

**MINUTES
OF THE MEETING OF THE
PLANNING COMMITTEE
THURSDAY, 28 JULY 2022**

Held at 2.30 pm in the Council Chamber, Rushcliffe Arena,
Rugby Road, West Bridgford
and live streamed on Rushcliffe Borough Council YouTube channel

PRESENT:

Councillors R Butler (Chairman), Mrs M Stockwood (Vice-Chairman), S Bailey, N Clarke, M Gaunt, L Healy, D Mason, F Purdue-Horan, V Price, C Thomas and J Walker

ALSO IN ATTENDANCE:

Councillors A Brennan, A Phillips, and R Upton and 11 members of the public

OFFICERS IN ATTENDANCE:

A Ashcroft	Planning Services Consultant
P Cook	Principal Planning Officer
C Miles	Area Planning Officer
R Sells	Solicitor
H Tambini	Democratic Services Manager

APOLOGIES:

Councillors B Bansal

7 Declarations of Interest

There were no declarations of interest made.

8 Planning Applications

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

19/02589/HYBRID -Hybrid planning application comprising full planning permission for the redevelopment of the Peter Taylor stand (including the demolition of existing buildings/structures), new public realm, replacement club shop, car parking and associated works, and Outline planning permission for up to 170 residential units including flexible uses (Class E) at ground floor (approval for access, layout, and scale) – Nottingham Forest Football Club, City Ground (Including Champions Centre, Club Shop and Storage Warehouse, and Rowing Club Britannia Boathouse) Pavilion Road, West Bridgford.

Additional representations were received after the agenda had been published and were circulated to the Committee before the meeting and published on the Council's website.

All members of the Committee attended a site visit to the City Ground, Pavilion Road, West Bridgford prior to the Committee meeting.

In accordance with the Council's Public Speaking Procedure for Planning Committee on 28 July 2022, Mr M Dybala (Objector) and Mr C Potts (Applicant's Agent) addressed the Committee.

DECISION

THE DIRECTOR – DEVELOPMENT AND ECONOMIC GROWTH BE AUTHORISED TO GRANT PLANNING PERMISSION SUBJECT TO:

- 1) THE PRIOR SIGNING OF A SATISFACTORY S.106 AGREEMENT;
AND**
- 2) THE FOLLOWING CONDITIONS (SAVE THAT IN THE EVENT THAT AFTER THE DATE OF THE COMMITTEE'S DECISION BUT PRIOR TO THE PLANNING PERMISSION BEING ISSUED ANY CHANGES ARE NEEDED TO THE WORDING OF THE CONDITIONS (TO VARY THE WORDING OF THE CONDITIONS OR THEIR INFORMATIVES ONLY), THE DIRECTOR – DEVELOPMENT AND ECONOMIC GROWTH BE DELEGATED AUTHORITY TO MAKE THESE CHANGES IN CONSULTATION WITH THE CHAIRMAN OF THE PLANNING COMMITTEE, PROVIDED THAT THESE CHANGES DO NOT EXCEED OR ALTER THE SUBSTANTIVE NATURE OF THE CONDITIONS AS SET OUT IN THE OFFICER'S REPORT TO THE COMMITTEE.**

1. The development authorised by this permission shall be carried out in complete accordance with the approved drawings and specification listed below:

Site Location Boundary Plan - Plan Ref: BNY-SA-00-00-01 Rev: B03, 1:1250, A1

Existing Site Block Plan - Plan Ref: BNY-SA-00-00-02 Rev: B02, 1:500, A0

Proposed Site Block Plan - Plan Ref: BNY-SA-00-00-03 Rev: B06, 1:500, A0

Proposed Site Block Plan & Existing Stand Outline - Plan Ref: BNY-SA-00-00-04 Rev B06

Existing Site Layout, Topographical Information - Plan Ref: BNY-SA-02-00-01 Rev: B01, 1:500, A0

Demolition Extents - Plan Ref: BNY-SA-00-00-07 Rev: B02, 1:250, A0

Existing Boat House Floor Plans and Elevations - Plan Ref: BNY-Z2-02-00-03 Rev: B01, 1:100, A1

Existing and Proposed Site Car & Cycle Parking Plan - Plan Ref: BNY-SA-00-00-05 Rev: B03, 1:1000, A1

Existing Street Elevations Sheet 1 - Plan Ref: BNY-SA-02-AL-01 Rev: B01, 1:500, A1

Existing Street Elevations Sheet 2 - Plan Ref: BNY-SA-02-AL-02 Rev: B01, 1:500, A1

Proposed Overall Ground Floor Plan ref: BNY-SA-20-00-01 B05 1:500 A1

Proposed Overall First Floor GA Plans – Stand + Residential - Plan Ref: BNY-SA-20-01-01 Rev: B05, 1:1250, A1
Proposed Overall Second Floor GA Plans – Stand + Residential - Plan Ref: BNY-SA-20-02-01 Rev: B05, 1:1250, A1
Proposed Overall Third Floor GA Plans – Stand + Residential - Plan Ref: BNY-SA-20-03-01 Rev: B05, 1:1250, A1
Proposed Overall Fourth Floor GA Plans – Stand + Residential - Plan Ref: BNY-SA-20-04-01 Rev: B05, 1:1250, A1
Proposed Overall Roof GA Plans – Stand + Residential - Plan Ref: BNY-SA-20-05-01 Rev: B05, 1:1250, A1
Air Quality Assessment Ver 02 - Ref: 0043642, Buro Happold
Construction Environmental Management Plan ver P04 – Ref: GP.1201.F01 Buckingham Group,
Daylight & Sunlight Report – by GIA Ref: 14478 dated 05/05/21
Design & Access Statement Ref: BNY-SA-SD-AL-01 - B04
Economic Impact Analysis by ADE Regeneration (December 2019, and updated Addendum July 2022)
Employment & Skills Strategy by Buckingham Group, Rev D
Energy Statement – Ref: 0043642, NTS, A4, Buro Happold, 02
External Public Realm Lighting Strategy Ref: 0043642 by Buro Happold version 04
Flood Risk Assessment Ref: 0043642 by Buro Happold version 02
Drainage Strategy Report Ref: 0043642 by Buro Happold ver 03
Ground Engineering Desk Study Report Ref: 0043642 by Buro Happold version 05
Noise Impact Report Ref: 0043642 by Buro Happold version 02
Planning Statement dated Nov 19
Rapid Health Impact Assessment, dated Nov 19
Security Planning Report Ref: 0043642 by Buro Happold ver 05
Statement of Community Involvement dated Nov 19
Sustainability Appraisal Ref: 0043642 by Buro Happold ver 02
Transport Assessment Ref: - 0043642 by Buro Happold ver 04
Framework Travel Plan Ref: 0043642 by Buro Happold ver 05
Protected Species Report Ref: - RSE_3012_01 by Ramm Sanderson, V2
Biodiversity Impact Assessment Report (Stand) Ref: - RSE_3012_02,
Biodiversity Impact Assessment Report (Residential) Ref:- RSE_3012_03
Air Quality Assessment Note 0043642 Buro Happold, (9 April 2021)
Energy Strategy Note 0043642 Buro Happold, (9 April 2021)
Flood Risk Assessment Addendum 0043642 Buro Happold, (17 May 2021)
Sustainability Appraisal Note 0043642 Buro Happold, (9 April 2021)
Viability Appraisal, Savills (24.06.2022)
Transport Response Note (2 November 2021) Ref: 0043642, NTS, A4, Buro
Pre-Construct Archaeology, Historic Environment Desk-Based Assessment (June 2022) R14995
Ecology Update Surveys – V2 15/07/22 Ref: RSE_:6037_L1_V2 Ramm Sanderson
NFFC BNG Metric 3. by Ramm Sanderson (17 June 2022)
ADE Regeneration, Economic Impact Analysis Addendum (July 2022)
Section 106 Agreement Heads of Terms (19 July 2022), Savills

Reason: To define the permission.

2. No development shall take place until the applicant, or their agents or successors in title, have secured the implementation of a programme for archaeological mitigation, advised by the Pre-Construct Archaeology, Historic Environment Desk-Based Assessment (June 2022) R14995, to be carried out during construction or excavation work on site, by suitably experienced archaeologists from a professionally accredited archaeological organisation. The details of such a scheme of investigation shall be submitted to and approved in writing by the Local Planning Authority (LPA) also prior to commencement of the development on site.

Reason: 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 (NPPF) (July 2021).

3. All vehicle accesses hereby permitted shall be constructed with provision to prevent the unregulated discharge of surface water from the accesses and parking areas to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

Reason: To ensure surface water from the site is not deposited on the public highway causing dangers to road users and to comply with Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies

4. No part of the development shall be occupied or brought into use until the owner, or the occupier of the site, has appointed and thereafter continues to employ or engage a Travel Plan Coordinator who shall be responsible for the implementation, delivery, monitoring and promotion of the sustainable transport initiatives set out in the Travel Plan (TP) and whose details shall be provided and continue to be provided if so, requested thereafter to the LPA.

Reason: To promote sustainable travel.

5. The TP Coordinator shall submit reports to and update the TRICS database in accordance with the Standard Assessment Methodology (SAM) or similar to be approved by the LPA in accordance with the TP annual monitoring period. The monitoring reports submitted to the LPA shall summarise the data collected over the monitoring period and propose revised initiatives and measures where travel plan targets are not being met, including implementation dates to be approved in writing by the LPA.

Reason: To promote sustainable travel.

6. The development hereby permitted must not commence and no preparatory operations in connection with the development (including demolition, site clearance works, fires, soil moving, temporary access construction and / or widening, or any operations involving construction machinery) shall take place on the site until a written report of the findings of a Preliminary Risk Assessment (PRA) of the nature and extent of any contamination affecting the site, whether or not it originates from the site, has been submitted to and approved in writing by the LPA. The PRA must be prepared by a suitably qualified 'competent person' (as defined in the NPPF July 2021 or any subsequent version) and must be in accordance with the Environment Agency's 'Land Contamination Risk Management' guidance (LCRM). As a minimum the PRA must include the following:
 - a. a desktop study identifying all previous and current uses at the site and any potential contaminants associated with those uses
 - b. the results of a site walkover, including the details and locations of any obvious signs of contamination at the surface
 - c. the development of an initial 'conceptual site model' (CSM), which identifies and qualitatively assesses any potential source – pathway – receptor (contaminant) linkages
 - d. a basic hazard assessment identifying the potential risks from any contaminants on:
 - human health
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
 - adjoining land
 - ground and surface waters
 - ecological systems
 - archaeological sites and ancient monuments
 - recommendations for any further works that may be required to refine the CSM including any exploratory site investigation works and the sampling and analytical strategies proposed.
 - e. 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 LPA
 - f. where the findings of the submitted SI identify unacceptable risks to human health and/or the environment, the development (excluding any demolition) hereby permitted must not commence until a detailed Remediation Strategy (RS) has been submitted to and approved in writing by the LPA. 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
 - 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

- g. 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 LPA. The VR must include, where appropriate the results of any validation testing and copies of any necessary waste management documentation.

Reason: 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 178 and 179 of the NPPF (July 2021).

7. 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 LPA within 48 hours of its discovery. All development on the site must cease immediately and must not recommence until a written scheme for the investigation of; and risk assessment relating to the unexpected contamination has been submitted to and approved in writing by the LPA. The submitted scheme must be prepared by a suitably qualified 'competent person' (as defined in the NPPF July 2021) and must be in accordance with the Environment Agency's 'Land Contamination Risk Management' (LCRM) guidance.

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 LPA. 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
- 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. The development hereby permitted must not be occupied or first brought into use until such time as 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 LPA. The VR must include, where appropriate the results of any validation testing and copies

of any necessary waste management documentation.

Reason: To ensure that any unexpected contamination that is encountered is appropriately remediated so that the site is suitable for the approved development without resulting in 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 NPPF (July 2021).

8. Any aggregate (other than virgin quarry stone) 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 LPA 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.

Reason: To ensure that all aggregate materials bought onto the site are free from contamination so that the site is suitable for the approved development without resulting in 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 NPPF (July 2021).

9. 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 LPA 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.

Reason: To ensure that all soil or soil forming materials bought onto the site are free from contamination so that the site is suitable for the approved development without resulting in 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 NPPF (July 2021).

10. No works (including any demolition works) to the Britannia Boat House authorised by this consent shall be carried out until both the interior and exterior of the Britannia Boat House has been recorded in accordance with a Written Scheme of Investigation (WSI) that must first have been submitted to and approved in writing by the LPA. The WSI must:
- be prepared by a suitably qualified historic buildings surveyor
 - outline how the building is to be surveyed commensurate with a level 3 record as per Historic England document “*Understanding Historic Buildings - A Guide to Good Recording Practice*”
 - include a detailed analysis of any architectural/historical features found in/on the building during the survey
 - include provision for the production and deposition of a final report of the building survey carried out within the local Historic Environment Record (HER).

A copy of the final survey report must be placed within the local HER within three months of its completion.

Reason: To safeguard the identification and recording of any features of architectural, historic and archaeological interest associated with the site and the fabric of the building having regard to 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 NPPF (July 2021).

11. The development hereby permitted must not be occupied or first brought into use until full details and timings of the biodiversity enhancements and protection measures as set out in the submitted Protected Species Report - Ramm Sanderson - RSE_3012_01 (V2) and Ecology Update Surveys – Addendum Report - Ramm Sanderson – Ref: RSE_:6037_L1_V2(July 2022) Biodiversity Impact Assessment Report (Stand) - Ramm Sanderson – Ref: RSE_3012_02 and Biodiversity Impact Assessment Report (Residential) - Ramm Sanderson – Ref: RSE_3012_02 have been submitted to and approved by the LPA. Thereafter, the approved biodiversity improvements must be retained and be appropriately maintained on the site throughout the lifetime of the development.

Reason: 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 NPPF (July 2021).

12. There shall be no occupation of any part of the development hereby approved until a scheme for the provision of Electric Vehicle Charging Points (EVCPs), has been submitted to and approved in writing by the LPA for each element of the development(Outline and Full) The submitted scheme must include details of the type, number, and location of the proposed EVCP apparatus. None of the dwellings on the site shall be

occupied until an EVCP serving it has been installed in accordance with the approved scheme. Thereafter an EVCP must be permanently retained for each dwelling in accordance with the approved scheme throughout the lifetime of the development.

Reason: 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 NPPF (July 2021).

13. The development hereby approved shall comply with the Employment & Skills Strategy (Revision D) prepared by Buckingham Group (December 2019). The Strategy will be implemented throughout the duration of the construction in accordance with the approved details and in partnership with relevant stakeholders.

Reason: In order to promote local employment opportunities in accordance with Policies 1 and 5 of the Rushcliffe Local Plan Part 1: Core Strategy.

14. Other than the north elevation of the proposed replacement stand facing into the stadium, there shall be no signage or advertisements displayed on any part of the development hereby approved, without the express prior consent of the LPA.

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

15. Prior to the erection of any means of enclosure within the site (including gates), full details shall be submitted to and approved in writing by the LPA, with any approved scheme being implemented thereafter.

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

16. No roller shutters shall be installed on any building permitted by this consent unless and until all details have been submitted to and approved by the LPA prior to their installation.

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

17. The development hereby permitted must not commence until details of any fume extraction equipment to be installed on the site has been

submitted to and approved in writing by the LPA. The approved fume extraction equipment must be installed in accordance with the approved details before the development is occupied or first brought into use. The fume extraction equipment must thereafter be retained in accordance with the approved details throughout the life of the development.

Reason: To protect nearby residential properties from unacceptable fumes or smells 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).

18. The development hereby permitted must not commence and no preparatory operations in connection with the development (including demolition, site clearance works, fires, soil moving, temporary access construction and / or widening, or any operations involving construction vehicles / machinery shall take place on the site until a site-specific Construction Management Plan (CMP) has been submitted to and approved in writing by the LPA. The CMP must include details outlining:
- appropriate provision for the parking of vehicles within the site belonging to construction operatives and/or visitors
 - areas for loading and unloading plant and materials
 - the location and appearance of any site compound/material storage areas, including heights of any cabins to be sited and details of any external lighting
 - measures to control the emission of dust and dirt and vibration during construction
 - measures for the storage/recycling/disposal of waste resulting from the construction works
 - any hoarding to be erected
 - the routing of construction traffic and measures to be employed to ensure those approved routes are adhered to
 - the piling method to be used on site
- The approved CMP must be adhered to at all times throughout the construction period for the development.

Reason: 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).

19. The hereby approved development shall not be commenced until an updated Construction Ecological Management Plan and Construction Environmental Management Plan have been submitted for approval to the LPA, in general accordance with the documents submitted with the application. The approved CEMP must be adhered to at all times throughout the construction period for the development.

Reason: 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. The electricity substation shall be installed incorporating a bund wall designed and constructed in accordance with best practice for substation flood protection measures and incorporate PAS 68 (counter terrorism) or equivalent protection on public facing elevations, details of which shall be submitted to and approved in writing by the LPA. The protection measures will then be installed in accordance with the approved details prior to the substation becoming live and will be retained in place for the life of the development.

Reason: In the interest of public safety and to protect the wider network and the structure from risk of flooding.

21. The development hereby permitted shall not be commenced until such time as a scheme to treat and remove suspended solids from surface water run-off during construction works has been submitted to, and approved in writing by, the LPA. The scheme shall be implemented as approved.

Reason: To reduce the risk of surface water pollution in compliance with Policy 20 - Managing Water Quality, of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).

22. The proposed floodlighting must be designed, located, and installed so as not to cause a nuisance to all neighbouring residents. The details of any such lighting should be submitted to and approved by the LPA, together with a lux plot of the estimated illuminance at the nearest residential premises.

Reason: To protect nearby residential properties from unacceptable levels of light pollution having regard to Policies 1 (Development Requirements), 39 (Health Impacts of Development) and 40 (Pollution and Contaminated Land) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).

23. Prior to the commencement of each element of the hereby approved development, a Flood Evacuation Plan shall be submitted to and approved by the LPA. It shall include details of safe access and egress on site for the entirety of the application site. Thereafter, the measures within shall be implemented in accordance with the approved details and adhered to and reviewed as required.

Reason: To ensure that there are sufficient plans to manage flood risk in the context of visitors and future occupants of the site 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 167 and 169 of the NPPF (July 2021).

24. Notwithstanding any indicative details that have been submitted; the position, design and the materials for all street furniture shall be submitted to and approved by the LPA and shall thereafter only be constructed in accordance with the approved details.

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

25. The development shall be carried out in accordance with the details provided with the submitted Flood Risk Assessment (FRA) Ref: 0043642 by Buro Happold version 02 (January 2020) and the associated Flood Risk Addendum Ref: 0043642 Rev 00) and shall ensure that:

- residential finished floor levels shall be set no lower than 29.8 metres Above Ordnance Datum (AOD)
- the minimum non-residential finished floor levels shall be set in accordance with those detailed in table 4-5 on page 22 of the submitted FRA
- all flood resilience measures shall be implemented as detailed on page 26 of the submitted FRA
- the Water Entry Strategy in relation to the ground floor of the replacement stand as described on pages 25 and 26 of the submitted FRA
- the proposed electricity substation shall be made resistant to flooding as described on page 27 of the submitted FRA, with a protective bund constructed to a height of 24.87metres above Ordnance Datum
- the surface water drainage outlets into the River Trent shall be fitted with non-return valves as described on page 28 of the submitted FRA.

These mitigation measures shall be fully implemented prior to occupation. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants, to ensure that the development is resilient to the impacts of flooding and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided 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 167 and 169 of the NPPF (July 2021).

26. Prior to the first beneficial occupation of the respective part, the servicing and delivery arrangement for the proposed replacement stand operations and conferencing facility and the servicing and delivery arrangements for the commercial units within the apartment building shall be submitted to and approved in writing by the LPA. The approved arrangements shall thereafter remain in place for the lifetime of the development, unless otherwise agreed in writing by the LPA.

Reason: To preserve the amenities of neighbouring properties, 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).

27. No part of the residential / commercial development (forming the outline part of the proposals hereby permitted shall be brought into use until the cycle parking has been provided in accordance with the details to be submitted and agreed in writing with the Borough Council. The approved provisions shall thereafter be retained for the life of the development.

Reason: In the interest of highway safety, to ensure adequate and safe access is provided to the development, having regard to Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).

28. The development shall only be carried out in accordance with the recommendations of the Energy Strategy Statement (dated 28 January 2020) by Burohappold Engineering unless other agreed in writing by the LPA.

Reason: To promote energy efficiency and to ensure a sustainable form of development having regard to Policy 12 (Housing Standards) and 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 (July 2021).

Stand conditions (full application)

29. The development of the replacement Peter Taylor Stand, and all development associated with the detailed element of the application hereby permitted must be begun not later than expiration of three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

30. The proposals for the replacement stand and associated development (forming the detailed part of this hybrid application) must be carried out strictly in accordance with the following approved plan(s) /drawings / documents:

Plan reference BNY-SA-00-00-04 Rev B06 identifies the extent of the full application

Existing Stadium Ground Floor Plan - Plan Ref: BNY-Z1-02-00-01 Rev: B01, 1:500, A1

Existing Stadium Second Floor Plan - Plan Ref: BNY-Z1-02-02-01 Rev: B01, 1:500, A1

Existing Stadium Roof Plan - Plan Ref: BNY-Z1-02-03-01 Rev: B01, 1:500, A1

Existing Main Stand Elevations Sheet 1 - Plan Ref: BNY-Z1-02-AL-01 Rev: B01, 1:200, A1

Existing Main Stand Elevations Sheet 2 - Plan Ref: BNY-Z1-02-AL-02

Rev: B01, 1:200,
 A1 Existing Main Stand Section - Plan Ref: BNY-Z1-02-AL-03 Rev: B01, 1:200, A1
 Existing Boat Champions Centre Floor Plans and Elevations - Plan Ref: BNY-Z2-02-00-01 Rev: B01, 1:100, A1
 Existing Club Shop Floor Plans and Elevations - Plan Ref: BNY-Z2-02-00-02 Rev: B01, 1:100, A1
 Proposed Main Stand Ground Floor GA Plan - Plan Ref: BNY-Z1-20-00-01 Rev: B02, 1:200, A1
 Proposed Main Stand First Floor GA Plan, B01 - Plan Ref: BNY-Z1-20-01-01 Rev: B02, 1:200, A1
 Proposed Main Stand Second Floor GA Plan - Plan Ref: BNY-Z1-20-02-01 Rev: B01, 1:200 A1
 Proposed Main Stand Third Floor GA Plan - Plan Ref: BNY-Z1-20-03-01 Rev: B01, 1:200, A1
 Proposed Main Stand Fourth Floor GA Plan - Plan Ref: BNY-Z1-20-04-01 Rev: B01, 1:200, A1
 Proposed Main Stand Overall Seating GA Plan - Plan Ref: BNY-Z1-20-05-01 Rev: B01, 1:200, A1
 Proposed Main Stand Roof GA Plan - Plan Ref: BNY-Z1-20-06-01 Rev: B01, 1:200, A1
 Proposed Street Elevations Sheet 1 - Plan Ref: BNY-SA-21-AL-01 Rev: B02, 1:500, A1
 Proposed Street Elevations Sheet 2 - Plan Ref: BNY-SA-21-AL-02 Rev: B02, 1:500, A1
 Proposed Main Stand Elevations Sheet 1 - Plan Ref: BNY-Z1-21-AL-01 Rev: B02, 1:200, A1
 Proposed Main Stand Elevations Sheet 2 - Plan Ref: BNY-Z1-21-AL-02 Rev: B01, 1:200, A1
 Proposed Main Stand Sections - Plan Ref: BNY-Z1-22-AL-01 Rev: B01, 1:200, A1
 Proposed Area Schedule – Main Stand - Plan Ref: BNY-SA-SD-AL-03 B01, 1:500, A1
 Proposed External Works / Landscape Plan - Plan Ref: BNY-SA-90-00-01 Rev: B05, 1:250, A1
 Proposed Gatehouse Layout - Plan Ref: BNY-SA-90-00-02 Rev: B04, 1:50, A1
 Proposed Substation Layout - Plan Ref: BNY-SA-90-00-03 Rev: B04, 1:50, A1

Reason: To define the permission.

31. The development hereby permitted must not proceed above the damp proof course level until details of the type, texture, and colour of the materials to be used in the construction of the exterior of the development have been submitted to and approved in writing by the LPA. The development must only be constructed in accordance with the approved materials.

Reason: To ensure the appearance of the development is satisfactory having regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 of the

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

32. Prior to the construction of hard landscaping, details of all materials to be used for hard surfaced areas within the site including roads, footpaths, recreation areas, and car parking areas shall be submitted to and approved in writing by the LPA. Development shall be carried out in accordance with the details so approved.

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

33. Notwithstanding the details submitted, a scheme for waste management shall be submitted for approval in respect of the stand and any scheme will include details of:
- a. bin storage areas
 - b. number and size of waste containers
 - c. bin collection points
 - d. provision for and measures to encourage/enable waste recycling.

The approved scheme shall then be operational prior to the stand first being brought into use. Thereafter, the bin stores and collection points shall be retained to the approved specification for the lifetime of the development.

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

34. There shall be no external storage of any plant or equipment or goods relating to the Club or any of the commercial units without prior written approval from the LPA.

Reason: To ensure that the any external storage on the site does not adversely affect the amenities of the occupiers of nearby residential properties or 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) and Policies 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).

35. A Management Plan detailing the operations of plaza between the replacement stand and the residential building shall be submitted to and approved by the LPA before development commences. The Plan shall include measures to separate vehicle movements from pedestrians and confirmation of a continued public access from Trentside North to Pavilion Road.

Reason: To ensure that the site is suitable for the approved development without resulting any unacceptable risk to the health future users of the site 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), and Policy 39 (Health Impacts of Development) of

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

36. The replacement stand and associated development forming the detailed element of the development hereby permitted must not be occupied or first brought into use until a Landscaping Scheme (LS), has been submitted to and approved in writing by the LPA. The LS must provide details of all hard and soft landscaping features to be used and include the following:
- an accurate survey of all existing trees and other natural features showing those to be retained and those to be removed
 - detailed plans showing the location of all new trees and shrubs to be planted, including the number and / or spacing of shrubs in each shrub bed or hedgerow
 - a schedule of the new trees and shrubs (using their botanical / Latin names) to be planted including their size at planting (height or spread for shrubs, height, or trunk girth for trees)
 - plans showing the proposed finished land levels/contours of landscaped areas
 - details of all proposed hard surfaces areas, retaining structures, steps, means of enclosure, surface finishes and any other hard landscaping features
 - details of the protection measures to be used of any existing landscape features to be retained
 - a landscape management and maintenance strategy for the public realm areas.

The approved LS must be carried out and completed in accordance with the approved details no later than during 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 five years of from the date of planting, any tree or shrub planted as part of the approved LS is removed, uprooted, destroyed, dies, or become diseased or damaged then another tree or shrub of the same species and size as that originally planted must be planted in the same place during the next planting season following its removal.

Once provided, all hard landscaping works shall thereafter be permanently retained throughout the lifetime of the development. and the approved landscape shall management and maintenance plan shall be adhered to thereafter for the life of the development.

Reason: 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 NPPF (July 2021).

37. The development hereby permitted must not be occupied or first brought into use until details of the proposed vehicle parking area(s) to serve the development have been submitted to and approved in writing by the LPA. The submitted details must show:
- the proposed surface to be used
 - the layout of the parking spaces
 - the means of access to the car park area(s)
 - the finished land levels, drainage, and any proposed lighting.
- The vehicle parking area(s) must be constructed in accordance with the approved details before the development hereby permitted is occupied or first brought into use. Thereafter the vehicle parking area(s) shall be retained in accordance with the submitted plan and kept permanently available for the parking of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety having regard to Policy 14 (Managing Travel Demand) of the Rushcliffe Local Plan Part 1: Core Strategy (2014).

38. The replacement Stand hereby approved shall not be occupied until such time as additional cycle storage spaces to be submitted and agreed in writing with the LPA have been installed and are available for use in accordance with the approved details. They shall thereafter be retained and made available for use for the lifetime of the development.

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

39. Any external plant / machinery to be used on the premises must be enclosed with sound insulation material and mounted in a way which will minimise the transmission of structure-borne sound. Any such works must proceed in accordance with a scheme that must first have been submitted to and approved in writing by the LPA. The measures implemented as approved must be retained thereafter.

Reason: To protect nearby residential properties from unacceptable levels of noise pollution from external plant equipment/machinery 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).

40. Prior to the use of the new stand and use associated external areas the recommendations an updated security report shall be implemented in full. The security report shall first be submitted to the LPA for approval and shall include specifications for:
- a. ground floor glazing
 - b. window and door frames
 - c. signing for vehicle access and car parking
 - d. litter bins and street furniture
 - e. CCTV

- f. mail handling
- g. protocol
- h. access and electronic access controls
- i. an intruder detection system
- j. hostile vehicle measures required
- k. details of all lighting including.

The development shall be carried out in accordance with the recommendations of the report, which is to be agreed in writing by the LPA.

Reason: To protect the amenities of future occupiers during the operation of the City Ground and ground floor commercial premises 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).

41. No events within the conferencing facilities shall take place until such time as a Management Plan for the conferencing facilities within it has been submitted to and approved in writing by the LPA, which shall include: a) hours of operation, b) car parking arrangement for conferencing, and c) access and egress arrangements to and from the conferencing facility from within the site. The conferencing facility shall thereafter only be operated in strict accordance with the approved management plan.

Reasons: To protect the amenities of future occupiers during the operation of the City Ground and ground floor commercial premises 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).

42. All windows above ground floor level on the east facing elevation of the replacement Peter Taylor Stand hereby approved shall be fitted with glass or other material which has been rendered permanently obscured to Group 5 level of privacy or equivalent. Thereafter, those windows must be retained to this specification throughout the lifetime of the development.

Reason: To preserve the amenities of neighbouring properties, having regard to Policy 10 (Design and Enhancing Local Identify) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).

43. Only products and goods associated with Nottingham Forest Football Club shall be sold within the club shop within the replacement stand hereby approved.

Reason: To ensure that the retail activities within the replacement club shop relate to the proposed development of the replacement stand and to comply with Policy 30 (Protection of Community Facilities and Policy 31

Sustainable Tourism and Leisure of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)

44. Prior to the commencement of the stand and associated public open space development hereby approved, a full surface water drainage strategy shall be submitted to and approved in writing by the LPA for the development and shall include where practical, rainwater harvesting from the development and full details any plant or pumping facilities required as part of the scheme. Any approved scheme shall then be implemented and available for use in accordance with approved detail prior to stand first being brought into use.

Reason: To ensure compliance with Policy 18 (Surface Water Management) of Part 2 of the Rushcliffe Local Plan- Land and Planning Policies (2019)

45. Prior to the installation of any external lighting within the plaza (any public open space areas associated with the detailed consent), details of any such lighting shall be submitted to and approved in writing by the Borough Council, together with a lux plot of the estimated illuminance. Any submission must have regard to guidance for bat sensitive lighting guidance. The lighting shall be installed only in accordance with the approved details and maintained thereafter.

Reason: To protect the amenities of the area and to comply with Policy 1 (Development Requirements) of the Local Plan Part 2: Land and Planning Policies.

46. No part of the stand development hereby permitted shall be brought into use until the vehicle access, parking, turning, and servicing areas are provided in accordance with the approved plans for this element of the development. The vehicle access, parking, turning, and servicing areas shall not be used for any purpose other than parking, turning, loading, and unloading of vehicles, and shall thereafter be retained for the life of the development.

Reason: In the interest of highway safety and to ensure adequate and safe access is provided to the development, having regard to Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).

Residential conditions (outline conditions)

47. In respect of the residential element of the planning application, approval of the details of the appearance and landscaping, (hereinafter called "the reserved matters") must be obtained from the LPA in writing before the development hereby permitted is commenced. The scheme of reserved matters shall demonstrate broad accordance with the outline scheme, demonstrating the provision of a landscaped amenity terrace and green roofs and/or walls where feasible.

An application for approval of the reserved matters, must be made to the

LPA not later than the expiration of three years from the date of this permission.

The development hereby permitted must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval of such matters on different dates, the date of the final approval of the last such reserved matter to be approved.

Reason: Part of this hybrid application is an outline planning permission and the matters specified above have been reserved for subsequent approval by the LPA in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 and Parts 1 and 3 of the Town and Country Planning (Development Management Procedure) Order 2015.

48. The outline part of the proposals hereby permitted must be carried out strictly in accordance with the following approved plan(s)/drawings/documents:

Proposed Site Block Plan & Existing Outline - Plan Ref: BNY-SA-00-00-04 Rev B06

Proposed Residential Indicative Parameters Plan – Ground Floor - Plan Ref: BNY-Z2-03-00-01 Rev: B04, 1:200, A1

Proposed Residential Indicative Parameters Plan – Typical Up' Floor - Plan Ref: BNY-Z2-03-00-02 Rev: B04, 1:200, A1

Proposed Residential Parameters Elevation Sheet 1 - Plan Ref: BNY-Z2-03-AL-01 Rev: B03, 1:200, A1

Proposed Residential Parameters Elevation Sheet 2 - Plan Ref: BNY-Z2-03-AL-02 Rev: B03, 1:200, A1

Proposed Overall Ground Floor GA Plans – Stand + Residential - Plan Ref: BNY-SA-20-00-01 Rev: B05, 1:1250, A1

Proposed Residential Level 0 GA Plan - Plan Ref: BNY-Z2-20-00-01 Rev: B04, 1:200, A1

Proposed Residential Level 1 GA Plan - Plan Ref: BNY-Z2-20-01-01 Rev: B04, 1:200, A1

Proposed Residential Level 2 GA Plan - Plan Ref: BNY-Z2-20-02-01 Rev: B04, 1:200, A1

Proposed Residential Level 09 GA Plan - Plan Ref: BNY-Z2-20-09-01 Rev: B04, 1:200, A1

Proposed Residential Level 10 GA Plan - Plan Ref: BNY-Z2-20-10-01 Rev: B04, 1:200, A1

Proposed Residential Level 11 GA Plan - Plan Ref: BNY-Z2-20-11-01 Rev: B04, 1:200, A1

Proposed Residential Level 12 GA Plan - Plan Ref: BNY-Z2-20-12-01 Rev: B02, 1:200, A1

Reason: 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).

49. The reserved matters for the residential development shall include a Security Report identifying appropriate specifications for:

- a. ground floor glazing
- b. window and door frames
- c. signing for vehicle access and car parking.

The development shall be carried out in accordance with the recommendations of the report, which is to be agreed in writing by the LPA.

Reason: To protect the amenities of future occupiers during the operation of the City Ground and ground floor commercial premises 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).

50. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the uses within the commercial units forming the residential apartment building shall only be used for purposes falling within Use Class E (Commercial, Business and Service Uses) of the Schedule to the Town and Country Planning (Use Classes) Order 2021 (or any provision equivalent to that class in any Statutory Instrument revoking and/or re-enacting that Order with or without modification).

Reason: In order that the LPA may retain control over any future use the land and buildings due its particular character and location, having regard to Policy 5 (Employment Provision and Economic Development) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) which requires a sequential site approach to retail development and also to provide a robust assessment of impact on nearby centres, and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).

51. Details of the acoustic glazing to be fitted to the north elevation of the apartment building hereby approved shall be submitted to and approved by the LPA before development commences and shall meet the noise insulation requirements set out in the approved Noise Impact Assessment Rev 02 dated 21 April 2021 (Ref: 043642).

Reason: To protect the amenities of future occupiers during the operation of the City Ground and ground floor commercial premises 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).

52. The development hereby permitted must not be occupied or first brought into use until details of the proposed vehicle parking area(s) to serve the development have been submitted to and approved in writing by the LPA. The submitted details must show:
 - The proposed surface to be used
 - The layout of the parking spaces

- The means of access to the car park area(s)
- The finished land level, drainage, and any proposed lighting.

The vehicle parking area(s) must be constructed in accordance with the approved details before the development hereby permitted is occupied or first brought into use. Thereafter the vehicle parking area(s) shall be retained in accordance with the submitted plan and kept permanently available for the parking of vehicles in connection with the development hereby permitted.

Reason: To ensure adequate vehicle parking spaces are provided on the site for use in connection with the development hereby permitted having regard to Policy 1 (Development Requirements) and policy 15 (Employment Development) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).

53. The use of the commercial premises forming part of the residential apartment building hereby permitted shall only take place between 0800hrs and 2200hrs.

Reason: To protect the amenities of existing residential properties in the immediate locality and the new residential units having regard to 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).

54. None of the dwellings within the development hereby permitted shall be occupied until the optional requirement for water efficiency (dwellings 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.

Reason: 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).

55. No part of the residential development hereby permitted shall be brought into use until the vehicular access has been made available for use in accordance with the Highway Authority specification to the satisfaction of the LPA.

Reason: In the interests of Highway safety.

56. No part of the residential development hereby permitted shall be brought into use until a section 278 agreement has been entered into, and works have been completed to alter the priority arrangements along Pavilion Road to the site entrance, in broad accordance with the details identified within the approved transport statement.

Reason: In the interests of Highway safety.

57. Notwithstanding the details submitted, a scheme for waste management shall be submitted for approval in respect of the residential and commercial units and any scheme will include details of:
- a. bin storage areas
 - b. number and size of waste containers
 - c. bin collection points
 - d. provision for and measures to encourage/enable waste recycling.

The approved scheme shall then be operational prior to the stand first being brought into use. Thereafter, the bin stores and collection point shall be retained to the approved specification for the lifetime of the development.

Reason: To ensure an adequate form of development and to comply with and to comply with Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies.

58. The residential proposals shall be limited to no more than 170 units in total.

Reason: To define the permission.

59. At least two of the apartments within the development hereby permitted must comply with the optional requirement for “wheelchair adaptable dwellings” set out in Part M4(3)(a) of Schedule 1 of the Building Regulations 2010 (as amended). Within 14 days of the completion of the two wheelchair adaptable apartments, written confirmation must be sent to the LPA identifying the two apartments and confirming their practical completion.

Reason To ensure that at least two of the apartments within the development can, if necessary, be adapted to meet the needs of households that includes wheelchair users, having regard to Policy 8 (Housing Size, Mix and Choice) of the Local Plan Part 1: Core Strategy (2014) and Policy 12 (Housing Standards) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).

60. Development of the residential scheme shall not commence until such time as a revised energy strategy document has been submitted to and approved by the Borough Council. This strategy shall include a detailed feasibility studies into the use of low carbon technologies, and the provision renewable energy generation equipment. The document shall build upon the assumptions made within the Energy Strategy dated November 2019 by Bruro Happold. The development shall thereafter only be constructed in accordance with the approved documents.

Reason: In the interests of sustainable development and to accord with policies 1 (Presumption in favour of sustainable development) and 2 (Climate Change) of the Local Plan Part 1:Core Strategy (2014).

61. Prior to the commencement of the development hereby approved, an Overheating Study shall be submitted to and approved in writing by the

LPA. If this study indicates a high risk of significant overheating having taken account of the required noise mitigation measures, mitigation measures may be required (including mechanical ventilation / cooling) so that occupants retain the option to keep windows closed and retain reasonable thermal comfort. The development shall be carried out in accordance with the approved details.

Reason: This is a pre-commencement condition to ensure that future occupiers have a reasonable comfort level, 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.

62. Prior to the installation of any externally mounted plant or equipment (e.g. air conditioning, extraction, heating units, MHVC etc.) or any internally mounted equipment which vents externally, details of noise levels and associated equipment locations and appearance shall be submitted to and approved in writing by the Borough Council. This should demonstrate that wherever possible the equipment be located within the building fabric. If this information is inconclusive or not complete, then the applicant will be required to undertake a full noise assessment in accordance with BS 4142:2014: Methods for rating and assessing industrial and commercial sound. This report will need to make it clear that the plant/equipment is capable of operating without causing a noise impact on neighbouring properties. The plant shall be installed and maintained only in accordance with the approved details.

Reason: To protect the amenities of the area and to comply with Policy 1 (Development Requirements) of the Local Plan Part 2: land and Planning Policies.

63. Prior to the installation of any external lighting within the plaza (any public open space areas associated with the detailed consent), details of any such lighting shall be submitted to and approved in writing by the Borough Council, together with a lux plot of the estimated illuminance. Any submission must have regard to guidance for bat sensitive lighting guidance. The lighting shall be installed only in accordance with the approved details and maintained thereafter.

Reason: To protect the amenities of the area and to comply with Policy 1 (Development Requirements) of the Local Plan Part 2: land and Planning Policies.

64. Prior to the commencement of the residential development hereby approved, a full surface water drainage strategy shall be submitted to and approved in writing by the LPA for the development and shall include where practical, rainwater harvesting from the development and full details any plant or pumping facilities required as part of the scheme. Any approved scheme shall then be implemented and available for use in accordance with approved detail prior to building first being brought into use.

Reason: To ensure compliance with Policy 18 (Surface Water Management) of Part 2 of the Rushcliffe Local Plan- Land and Planning

Policies (2019).

Informatives

1. In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) (Order) 2010, as amended, and the NPPF 2021, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.
2. The applicant is reminded that this permission is also subject to a planning obligation made under the provisions of Section 106 of the Town and Country Planning Act 1990 (as amended) the purpose of which is to exercise controls to secure the proper planning of the area. The planning obligation runs with the land and not with any person or company having an interest therein.
3. In order to carry out the off-site works required the applicant will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works, there will be a need to enter into an agreement under Section 278 of the Act. Please contact Nottinghamshire County Council Highway Development Control (hdc.south@nottscc.gov.uk) for details. It is strongly recommended that the developer contacts the Highway Authority at an early stage. It is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council in writing before any work commences on site. All correspondence with the Highway Authority should be addressed to: NCC Highways (Development Control, Floor 3) Nottinghamshire County Council, County Hall, Loughborough Road, West Bridgford, Nottingham, NG2 7Q.
4. In order to discharge the obligations in relation to sustainable transport improvements, technical approval (or equivalent) under S38 of the Highways Act will be required. The Highway Authority advise that such approval sought prior to submission of any reserved mattered application.
5. The proposed development will involve works within close proximity to an ordinary watercourse. As such the applicant is advised to seek consultation with the Lead Local Flood Authority (Nottinghamshire County Council) to establish the need for any permission or consents. The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:
 - a. on or within 8 metres of a main river (16 metres if tidal)
 - b. on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
 - c. on or within 16 metres of a sea defence
 - d. involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert.

6. The applicant should consult Severn Trent Water Limited who should be satisfied that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate additional flows, generated as a result of the development, without causing pollution.
7. All applications approved on or after the 7 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/>.
8. The applicant is advised to contact the Borough Council's Senior Design and Landscape Officer to discuss the landscape elements of the permission including the roof garden amenity area for the apartments required for biodiversity enhancement.
9. Cadent have advised that low or medium gas pipes and associated equipment are -on and in the vicinity of the application site. The applicant is advised to contact Cadent prior to any works on site at Plant Protection Cadent Block 1; Floor 1 Brick Kiln Street Hinckley LE10 0NA, E-mail: plantprotection@cadentgas.com Telephone: +44 (0)800 688588 (National Gas Emergency Number: 0800 111 99).
10. Condition 54 requires the new dwelling(s) to meet the higher 'Optional Technical Housing Standard' for water consumption of no more than 110 litres per person per day. The developer must inform their chosen Building Control Body of this requirement is a condition of this planning permission. Guidance of this process and the associated requirements can be found in Approved Document G under requirement G2, with the requirements laid out under regulations 36 and 37 of the Building Regulations 2010 (as amended).
11. The applicant is reminded that this decision is for planning permission only and does not grant any express advertisement consent for advertisements the applicant might wish to display in connection with the development hereby permitted. The applicant is advised to contact the Planning Department at planning@rushcliffe.gov.uk to discuss any proposals to display an advertisement or advertisements on the land in the future.
12. 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.
13. The applicant is advised to contact the Borough Council's Waste Management Team to discuss the requirements for details in respect of conditions 33 and 57 wastemanagement@rushcliffe.gov.uk.

14. The applicant is advised to contact Natural England in relation to the requirement for a Natural England Licence in relation to Bats.

The meeting closed at 4.56 pm.

CHAIRMAN