation with regard to the carrying out of any works involving land which you do not own or control. You will need the consent of the owner(s) involved before any such works are started.

The provisions of the Party Wall Act 1996 may apply in relation to the boundary with the neighbouring property. A Solicitor or Chartered Surveyor may be able to give advice as to whether the proposed work falls within the scope of this Act and the necessary measures to be taken.

You are advised to ensure disturbance to neighbours is kept to a minimum during construction by restricting working hours to Monday to Friday 7.00am to 7.00pm, Saturday 8.00am to 5.00pm and by not working on Sundays or Bank Holidays. If you intend to work outside these hours you are requested to contact the Environmental Health Officer on 0115 9148322.

It is possible that the roof space, and/or behind the soffit, fascia boards, etc. may be used by bats. You are reminded that bats, their roosts and access to roosts are protected and it is an offence under the Countryside and Wildlife Act 1981 to interfere with them. If evidence of bats is found, you should stop work and contact Natural England on 0300 060 3900 or by email at enquiries@naturalengland.org.uk.

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Application Number: 22/00570/CTY
Evans Road, East Leake



scale 1:4000

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Rushcliffe Borough Council - 100019419

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22/00570/CTY

Applicant David Marsh

Location 53 Evans Road, East Leake, Nottinghamshire, LE12 6AS

Proposal Erection of a Primary School for 1.5 Forms of Entry, plus 26 place Nursery with associated Car Parking. Associated areas of soft play, hard play, grass playing field with landscaping works. Erection of 2.4m high security fencing and gates to perimeter and sprinkler tank. Provision of bound surface and lit cycle and footpath on route of public footpath East Leake FP5.

Ward Leake

THE SITE AND SURROUNDINGS

1. The site is located towards the south-eastern edge of the village of East Leake. The site comprises two arable fields, separated by a belt of woodland, that are located to the north of existing residential development sites being built out by David Wilson Homes and to the east of the Persimmon housing development that is accessed off Kirk Ley Road. Access is proposed off Sheepwash Way within the Persimmon Development.
2. The site layout plan provided with this application shows the overall context with the adjacent residential sites to its immediate south and east. The submitted plans detail the proposed location for the vehicular connection (through the David Wilson Homes development) as well as pedestrian/cycle links through to the Persimmon development.

DETAILS OF THE PROPOSAL

3. This is a County Matter application where Rushcliffe Borough Council is a Consultee. The County Council is the determining authority for this proposal and, whilst considering the application they are also the applicant in this instance. The land is, however currently owned by private entities.
4. There is an educational requirement for a new primary school at East Leake from September 2022. This is to be satisfied by the permanent provision of a new School in which outline planning permission has already been granted. It is anticipated that the proposed school would be operational from September 2023 and in the interim, the school place demand will be met with a 120 Place Temporary School Learning Village in which planning permission has already been granted.
5. The current scheme proposes the erection of a primary school for 1.5 forms with associated car parking. The scheme also proposes areas of soft play, hard play, grass playing field with landscaping works, the erection of 2.4m high security fencing and gates to perimeter and sprinkler tank along with the provision of bound surface and lit shared pedestrian and cycle path on route of Public Footpath East Leake Footpath 5 (FP5). Public access from the

footpath will be determined by the householder build out rates and subsequent availability of safe access.

6. The school would be built with capacity for 315 primary pupils and a 26 place nursery to satisfy projected demand for primary school places in East Leake. The school building would be over two storeys. It was previously advised by Officers that a single storey option would have too large a footprint given its size and constraints.
7. Pedestrian and vehicular access to the school would be from the new roads being constructed to serve the David Wilson Homes housing development, accessed off Rempstone Road. A separate pedestrian/cycle route from the Persimmon housing site connecting Sheepwash Way to Footpath 5 (which runs along the western boundary of the site) is also proposed.
8. The school building would be located towards the southern edge of the site with a formal hard play area to the south and hard and soft play areas located to the northern edge of the site.
9. The application description also includes fencing details which would include a 2.4m fence around the play areas to the north. The proposed fence around the hard play area to the south would comprise a 3m high security fence around the play area to the south. A sprinkler tank would be enclosed by a 3.5m high fence and a 2m high fence would enclose the bin store.
10. The school building itself would be located towards the southern edge of the site with car parking to the frontage facing towards the recently approved David Wilson Homes development that is currently under construction to the south of the site. Revised elevational plans which accompany the submission show the building would be two storeys in height with a maximum height of 9.32m. At ground floor level, the proposed building would measure a maximum of 66m in length (reducing to 47m at first floor level) and would have a maximum width of 23m (reducing to 18.5m at first floor level).
11. The materiality of the proposed building has been derived from the character of the adjacent residential area which would be made up of brickwork with rendered areas to add character to the appearance of the building.
12. The proposed site plan indicates that there would be 30 vehicle parking spaces which would include 2 disabled spaces. A secure cycle store would also be provided to the west which would accommodate 30 cycle spaces. There would be 2no electric vehicle charging points.

SITE HISTORY

13. The site forms part of a wider area which has an extensive planning history, the most relevant of which is listed below:
14. Application reference 14/01927/VAR, the Persimmon Homes Scheme for the adjacent Persimmon Housing Development was approved at appeal in December 2015.
15. Application reference 16/01881/OUT for planning permission for the wider surrounding site including 235 dwellings, primary school, infrastructure, green

space, associated surface water attenuation and landscaping was approved at appeal in November 2017.

16. Application reference 19/01770/REM - application for approval of access, appearance, landscaping, layout and scale of outline permission 16/01881/OUT for the erection of 235 dwellings - approved January 2020.
17. Application reference 20/02300/REM - application for approval of access, appearance, landscaping, layout and scale of outline permission 16/01881/OUT for the erection of 235 dwellings (partial re-plan of approved application ref 19/01770/REM) – approved December 2020.
18. Application reference 20/00888/FUL - erection of an additional 51 dwellings with associated access, parking and landscaping (as an extension to application ref 20/02300/REM) – approved July 2021.
19. Application reference 21/03223/FUL – application for the erection of 47 dwellings with associated access, parking and landscaping (this application proposes an additional 47 dwellings on the site (instead of the approved additional 51 dwellings)
20. A Section 106 agreement for (planning reference 16/01881/OUT) was entered into in November 2017. Contained within that agreement was the requirement for the provision of school land.
21. The Section 106 agreement signed as part of the adjacent Persimmon Homes scheme (planning reference 14/01927/VAR) allowed for vehicular and pedestrian access to serve the school site. However, for robustness, the full traffic impacts associated with any new school were also assessed as though access is proposed to be achieved via the new Rempstone Road access junction (planning reference 16/01881/OUT). In any event, pedestrian/cycle access to the school (and the development as a whole) could be achieved via the Persimmon development.
22. Application reference 21/01029/CTY - erection of a Primary School for up to 2-forms of entry (in phases), plus 26 place nursery with associated car parking. Associated areas of soft play, hard play, grass playing field with landscaping works. Erection of 2m high security and lit 3m shared pedestrian and cycle path on route of Public Footpath, East Leake FP5. Bound surface and lit path and bridge between Sheepwash Way was not objected to by the Planning Committee in June 2021. The County Council as the determining authority subsequently resolved to grant planning permission.
23. Application reference 21/02694/CTY - Erection of 120 Place Temporary School Learning Village Accommodation with temporary lit access road and permanent lit access path. Associated areas of soft play, canopies, car parking and surface water balancing pond. The County Council, as the determining authority subsequently resolved to grant planning permission.

REPRESENTATIONS

Ward Councillor(s)

24. One Ward Councillor (Cllr Thomas) supports the proposal but comments that the strip of land in third party ownership is somewhat awkward and the requirement for security fences between the school and playing fields will have an oppressive impact on the children's environment and could create operational difficulties. Cllr Thomas also questions whether the foot/cycle path would be surfaced where it crosses the strip, why the application is for 1.5 form intake whereas the outline consent was for up to 2 form entry, whether there is a fence along the public footpath, if the security fencing could incorporate hedgehog holes and if 2no. electric charging points is sufficient. Other comments relate to the lack of a gathering area for parents/guardians, whether the footpath would be used for emergency vehicles, lack of pick up/collection points, future catchment areas and whether provision is made for solar panels.

Town/Parish Council

25. East Leake Parish Council has no objections to make but provides the following comments:
- a. A condition should be put in place for rights of access across the third-party land.
 - b. The application is for 1.5 form intake whereas the outline was for up to 2 form entry (in phases). What is the reason for this change? This is significant not just because of where future extra classrooms could be placed but also because of the sizing of areas such as the school hall, corridors and stairs it is very difficult to increase these later.
 - c. No areas for parents waiting to pick up children next to the pedestrian access
 - d. No provision for parents travelling by car to drop-off and pick up children at front gate
 - e. Electric charging points for staff should be provided.
 - f. Hedgehog gates should be put into security fences to allow access across the area.
 - g. Initial planning statement showed solar PV panels but noted not shown on the full application, these should be added to possibly generate and sell back energy.
 - h. No grey water recycling/harvesting provision.
 - i. No provision for solar hot water heating could this be investigated

Statutory and Other Consultees

26. Rushcliffe's Environmental Sustainability Officer noted that a Preliminary Ecological Assessment, Great Crested Newt survey result letter and Reptile Report have been carried out according to good practice and are in date.
27. A single grass snake was identified on three separate visits, however, it is considered likely that this was an individual grass snake, and therefore translocation is considered disproportionate.
28. A biodiversity net gain (BNG) assessment with a demonstrated gain should be provided as recommended by CIRIA (2019) Biodiversity Net Gain – Principles

and Guidance for UK construction and developments, with the gains implemented and maintained in the long term and agreed by the County Planning Authority which should be supported with a Landscape and Ecological Management Plan (LEMP).

29. They advise that the development provides opportunities for ecological enhancement and that the favourable conservation status of protected species is unlikely to be impacted by this development.
30. Rushcliffe Borough Council's Environmental Health Officer does not object to the proposal subject to conditions being attached to any grant of permission.

PLANNING POLICY

Relevant National Planning Policies and Guidance

31. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England. It carries a presumption in favour of sustainable development and makes clear that applications must be determined in accordance with the development plan unless material considerations indicate otherwise (Paragraph 11). Paragraph 12 states, "*Proposed development that accords with an up to date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.*" Paragraph 14 states that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the Policies in the NPPF taken as a whole.
32. Paragraph 17 sets out 12 core planning principles that it says should underpin plan making and decision taking. These include that planning should; be genuinely plan-led, proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs, to seek to secure high quality design and a good standard of amenity, support the transition to a low carbon future in a changing climate, taking full account of flood risk, contribute to conserving and enhancing the natural environment, promote mixed use developments and to actively manage patterns of growth.
33. The sections of the NPPF that have relevance to the determination of this application include; 4. Promoting sustainable transport; 7. Requiring good design; 8. Promoting healthy communities; 10. Meeting the challenge of climate change, flooding and coastal change; and 11. Conserving and enhancing the natural environment.

A copy of the National Planning Policy Framework 2021 can be found [here](#)
A copy of the Planning Practice Guidance can be found [here](#)

Relevant Local Planning Policies and Guidance

34. The Rushcliffe Local Plan Part 1: Core Strategy (LPP1) was formally adopted in December 2014. It sets out the overarching spatial vision for the development of the Borough to 2028.

35. The following other policies in the LPP1 are relevant:

- Policy 1 - Presumption in Favour of Sustainable Development;
- Policy 2 - Climate Change;
- Policy 3 - Spatial Strategy;
- Policy 10 - Design and Enhancing Local Identity;
- Policy 12 - Local Services and Healthy Lifestyles;
- Policy 14 - Managing Travel Demand;
- Policy 15 - Transport Infrastructure Priorities;
- Policy 16 - Green Infrastructure, Landscape, Parks and Open Space;
- Policy 17 - Biodiversity;
- Policy 18 - Infrastructure; and
- Policy 19 - Developer Contributions

A copy of The Rushcliffe Local Plan Part 1: Core Strategy (LPP1) can be found [here](#)

36. The Local Plan Part 2: Land and Planning Policies (LLP2) was adopted in October 2019 and the following policies in LPP2 are also considered material to the consideration of this application:

- Policy 1 Development Requirements
- Policy 18 Surface Water Management
- Policy 19 Development affecting Watercourses
- Policy 20 Managing Water Quality
- Policy 29 Development affecting Archaeological Sites
- Policy 37 Trees and Woodlands
- Policy 38 Non-designated Biodiversity Assets and the wider Ecological network
- Policy 39 Health Impacts of Development
- Policy 40 Pollution and Land Contamination
- Policy 43 Planning Obligations Threshold

A copy of the Local Plan Part 2: Land and Planning Policies (LLP2) can be found [here](#)

APPRAISAL

Principle of Development

37. An extant outline planning permission exists for the erection of a school building through the grant of outline planning permission 16/01881/OUT - *Outline application for up to 235 dwellings, primary school, infrastructure, green space, associated surface water attenuation & landscaping*. As part of the two adjoining residential developments currently being constructed by Persimmon Homes and David Wilson Homes, Section 106 agreements have been entered into which relate to this land and the provision of the primary school.

38. The Section 106 agreement for the Persimmon development (application ref 14/01927/VAR) defined the “education contribution” as a financial sum for the first 175 dwellings from that development towards improvements at Brookside

Primary School in the village, and a separate, larger amount for every dwelling over and above 176 dwellings towards the provision of “*The School*” which is defined separately in the S106 agreement along with definitions of “*The School Land*”, the “*School Land Purpose*” and the “*School Land Undertaking*”. The S106 also includes an entire schedule (the fifth schedule) which sets out the school land transfer provisions.

39. Similar to the above, the S106 agreement for the David Wilson Homes Development (application ref 16/01881/OUT) included financial contributions towards the provision of “...*primary education or primary education facilities in or within the vicinity of East Leake...*” It should also be noted that the description of development for application ref 16/01881/OUT also included reference to a primary school with the location shown indicatively on the plans within the submission.
40. Furthermore, the County Council have previously approved outline permission for a new school on the site and the Borough Council resolved not to object (via application ref 21/01029/CTY).
41. For these reasons, the principle of a school facility in this location is already established, and therefore acceptable.

Design and impact upon neighbouring amenity

42. Policy 10 of the LPP1 requires that all new development should, amongst other things, make a positive contribution to the public realm and sense of place and should have regard to the local context and reinforce local characteristics. Specifically, with regard to design, the policy requires that development be assessed in terms of its massing, scale and proportion; and in terms the proposed materials, architectural style and detailing. Policy 1 of the LPP2 broadly echoes policy 10.
43. Chapter 12 of the Framework is concerned with achieving well-designed places. Specifically, it requires that development should function well and add to the overall quality of the area, not just in the short term but over the lifetime of the development. Development should also be visually attractive as a result of good architecture, layout and landscaping, and should be sympathetic to local character and history and maintain a strong sense of place. Importantly, permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
44. The proposed school building would be located towards the southern edge of the site with car parking to the frontage facing towards the approved David Wilson Homes development currently under construction to the south of the site.
45. Revised elevational plans show the main building would be two storeys high with a maximum ridge height of 9.32m and with a single storey element to the east measuring 3.6m high. At ground floor level, the proposed building would measure a maximum of 66m in length (reducing to 47m at first floor level) and would have a maximum width of 23m (reducing to 18.5m at first floor level). The materiality of the proposed building has been derived from the character

of the adjacent residential area which would be made up of brickwork with rendered areas to add character to the building.

46. The main school entrance would be from the south and a separate pedestrian access would be provided off the PROW to the west. The proposed building would be sited circa 36m to the nearest residential dwelling to the west and circa 38m to the nearest residential dwelling to the south.
47. Consideration should be given to the use of environmental credentials such as provision for solar panels, grey water harvesting etc to promote sustainable development.
48. In the context of its surrounds, alongside an approved development, the overall height and footprint of the building together with the degree of separation from the existing housing, the proposal is considered to be acceptable.
49. The Ward Councillors and the Parish Council's comments regarding design aspects of the submission are noted, however, the Borough Council are only a consultee on this application and therefore the determining authority (Nottinghamshire County Council) would need to seek the technical expertise of the relevant consultees prior to determining the application.

Highway Safety and Parking

50. The proposed site is intended to be served by a vehicular access off Rempstone Road that would also serve the 286 dwellings approved and currently under construction by David Wilson Homes. A separate non-vehicular access is proposed via a connecting footpath/cycle link between Sheepwash Way in the neighbouring Persimmon development to the west and Footpath 5 which is located on a north-south axis alongside the western boundary of the application site. The vehicular access arrangements were assessed under application references 16/01880/OUT, 20/02300/REM and 20/00888/FUL and it is understood that they have now gained Section 38 technical approval from the Highway Authority (Nottinghamshire County Council).
51. A pedestrian link between Sheepwash Way and Footpath 5 was also a condition of the grant of permission for application ref 16/01880/OUT that was granted on appeal. Details of the proposed link have recently been discharged (i.e. details have been submitted and agreed to be acceptable) under application ref 20/00887/DISCON in June 2020. The principle of the 'link' is therefore already established and accepted in this location and is partially installed.
52. The County Council are responsible for both the highway network at a local level as the Highway Authority as well as the footpath network through their Rights of Way Team. As the determining authority the County Council will therefore have to consider the impacts on the traffic generation and as a result of the proposed footpath improvements in the determination of the application.
53. The Ward Councillors and Parish Council comments/concerns regarding the levels of parking provision, cycle storage, electric vehicle charging points, pick up/drop off points are all noted, however, the Borough Council are only a consultee on this application and therefore the determining authority

(Nottinghamshire County Council) would need to seek the technical expertise of the relevant consultees prior to determining the application. It is noted the Highway Authority do not object to the proposal subject to appropriate conditions and that provision for 2 EVCP is considered appropriate as it was a requirement of the outline planning permission.

54. The adopted Rushcliffe Local Plan Part 1: Core Strategy advocates the reduction in car dependency and promotes the use of sustainable transport modes as a primary method of transport. The proposed improvements to the pedestrian and cycle links to and from the school are therefore welcomed and whilst there are no details of the proposed other sustainable transport elements commented on by the Ward Councillors and Parish Council, subject to the County Council, as Highway Authority, being satisfied with the details submitted, the application would accord with the requirements of Policy 10 of the LPP1 and Policy 1 of the LPP2.

Flood Risk and Contamination

55. Rushcliffe Borough Council notes the submission of a Flood Risk Assessment and Drainage Strategy to accompany the proposed development. It notes that foul drainage would be dealt with via a pumped connection into the existing system on Sheepwash Way and that surface water drainage would be discharged into the adjacent watercourse, via an attenuation pond. The northern edge of the site is located within flood zones 2 and 3 although the built form located within flood zone 1. Details of the drainage strategy have already been accepted under application ref 20/00886/DISCON.
56. The technical guidance to the NPPF states that developments of a more vulnerable category such as the proposed educational use are appropriate within flood zone 1, without the application of the Sequential Test. However, as none of the built part of the site is shown within flood zone 3, the proposal would not need to be covered by the Sequential Test. Nevertheless, it is acknowledged that the parts of the development classed as more vulnerable being proposed are indicated to be located within flood zone 1 only, the proposed development site can be seen as sequentially preferable.
57. As part of a major development site, consultation with the Lead Local Flood Authority has taken place with respect to the residential development that already benefits from planning permission. Nottinghamshire County Council are themselves the Lead Local Flood Authority and, therefore, officers advise that their views and advice in respect of the proposed Sustainable Drainage Systems should be sought.
58. The Borough Council's Environmental Health Officer has advised that they do not object to the proposal, subject to a number of conditions being imposed to the grant of any planning permission. Those requested conditions include restricting the use of the school facilities and the requirement for a noise management plan/assessment plan.
59. Other conditions requested by the Environmental Health Officer relate to testing for any stone or soils imported to the site; the submission of a construction management plan (CMP); controls on the hours of construction and deliveries to the site, details of any lighting to be installed on site and the noise levels for the proposed air source heat pump. All conditions suggested

by the Borough Council's Environmental Health Officer were included within the OUT consent.

Ecology

60. The application has been accompanied by a Great Crested Newt survey result letter, reptile report and a Preliminary Ecological Assessment Report (PEAR) which has been updated from that originally undertaken as part of the Outline application. Whilst the Borough Council's Environmental Sustainability Officer does not object to the proposal, it is noted in the submitted Preliminary Ecology Appraisal that some habitats of ecological value would be lost to facilitate the proposed development and that recommendations have been put forward to enhance biodiversity, however, it is suggested that a biodiversity net gain should be demonstrated.

Archaeology

61. The submission correctly states that an archaeological desktop survey was previously provided as part of the discharge of conditions for Planning Application Reference 19/02832/DISCON in 2019 as conditioned on permission reference 16/01880/OUT. This written scheme of investigation indicated an assessment and trench to the South of the site approximately where the school building is proposed to be located. The Borough Council are a consultee on this application and therefore the determining authority (Nottinghamshire County Council) would need to seek the technical expertise of the relevant consultees prior to determining the application.

Conclusion

62. The principle of a school in this location is already established, acceptable and required in order to serve the needs of the wider residential development(s), nevertheless, the County Council have submitted a full application.
63. The design and scale of the proposed building being two storeys up to 9.32m high (reduced from up to 12m approved under the outline consent) with a Gross Internal Area of approximately 1860sqm (reduced from up to 2235sqm approved under the outline consent) are considered to be acceptable. However, the recommendations as set out in the supporting documents along with the technical input of the Highway Authority, the Lead Local Flood Authority and Archaeological Team are recommended to be sought.
64. The Borough Council also advises the County Council to consider the implications of the Traffic Regulation Orders in the event that such controls are not secured through the democratic process. Further consideration should be given to the impact of the construction of the development upon the biodiversity habitat of the surrounding area as well as an ecological enhancement scheme being secured as part of the development.

RECOMMENDATION

It is RECOMMENDED that the County Council be informed that the Borough Council does not object to the proposal subject to the following condition(s) (along with any other conditions that the County Council consider appropriate):

1. The development hereby permitted may not be begun until a Biodiversity Gain Plan (BGP) has been submitted to and agreed in writing by the County Planning Authority, the development shall be carried out in accordance with the approved BGP.

[As required by Paragraph 13 of Part 2 of Schedule 7A of the Town and Country Planning Act 1990 (as amended by the Environment Act 2020.)]

2. The development hereby approved shall not commence until the recommendations listed in the Preliminary Ecological Assessment Report (PEAR) have been undertaken and relevant reports containing any mitigation measures have been submitted to the County Planning Authority. Thereafter the development shall be carried out in accordance with the recommendations contained within the details and retained as such for the lifetime of the development

[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 2021.]

3. The hard and soft landscaping shown on the submitted drawings 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 from the date of planting, any tree or shrub planted as part of the approved landscaping scheme is removed, uprooted, destroyed, dies or becomes 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 2021.]

4. The development hereby permitted must not commence and no preparatory operations in connection with the development hereby permitted (including demolition, site clearance works, fires, soil moving, temporary access construction and/or widening, or any operations involving the use of motorised vehicles or construction machinery) shall take place on the site until a detailed Arboricultural Method Statement (AMS) prepared in accordance with BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations', has been submitted to and approved in writing by the County Planning Authority and all protective fencing has been erected as required by the AMS. The AMS must include full details of the following:

- a. The timing and phasing of any arboricultural works in relation to the

- approved development;
- b. Detailed tree felling and pruning specification in accordance with BS3998:2010 Recommendations for Tree Works;
 - c. Details of a Tree Protection Scheme in accordance with BS5837:2012 which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site which are to be retained or which are the subject of any Tree Preservation Order;
 - d. Details of any construction works required within the root protection area as defined by BS5837:2012 or otherwise protected in the Tree Protection Scheme;
 - e. Details of the location of any underground services and methods of installation which make provision for protection and the long-term retention of the trees on the site. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, no services shall be dug or laid into the ground other than in accordance with the approved details;
 - f. Details of any changes in ground level, including existing and proposed spot levels, required within the root protection area as defined by BS5837:2012 or otherwise protected in the approved Tree Protection Scheme;
 - g. Details of the arrangements for the implementation, supervision and monitoring of works required to comply with the AMS.

[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 2021.]

5. Any aggregate (other than virgin quarry stone), topsoil (natural or manufactured), or subsoil that is to be imported onto the site must be assessed for chemical or other potential contaminants in accordance with a written scheme of investigation which shall be submitted to and approved in writing by the County planning authority prior to the material being bought onto the site. Only material that has been tested in accordance with the approved investigation scheme shall be imported onto the site.

[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) of the Rushcliffe Local Plan Part 1: Core Strategy (2014), Policies 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 178 and 177 of the National Planning Policy Framework 2021.]

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