

When telephoning, please ask for: Martin Elliott
Direct dial 0115 914 8511
Email constitutionalservices@rushcliffe.gov.uk

Our reference:
Your reference:
Date: Wednesday, 7 February 2018



To all Members of the Planning Committee

Dear Councillor

A Meeting of the Planning Committee will be held on Thursday, 15 February 2018 at 6.30 pm in the Council Chamber - Rushcliffe Arena to consider the following items of business.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Glen O'Connell'.

Glen O'Connell
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 Meetings held on 11 and 25 January 2018 (Pages 1 - 36)
4. Planning Applications (Pages 37 - 90)

The report of the Executive Manager - Communities is attached

Membership

Chairman: Councillor R Butler
Vice-Chairman: Councillor J Stockwood
Councillors: B Buschman, N Clarke, R Jones, J Greenwood, Mrs M Males, S Mallender, M Edwards, Mrs J Smith and J Thurman

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

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

By telephone
Monday to Friday
8.30am - 5pm

Telephone:
0115 981 9911
Email:
customerservices@rushcliffe.gov.uk

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



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**MINUTES
OF THE MEETING OF THE
PLANNING COMMITTEE
THURSDAY 11 JANUARY 2018**

Held at 6.30 pm in the Council Chamber, Rushcliffe Arena, Rugby Road,
West Bridgford

PRESENT:

Councillor R L Butler (Chairman)
Councillor J A Stockwood (Vice-Chairman)

Councillors B R Buschman, J N Clarke M J Edwards, J E Greenwood, S J Hull
(substitute to S E Mallender) R M Jones, Mrs M M Males, Mrs J A Smith and
J E Thurman

ALSO IN ATTENDANCE

Councillor R Mallender
16 Members of the public

OFFICERS IN ATTENDANCE

P Cox	Senior Solicitor
M Elliott	Constitutional Services Team Leader
D Mitchell	Executive Manager - Communities
A Pegram	Service Manager – Communities
H White	Area Planning Officer

APOLOGIES FOR ABSENCE

There were no apologies for absence.

27. DECLARATIONS OF INTEREST

17/22252/FUL – 102 Mona Road, West Bridgford – Councillor Edwards
declared a non-pecuniary interest as he personally knew one of the objectors
to the application.

28. MINUTES

The Minutes of the Meeting held on Thursday 14 December 2017 were
confirmed as a correct record and signed by the Chairman.

29. PLANNING APPLICATIONS

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

Item 1 - 17/02451/OUT - Outline planning application for 5 x 2 bedroom affordable dwellings (rural exception site) - Land West of Works Lane, Barnstone, Nottinghamshire.

Updates

Representations received from the Borough Council's Sustainability Officer and from Waterloo Housing, received after the agenda had been finalised, had been circulated to members of the Committee prior to the meeting.

In accordance with the Council's Public Speaking Protocol for Planning Committee, Ms Sarah Hudson of Waterloo Housing (on behalf of the applicant) and Councillor Tina Combellack (ward councillor), addressed the meeting.

DECISION

THAT THE EXECUTIVE MANAGER – COMMUNITIES BE DELEGATED AUTHORITY TO GRANT PLANNING PERMISSION SUBJECT TO THE PRIOR SIGNING OF A SECTION 106 AGREEMENT, AND THE FOLLOWING CONDITIONS:

1. Applications for approval of reserved matters must be made no later than three years beginning with the date of this permission and the development must be begun no later than the expiration of two years from the final approval of reserved matters, or in the case of approval of reserved matters on different dates, the final approval of the last such matter to be approved.

[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 only be carried out in accordance with detailed plans and particulars relating to the following items and the development shall not be commenced until these details have been submitted to and approved in writing by the Borough Council.
 - a. A detailed layout plan of the whole site;
 - b. The siting, design and external appearance of the proposed buildings;
 - c. The finishes for the hard surfaced areas of the site;
 - d. The means of enclosure to be erected on the site;
 - e. Sections and cross sections of the site showing the relationship of the proposed development to adjoining land and premises;
and
 - f. The finished ground levels for the site and floor levels of the dwellings relative to existing levels and adjoining land.

[To ensure the development will be satisfactory and in the interests of visual amenity and to comply with policy GP2 (Design & Amenity

Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

3. Development shall not proceed above foundation level until a detailed landscaping scheme for the site has been submitted to and approved in writing by the Borough Council. The approved 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 to comply with policy EN13 (Landscaping Schemes) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

4. Before development is commenced, a Contaminated Land Report shall be submitted to and approved in writing by the Borough Council. As a minimum, this report will need to include a Desktop Study documenting historical uses of the site and its immediate environs, site specific interpretation and a conceptual site model explaining results. Where the Desktop Study identifies potential contamination a Detailed Investigation Report will also be required, including a site investigation documenting the characteristics of the ground, an evaluation of all potential sources of contamination and a risk assessment, together with an updated conceptual model. In those cases where a Detailed Investigation Report confirms that contamination exists, a remediation report and validation statement confirming the agreed remediation works have been completed, will also be required. All of these respective elements of the report will need to be submitted to and approved in writing by the Borough Council, prior to development commencing, and the development shall be carried out in accordance with the approved details.

[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 GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan. This condition needs to be discharged prior to work commencing on site to ensure that any potential contamination is dealt with prior to or during the construction phase]

5. No development shall commence until a scheme for protecting the dwellings from noise from the adjacent electricity substation; has been submitted to and approved in writing by the Borough Council. The development shall be carried out in accordance with the approved details.

[To protect the amenities of future occupiers and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan. This condition needs to be

discharged before development commences on site to ensure that any measures can be incorporated into the build]

6. The development hereby permitted shall not be commenced beyond foundations level until details of the facing and roofing materials to be used on all external elevations have been 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 policies GP2 (Design and Amenity Criteria) and EN2 (Conservation Areas) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

7. Occupation of the proposed dwellings shall not take place until the access driveway has been provided and surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres from the back edge of the highway threshold, 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 life of the development.

[In the interests of highway safety; and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

8. No part of the development hereby permitted shall be brought into use until the visibility splays are provided in accordance with the approved plans. The areas within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions for the lifetime of the development.

[In the interests of highway safety; and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

9. Occupation of the proposed dwellings shall not take place until the parking areas have been provided and they shall be retained as such for the life of the development.

[In the interests of highway safety and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

10. Prior to the commencement of any on site works, a method statement detailing techniques for the control of noise, dust and vibration during construction shall be submitted to and approved in writing with the Borough Council. The works shall be carried out in accordance with the approved method statement.

[To protect the amenities of the area and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory

Replacement Local Plan. This condition needs to be discharged before development commences on site to ensure that appropriate measures are in place during the build phase].

11. This permission shall relate only to the submitted application as amended by the revised plans received on 18 December 2017 regarding the proposed access arrangements and illustrative site plan.

[For the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

12. 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 a buffer zone between the remaining agricultural field and the development, including a new native species hedge line, ditch and grass/wildflower margin. The approved 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.

[In the interests of amenity and to comply with policy EN13 (Landscaping Schemes) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

Notes to Applicant

This is subject to an Agreement made under the provisions of Section 106 of the Town & Country Planning Act 1990 (as substituted by the Planning & Compensation Act 1992) relating to affordable housing.

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 applicant should take guidance from their preferred Registered Provider partner to ensure the design and layout of the affordable units reflects their specific design requirements prior to the submission of a reserved matters application.

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.

Nesting birds and bats, their roosts and their access to these roosts are protected under the Wildlife and Countryside Act 1981. Should birds be nesting in the trees, hedgerows and vegetation concerned it is recommended that works including felling/surgery should be carried out between September and January 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 protected species are found during works, work should cease until a suitable qualified ecologist has been consulted. If bats are present you should contact Natural England on 0300 060 3900 or by email at enquiries@naturalengland.org.uk. For further advice contact Nottinghamshire Wildlife Trust on 0115 958 8242 or by email at info@nottswt.co.uk.

Swifts are now on the Amber List of Conservation Concern. One reason for this is that their nest sites are being destroyed. The provision of new nest sites is urgently required and if you feel you can help by providing a nest box or similar in your development, the following website gives advice on how this can be done: <http://swift-conservation.org/Nestboxes%26Attraction.htm>
Advice and information locally can be obtained by emailing: carol.w.collins@talk21.com

The provision of bat bricks/lofts/boxes and bird nest bricks/boxes within the development site is recommended. 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.

Consideration should be given to energy efficiency, water sustainability, management of waste during and post construction and the use of recycled materials and sustainable building methods.

Great crested newts are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and under the Conservation (Natural Habitats, etc) Regulations 1994. These statutory instruments protect both the species themselves and their associated habitats.

If great crested newts are discovered during work on the development, the relevant work should be halted immediately and English Nature should be notified and further advice sought. Failure to comply with this may result in prosecution and anyone found guilty of an offence is liable to a fine of up to £5,000 or to imprisonment for a term not exceeding six months or both.

Councillor Edwards who had declared an interest in the following item left the room at this point and did not take part in the subsequent discussion and vote.

Item 2 - 17/02252/FUL - Residential development of three dwellings following demolition of existing dwelling. (Revised application to include basements) - 102 Mona Road, West Bridgford, Nottinghamshire, NG2 5BT

Updates

Representations from two neighbours objecting to the application, received after the agenda had been finalised, had been circulated to members of the Committee prior to the meeting.

In accordance with the Council's Public Speaking Protocol for Planning Committee, Mr Dalminder Singh (the applicant), Mr T Riddiough (objector) and Councillor Sue Mallender (ward councillor), addressed the meeting.

Comments

Members of the Committee considered that there would be a negative impact on the water table in the area from construction of the basements to the proposed properties and that this would adversely impact on the amenities of residents of the neighbouring properties, and considered that the properties with basements were an overdevelopment of the site. Members of the Committee were also concerned that a full assessment had not been made about the displacement of, and impact of ground water, caused by the creation of the basements on the neighbouring properties.

DECISION

REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASONS

1. The development would be likely to impact on the water table in the area and potential for flooding of neighbouring properties, with a consequential impact on the ability of occupiers of those properties to make use of and enjoy their private amenity space, to the detriment of the amenities of these properties. The proposal is, therefore, contrary to one of the core planning principles of the National Planning Policy Framework which states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings, and contrary to the objectives of policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan.
2. The provision of basements within the dwellings would result in a more intensive form of development which, along with the associated earthworks and resultant size of the dwellings on this constrained site, would result in an overdevelopment of the site. The proposal is, therefore, contrary to policy GP2 d) (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan.

Councillor Edwards re-joined the meeting at this point

Item 3 - 17/01982/FUL - Construction of replacement dwelling (following demolition of existing dwelling)

17/02761/FUL - Demolition of dwelling (to allow replacement dwelling)

The Dovecote, Main Street, Hickling, Nottinghamshire, LE14 3AJ

Updates

There were no updates reported.

In accordance with the Council's Public Speaking Protocol for Planning Committee, Mr Peter Greenwood (objector) and Councillor Tina Combellack (ward councillor), addressed the meeting.

Comments

Members of the Committee, whilst not objecting to the demolition of the existing property, were concerned that the replacement dwelling proposed would have a detrimental and overbearing impact on the adjacent property of The Old Forge by reason of its scale, height and mass and proximit to the neighbouring property, together with the difference in level between the sites. Members of the Committee were also of the opinion that the design of replacement property, incorporating large areas of glazing to the front elevation, would be unsympathetic to and fail to respect the historic character of the village and would harm the character and appearance of the conservation area.

17/01982/FUL

DECISION

REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASONS

1. The design and materials of the proposed dwelling, incorporating a substantial amount of glazing to the front elevation, would be unsympathetic to and would fail to respect the historic character of the village, and would, as a consequence, cause harm to the character and appearance of Hickling Conservation Area. The proposal is, therefore, contrary to the objectives of chapters 7 (Requiring good design) & 12 (Conserving and enhancing the historic environment) of the National Planning Policy Framework. The proposal is also contrary to policies 10 (Design and enhancing local identity) & 11 (Historic environment) of the Rushcliffe Local Plan Part 1: Core Strategy, and policies GP2 (Design & Amenity criteria) & EN2 (Conservation Areas), of the Rushcliffe Borough Non-Statutory Replacement Local Plan, and the objectives of the Rushcliffe Residential Design Guide.
2. The proposal would, by virtue of the scale, height and mass of the proposed dwelling, the proximity to the property to the north (Olde Forge) and the difference in level between the site and that property, have an undue overbearing impact on Olde Forge which would be detrimental to the residential amenity of that property. The proposal is, therefore, contrary to one of the core planning principles of the National Planning Policy Framework which states that planning should always

seek to secure a good standard of amenity for all existing and future occupants of land and buildings, and contrary to policy GP2 d) (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan.

DECISION

17/02761/FUL

GRANT PLANNING PERMISSION FOR THE REASONS SET OUT IN THE REPORT 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 not commence until a scheme for re-development or aftercare/restoration of the site has been submitted to and approved in writing by the Borough Council, and re-development or aftercare/restoration of the shall take place in accordance with the approved scheme.

[To protect the amenities of nearby residents and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

Notes to Applicant

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.

Item 4 - 17/02414/FUL - Single storey extension to rear and side – Cornerways, Main Street, Sibthorpe, Nottinghamshire, NG23 5PN

Updates

There were no updates reported.

In accordance with the Council's Public Speaking Protocol for Planning Committee, Councillor Sarah Bailey (ward councillor), addressed the meeting.

DECISION

REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASON

1. The rear extension, by reason of siting, massing, size and design, would have an overbearing impact upon the rear elevation and private amenity area of the adjoining property, Farley Cottage. Given the visibility of the site the depth of the extension to the south west would be out of proportion with the host property, failing to remain subservient to the character of the host property and representing an over dominant feature on approach to the site from the north west. Therefore, the development would be contrary to Policy 10 (2b) of the Rushcliffe Local Plan Part 1: Core Strategy which states:

Development will be assessed in terms of its treatment of the following elements:

- b) impact on the amenity of occupiers or nearby residents;

The proposal is also considered to be contrary to Policy GP2 (d) of the Rushcliffe Non Statutory Replacement Local Plan which states, inter alia:

Planning permission for new development, changes of use, conversions or extensions will be granted provided that, where relevant, the following criteria are met:

- d) The scale, density, height, massing, design, layout and materials of the proposals are sympathetic to the character and appearance of the neighbouring buildings and the surrounding area. They should not lead to an over intensive form of development, be overbearing in relation to neighbouring properties, nor lead to undue overshadowing or loss of privacy and should ensure that occupants of new and existing dwellings have a satisfactory degree of privacy.

Item 5 - 17/02455/FUL - Single storey extensions to side and rear, first floor/two storey extensions to front and rear, new porch and construction of car port - Nettle Barn, Bassingfield Lane, Bassingfield, Nottinghamshire, NG12 2LG

Updates

A representation received from Councillor Jonathan Wheeler (ward councillor), received after the agenda had been finalised had been circulated to members of the Committee prior to the meeting.

DECISION

GRANT PLANNING PERMISSION FOR THE REASONS SET OUT IN THE REPORT 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 not be carried out in a accordance with the following approved plans:

- 17009-00-10
- 17009-00-11
- 17009-00-12
- 17009-00-13 revision A
- 17009-00-14

[For the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

3. Prior to construction of the extensions hereby permitted reaching Damp Proof Course level, details of the facing and roofing 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 GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

NOTES TO APPLICANT

This Authority is charging for the discharge of conditions in accordance with revised fee regulations which came into force on 6 April 2008. Application forms to discharge conditions can be found on the Rushcliffe Borough Council website.

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.

This permission does not give any legal right for any work on, over or under land or buildings outside the application site ownership or affecting neighbouring property, including buildings, walls, fences and vegetation within that property. If any such work is anticipated, the consent of the adjoining land

owner must first be obtained. The responsibility for meeting any claims for damage to such features lies with the applicant.

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

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

The Chairman advised the Committee that as the time was approaching 10pm he was changing the order in which the remaining items were taken with agenda item 5 (Radcliffe on Trent No.1 TPO 2017) to be taken before the consideration of agenda item 4, item 6 - 17/02707/FUL - Single storey extension to rear - 3 East Acres Cotgrave, Nottinghamshire, NG12 3JP

30. RADCLIFFE ON TRENT NO.1 TPO 2017

The Executive Manager - Communities submitted a report to inform the Committee of objections which had been received to the above Order.

DECISION

THAT THE OBJECTIONS BE OVERRULED AND THE RADCLIFFE ON TRENT NO.1 TREE PRESERVATION ORDER 2017 BE CONFIRMED AS MADE.

Councillor Butler, as ward councillor for Cotgrave, vacated the Chair and withdrew from the meeting for consideration of the next item. Councillor John Stockwood took the Chair for the item.

31. PLANNING APPLICATIONS

Item 6 - 17/02707/FUL - Single storey extension to rear - 3 East Acres Cotgrave, Nottinghamshire, NG12 3JP

Updates

There were no updates reported.

DECISION

GRANT PLANNING PERMISSION FOR THE REASONS SET OUT IN THE REPORT 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: Drawing No. 02 (Planning Drawing), received on 13 November 2017; and Drawing No. 03 (Block Plan), received on 17 November 2017.

[For the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

3. The extension hereby permitted shall be constructed in suitable facing and roofing materials to match the elevations of the existing property.
[To ensure the appearance of the development is satisfactory and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

Notes to Applicant

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.

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 meeting closed at 9:55pm.

CHAIRMAN

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Rushcliffe
Borough Council

**MINUTES
OF THE MEETING OF THE
PLANNING COMMITTEE
THURSDAY 25 JANUARY 2018**

Held at 6.30 pm in the Council Chamber, Rushcliffe Arena, Rugby Road,
West Bridgford

PRESENT:

Councillor R L Butler (Chairman)
Councillor J A Stockwood (Vice-Chairman)

Councillors B R Buschman, J N Clarke M J Edwards, S J Hull (substitute for S E Mallender), R M Jones, Mrs M M Males, Mrs J A Smith, Mrs M Stockwood (substitute for J E Greenwood), and J E Thurman

OFFICERS IN ATTENDANCE

P Cox	Senior Solicitor
M Dunne	Principal Area Planning Officer
M Elliott	Constitutional Service Team Leader
D Mitchell	Executive Manager - Communities
A Pegram	Service Manager – Communities
P Taylor	Strategic Sites Delivery Officer

ALSO IN ATTENDANCE

Councillors A Edyvean, F Purdue-Horan and R G Upton
30 members of the public

APOLOGIES FOR ABSENCE

Councillors J E Greenwood, S E Mallender

32. DECLARATIONS OF INTEREST

There were no declarations of interest.

33. PLANNING APPLICATIONS

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

14/01417/OUT - Outline application for the development of a sustainable urban extension comprising residential development up to a maximum of 3000 dwellings; employment development incorporating a maximum of 100,000sqm of B1, B2 & B8 floorspace; retail development (A1 to A5) up to a maximum of 2500sqm of floorspace; community buildings; leisure uses; schools; gypsy & traveller pitches; access to the site; new roads; footpaths & cycleways; green infrastructure including new community park; ancillary infrastructure & groundworks - Land East and West Of Nottingham Road, South Of Clifton.

UPDATES

Representations from four local residents, Gotham Parish Council, Oxalis Planning (the applicant's agent), Nottinghamshire County Council (as the local highways authority), Nottingham Express Transit and the case Planning Officer, received after the agenda had been circulated to members of the Committee prior to the meeting. In addition, at the meeting the Service Manager – Communities advised the Committee that the report referred to the Conservation of Habitats and Species Regulations 2010 (As Amended) which had now been superseded by regulations which came in to effect on 30 November 2017, consolidating the amendments since the 2010 regulations came in to force.

In accordance with the Council's Public Speaking Protocol for Planning Committee Mr Ben Holmes of Oxalis Planning (agent for the applicant), Mr Robert Hepwood of Clowes Developments (the applicant), Mr Martin Truman (objector), Councillor Allen Kerr of Barton-in-Fabis Parish Council, Councillor John Anderson of Gotham Parish Council and Councillor Stuart Matthews (ward councillor), addressed the meeting.

DECISION

THAT THE EXECUTIVE MANAGER – COMMUNITIES BE DELEGATED AUTHORITY TO GRANT OUTLINE PLANNING PERMISSION, SUBJECT TO THE PRIOR SIGNING OF A S106 AGREEMENT, AND THE FOLLOWING CONDITIONS:

1. The development shall commence within five years from the date of this permission or before the expiration of two years from the date of the approval of the first reserved matters whichever is the later.

[To comply with the requirements of section 92 of the Town and Country Planning Act 1990 (as amended) and to ensure the development will be satisfactory].

2. The first application for approval of reserved matters for the first phase of the development (as detailed pursuant to the phasing programme to be approved pursuant to condition 8) shall be submitted no later than three years from the date of this permission and all subsequent reserved matters applications shall be submitted by no later than 15 years from the date of this permission.

[To comply with the requirements of section 92 of the Town and Country Planning Act 1990 (as amended) and to ensure the development will be satisfactory].

3. The development hereby permitted shall only be undertaken in general accordance with the details as set out in the following: -

Parameters Plan 1667-P-1000 rev I and accompanying information (including heights) as set out in the Detailed Description of Development within the EIA

Design and Access Statement (Revised Jan 2018 – ref 1667 DAS REV 1) (which includes the amendments to the Illustrative Development Framework Plan and Parameters Plan and quantum of D1(non-residential institution and primary school provision)

Save only for minor variations where such variations do not deviate from this permission nor have any additional or materially different likely significant environmental effects to those assessed in the ES accompanying this application

[To clarify the extent of the permission and to ensure the development takes the form agreed by the authority taking into account consideration of the accompanying ES.]

4. No phase (as detailed pursuant to the phasing programme to be approved pursuant to condition 8) of the development is to commence until the following details have been approved in advance and in writing by the local planning authority.

- (a) the earthworks strategy relating to that phase of development including the management and protection of soils;
- (b) an Earthworks Specification for each phase of the development;
- (c) cutting slopes and embankment design that would accord with the approved Earthworks Specification;
- (d) the extent of any material to be temporarily stored within the site; and
- (e) any surplus material to be removed from the site for disposal or material to be imported to the site.

All earthworks must be carried out in accordance with the details as approved

[To make sure the development is in accordance with the requirements of Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy. The condition needs to be discharged before work commences on site as the information was not included in the application and it is important to agree these details in the interests of visual amenity, biodiversity and soil protection and to comply with policy 24 of the Rushcliffe Local Plan Part 1 Core Strategy.

5. No built development shall take place on any phase until details of the access, appearance, landscaping, layout, and scale ("the reserved matters") of each phase of the development have been submitted to and approved in writing by the Borough Council. The development shall

be carried out in accordance with the approved details.

[To comply with the requirements of section 92 of the Town and Country Planning Act 1990 (as amended) and to ensure the development will be satisfactory.]. The condition needs to be discharged before work commences on site as the information was not included in the application and it is important to agree these details in the interests of visual and residential amenity, and to comply with policy 24 of the Rushcliffe Local Plan Part 1 Core Strategy

- 6 The residential development hereby permitted shall not comprise more than 3,000 dwellings.

[To make sure the development takes the form agreed by the authority and thus results in a satisfactory form of development and to ensure conformity with the extent of the development assessed in the accompanying ES].

7. No more than 20HA comprising up to 100,000 sqm providing a mix of B1, B2 and B8 employment land in total shall be provided within the areas identified as Plot A, Plot M, Plot N and Plot L on Parameters Plan 1667-P-1000 rev I, and the mix shall largely be in accordance to that mix set out in the Transport Assessment or such alternative mix which gives rise to no greater traffic generation/impacts than that assessed in the transport assessment.

[To make sure the development takes the form agreed by the authority and thus results in a satisfactory form of development and to ensure conformity with the extent of the development assessed in the accompanying ES].

8. Notwithstanding the Concept Phasing Plan submitted as part of the application in the Design and Access Statement, prior to the submission of the first reserved matters application, a Site Wide Phasing Plan and Programme shall be submitted and approved in writing by the Local Planning Authority. The Phasing Plan and Programme shall include details of the proposed sequence of development across the entire site, the extent and location of individual development phases and any sub-phases including reference to the type and extent of any development envisaged in each phase or sub-phase and a description. The Phasing Plan and Programme shall also include details of the delivery of the following:

- i) Site wide earthworks Strategy
- ii) Development areas (including broad areas, range of residential unit numbers and/or floor space of non-residential uses)
- iii) Site accesses, major internal infrastructure including internal spine road, pedestrian and cycle crossings, footpaths, cycleways, bridleways.
- iv) Green Infrastructure, including informal and formal sports and recreation facilities, allotments etc.

- v) A site-wide structural landscaping scheme, in accordance the illustrative green infrastructure plan within the Design and Access Statement and the illustrative Framework Plan. This site-wide structural landscaping scheme shall include all existing and proposed structural landscaping and provide sufficient level of detail to allow effective monitoring and management of phased delivery (including implementation proposals for any part of the scheme that will be delivered early to mitigate visual impacts, and/or any part that will be implemented).

The development shall be carried out in accordance with this agreed Phasing Programme unless otherwise agreed in writing.

[To provide clarification on how the development will be delivered to assist determination of reserved matters and to ensure that necessary infrastructure provision as required by policy 24 of the Rushcliffe Borough Core Strategy and environmental mitigation is provided in time to address the impact and needs of the development.]

- 9. No development (including site clearance or site preparation), shall take place until a detailed design scheme to manage flood risk from surface water, in accordance with the principles established in the Drainage Strategy submitted as part of the Flood Risk Assessment ref: 0484FRA3 has been submitted to, and approved in writing by, the local planning authority. The scheme shall give consideration to all forms of Sustainable Drainage techniques (SuDS), and not just those techniques identified in Table 4.2 of the report. The scheme design shall ensure that there are no storage facilities located within the modelled 1 in 100-year event area of the floodplain of the Fairham Brook. The scheme shall also include a workable system to ensure that the drainage infrastructure can be adopted and maintained by an appropriate body. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing /phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

[To make sure the development is in accordance with the requirements of Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy. The condition needs to be discharged before work commences on site as the information was not included in the application and it is important to agree these details in the flood risk and to comply with policy 24 of the Rushcliffe Local Plan Part 1 Core Strategy]

- 10. No development (including site clearance or site preparation), shall take place until a Biodiversity Management Plan and its phasing and delivery for the site has been submitted to and approved in writing by the Borough Council and allow for the proposed ecological mitigation measures, as illustrated on plan 1667-P-500 F, compiled by FPCR, dated January 2015 to be implemented in accordance with the agreed details.

The initial scheme to be implemented must include as a minimum the following features:

1. The re-meandering of the Fairham Brook and the provision of a two stage channel for the full length of the development boundary;
2. The provision of wildlife ponds and scrapes which are distinct from the SuDS features to be created on site;
3. The Provision of an online fry refuge with reedbed connected to the Fairham Brook;
4. A 4 - 5 m rough grassland buffer strip adjacent to the Fairham Brook for the length of the development boundary;
5. The provision of species rich grassland as shown in the aforementioned plan;
6. The provision of wet grassland habitat as shown in the aforementioned plan;
7. SuDS lakes and ponds which maximise biodiversity benefit as shown in the aforementioned plan;
8. Wild bird seed mix plots as shown in the aforementioned plan;
9. The provision of an otter holt, pole mounted barn owl boxes and bird feeding stations;
10. A management plan for the habitats created detailing maintenance responsibilities where required;
11. Details of a welcome pack to be provided to each household which includes key messages about Attenborough Nature Reserve SSSI and other local spaces of ecological interest.

The management plan shall include provision for updated ecological surveys, measures to be taken to establish the existence of any protected species prior to site clearance, mitigation measures, ongoing management, maintenance and monitoring schedules in each phase of development. Further updates shall be submitted if the development of part of any particular phase does not commence within 24 months of approval of the details approved pursuant to this condition.

The development shall thereafter be implemented in accordance with the details and timetable approved.

[This condition is necessary and needs to be discharged prior to commencement of development to ensure that the proposed ecological mitigation measures are delivered and managed in a way which contributes to the nature conservation value of the site. This is in accordance with paragraph 109 of the National Planning Policy Framework which requires the planning system must aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged and to satisfy Policy 24 of the Rushcliffe Local Plan Part 1 Core Strategy.]

11. No development (including highway infrastructure or built development), shall take place until an On-site Leisure Scheme for the site has been submitted to and approved in writing by the Borough Council. This

scheme shall include a minimum provision for allotments of 2.76HA, playing pitch provision of 87,480sqm as set out in the Rushcliffe Playing Pitch Strategy; 1.73 HA of play areas equipped, and areas identified for formal and informal open space; details of the proposed play equipment ,and identifying in which phase the provision will be made and delivered as agreed in the phasing plan approved by condition 8 and shall include proposals for the ongoing management and maintenance of the areas thereafter.

The development shall thereafter be implemented in accordance with the details approved.

[To ensure an acceptable development in accordance with the aims of Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy. The condition needs to be discharged before work commences on site as the information was not included in the application and it is important to agree these details to ensure adequate provision for outdoor sport and recreation is considered in all parts of the development]

12. No development (including site clearance of site preparation) shall take place until a public transport strategy including a delivery plan and details of accompanying infrastructure which shall include the following infrastructure at each stop:- bus shelters, real time pole and displays including associated electrical connection, solar/ electrical lighting in bus shelters, raised boarding kerbs, lowered accessibility kerbs and enforceable bus stop clearways has been submitted and approved in writing by the Borough Council. Each reserved matters application including land subject to the provision of this strategy shall thereafter ensure the development is implemented in accordance with the details approved.

[To promote the use of public transport facilities and services and to

ensure compliance with Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy. This is a pre commencement condition to ensure that the promotion of sustainable travel is designed and agreed prior to reserved matters applications and their layouts being designed.]

13. No development (including site clearance or site preparation) in any phase shall take place until: i) a further archaeological evaluation has been undertaken for that phase, details of the scope of which shall have been submitted to and approved in writing by the Borough Council; and ii) The submission of the results of the evaluation in i) are submitted to the Borough Council together with details of a programme of archaeological investigation and mitigation for each phase of development based upon those results to be approved in writing.

The development shall thereafter be implemented in accordance with the approved mitigation details.

[To make sure the development is in accordance with the requirements of Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy. This

condition is a pre commencement condition to ensure that any features of archaeological importance are identified and appropriate mitigation undertaken prior to works commencing on site.]

14. Prior to the submission of reserved matters application for the Employment Land as identified on Parameter Plan drawing no. 1667 – P-1000 G plots A, L, M and N, a Design Brief shall be submitted to and approved in writing by the Local Planning Authority. The Brief shall include the mix and disposition of uses, access and circulation, public realm, parking, layout, urban design principles, massing and scale. The reserved matters application/ applications for this commercial/ employment area shall be submitted in accordance with the approved Design Brief.

[To ensure consistency with the Design and Access Statement and illustrative Framework Plan and deliver a development in accordance with the aims of Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy.]

15. Before development is commenced in each phase, a Phase II contaminated Land report shall be submitted to and approved in writing by the Borough Council where the ground investigations confirm that contamination exists, a remediation report and validation statement will also be required. This shall include for a minimum of four rounds of ground gas monitoring to establish if ground gas precautions are required for the proposed development and an unexploded ordnance search. All of these respective elements of the report will need to be submitted to and approved in writing by the Borough Council, prior to development commencing on that phase of the development and the development shall be carried out in accordance with the approved details.

[To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy. The condition needs to be discharged before work commences on site as the information was not included in the application and it is important to ensure the ground conditions are acceptable]

16. No development (including site clearance, or site preparation), in each phase shall take place until a Construction Method Statement for that phase of the development has been submitted to and approved in writing by the Borough Council and shall include the:
 - a) measures for ensuring the means of exit from the site for construction traffic;
 - b) parking provision for site operatives and visitors;
 - c) the siting and means of loading / unloading and storage of plant and materials used in constructing the development;

- d) wheel washing facilities (including full details of its specification and siting);
- e) measures to control the emission of dust and dirt during construction;
- f) scheme for recycling/disposing of waste resulting from construction works;
- g) siting and appearance of contractors compounds including heights of stored materials, boundaries and lighting together with measures for the restoration of the disturbed land and noise mitigation;
- h) A scheme for temporary signage and other traffic management measures including routing and access arrangements for construction traffic;
- i) A scheme to treat and remove suspended solids from surface water run-off during construction works.

The development shall thereafter be implemented in accordance with the details approved.

[In the interests of highway safety, to maximise the retention of agricultural soils on site, to protect the amenities of the area and reduce the risk of surface water pollution and to comply with Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy. This is a pre-commencement condition due to the need to establish acceptable construction methods and working arrangements before such works commence]

17. Each reserved matters application shall be accompanied by the following details:
- a) A detailed layout plan of the phase in context with the whole site.
 - b) The siting, design and external appearance of the proposed buildings.
 - c) The means of access; car parking and provision for service vehicles.
 - d) Facing, roofing and hard surfacing materials.
 - e) Plans, sections and cross sections of any roads or access/service roads or pedestrian routes within the application site, and this shall include details of drainage, sewerage and lighting.
 - f) The layout and marking of car parking, servicing, manoeuvring areas and cycling storage for each building.
 - g) The means of enclosure to be erected on site.
 - h) The finished ground levels for the site and floor levels of the buildings relative to existing levels and adjoining land and in relation to the ground levels or contours proposed in any adjacent landscaping scheme.
 - i) Plant and equipment and other structures.
 - j) Re cycling and bin storage facilities including an area for 3 wheeled bins for each dwelling and community bin storage for apartments and commercial areas and arrangements for maintenance and servicing.

- k) Details of the means of foul and surface water drainage together with a programme of implementation and means to ensure there is no run off to highways.
- l) The detailed design of all junctions, which shall include details of visibility splays.
- m) Drainage and rainwater run off systems including SuDS which shall accompany any road layout submission and detail maintenance/ management arrangements.
- o) The number and location of the affordable dwellings to be provided together with the mix of dwellings in terms of the number of bedrooms and the proportion of houses and flats and tenure.
- p) Detailed plans of the layout of the play areas, equipment, open space and other green infrastructure associated with that phase of development.
- q) Each reserved matters application for residential development shall be accompanied by a statement assessing the development against the Building for Life Standards. The development shall thereafter be carried out in full accordance within the approved scheme.
- r) Each reserved matters application for a non-residential use of a floor space of over 1000sqm shall be accompanied by a statement detailing how each non-residential building shall achieve a minimum of BREEAM Very Good (or the equivalent level of such national measure of sustainability for employment building design that replaces BREEAM).
- s) Details of how renewable/energy efficiency and climate change proofing has been incorporated into the phase to include for the provision of electric charging points in each house and within the commercial areas.
- t) Each reserved matters application which includes safeguarded land for the tram corridor shall include technical details to allow for the long term safeguarding of the route in general accordance with the technical note ref 364372-WTD-MCH-006 provided by NET dated 02/01/2018.
- u) Provide details of the public transport provision to serve this part of the development in accordance with the details agreed under condition 12.

The development shall thereafter be implemented in accordance with the details approved.

[To make sure the development is in accordance with the requirements of Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy

18. Prior to the submission of reserved matters applications for the Neighbourhood Centre and destination central park, a Design Brief shall be submitted to and approved in writing by the Borough Council which shall largely accord with the design principles for the Neighbourhood Centre as set out in the Design and Access Statement. The Design Brief shall include the provision for a serviced site of 0.7 Acres for Health Centre, 3 HA for the Primary School, Community Hall with sports pavilion of approximately 900m² plus with parking, the mix and

disposition of uses, access and circulation, public realm, parking, site for recycling facilities, layout and urban design principles and details of the layout, landscaping and play area provision. The reserved matters application for this area and the facilities shall be submitted in accordance with the approved Design Brief and thereafter development shall be delivered in accordance with the approved details.

[To ensure consistency with the Design and Access Statement and illustrative Framework Plan and deliver a development in accordance with the aims of Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy.]

19. No more than 2,500sqm of A1 retail, A2 financial and professional services, A3, A4 or A5 (cumulative total) shall be provided on site and no individual unit shall exceed 499sqm in floor space unless otherwise agreed in writing by the Borough Council as the Local Planning Authority.

[To make sure the development is in accordance with the requirements of Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy and to ensure that the scheme delivers a neighbourhood centre appropriate to serve the development.]

20. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification), there shall be no amalgamation of the units defined for A1, A2, A3, A4, A5 or D1 uses within the local centre without the prior permission of the local planning authority.

[To ensure an appropriate mix of uses to meet local need is contained within the local centre, in the interest of sustainability and to minimise any impact on the existing district centre of Clifton.]

21. No development of a phase shall begin until reserved matters submissions on landscaping have been submitted to and approved in writing by the Borough Council for that phase. The submissions shall include full details of both hard and soft landscape works for that phase and a programme for their implementation. Hard landscaping details shall include proposed finished levels or contours, means of enclosure, surfacing materials, minor artefacts and structures (e.g. furniture, play equipment, dog bins, refuse or other storage units, signs and lighting). Soft landscaping details shall include details of the retained trees and hedgerows and their means of protection (in accordance with BS5837/2012) whilst construction takes place, proposed contours, planting plans (including woodland planting), written specifications (including cultivation and other operations associated with plant and grass establishment) and schedules of plants/trees, including species use of plants/trees, grass mix, cultivation and grass establishment of highway verges as well as measures to prevent ingress of roots into the adjacent highway construction. Only native species appropriate to the local area and of native genetic origin shall be used in areas of 'natural' planting around the boundaries of the site in habitat creation areas, and

in green corridors through the site and any trees shall be located such that they do not obscure visibility to vehicles accessing or using the adjacent highway. The works shall be carried out as approved. Any tree(s) or planting which die, are removed or become seriously damaged or diseased within 5 years of completion of the development within that phase shall be replaced in the next planting season with others of a similar size and species.

[To make sure the development is in accordance with the requirements of Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy. This is a pre-commencement condition due to the need to establish acceptable details of hard and soft landscaping to be incorporated into the layout of the scheme at design stage]

22. Development shall not begin on any phase until the existing trees and hedges in that part of the site which are to be retained have been protected in accordance with the details approved pursuant to condition 21 above. Protection shall be retained for the whole of the construction period of that phase. No materials, machinery or vehicles shall be stored, no buildings erected and no excavation works undertaken within the protected areas. No changes to ground levels shall be made within the protected areas without the prior written agreement of the Borough Council.

[To make sure the development is in accordance with the requirements of Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy. This is a pre-commencement condition due to the need to establish acceptable details of protection is agreed and in place prior to work commencing in that phase to ensure the long term health of the trees and hedges is protected.]

23. No dwelling shall be occupied until an appropriate agreement under Section 278 of the Highways Act 1980 has been entered into with Highways England to facilitate improvements to A52 junctions in accordance with the provisions of the A52/A606 Improvement Package Developer Contributions Strategy Memorandum of Understanding, September 2015.

[To secure a proportionate contribution to improvements to the A52 and A606 in order to address the impacts of the development on the capacity of the Trunk Road network in the vicinity of the application site and to comply with Policy 24 of the Rushcliffe Core Strategy.]

24. No more than 1,500 dwellings and 50,000sqm B1/B2/B8 of the development hereby permitted shall be occupied until the A453 improvement at the Crusader roundabout as shown in Lawrence Walker Ltd Drawing Figure 2 – Rev D1 (or as otherwise amended during detailed design) has been subject to a Stage 2 Road Safety Audit, Walking Cycling and Horse Riding Assessment and Review (WCHAR) and then constructed and open to traffic.

[To ensure that the A453 and A52 trunk roads continue to serve their purpose as part of a national system of routes for through traffic in

accordance with Section 10(2) of the Highways Act1980 by minimising disruption on the road network resulting from traffic entering and emerging from the application site and in the interests of road safety.]

25. No more than 300 dwellings of the development hereby permitted shall be occupied until all three phases of the A453 improvement at the Mill Hill roundabout as shown on Lawrence Walker Ltd Drawings Figure 1 - Rev D1A, D1B and D1C (or as otherwise amended during detailed design) have been subject to Stage 2 Road Safety Audit and Walking Cycling and Horse Riding Assessment and Review (WCHAR). No more than 300 dwellings of the development shall then be occupied until the approved Phase A scheme shown on Drawing Figure 1 – Rev D1A has been constructed and opened to traffic.

[To ensure that the A453 and A52 trunk roads continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act1980 by minimising disruption on the road network resulting from traffic entering and emerging from the application site and in the interests of road safety.]

26. No more than 1,000 dwellings and 33,000sqm B1/B2/B8 shall be occupied until Phase B of the A453 improvement at the Mill Hill roundabout as shown on Lawrence Walker Ltd Drawing Figure 1 - Rev D1B (or as otherwise amended during detailed design) has been constructed and opened to traffic.

[To ensure that the A453 and A52 trunk roads continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act1980 by minimising disruption on the road network resulting from traffic entering and emerging from the application site and in the interests of road safety.]

27. No more than 2,000 dwellings and 66,000sqm B1/B2/B8 shall be occupied until Phase C of the A453 improvement at the Mill Hill roundabout as shown on Lawrence Walker Ltd Drawing Figure 1 - Rev D1C (or as otherwise amended during detailed design) has been constructed and opened to traffic.

[To ensure that the A453 and A52 trunk roads continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act1980 by minimising disruption on the road network resulting from traffic entering and emerging from the application site and in the interests of road safety.]

28. No part of the development shall commence until details of the proposed Pedestrian/Cycle infrastructure improvement works including a signage scheme and an associated delivery plan with phasing has been submitted and approved in writing by the Borough Council. The proposed routes and improvement shall be delivered in accordance with these details and shall generally accord with those shown for indicative purposes on drawing 1667-P-302 K and include the following off site works:

- i. A new cycle route connecting the NET Park and Ride with the Crusader roundabout.
- ii. A new cycle / pedestrian route on Clifton Lane connecting the existing cycle route on Farnborough Road Clifton to the existing route on Pasture Lane Ruddington.
- iii. A connection from the site to the existing cycle route on Green Street and improvements to the cycle signage between the Development Site and East Midlands Parkway Railway Station.
- iv. Signage Improvements to provide an on road cycle route to Gotham Village.

[In the interest of highway safety and to encourage sustainable means of transport in order to comply with Policy 24 of the Rushcliffe Core Strategy. This is a pre commencement condition as pedestrian and cycle infrastructure and links with the existing network are a critical element of the development and need to be considered early in the design and development process]

29. No buildings shall be occupied until the associated parking areas and manoeuvring areas associated with that building have been provided, drained and surfaced in accordance with the details that have been previously submitted to and approved by condition 17 by the Borough Council. The facilities so provided shall not be used, thereafter, for any purpose other than the parking and manoeuvring of vehicles, unless otherwise agreed in writing by the Borough Council.

[In the interest of highway safety and to comply with policies GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan).

30. No direct vehicular access from the site to Barton Lane shall be created at any time.

[To limit the potential for vehicular traffic to use the underpass under the A453 in the interests of highway safety.]

31. Prior to the occupation of any buildings on the site traffic surveys shall be undertaken at suitable locations between the Development site, Mill Hill Roundabout, the A60 Flawforth Lane junction, A52 Wheatcroft junction and Gotham Village. The exact location and timing of all surveys shall be agreed in writing with the Local Planning Authority prior to them taking place and shall be submitted to the Borough Council for information within two months of the surveys taking place.

[To establish traffic conditions prior to commencement of works and provide suitable baseline for comparison when monitoring traffic levels post occupation as required by condition 32 below]

32. Prior to the occupation of the 500th dwelling a strategy to monitor and manage traffic travelling through the site on Nottingham Road shall be submitted to and approved by the local planning authority. The strategy shall include details of the traffic management measures and their timing for delivery that will be put in place if through traffic along

Flawforth Lane between Wheatcroft Island on the A52, the new Mill Hill Roundabout and Gotham increases such that it is shown to have a severe impact when compared to the baseline figures established in condition 31 above. The traffic management measures shall thereafter be implemented by and at the applicant's expense in accordance with approved details. Monitoring shall occur on the occupation of every 400 dwellings and shall continue on this basis until such a time as the development is complete.

[To ensure that traffic follows the predicted patterns suggested in the Transport Assessment and to allow suitable mitigation measures to be introduced in the interests of highway safety implications in accordance with the aims of Policy 24 of the Rushcliffe Local Plan Part 1 Core Strategy]

33. No development shall take place until details of the safeguarded corridor for the provision of a tramway to link from the existing NET Park and Ride site through the proposed local centre and extend towards the south west corner of the site, have been submitted to and approved in writing by Borough Council. Development shall then be carried out in accordance with the approved details and in accordance with any phasing plan.

[The potential extension of the tram is seen as a critical part of the development and a requirement of Policy 24 of the Rushcliffe Local Plan Part 1 Core Strategy. This is a pre commencement condition to ensure that consideration of its precise route is considered early in the development process in the interests of sustainable development].

34. No part of the development shall be occupied or be brought into use until the owner or the occupier of the site has appointed and thereafter continue 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 Outline Travel Plan and whose details shall be provided and continue to be provided thereafter to the Local Planning Authority.

[To promote sustainable travel and to ensure compliance with Policy 24 of the Rushcliffe Local Plan Part 1: - Core Strategy]

35. The travel plan coordinator shall within 6 months of commencement of their engagement produce or procure a Detailed Travel Plan (The Clifton Travel Plan) for the residential / commercial and primary school elements of the development that sets out final targets for the different types of uses with respect the number of vehicles using the site and the adoption of measures to reduce single occupancy car travel consistent with the Outline Travel Plan. The Clifton Travel Plan shall be implemented in accordance with the approved timetable and details and be updated consistent with future travel initiatives including implementation dates to the satisfaction of the Local Planning Authority.

[To promote sustainable travel and to ensure compliance with Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy.]

36. The travel plan coordinator shall submit reports in accordance with the Standard Assessment Methodology (SAM) or similar to be approved and to the Local Planning Authority in accordance with the Travel Plan monitoring periods. The monitoring reports submitted to the Local Planning Authority 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 Local Planning Authority.

[To promote sustainable travel and to ensure compliance with Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy.]

37. Prior to the occupation of each dwelling and in accordance with the Outline Travel Plan 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 in accordance with the aims of Policy 24 of the Rushcliffe Local Part 1 – Core Strategy]

38. Notwithstanding the provisions of the Town and Country Planning Use Classes (Amended) Order 1995 (as amended) (or in any provision equivalent to the Class in any statutory instrument revoking and re-enacting that Order with or without modification), any non-residential buildings falling within Classes B2 and B8 constructed pursuant to this outline planning permission shall only be used for B2 and B8 purposes. There shall be no subsequent change of use to one falling within Class B1(a) without the benefit of obtaining planning permission.

[To clarify the extent of the permission, to limit traffic generation and to ensure that adequate parking facilities are provided in connection with the development and to comply with policies 24 of the Rushcliffe Local Plan Part 1: Core Strategy]

39. No non-residential unit shall be occupied until a scheme has been submitted to and agreed in writing by the Borough Council to cover the following:

- a) hours of operation of those premises,
- b) details of delivery handling equipment and industrial processes to be undertaken;
- c) details of externally mounted plant, equipment, tools and machinery or internally mounted plant, equipment, power tools and machinery which vents externally;
- d) associated structural planting and external and internal buffer zones to mitigate any noise generated;
- e) details of refuse collection and bin storage and servicing arrangements;
- f) details of security lighting or flood lighting to be installed on the employment premises or associated open areas including lux plot of estimated illumination and designed, located and installed

- so as not to cause nuisance to neighbouring residents or to users of the highway and to avoid significant impacts on foraging commuting bats;
- g) hours of deliveries taken at or dispatched from and waste collection;
 - h) details of any outdoor storage or display of goods or materials.

The units shall thereafter be used, and any plant /equipment shall be installed, and retained in accordance with the approved scheme.

[To ensure a satisfactory development and to protect the amenities of the area in accordance with policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy].

40. Prior to any phase of residential development commencing an Employment and Skills Strategy for the construction phase of the approved development shall be submitted to and approved in writing by the Borough Council. This strategy will provide opportunities for people in the locality including employment, apprenticeships and training. The strategy will be implemented by the developer throughout the duration of the construction in accordance with the approved details and in partnership with relevant stakeholders.

[In order to promote local employment opportunities in accordance with Policies 1 and 5 and 24 of the Rushcliffe Local Plan Part 1: Core Strategy. This is a pre-commencement condition because recruitment and employment takes place prior to commencement].

41. The development shall allow for a minimum of four gypsy and traveller pitches. Prior to the commencement of built development details of the size, layout and specification and timing for the provision of a serviced area to be set aside for the pitches shall be submitted to and approved by the Borough Council. Thereafter, the area shall be made available in accordance with the approved details. The area/pitches shall thereafter be retained and made available for families within the gypsy/traveller community.

[To ensure the scheme takes the form agreed by the authority and thus results in a satisfactory form of development.]

Notes to Applicant

Highways

The highway mitigation works associated with this consent involve works within the public highway, which is land over which you have no control. Highways England therefore requires you to enter into a suitable legal Section 278 agreement to cover the design check, construction and supervision of the works. Contact should be made with the Highways England Section 278 Business Manager David Steventon to discuss these matters on david.steventon@highways.gsi.gov.uk.

Any works undertaken to the Highways England network are carried out under the Network Occupancy Management policy, Highways England Formal Recommendation letter to LWL: NOVEMBER 2015 in accordance with Highways England procedures, which currently requires notification/booking 3 months prior to the proposed start date. Exemptions to these bookings can be made, but only if valid reasons can be given to prove they will not affect journey time reliability and safety. The Area 7 MAC's contact details for these matters is: area7.roadspace@aone.uk.com.

Notwithstanding any planning permission, if any highway forming part of the development is to be adopted by the Highways Authority under Section 38 of the Highway Act 1980 such new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance the 6C's Design Guide or any subsequent replacement document.

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 that design calculations and detailed drawings for the proposed works are submitted to and approved by the Highway Authority in writing prior to submission of any reserved matters applications required to comply with the requirements of the conditions outlined above. Failure to do so may result in significant delays in the approval of such applications.

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.

In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works, you will need to enter into an agreement under Section 278 of the Act. Please contact Jan Witko of Nottinghamshire County Council on telephone number 0115 9774364.

In relation to the conditions relating to the Clifton Travel Plan you are advised that this document should take into account the remaining requirements as set out in the County Councils Highways Comments dated 31/8/17. Advice regarding travel plans can be obtained from the Travel Plans Officer, telephone 0115 9773145.

With regard to the public rights of way that are potentially affected or proposed to serve the development you are advised to contact Nottinghamshire County Council public rights of way officer or the Cycling and Roadspace Transformation Manager at Nottingham City Council in relation to routes within the boundary of Nottingham City Council.

Correspondence with the Nottinghamshire County Council as Highway Authority should be addressed to:
Development Control (Highways), Nottinghamshire County Council, County Hall, Loughborough Road, West Bridgford, Nottingham, NG2 7QP or alternatively via e-mail at transport.strategy@nottscc.gov.uk

Drainage

You are advised to contact Severn Trent Water with regard to ensuring that the necessary improvements to infrastructure provision are able to be planned and undertaken in a timely fashion.

The improvements required under condition 10 would take place on a stretch of the Fairham Brook maintained by the Trent Valley Internal Drainage Board (TVIDB). The TVIDB will therefore need to approve any changes to the channel and bank top. The contact at the TVIDB would be Chris Manning who can be contacted on 01507 328095.

No buildings, structures, planting or fencing will be permitted within 9m of the Fairham Brook without the prior written consent of the Trent Valley Internal Drainage Board.

Severn Trent Water advise that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development.

Other matters

In relation to condition 4 requiring soil management details you are advised to refer to DEFRA Construction Code of Practice for the sustainable Use of Soils on Construction sites.

It is recommended that all demolition and construction work, including deliveries, shall be restricted to the following times, to cause the minimum amount of disturbance to neighbouring residents:

Monday – Friday	0700 – 1900 hours
Saturday	0800 – 1300 hours
Sunday/Bank Holidays	No work activity

With regard to condition 18 relating to the recycling facilities within the neighbourhood centre your attention is drawn to the attached information from the Borough Councils Recycling Officer.

In relation to condition 40 your attention is drawn to the attached information relating to the Employment Outputs.

In relation to the conditions referring to the Safeguarded Land for the potential extension of the NET you are advised to contact the NET projects office for

further technical information and requirements. Your attention is drawn to the technical note ref 364372-WTD-MCH-006 dated 02.01.2018

The Borough Council and Nottinghamshire County Council are keen to encourage the provision of superfast broadband within all new developments. With regard to the condition relating to broadband, it is recommended that, prior to development commencing on site, you discuss the installation of this with providers such as Virgin and Openreach Contact details: Openreach: Nicholas Flint 01442208100 nick.flint@openreach.co.uk Virgin: Daniel Murray 07813920812 daniel.murray@virginmedia.co.uk

Part of the application site is affected by overhead power lines. Western Power Distribution draw attention to the following documents which will need to be taken into account in the detailed design of any proposals in the vicinity of these lines: -

- a. Avoidance of danger from Electricity Overhead Lines and Underground Cables
- b. HSE guidance note GS6 Avoiding danger from overhead lines

Careful consideration will need to be given to the design of any water features to ensure a risk assessment and appropriate mitigation if necessary is undertaken with regard to any safety hazard in areas designated for use by young children. A regular programme of safety inspections and maintenance will be required through either a management company or other arrangement.

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.

Due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works. E-mail: plantprotection@cadentgas.com Telephone: +44 (0) 800 688588.

The access road to the Park and Ride site from Mill Hill is a private road within the ownership of NET/City Council. Continued dialogue with the NET/City Council regarding the use of their access is recommended and proposed developers should be aware of the need to ensure access to the Park and Ride facility remain unimpeded at all times and appropriate signage may be required to be displayed to show how access can be achieved by vehicle if necessary.


To support the primary school provision on the site and in the interests of supporting a sustainable community it is recommended that consideration is given to the provision of pre-school/ nursery facilities on the site.

With regard to condition 9 and condition 17 the use of porous surfacing materials throughout the development is encouraged in the interests sustainable drainage.

The meeting closed at 9:45pm.

CHAIRMAN

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 <p>Rushcliffe Borough Council</p>	<p>Planning Committee</p> <p>15 February 2018</p> <p>Planning Applications</p>	<h1>4</h1>
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Report of the Executive Manager – Communities

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 <http://www.rushcliffe.gov.uk/councilanddemocracy/meetingsandminutes/agendasandminutes/>. 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 Executive Manager - Communities, 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
17/02292/OUT	Land Off Lantern Lane, East Leake, Nottinghamshire	38 - 63
	Outline planning application for the erection of up to 195 dwellings, with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Lantern Lane LE12 6QN. All matters reserved except for means of access.	
Ward	Leake	
Recommendation	Planning permission be refused.	
17/02829/FUL	101 Wilford Lane, West Bridgford, Nottinghamshire NG2 7RN	64 - 70
	Single storey rear extension, extension of raised terrace, new front wall and sliding gate, replacement windows and Juliet balcony.	
Ward	Compton Acres	
Recommendation	Planning permission be granted subject to conditions	
17/02884/FUL	Weir House, Main Street, Hickling, Nottinghamshire LE14 3AQ	71 - 76
	Proposed car port, widening of driveway and associated works.	
Ward	Nevile and Langar	
Recommendation	Planning permission be granted subject to conditions	

[17/02812/FUL](#)

58 Crosby Road West Bridgford Nottinghamshire
NG2 5GH

77 - 82

Single storey rear extension, internal alterations and
raised deck/patio to rear.

Ward

Lady Bay

Recommendation

Planning permission be granted subject to conditions

[17/02962/FUL](#)

129 Main Street, Willoughby on the Wolds,
Nottinghamshire LE12 6SY

83 - 87

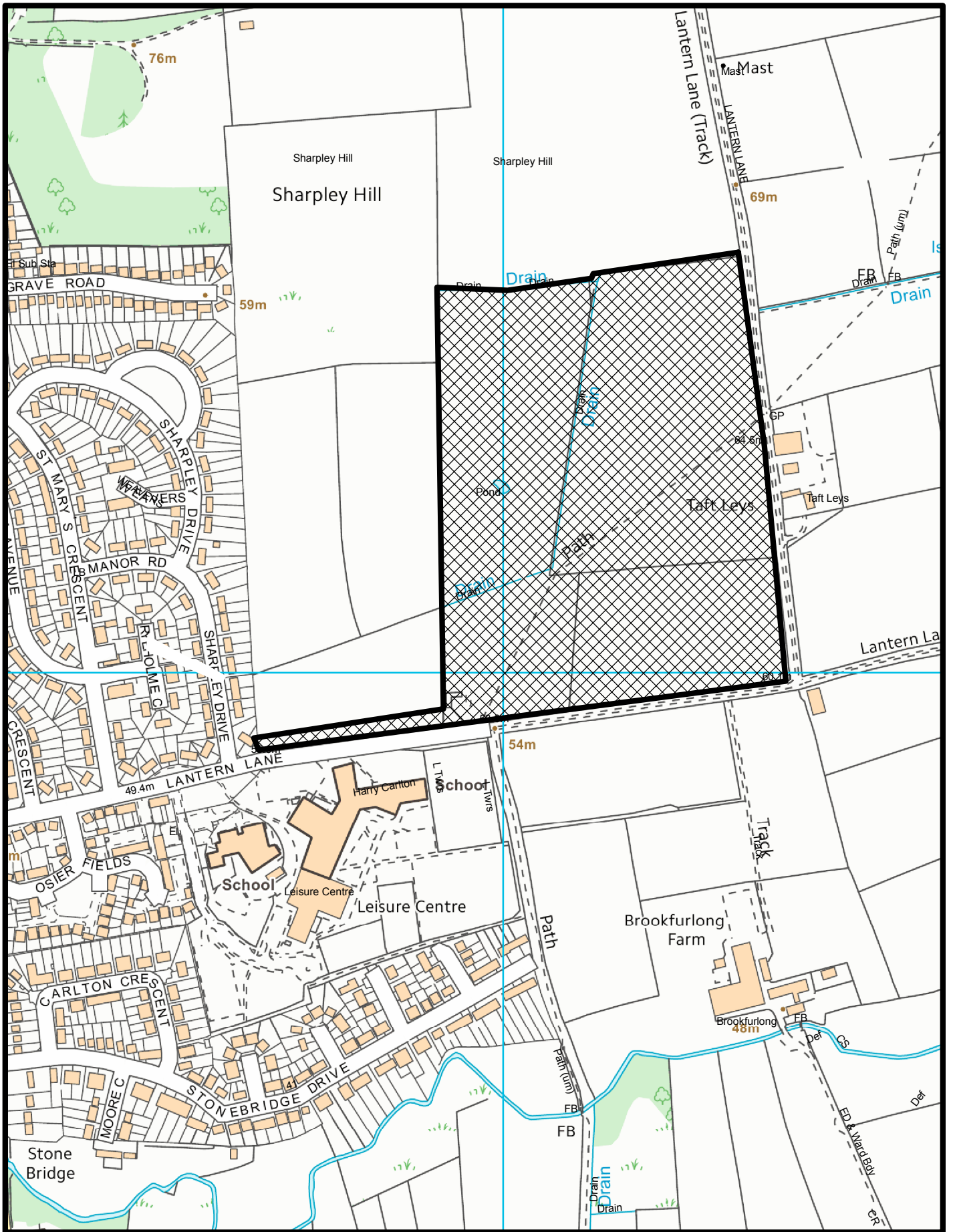
Two storey rear extension, single storey extension to front of
garage, insert window in side elevation.

Ward

Keyworth and Wolds

Recommendation

Planning permission be granted subject to conditions



Application Number: 17/02292/OUT
Lantern Lane, East Leake



scale 1:5000

17/02292/OUT

Applicant Gladman Developments

Location Land Off Lantern Lane East Leake Nottinghamshire

Proposal Outline planning application for the erection of up to 195 dwellings, with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Lantern Lane LE12 6QN. All matters reserved except for means of access.

Ward Leake

THE SITE AND SURROUNDINGS

1. The application site is located to the north east of East Leake village to the north of Lantern Lane. To the south of the site, beyond Lantern Lane, is the Harry Carlton Secondary School, East Leake Leisure Centre and open countryside. To the west of the site is a housing development for up to 170 homes approved in 2013 that is currently under construction. To the north west of the site is the British Gypsum site. To the north and east is open agricultural land.
2. The rectangular application site measures approximately 14.08 hectares and is split into a number of fields by established hedgerows. The majority of the site is flat, with the northern field rising quite steeply in a northerly direction.
3. The centre of the application site is located approximately 1.25km from the centre of East Leake.

DETAILS OF THE PROPOSAL

4. The application seeks outline planning permission (with all matters reserved except for access) for residential development with vehicular access from Lantern Lane, public open space, sustainable drainage system (SuDS) and landscaping.
5. An indicative site layout plan in the form of an illustrative masterplan has been submitted which illustrates the construction of up to 195 houses focused towards the south-western corner of the site extending no further north than the neighbouring development approved in 2013. The northern and eastern parts of the application site would be landscaped. The applicant also owns a parcel of land to the immediate north which would be retained as agricultural land.
6. A single access point is proposed off Lantern Lane. Within the middle of the proposed developable area of the site a drainage basin and open space is indicated. For absolute clarity the application is only seeking permission in principle, i.e. whether or not up to 195 dwellings could be built on the site. With the exception of the proposed access arrangements all other matters, i.e. the appearance of the proposed dwellings, the layout of the development, the scale of the dwellings and landscaping, are reserved matters for future

consideration as part of further submissions.

7. A formal screening opinion under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 was issued on 1 February 2017 concluding that an Environmental Impact Assessment was not required.
8. A number of supporting documents have been submitted with the application including Location Plan; Development Framework Plan; Design and Access Statement; Transport Assessment; Travel Plan; Ecological Appraisal; Arboricultural Report (Tree Survey); Flood Risk Assessment; Air Quality Assessment; Noise Assessment; Archaeological & Heritage Statement; Statement of Community Involvement; Socio-Economic Report; Foul Drainage Analysis; Site Access Plan; Mining Report; Renewable Energy Report; Landscape Visual Impact Assessment and a Utilities Appraisal.

RELEVANT SITE CONSTRAINTS

9. The site is located adjacent to, but outside, the built up part of the existing settlement and is located within the open countryside, and is also in an area of the village where known mining activity has occurred.

SITE HISTORY

10. Application ref: 8/J1/79/D/376 to convert a farm building into a residential bungalow was refused in July 1979.
11. As stated above, the neighbouring site to the immediate west has is currently being developed pursuant to planning permission granted in 2013 under ref: 12/01821/OUT (outline permission) and reserved matters approval in 2014, ref:14/00815/REM for the erection of up to 170 dwellings and a new primary school annexe.
12. Application ref: 16/03119/OUT for outline planning permission (with all matters reserved save for access) for residential development with vehicular access from Lantern Lane, public open space, sustainable drainage system (SuDS) and landscaping was refused in May 2017. The application was refused for the following reasons:
 1. *The proposal would comprise residential development of a greenfield site outside of the built up part of the settlement. The site is not allocated for development in the development plan and, although East Leake is identified as a key settlement for growth in Policy 3 of the Rushcliffe Core Strategy, the development would exceed the minimum target of houses to be provided in and around East Leake by over 150% when considered cumulatively with schemes already granted planning permission. This level of housing delivery for East Leake would be contrary to the Council's housing distribution strategy set out in Policy 3 and would lead to the unplanned expansion of development significantly beyond the established built edge of the village with resultant adverse impact on its rural setting and adverse impact on access to services.*

2. *It has not been demonstrated that a suitable access to serve the new development can be provided or that the traffic generated by the proposed development would not result in an unacceptable increase in danger to the users of the highway due to the use of the access. The proposal would therefore be contrary to the provisions of Policy GP2 of the Rushcliffe Borough Non-Statutory Replacement Local Plan, which states that planning permission for changes of use and new development will be granted provided that, inter alia;*
 - b) *A suitable means of access can be provided to the development without detriment to the amenity of adjacent properties or highway safety, the provision of parking is in accordance with the guidance in the County Council's parking provisions for new developments and the design of the proposal accords with guidance produced by the Highway Authority.*
3. *It has not been adequately demonstrated that the proposal would not impact on any protected species and/or their habitats or that adequate mitigation measures against the harm of the development on any protected species and/or their habitats could be implemented. The proposal would therefore be contrary to the provisions of Policy EN12 of the Rushcliffe Borough Non-Statutory Replacement Local Plan, which states, inter alia, that planning permission will not be granted unless the application includes measures to mitigate the impact of the development on habitats; to reduce disturbance; and to provide adequate alternative habitats to sustain to current levels of population.*
13. Although not relating to this site, of relevance to the consideration of the current proposal is application ref. 16/01881/OUT, which sought outline planning permission for up to 235 dwellings, primary school, infrastructure, green space, associated surface water attenuation & landscaping at a site to the south east of the village on land North of Rempstone Road which was refused in March 2017. The application was the subject of a subsequent appeal which was allowed on 20 November 2017 (ref: APP/P3040/W/17/3178343).

REPRESENTATIONS

Ward Councillor(s)

14. One Ward Councillor (Cllr Males) objects to the proposal, in summary they state the site has been turned down in the past by Councillors and local residents, the only change is to the access but it makes no difference. Traffic on Lantern Lane backs up onto the Gotham Road Main Road junction at busy times. No change to the schools, health centre and drainage situation.
15. One Ward Councillor (Cllr Thurman) has declared a non-pecuniary interest.
16. An Adjacent Ward Councillor (Cllr Brown) objects to the proposal, in summary he agrees with Nottinghamshire County Council Highway comments, even though the school is being extended East Leake does not meet the numbers required, development would add further traffic to the crowded gridlocked streets around Lantern Lane School, East Leake Health Centre doesn't meet Government standards to accommodate the local

population, the sewage system is running at near full capacity, the National defence site on the boarder of East Leake will add to the already poor infrastructure and he strongly objects to the impact on surrounding villages which share a health centre and schools.

Town/Parish Council

17. *East Leake Parish Council objects to the proposal commenting, "East Leake Parish Council (ELPC) is disappointed that this application has been submitted again with minimal changes. There were 369 objections to the previous application, 16/03119/OUT, and very little has been done to alleviate the concerns that residents expressed. ELPC held a public meeting on 31 October 2017 to discuss the current application and 42 residents attended. It was clear that there is still overwhelming objection. It should be noted that objections come from residents across East Leake, not just those in the immediate vicinity, reflecting the widely held view that this development is inappropriate.*
18. *ELPC reiterates all our concerns expressed previously – please find these in Appendix A below. We update and amplify some of our objections below.*
19. *1. The Principle of Further Development in East Leake - East Leake had around 2700 homes at the start of the plan period (2013) and since then has already provided sites for well over 800 homes, expanding the village by about a third. Rushcliffe's Core Strategy specifies a minimum of 400 new homes for the entire plan period to 2028. Such massive over allocation at East Leake distorts the provision of homes across the Borough and thus conflicts with the spatial strategy of the Local Plan. It also departs significantly from the planned phasing of delivery at East Leake as documented in Appendix D of the Core Strategy (Housing Trajectory). Providing a further large number of homes at the far south of the county at East Leake would conflict with the requirement in the Core Strategy for Rushcliffe to provide sites on the urban edge of Nottingham. It would also conflict with emerging Local Plan Part 2 which proposes to allocate no further sites at East Leake.*
20. *The NPPF is about achieving sustainable development. Further development in East Leake would fail to meet the economic, social, and environmental criteria for sustainable development set out in paragraph 7 of the NPPF. For the Core Strategy, East Leake was assessed by Rushcliffe as a sustainable location for a minimum of 400 additional houses. Since then 816 have been approved, but no further infrastructure assessment has been undertaken. It is the Parish Council's view that East Leake can no longer be considered a sustainable location for development due to lack of school places, Health Centre capacity, sewerage capacity and the limitations of the local road network. Housing development is spreading the size of the village so that it is no longer easy to walk from the outskirts to the central village facilities. Developer led housing is providing the wrong mix of housing to support a balanced community. No employment opportunities are being created alongside the housing. Couple this with a mediocre bus service linking only to Nottingham and Loughborough and not other local centres of employment, and it is clear that the housing is generating additional car journeys.*

21. *2. Access and Transport Plan - ELPC believes that access to this development via Lantern Lane is inadequate. In the current version of the plans changes are made to the design of the junctions into the development from Lantern Lane, and some modifications to the Falcon Way/Lantern Lane Junction plus other measures. We remain of the opinion that Lantern Lane is too narrow to form access to this development. There are road safety issues given the location of the leisure centre and two schools and the spilt site of Lantern Lane School, and the volume of associated traffic. We particularly note the concerns expressed in the current and previous consultations by the two schools. Additionally there would be land ownership issues to be resolved to implement the proposals.*
22. *We refer you to the detailed response by a resident, quoted below. - I object to the proposals on highways and transport grounds. Many of the reasons are the same as those I raised previously on the first application but I have also taken the opportunity to expand my objections further. Despite the issues raised by both myself and the NCC Highways on the previous application, the submitted Transport Assessment remains vague and is still not fit for purpose. The highway authority should therefore again recommend refusal.*
23. *National Planning Policy Framework Paragraph 32 requires decision makers to take into account the following objectives:*
- *"the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure*
 - *safe and suitable access to the site can be achieved for all people, and*
 - *improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe."*
24. *The submitted proposals fail on all three points. The site is not accessible by sustainable modes; safe and suitable access is not achievable; and the development would result in severe impacts. I expand on each of these points in my comments below, and wish these to be fully considered in the application decision.*
25. *1) Firstly, the vehicular access proposals are inadequate and do not conform to the design standards within the 6Cs Design Guide. To cover this, the Transport Assessment makes a throw away comment that the application of rigid design standards is neither appropriate or desirable (paragraph 2.5), a point which I doubt would have been stated if the required design standards were achievable!*
26. *The proposal is to access the development via an extension of the Lantern Lane BOAT (byway open to all traffic). Given that this is not adopted highway, it is not clear whether the access proposal is actually achievable. I believe that there are third party land issues, and no highway boundary information or land ownership plans have been provided within the Transport Assessment to evidence that the access road is deliverable without using*

Barratts land (third party land), particularly around the Redwing Close junction.

27. *Also, Lantern Lane currently serves the 170 dwellings within the adjacent Barratt Homes development via a single point of access - with all traffic having to funnel along the single stretch between Falcon Way and Sharpley Drive. The proposed development will add another 195 dwellings served through this single "pinchpoint". That totals 365 dwellings all routing through the same stretch of road. The Transport Assessment notes that Lantern Lane is only 6.1m wide between Sharpley Drive and Falcon Way (the pinchpoint) (para 3.3.4), and is only 6.3-6.8m wide between Falcon Way and Redwing Close (para 3.3.2). Meanwhile, the 6C's Design Guide states that no more than 150 dwellings should be served from a single point of access/junction, unless the road is 6.75 metres wide, where up to 400 dwellings can be served from a single access. The existing road width to access the development is therefore not sufficiently wide to serve this amount of development. This can cause operational and highway safety issues, with the potential for the road to become blocked. The Transport Assessment simply states that if a car broke down at 2m wide, there would still be space for two cars to pass each other (para 4.3.2.1). This is not an acceptable justification for a substandard stretch of road measuring circa 250 metres and forming the main access to the development!! It is also a rather weak argument given the number of potential unknowns (e.g. do cars break down right at the edge of the carriageway, even if two cars can get passed, what about emergency vehicles or refuse vehicles etc). Furthermore, in this location, the potential for the road to be blocked would be exacerbated further by the known congestion caused by on-street parking around school drop off and collection times - which I note is downplayed in the Transport Assessment. Whilst contributions towards 'no waiting' parking restrictions are proposed, unless these are suitably enforced, they will be ignored as evidenced by schools across the country. I do not comment on the school congestion as several other residents have already raised their concerns. However, I consider that the development should therefore be refused on access and highway safety grounds.*
28. *2) Secondly, the Transport Assessment includes a drawing showing proposals to realign Lantern Lane into the site and to alter the Lantern Lane/Redwing Close junction to make a T-junction with Redwing Close forming the minor arm. Again, as no highway boundary information/land ownership plans have been submitted, it is not clear whether these proposals are achievable as the alterations to Redwing Close appear to be within Barratts land. The proposals would also affect the drainage ditch, which is not within land controlled by Gladman. The proposed footway on the northern side of the junction between the site boundary and Redwing Close may also therefore not be deliverable. The 6C's Design Guide requires footways on both sides of the carriageway and therefore the development is not suitably accessible for pedestrians. Furthermore, if the footway cannot be provided, this has implications for the 43 metres junction visibility from Redwing Close (on the basis that the future use of this land cannot be secured by Gladman because it is Barratt land), and again this is not acceptable on highway safety grounds.*
29. *3) Thirdly, the Transport Assessment does not include any swept path analysis of bin lorries and fire engines accessing the site. The proposed*

junction radius on the Redwing Close junction is too small for bin lorries to negotiate if they intend to route through the Barratts development before serving the Gladman development (i.e. turning left at the junction). There may therefore be highway safety issues as vehicles cross onto the wrong side of the road. I also note that the drawing of this proposed junction arrangement is poorly prepared in terms of tying into the existing road layout on Redwing Close - presumably because the designers are aware that this is land that is not available to them.

30. *4) Fourthly, the access design is based on a 30mph road speed along Lantern Lane. As Lantern Lane is a BOAT along the site frontage and is not currently adopted public highway, it is presumably subject to a derestricted speed limit. No information is provided on the drawing or within the Transport Assessment itself as to whether traffic regulation orders are proposed to achieve the 30mph speed limit. If the traffic regulation orders are not proposed, the design speed should be 60mph, which has implications on the visibility splays from the site access junctions. Furthermore, section DG5 of the 6C's Design Guide notes that long straight sections of road (as proposed via the improvement to Lantern Lane) should be avoided when trying to control speeds.*
31. *5) Fifthly, the site is not accessible for public transport users. The 6C's Design Guide states that "walking distances to bus stops in urban areas should be a maximum of 400m and desirably no more than 250m. In rural areas the walking distance should not be more than 800m." The Transport Assessment states that the nearest bus stops on Gotham Road "are about 800 metres from the site". In fact, the furthest parts of the proposed built development are over 1000 metres from the bus stop, and this should not be acceptable when compared to the required 400 metres walking distance.*
32. *6) Finally, the highway impact of the development proposals has not been adequately assessed. The Transport Assessment uses a low trip rate of 0.6, when a more appropriate trip rate would be 0.7-0.8 in this location. It therefore suggests that 195 dwellings would only generate 122 car trips in an hour. Given the location of the site with poor connectivity to the village and long walking distances to the bus stops, this number of trips is unrealistically low. The Transport Assessment suggests that 73% of this will turn south along Gotham Road and into the village. No assessment has been undertaken of the impact of these additional passing flows on the Gotham Road/Stonebridge Drive T-junction, which has poor visibility. The additional traffic could therefore lead to congestion and road safety issues as drivers struggle to exit Stonebridge Drive. Further south, the Transport Assessment concludes that the Gotham Road/Main Street would operate "in an acceptable manner" with the development traffic in place. However, the PICADY output in Table 9 shows the junction operating at 91.6% increasing to 101.7% with the development in place. This is above the accepted 85% level of operation. Furthermore, the queue length doubles from 7 to 12 vehicles, and the delay almost doubles, increasing by 65 seconds from 96 to 161 seconds. Appropriate mitigation is therefore required, despite the Transport Assessment concluding that the impact is not severe. The increased queue length and delay is not acceptable from capacity or safety perspective, and is a severe impact. Therefore the highway impact does not accord with the principles of NPPF.*

33. Overall, there are several highways and transport reasons for why this development should be refused, and it is requested that the highway authority retain their reason for refusal.
34. We have concerns about the validity of the Transport Assessment and Travel Plan provided by the applicant. We are not convinced that the times and dates of the traffic survey are representative of the traffic flow, having been conducted (according to residents) during fine weather and a day when one school was not open. Residents and the schools report that the road is frequently gridlocked at school start and end times, at odds with the survey data provided. There are reports of queues tailing back around the Gotham Road/Lantern Lane traffic island.
35. The Lantern Fields development is not fully occupied now, and building work was not far advanced at the time of the survey. The full effects of the other housing developments in the village have not been felt yet either, nor have the effects of the DNRC at Stanford Hall and the 3000 homes South of Clifton. The schools down Lantern Lane will have to increase their numbers of students to cope with these developments, which will in turn lead to more car journeys.
36. We draw your attention to the fact that the Lantern Lane BOAT is used for agricultural traffic, servicing a large area of farmland with tractors plus trailers and huge items of machinery which have to navigate past parked cars, children crossing the road etc.
37. The route along Lantern Lane is unsuitable for children to use to cycle to school.
38. With a single, congested access route along Lantern Lane emergency vehicles could be held up, endangering residents, schools, and users of the leisure centre.
39. To quote from another resident's response:
- (1) The summary document (https://planningon-line.rushcliffe.gov.uk/online-applications/files/E8A0CA8DE26D4359EF8D1F2ACFF5A872/pdf/17_02292_OUT-07_TRANSPORT_ASSESSMENT_PART_1_OF_6-1079096.pdf) has a number of statements used to support the application that are not fully accurate.
 - (2) The submitted traffic survey reports only on roadside parking east of the school/leisure centre junction. The previously rejected application drew attention to the problems area being to the west of the junction towards Gotham Road roundabout at peak times. This application presents no solution to ameliorating the congestion identified daily between 8-9am and 3.15-4pm.
 - (3) The application will increase vehicular traffic along Lantern Lane. This will incur further delays to incoming traffic to the school/leisure centre, particularly at peak time. This will also prevent residents at the proposed new estate from leaving their property promptly in the morning. This will undoubtedly cause distress.
 - (4) Safety of pupils learning in the Lantern Lane Primary School annex to the north of Lantern Lane will be exposed to increased traffic flux and,

- by definition, increased risk. The proposal for a raised section of road as traffic calming measure will not reduce the traffic flux, but might reduce the severity of injury if a collision occurred.
- (5) *I support Rushcliffe Council's strategy of sustainable transportation. However, the application relies on increased sustainable transport use to justify the development. This fails to take into account the geography of most staff, students and users of East Leake Academy and Leisure Centre who come from south Nottinghamshire villages. For a large proportion of users, regular cycling is not feasible due to the distances and there are no public transport links.*
- (6) *Section 6.6 summary is misleading as the public transport links described do not link users of the school/leisure centre site to most of the surrounding villages (with the exception of Stanford on Soar and Gotham).*
- (7) *I strongly disagree with the statement that Lantern Lane is a suitable route for school children to cycle along, during peak times. This is based on my own experience as a cyclist and observation of the queuing traffic, buses and roadside parking between Gotham Road roundabout and the school site in peak times. The application does not make any proposal to improve the safety of cycling along this stretch of highway.*
40. *3. Infrastructure Concerns - The infrastructure in East Leake cannot cope with rapid expansion in such a short time. Policy H1 of the Neighbourhood Plan requires that infrastructure be provided in time to serve the needs of the development. The Health Centre is past its sell-by date and too small. The primary schools, sewerage system, and roads cannot cope.*
41. *3.1 Primary Schools - Even with expansion undertaken and planned the primary schools do not have capacity for any homes over and above those already approved. Both schools are currently full or oversubscribed in years 1 and 2, despite the recent expansion of Lantern Lane to two form entry, yet only about half the new homes with planning permission are occupied at present.*
42. *There is no further room for expansion at Lantern Lane. The Education Authority is planning to expand Brookside school, not build a new school. There is no funding available to build a new school. This development would not provide enough children to warrant a third primary school in East Leake. The Local Education Authority is not intending to build a new school on the site offered by the Rempstone Road landowners, who are currently appealing the decision to refuse planning permission for their site.*
43. *3.2 Health Centre - There are no plans to provide a new Health Centre, and no site has been identified. The existing building is too small for the size that East Leake has become and unsuitable for a modern Health Centre. A second Doctor's surgery in the village closed in recent years.*
44. *3.3 The Road Network - The volume of housing development already approved in East Leake, plus the huge Defence and National Rehabilitation Centre development at Stanford Hall (which will have 682 car park spaces) is already causing road safety concerns at several roads and junctions around the village, including:*

- *Gotham Road/Main Street T-junction in the centre of East Leake*
 - *Junction onto the A60 at Costock*
 - *A60/A6006 crossroads at Rempstone*
 - *A6006 Melton Road*
 - *The A6006 staggered junction with Loughborough Road*
 - *Loughborough Road / Rempstone Road junction*
45. *As far as we are aware no traffic assessment has considered the cumulative effect of all the housing developments in East Leake plus Stanford Hall. There is also the impact of the 3000 houses south of Clifton to be considered.*
46. *3.4 Sewerage - The sewerage provision is believed to have insufficient capacity. The situation as it was in 2015 is documented in the Neighbourhood Plan statement of consultation, (see references in our previous submission). There may now be plans to expand the water treatment plant on West Leake road, but we have no details of either the plans or the timescales. As far as we are aware there are no plans to expand the pumping station in the centre of the village.*
47. *The Foul Drainage Analysis provided (Sept 2017) speaks of a sewer capacity assessment being commissioned. This has not been made available with the documents for the application. Paragraph B7 of the Foul Drainage Analysis allows 2 years from grant of planning permission for Severn Trent to expand their capacity, however Severn Trent indicate a lead time of 3-4 years. See responses to Rushcliffe's consultation on the East Leake Neighbourhood Plan:
<http://www.rushcliffe.gov.uk/media/rushcliffe/media/documents/pdf/planningandbuilding/neighbourhoodplans/All%20ELNP%20reps%20redacted.pdf>
Severn Trent response is on P107.*
48. *4. Environment - Residents attach significant amenity value to this area of green fields, crossed by a footpath, and adjacent to the Lantern Lane BOAT, with connecting footpaths to Bunny and Gotham and a large area of farmland and woodland. The area is enjoyed by ramblers, dog walkers and horse riders. It forms part of an important green corridor. We have reports of a significant bat roost at Taft Leys Farm, and these fields provide habitat to support these bats. There are also reports of deer, hares, buzzards and other wildlife.*
49. *The loss of the pond and nearby trees would be deeply regrettable and should this development go ahead we would wish to see these retained as a feature. We remind you again that there are great crested newts present in significant numbers on the Gypsum site at a distance of 725m, considerably closer than the 1.64km quoted in 5.3.15 of the Ecological Impact Assessment.*
50. *There are concerns about the loss of air quality caused by the traffic journeys along Lantern Lane, and the impact on the health of children at the schools.*
51. *5. Lack of Conformance with East Leake Neighbourhood Plan - We refer you to the analysis provided in our response to the previous application (see Appendix A below), in particular lack of conformance with H6(a) and H6(d). We remind you also of the requirement for market homes housing mix in*

policy H3 of the Neighbourhood Plan, which should be strictly enforced should this application be granted.

52. *6. Consultation - As they say in their Statement of Community Involvement, Gladman have not undertaken any further public consultation on the current proposals. We noted in our previous response that we believe the original consultation over Christmas 2016 was inadequate.*
53. *7. Section 106 contributions and conditions - Should this development go ahead despite our strong and valid objections, we would require S106 contributions and conditions imposed as in our previous submission (see Appendix A below). In addition we would request a condition that no construction traffic be permitted to/from the site during the peak school start and end times."*
54. The appendix referred to in the comments from the Parish Council contains their comments submitted in respect of the previous application, which are broadly reflective of the concerns raised in respect of the current application. The document is available on the Borough Council's website at: <https://planningon-line.rushcliffe.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

Statutory and Other Consultees

55. Severn Trent Water does not object to the proposal subject to the inclusion of a condition to secure a drainage plans for the disposal of surface water and foul sewage.
56. Trent Valley Internal Drainage Board does not object to the application, there is no Board maintained water courses within the site, and provide their standard advice.
57. The Environment Agency confirms no response will be given.
58. East Midlands Airport Safeguarding does not object to the application, the proposal does not conflict with any safeguarding criteria.
59. The Clinical Commissioning Board has yet to provide formal comments but it has been indicated via the combined comments co-ordinated by Nottinghamshire County Council Planning that a financial contribution would be sought.
60. Nottinghamshire County Council as Lead Local Flood Authority do not object subject to the provision of a detailed surface water design and management proposal being approved before construction begins on site.
61. Nottinghamshire County Council as Highway Authority remain in active discussions with the applicant's Highway Consultant to address outstanding issues relating to the access off Lantern Lane and the connectivity of the site to the village and surrounding area. As the application currently stands they object to the application on the grounds that the width of the site access is in part of an inadequate width to serve the number of dwellings proposed, and it has not been sufficiently demonstrated that there would be no resulting harm to highway safety. They also object on grounds of the traffic impact on the

surrounding road network, in particular the Main Street/Gotham Road and the A60 Costock Road junctions, as well as the general connectivity and sustainability of the site.

62. Nottinghamshire County Council as Education Authority does not object to the proposal. Current and previous pupil projections clearly show the existing pressure on school places in East Leake. They seek an education contribution of £469,655 (41 x £11,455) to provide primary and £535,060 (31 x £17,260) to provide secondary provision to accommodate the additional pupils projected to arise from the proposed development. They confirm that the primary contribution would be used towards the provision or cost of primary educational facilities in or within the vicinity of East Leake (which for the avoidance of doubt may include the cost of transporting children to and from school) to serve the residents in or within the vicinity of East Leake. The secondary contribution would be used towards the provision of additional capacity at East Leake Academy.
63. Nottinghamshire County Council Landscape Visual Impact (LVI) Team does not object. In summary they are satisfied that the information provided has clarified the impacts on the Policy Zone which would be moderate in close proximity to the development. There are moderate – major adverse visual impacts on views from Lantern Lane close to the proposed site. They consider that it is necessary to increase the landscape treatment to the eastern and northern boundary to at least 10 metres to form a defining boundary to the village's expansion. They state an Arboricultural Method Statement is required as a condition to confirm that the existing trees to be retained will be protected during the works.
64. Nottinghamshire County Council Archaeology Officer does not object. They note the desk based assessment of the site submitted indicates there is ridge and furrow surviving on at least part of the application area. This form of Medieval earthworks can conceal earlier buried archaeological remains. Although they would normally prefer to see a geophysical investigation of a greenfield site they accept that on this occasion the underlying geology of the site is not particularly good for geophysical survey. Therefore, they are content to follow the recommendation of the archaeological consultant and recommend the inclusion of a pre-commencement condition for a scheme for archaeological monitoring of the site.
65. Nottinghamshire County Council Travel and Transport Services advise that they would wish to negotiate with the developer and Highways Development Control regarding provision of monies towards appropriate bus services to serve the site and improvements to the two bus stops on Gotham Road (RU0339 and RU0315) in the form of a developer contribution (s106) of £12,200 to provide improvements to the two bus stops and £100,000 to provide improvements to the local bus service.
66. Nottinghamshire County Council as Waste and Minerals Authority has confirmed that there are no existing waste sites within the vicinity of the site whereby the proposed development could cause an issue in terms of safeguarding the existing waste management facilities. However, they advise of the presence of the operations, process and distribution centre for the Marbleagis Mine (gypsum) which lies to the north west of the site suggesting that British Gypsum be contacted.

67. The Borough Councils Environmental Health Officer does not object. In summary they agree with the assessment and conclusions of the air quality assessment dated December 2016. They recommend the inclusion of a dust mitigation plan and a construction management plan (to control noise and vibration emissions during construction) secured by condition. They have no comments to make in relation to contaminated land.
68. The Borough Council's Environmental Sustainability Officer does not object to the application. In summary they comment that the ecology survey appears to have been completed in accordance to best practice. There are habitats within the site which offer potential to support wildlife and provide opportunities for enhancement. The one pond lost will be offset by the new SUDs sites. Areas of green infrastructure are proposed, the development of details for these plans should keep both the recreational and ecological benefits in mind. They are generally happy with the travel plan submitted but note the plan fails to identify the cycle route across Meadow Park and, therefore, does not address the potential to provide cycle improvements across Gotham Road to connect with that cycling route, providing an alternative, quiet/off road cycle route into the centre of East Leake. They recommend the inclusion of conditions relating to the provision of a travel plan and the protection and enhancement of the sites species, habitats, ecology and landscape.
69. The Borough Council's Waste and Recycling Officer does not object to the proposal subject to a Note to Applicant being attached to any grant of permission informing the developer of the cost of providing wheeled bins to new residential developments.
70. The Borough Council's Economic Growth Manager objects to the application. In summary they comment the number of new homes would be taken well over that identified in the Core Strategy, putting additional strain on local services. Employment uses need to be the focus of growth in East Leake to match/complement the existing growth in housing. Rushcliffe Borough Council has established an East Leake Growth Board to bring together all relevant local stakeholders to try and mitigate some of the impacts of this growth on local services.
71. The Borough Council's Planning Policy Manager objects to the application. The Policy Officer highlights paragraph 49 of the National Planning Policy Framework (NPPF), which advises that policies for the supply of housing should not be considered up to date if the LPA cannot demonstrate a 5 year supply of deliverable housing sites. Paragraph 14 states that where the development plan is out of date, 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 Framework taken as a whole.
72. Rushcliffe only has a 3.1 year supply of housing and the Policy Officer advises that this is a material consideration which should not completely overrule adopted policy but should be weighed against relevant policies and the degree to which the development is contrary to them. Whilst Policy 3 of the Core Strategy is a housing supply policy and has reduced weight. Policies 10, 16 and 18 do not relate to housing supply and should therefore

be afforded full weight irrespective of whether there is a 5 year supply. They reference a recent court ruling that supports this interpretation.

73. They conclude that the level of exceedance of the minimum target for housing in East Leake cannot be considered reasonable or compliant with the Core Strategy and that the implications of this outweigh Para.49 of the NPPF. Likewise they advise that conflict with policies H1 and H6 of the Neighbourhood Plan is not outweighed. They also highlight the need to consider the potential pooling of S106 contributions arising from this development in the light of the other permitted developments in East Leake.

Local Residents and the General Public

74. A total of 459 representations have been received objecting to the application, mainly from local residents and including the Head Teacher of Lantern Lane Primary School and a Governor of East Leake Academy. The comments submitted can be summarised as follows:
- a. The village cannot sustain more houses, the infrastructure and services will be overloaded including schools, health centre, sewage and roads.
 - b. Other villages and towns should also take the strain of new houses, why are other villages not taking their fair share of new houses?
 - c. East Leake should not be expanded further without the provision of additional doctors, schools, bus service, parking, traffic calming management schemes, shops, restaurants etc.
 - d. Lantern Lane has recently had a big development and there has been lots of new housing in the village.
 - e. New development has not contributed to healthcare and schools and the roads have not been repaired.
 - f. The village is in danger of losing the advantages which makes it a nice place to live, the development will ruin village life.
 - g. Harm to the character and appearance of the village through its increased size and loss of surrounding countryside, loss of a stunning view.
 - h. Building so close to the school will cause danger to pupils – children have to cross Lantern Lane during the day to get between the split school sites, there is no safe crossing space.
 - i. Increased pollution and carbon emissions will harm children's health.
 - j. The roads round the school are too narrow and poorly surfaced, they are not safe to pedestrians or road users and more traffic will cause more danger.
 - k. Inadequate access for a site of this size, getting in and out of the access to the estate is hard and would get worse, another access onto

Lantern Lane is needed. The roads already become very congested and will not cope with more traffic – Lantern Lane serves two schools and a leisure centre.

- l. Speeding traffic outside of school hours is a danger to all residents of which a high proportion is elderly.
- m. Cars park where they shouldn't, area is a death trap.
- n. Emergency services and refuse vehicles won't be able to access the site and the estate roads would be too narrow for them.
- o. Not enough parking spaces are provided per house.
- p. Significant harm to residential amenity including overlooking, loss of privacy and overshadowing.
- q. Drainage is an issue, the village suffers from flooding in the winter months.
- r. This was previously refused, what has changed, the developer has not addressed the previous problems, how many more times do greedy developers have to be stopped from ruining the village.
- s. Loss of recreation area, space to walk and walk dog.
- t. Ruin/loss of wildlife and habitat.
- u. There is no demand for executive housing, need smaller houses to enable younger people to get onto the housing ladder. Not enough affordable housing is being built in the village.
- v. Application discovered on Facebook, proper consultation has not been done.
- w. Recent increase in litter and fly tipping adjacent to Lantern Lane following the road widening, further development may mean more people chose to fly tip here.
- x. Generate problems of social unrest and anti-social behaviours because there are too many people in such a small area. There has already been an increase in anti-social behaviour in the area.
- y. Is it now policy to build over the Green Belt?
- z. Development of a greenfield site outside built up settlement, outside the building line for the village.
- aa. Loss of valuable agricultural land.
- bb. The application does not accord with the adopted Neighbourhood Plan.
- cc. Loss of public rights of way.

- dd. Intentions of the developers for the area of land which is marked 'land under the applicant's control' is questioned.
- ee. It is naive to think that people will sign up to a travel plan and not do what is convenient to themselves. The site is not accessible by sustainable modes; safe and suitable access is not achievable; and the development would result in severe impacts.
- ff. Doesn't comply with the 6C's design guide.
- gg. It's further than the required distance from the bus stop.
- hh. Documents submitted to support the application are not accurate.
- ii. Stanford Hall development will bring more cars into the village, are these houses supposed to house the Hall's employees?
- jj. Not acceptable for children to be bussed to a neighbouring villages to go to school.

PLANNING POLICY

- 75. The Development Plan for Rushcliffe consists of the 5 saved policies of the Rushcliffe Borough Local Plan (1996), the Rushcliffe Local Plan Part 1: Core Strategy and the East Leake Neighbourhood Plan.
- 76. Other material considerations include the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG) and the Rushcliffe Borough Non-Statutory Replacement Local Plan (2006).
- 77. Any decision should, therefore, be taken in accordance with the Rushcliffe Core Strategy, the Neighbourhood Plan, the NPPF and NPPG and policies contained within the Rushcliffe Borough Non-Statutory Replacement Local Plan where they are consistent with or amplify the aims and objectives of the Core Strategy and Framework, together with other material planning considerations.

Relevant National Planning Policies and Guidance

- 78. The National Planning Policy Framework carries a presumption in favour of sustainable development and states that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. It states that Local Planning Authorities should seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 79. Paragraph 7 of the NPPF confirms that there are three dimensions to sustainable development; economic, social and environmental. Paragraph 8 of the NPPF goes on to clarify that these three dimensions should not be undertaken in isolation, because they are mutually dependent and that to achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

80. The NPPF, at Paragraph 17 states the overarching roles that the planning system ought to play, setting out 12 principles of planning. One of these is to *"always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings."*
81. In terms of housing, paragraph 47 of the NPPF requires local planning authorities to identify a five year housing supply with an additional 5% buffer to ensure choice and competition. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20%.
82. Paragraph 55 of the NPPF states that *"To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities"*.
83. Paragraph 58 of the NPPF states, *"...Planning policies and decisions should aim to ensure that developments... respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;..."*
84. Paragraph 64 of the NPPF states, *"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."*

Relevant Local Planning Policies and Guidance

85. The Core Strategy sets out the overarching spatial vision for the development of the Borough to 2028. Policy 1 deals with The Presumption in Favour of Sustainable Development, Policy 2 deals with Climate Change, Policy 3 deals with Spatial Strategy, Policy 8 deals with Housing Size, Mix and Choice and Policy 10 with Design and Enhancing Local Identity.
86. The Rushcliffe Non-Statutory Replacement Local Plan has been used in decision making since 2006 and despite the Core Strategy having been recently adopted its policies are still a material consideration in the determination of any planning application, where they are consistent with or amplify the aims and objectives of the Core Strategy and have not been superseded. The following policies of the Rushcliffe Borough Non-Statutory Replacement Local Plan (NSRLP) are relevant to the consideration of this application.
87. Policy GP1 (Delivering Sustainable Development), Policy GP2 (Design and Amenity Criteria), Policy GP3 (Development Requirements), Policy EN7 (Site of Archaeological Importance), Policy EN12 (Habitat Protection), Policy EN13 (Landscaping Schemes), Policy EN19 (Impact on the Green Belt and the Open Countryside), Policy EN20 (Protection of Open Countryside), Policy EN21 (Loss of Agricultural Land), Policy HOU2 (Development on Unallocated Sites), Policy HOU7 (Affordable Housing), Policy MOV5 (Contributions to Public Transport Infrastructure), Policy MOV7 (Footpath and Cycle Links in New Developments), MOV9 (Car Parking Standards), COM2 (New Residential Development and Community Facilities), COM5 (Provision of Open Space on New Development), and Policy WET3 (Groundwater Resources).

88. In addition the East Leake Neighbourhood Plan has been adopted. The plan forms part of the Development Plan and should be afforded appropriate weight. The relevant policies in assessing the proposal are Policies E1, H1, H3, H5, T1 and T2.

APPRAISAL

89. This application is the resubmission of a previously refused scheme (ref. 16/03119/OUT). Planning Committee determined to refuse the 2016 application at Planning Committee in May 2017. There have been no significant changes to planning policy since this date and there have been no changes to the immediate site context, but elsewhere within East Leake planning permission has been granted at appeal for up to 235 dwellings, primary school, infrastructure, green space, associated surface water attenuation and landscaping on land north of Rempstone Road, East Leake ref. APP/P3040/W/17/3178343.
90. As highlighted in the comments received from the Planning Policy Manager this appeal decision is of significance. The Planning Inspector reasoned that *“in the absence of five years supply of deliverable homes, the tilted balance in favour of granting planning permission is engaged and that whilst such a large concentration at East Leake was a divergence from the Core Strategy, East Leake is a Key Settlement and it is not appropriate to delay delivery on the basis that the minimum number has been exceeded.”*
91. Also critical to the decision was the inspector’s conclusion that, *“harm to the character and appearance of the area would be limited; the site is not in an inherently unsustainable location (within walking and cycling distance of the village centre); and that, in the light of no formal investigation into whether capacity at the primary schools can be increased, provision could be made to meet increased demand for places either within East Leake’s schools, or in other schools beyond the village.”*
92. Whilst the Rempstone Road appeal decision is a material planning consideration it should not dictate the outcome of this planning application, *“that it should also be approved due an absence of a five years supply of deliverable homes.”*
93. The application site is not considered to constitute previously developed land in accordance with the definition contained within Annex 2: Glossary of the National Planning Policy Framework as its current use is considered to be agricultural. However, the settlement of East Leake has been identified in Policy 3 (Spatial Strategy of the Rushcliffe Local Plan Part 1: Core Strategy (Core Strategy) as a key settlement for growth, capable of accommodating a *minimum* of 400 new homes. These 400+ new homes would form part of the Borough Council's five year housing land supply as required by the NPPF and be supported by the Government's growth agenda. Whilst the location of these additional dwellings had not been established through the preparation of the Core Strategy, it was apparent that there was insufficient land available within the existing built up part of the village and that appropriate sites on the edge of the settlement would be required to provide these 400+ new homes.
50. It should be noted that whilst the Neighbourhood Plan for East Leake does not seek to identify or allocate housing development sites it also doesn't seek

to discourage housing development in this particular part of the village, whereas Policy E1 does identify areas of the village it does not wish to see housing development take place e.g. to the west and to the north-west of the village. Policy H1 of the Plan acknowledges that a minimum 400 new homes are to be delivered in East Leake by 2028 and requires that any new development above this minimum figure will need to demonstrate that improved infrastructure can be achieved to serve the needs of the development. Policy H3 requires schemes to deliver the mix of housing specified in the policy.

94. The proposed development would be on a greenfield site, clearly outside of the settlement boundary, although adjacent to a site benefitting from planning permission for housing that is currently under construction. East Leake is identified in Policy 3 of the Core Strategy as a key settlement, being relatively well served by local facilities and services. Part 2 b) iv) of Policy 3 identifies East Leake as providing for a *minimum* of 400 homes. Whilst identified as a minimum, this number was deemed appropriate through the Local Plan process, balanced against access, infrastructure and environmental constraints. Given its location beyond the Green Belt, East Leake has proven to be an attractive location for developers and planning permission has been granted for 1044 new homes on 9 sites. A further 195 would take the total over 1239, three times the minimum figure.
95. This level of exceedance is not in accordance with the Council's distribution strategy set out in Policy 3 and would place additional strain on the village infrastructure, as evidenced in the highway safety concerns and the comments received from the County Council's Education and Health Departments. The further encroachment into the surrounding countryside would also be harmful to the rural character of the settlement. Whilst Policy 3 allows for flexibility in provision within the identified settlements, the level of housing that would be provided at East Leake would be disproportionate in scale and undermine the Council's strategy for the distribution of housing around the Borough. Critically the housing target for Rushcliffe and the focus of development on the edge of the main urban area, in strategic allocations, meets the housing needs of the Greater Nottingham Area, not just Rushcliffe. Therefore, further significant development in East Leake, 5 miles south of Nottingham, would not meet this need and would conflict with the Core Strategy's sustainable distribution of new housing.

Impact on character and appearance of the area

96. The application site is located on the edge of the settlement, on an area of open agricultural land with the land levels rising towards the north. The application seeks outline planning permission for residential development for up to 195 dwellings with only the access to be considered along with the principle of development.
97. Whilst a Masterplan has been submitted showing how the site could be laid out, little certainty can be placed on the proposed layout. As the design and siting of the proposed dwellings along with landscaping are reserved matters and broad compliance with the Masterplan could be conditioned, the visual appearance of the proposal is reserved at this stage as only the access arrangements and the principle of development are to be determined as part of this application. Nevertheless, as the site is currently undeveloped any

proposed housing would appear as an incursion into the rural setting of this part of the village, clearly extending the settlement beyond its existing limits and significantly changing its form and character. It is acknowledged that by restricting the houses to the lower lying land, and by using and supplementing existing tree planting and hedgerows, the visual prominence of the development could be reduced. The substantial areas of peripheral open space and high quality landscaping indicated on the Masterplan would also assist in the transition between built development and the countryside. However, whilst these factors would mitigate the impact of the development to a degree, it is considered that they could not disguise the impression that one of the few remaining areas where the countryside approaches the heart of the settlement had been breached.

98. The applicant has also made clear that there are moderate to major adverse visual impacts on views from Lantern Lane close to the proposed site. However, subject to conditions securing additional landscaping the County Council Landscape Team accept this as an accurate assessment of the landscape and visual impacts of the proposed scheme and do not object to the proposal.

Impact on residential amenity

99. Should outline planning permission be granted the exact siting, scale, design and final number of the dwellings would be dealt with under a Reserved Matters application. There is an indicative layout plan included as part of the proposal in the form of an illustrative Masterplan. A landscape buffer along the eastern edge of the site is indicated on the Masterplan with the site's other existing boundaries along the east and south of the site, which could be secured by means of condition. The site is considered physically capable of accommodating up to 195 dwellings whilst providing adequate separation distances to the existing dwellings to the immediate west side of site, which are partially constructed. Therefore it is considered that the site is capable of being developed so as not to have an excessive or detrimental impact on the privacy or amenities of surrounding dwellings, particularly those on the recently approved development off Lantern Lane.

Highway/pedestrian safety and sustainable travel

100. In assessing the technical highway documents and drawings submitted as part of the application the Highway Authority (Nottinghamshire County Council) initially objected to the proposal on grounds of a substandard access and the impact of the proposal on the road network, in particular the Main Street/Gotham Road and the A60 Costock Road junctions. However, the applicant is in active discussions with the Local Highway Authority to address their outstanding concerns, however, at the time of writing the objections remain.
101. In terms of public rights of way, there is a footpath (East Leake Footpath 27) which runs through the site and is contained in the areas indicated to be access roads and the community park on the Masterplan. There are also a number of paths shown as informal footpaths and pedestrian links to aid movement around and through the site.

Drainage and flood risk

102. The site is not located within either Floodzone 2 or Floodzone 3 as being at high risk of flooding, however the central part of East Leake is. Storm water balancing ponds are indicated on the western edge of the development, to be surrounded by informal public open space and landscaping.
103. The applicant is indicating that they would incorporate flood storage measures within the low-lying south-west corner of the site to control the rate of water run-off from the site to current greenfield rates, with an allowance for climate change.
104. It is noteworthy that the Environment Agency does not object to the proposal, nor does the Lead Local Flood Authority, subject to conditions being attached to any grant of permission. It is also noteworthy that the Trent Valley Internal Drainage Board does not object to the proposal.
105. The application proposal incorporates a sustainable approach to surface water drainage and the application also indicates on the Masterplan that it would include a flood alleviation scheme which would reduce the risk of flooding. On-going maintenance of the surface water mitigation measures would be undertaken by a Management Company that could be established through a S106 agreement and conditions.
106. From a drainage and flood risk point of view it is, therefore, considered that outline planning permission could be granted for the proposed development subject to a number of planning conditions requiring the details contained within the Flood Risk Assessment (FRA) to be implemented prior to development commencing, and the provision of details for a surface water drainage scheme to be submitted and approved in writing prior to development taking place.

Archaeology

107. The County Archaeologist does not object to the proposal. The site is previously undeveloped and the desktop study submitted shows there is ridge and furrow, a form of Mediaeval earthworks, across part of the site. In accordance with the archaeological consultants advice a condition requiring an archeological watching brief has been suggested. Therefore, subject to the inclusion of this condition, there would be no grounds to refuse the proposal on grounds of impacts on potential buried archaeology.

Ground stability

108. There is a history of gypsum mining to the north, north-east of the application site, however, the application is accompanied by a mining report and there have been no objections received from British Gypsum. Building Regulations would ensure that the foundations of all buildings are designed to suit the local ground conditions.

Ecology/trees

109. The application was accompanied by a full ecological survey which concludes that the proposal would not result in harm to protected species or

their habitat. The County Council Ecologists and the Borough Council's Environmental and Sustainability Officer advise that they do not object to the proposal subject to conditions being attached to any grant of permission.

110. In terms of habitat enhancements, it is considered conditions could be attached to any planning permission relating to the protection of habitats and breeding birds during construction, together with the provision of bat and bird boxes.
111. The proposal does not include details of landscaping as these matters are reserved at this stage. However, the LVIA response from the County Council suggests conditioning a 10m belt of landscaping at identified boundaries of the site to minimize the visual impact of the proposal. All the significant areas of trees and hedgerows to the boundaries of the site are indicated for retention.
112. Tree protection measures and detailed landscape plans would form part of any reserved matters or full planning application. Given the amount of open space indicated on the Masterplan, its future maintenance (preferably by a management company) should be secured via a S106 should permission be granted.

Education and primary school capacity

113. Nottinghamshire County Council Education has not objected to the application subject to s106 contributions being secured to mitigate the impact of the additional pupils on both the primary and secondary school demand that they would generate. Officers have sought clarification from the Education Authority in light of the Rempstone Road, East Leake appeal decision. They have confirmed that although they do not object to the proposal, *“Current and previous pupil projections clearly show the existing pressure on school places in that area. Following the decision into the appeal on the Rempstone Road development (16/01881/OUT) the County Council will need to undertake a full strategic review of education in the East Leake area looking at the options available and undertake risk assessments.”*

Section 106 contributions

114. Affordable Housing - Paragraph 50 of the NPPF states that Local Planning Authorities should, where they have identified that affordable housing is needed, set policies for meeting this need on site.....and the agreed approach contributes to the objective of creating mixed and balanced communities.
115. Policy 8 of the Core Strategy (Housing size, mix and choice) states that new residential developments within East Leake would only be required to provide up to 20% affordable housing on sites of 5 dwellings or more or 0.2ha or more. Therefore the requirement would be to provide up to 20% affordable housing which would be secured in perpetuity through a S106 agreement. This would equate to 39 units based on 195 dwellings being constructed, the tenure (social rented/affordable rented/shared ownership), house types and size of which would be included as part of a scheme for consideration by the Borough Council to assess its compliance with the local housing needs identified in using the Nottingham Core Strategic Housing Market (SHMA)

Needs Update 2012.

116. Travel and Transport - The Highway Authority (Nottinghamshire County Council) have not confirmed what contribution they would require towards sustainable transport measures due to the fact that they are currently objecting to the proposed access arrangements to the site, but discussions are ongoing.
117. Rights of Way - In terms of Public Rights of Way, there is a footpath (East Leake Footpath 27) which runs through the site initially parallel to a service road within the development and is then contained in the area marked as open space on the Masterplan. It is considered that the right of way is capable of being satisfactorily accommodated in the development but the exact design and location of the development in relation to the public right of way and its connectivity to the existing rights of way network, and the long term management of these would also need to be considered as part of the reserved matters application. (The long term management and maintenance of all the open spaces and footpaths should be secured at the outline stage and it is considered that this could be achieved via a section 106 agreement).
118. Education Provision – The Education Authority are currently not objecting to the proposal and request financial contributions towards meeting the need for additional capacity in both primary and secondary schools.
119. The County Council's Planning Obligations Strategy (April 2014) states that the cost per school place is £11,455 for primary education and £17,260 for secondary education. The Education Authority advise that an additional 41 primary school places and 31 secondary school places would be generated by the proposal.
120. Health Provision - The proposed housing scheme would generate increased demand for health care facilities but as yet no formal request for contributions has been received from the NHS Clinical Commissioning Group (CCG). The CCG's standard formula is £920 per 2+ bed dwelling and £600 per 1-bed dwelling. If a formal request is received it could be secured by s106 agreement, provided that evidence of the need is provided.
121. Public Open Space/Play Equipment - The Borough Council Community Development Manager has as yet provided no response.
122. To date S106 discussions have not progressed with the applicant, given the fundamental Policy concerns and, until late in the process, uncertain Education Authority requirements. However, the applicants have indicated their willingness to enter into a S106 Agreement including contributions towards Affordable Housing, Education, Healthcare, Play/Sport and recreation and monitoring.
123. CIL Regulations – Under the CIL regulations, a planning obligation may not constitute a reason for granting planning permission to the extent that the obligation provides for the funding or provision of an infrastructure project or type of infrastructure and five or more separate planning obligations which provide for the funding or provision of that project, or type of infrastructure have been entered into before the date of the new obligation. Given the level of development which has already been granted planning permission in the

East Leake area, this could have implications for the funding which could legitimately be sought from this development.

Conclusion

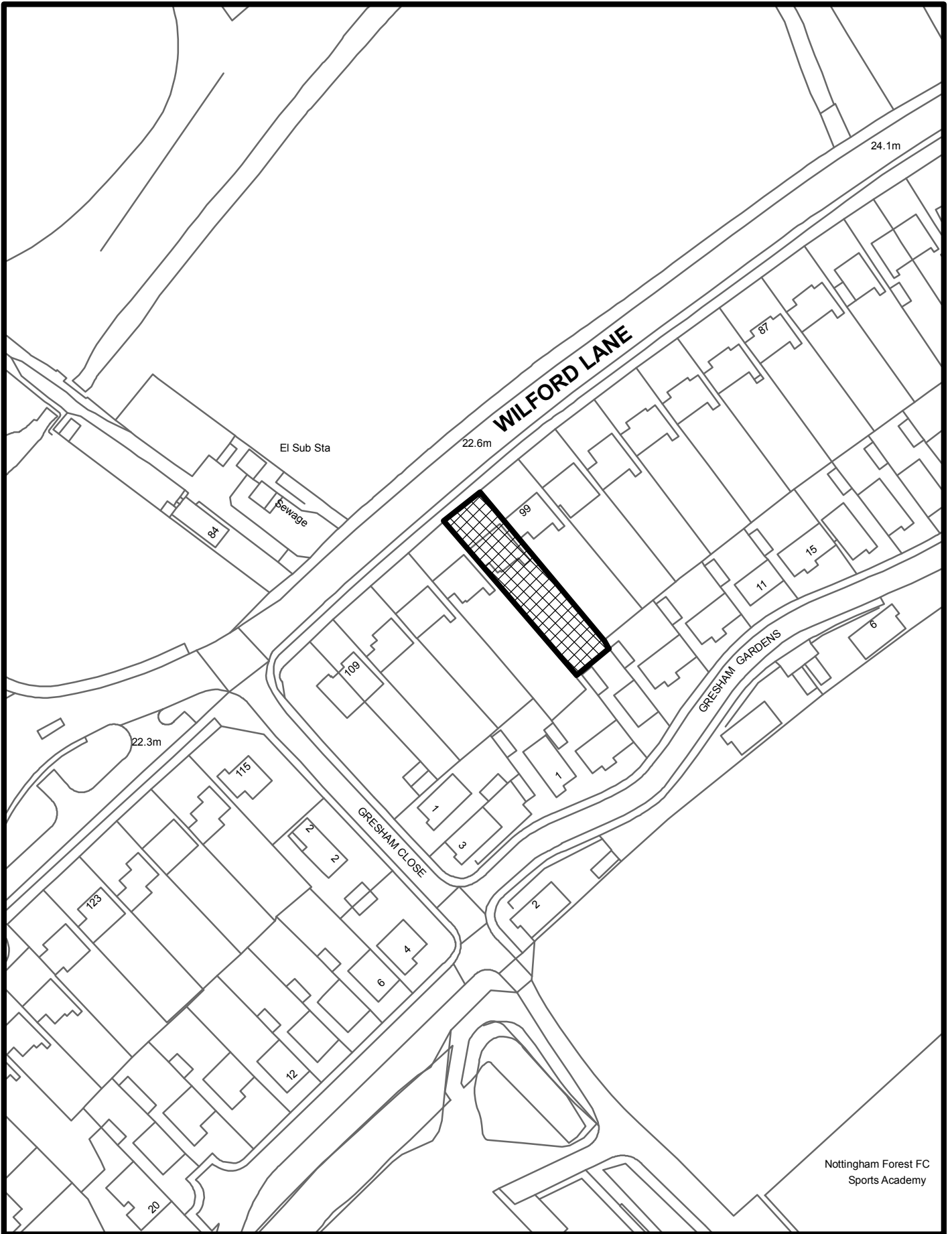
124. The Core Strategy identifies East Leake as a key settlement for growth, capable of accommodating a 'minimum' of 400 new homes. The application site, whilst not allocated for housing, is clearly well related to East Leake and is not constrained by any local or national designation.
125. However, given the scale of new housing recently granted permission around East Leake, the granting of permission for this further, significant new housing would result in a level of exceedance that would undermine the Council's distribution strategy set out in Policy 3 and would place additional strain on the village infrastructure, as evidenced in the highway safety concerns. The further encroachment into the surrounding countryside would also be harmful to the rural character of the settlement. In the light of the policy conflicts and the current objections from the Highway Authority it is recommended that planning permission is refused.
126. There is a fundamental policy objection to the proposal and it is considered that this cannot be overcome. However, discussions have taken place with the applicant in an attempt to address the technical (highway) issues and to limit the reasons for refusal to those which cannot, in the opinion of the Borough Council, be overcome.

RECOMMENDATION

It is **RECOMMENDED** that planning permission be refused for the following reason(s)

1. The proposal would comprise residential development of a greenfield site outside of the built up part of the settlement. The site is not allocated for development in the development plan and, although East Leake is identified as a key settlement for growth in Policy 3 of the Rushcliffe Core Strategy, the development would exceed the minimum target of houses to be provided in and around East Leake by over 150% when considered cumulatively with schemes already granted planning permission. This level of housing delivery for East Leake would be contrary to the Council's housing distribution strategy set out in Policy 3 and would lead to the unplanned expansion of development significantly beyond the established built edge of the village with resultant adverse impact on its rural setting and adverse impact on access to services.
2. It has not been demonstrated that a suitable access to serve the new development can be provided or that the traffic generated by the proposed development would not result in an unacceptable increase in danger to the users of the highway due to the use of the access. The proposal would therefore be contrary to the provisions of Policy GP2 of the Rushcliffe Borough Non-Statutory Replacement Local Plan, which states that planning permission for changes of use and new development will be granted provided that, inter alia;
 - b) A suitable means of access can be provided to the development

without detriment to the amenity of adjacent properties or highway safety, the provision of parking is in accordance with the guidance in the County Council's parking provisions for new developments and the design of the proposal accords with guidance produced by the Highway Authority.



Application Number: 17/02829/FUL
101 Wilford Lane, West Bridgford

scale 1:1000



17/02829/FUL

Applicant Mrs M Charles

Location 101 Wilford Lane West Bridgford Nottinghamshire NG2 7RN

Proposal Single storey rear extension, extension of raised terrace, new front wall and sliding gate, replacement windows and Juliet balcony.

Ward Compton Acres

THE SITE AND SURROUNDINGS

1. The application relates to a two storey detached residential property with a front drive approximately 9 metres deep and 30 metre deep rear garden. The dwelling is faced in red brick with a pyramidal pitched roof covered in rosemary plain tiles. The frontage is faced in a dark red/brown brick with a render facing to the first floor, the frontage features a double height bay window with tile hanging and mock Tudor gable. A garage adjoins the south west side elevation. The front drive has a single ungated vehicular access off Wilford Lane which is a classified highway. The front boundary consists of trees and shrubs set behind a low stone retaining wall.
2. The rear elevation of the dwelling features a 2.2 metre deep rear projecting store/utility room and a ground floor bay window. There is a 4.8 metre deep rear patio, beyond which there is a fall in land levels of approximately 0.8 metre down to the main garden. The garden is enclosed by a closeboard timber fence approximately 1.8 metre high which is stepped in height to follow the level of the patio and rear garden.

DETAILS OF THE PROPOSAL

3. The application seeks planning permission for a single storey rear extension and the extension of the raised rear terrace, alterations to windows including the addition of a first floor rear Juliet balcony, and the construction of a new front boundary wall and sliding gates.
4. The proposed rear extension would measure 4.4 metres in width and 5.2 metres in depth with a side sun screen projecting an additional metre beyond the rear to bring the total projection to 6.2 metres from the rear of the dwelling. The roof form would be a side mono-pitch metal roof rising up away from the boundary with 99 Wilford Lane, measuring 2.3 metres to the eaves adjacent to the boundary and 3.8 metres to the highest part of the roof from finished floor level, this being 0.2 metres above the level of the patio. The extension would be constructed of brick with floor to ceiling glazing and sliding doors to the rear and south west side elevation.
5. The existing rear bay window would be squared off, above which a first floor Juliet balcony is proposed. The raised patio would extend 7.2 metres from the rear of the dwelling, representing an approximately 2.4 metre increase in depth. Windows would be replaced throughout the property.

6. A 1.5 metre high stone wall is proposed along the front boundary, incorporating a pedestrian gate. There would be an electric sliding gate across the existing vehicular access. The plans as originally submitted proposed a 1.8 metre high front boundary wall, however, discussions took place with the agent during the application process and the wall has been reduced in height.

SITE HISTORY

7. No planning history

REPRESENTATIONS

Ward Councillor(s)

8. One Ward Councillor (Cllr Phillips) declared an interest on behalf of himself and Cllr Wheeler. In light of this, both Cllr Phillips and Cllr Wheeler will not be making any comments regarding this application.

Statutory and Other Consultees

9. No comments received.

Local Residents and the General Public

10. One neighbour objects to the proposal with comments summarised as follows:
 - a. Concerns over height and length of proposed rear extension and its effect on views and sunlight on the rear of 99 Wilford Lane.
 - b. Concerns over proposed 1.8 metre high front wall, it is understood that the deeds require wall heights to be restricted to 5ft (1.52m) to be in keeping with adjacent properties.
 - c. Concerns regarding the proposed 1.8 metre high fence on the east side of the front garden as the fence belongs to No. 99, query over whether a second fence is to be erected within the boundaries of No. 101.
 - d. Need to clarify front garden boundary treatments as it is considered the new wall and fence will create a danger to pedestrians from vehicles leaving Nos. 101 and 99.
 - e. The rear flue for the wood burner would be visible above the roof line but is not shown on the front elevation drawings.
11. One neighbour made comments neither objecting to nor supporting the application, commenting that they have concerns the new rear balcony would overlook 5 Gresham Gardens.

PLANNING POLICY

12. The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: Core Strategy and the 5 saved policies of the Rushcliffe Borough Local Plan 1996. Other material planning considerations include the National Planning Policy Framework (NPPF), the Rushcliffe Borough Non Statutory Replacement Local Plan (2006) and the Rushcliffe Borough Residential Design Guide (2009).

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. The proposal should also be considered under section 7 of the NPPF in terms of promoting good design, particularly the criteria outlined in paragraph 58. 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. In line with NPPF paragraph 64, 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.

Relevant Local Planning Policies and Guidance

14. Policy 1 of the Core Strategy sets out the need for a positive and proactive approach to planning decision making that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The proposal should be considered under Core Strategy Policy 10 (Design and Enhancing Local Identity). Development should make a positive contribution to the public realm and sense of place, and should have regard to the local context and reinforce local characteristics. Development should also be assessed in terms of the criteria listed under section 2 of Policy 10, and of particular relevance to this application are 2(b) whereby development should be assessed in terms of its impacts on neighbouring amenity; 2(f) in terms of its massing, scale and proportion; and 2(g) in terms of assessing the proposed materials, architectural style and detailing.
15. None of the five saved policies from the 1996 Local Plan apply to this application.
16. Whilst not a statutory document, the policies contained within the Rushcliffe Borough Non-Statutory Replacement Local Plan should be given weight as a material consideration in decision making. The proposal falls to be considered under the criteria of Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Non-Statutory Replacement Local Plan. Of particular relevance is GP2(d) whereby development should not have an overbearing impact on neighbouring properties, nor lead to a loss of amenity. The scale, density, height, massing, design and layout of the proposal all need to be carefully considered, and should not lead to an over-intensive form of development.
17. The Residential Design Guide (2009) is a material consideration in determining applications. This implies that the style and design of any extension should respect that of the original dwelling and should not

dominate over it. Extensions should be designed so that they are not readily perceived as merely 'add-ons' to the original building and therefore scale, proportion and roof form are very important.

APPRAISAL

18. The main consideration is the relationship between the proposed extension and the neighbouring properties, particularly 99 Wilford Lane. The neighbour's comments on the scale of the proposal are noted. This neighbour has a similar arrangement with a raised rear patio and a step down of approximately 0.8 metre to the main rear garden area. The application property projects approximately a metre beyond the rear of No. 99 and therefore the extension would project approximately 7.2 metres beyond the rear of this neighbouring property. The rear of the extension would have a finished floor level raised approximately a metre above the existing ground level of the neighbouring garden. Careful consideration has therefore been given to the overall scale of the extension, the changes in land levels and the relative positioning of the two properties.
19. The neighbouring dwelling at 99 Wilford Lane is set off the side boundary with a garage to the side and consequently there would be a separation of approximately 3.6 metres between the extension and this neighbouring dwelling. It is not considered that the extension would result in an overbearing impact or a loss of light to the rear windows of this neighbouring dwelling.
20. In terms of impacts upon the rear garden of 99 Wilford Lane, the extension would project 4 metres beyond the rear line of the existing single storey rear store/utility building. The outer side wall would be in line with the side wall of the dwelling, set off the boundary with No. 99 by between 0.9 and 1.3 metres. The eaves of the proposed extension would only be approximately 0.2 metres higher than the eaves of the existing store/utility building. The roof form would be a mono-pitch rising up away from the boundary with this neighbour. Given the roof form and the set back from the boundary, it is not considered that there would be a significant overbearing or overshadowing impact on this neighbour.
21. In considering other comparable developments in the vicinity, it is noted that there is a 6 metre deep single storey rear extension at 95 Wilford Lane (granted under planning ref: 09/01017/FUL). In this instance, the side wall of the extension is stepped out to meet the boundary with 93 Wilford Lane. The proposed extension would, therefore, arguably have a better relationship with 99 Wilford Lane than the relationship between Nos. 95 and 93 Wilford Lane.
22. The extension would have a large area of glazing in the south west elevation looking across the terrace towards 103 Wilford Lane. The distance between this glazing and the boundary would measure 5 metres. The provision of a fence along the boundary at a height of 1.8 metres above the level of the raised terrace would prevent any unacceptable overlooking of or loss of privacy to the neighbouring property.
23. The neighbour comments in relation to the proposed Juliet balcony are noted. The balustrade would be fixed to the rear wall of the dwelling without a rear-projecting balcony platform on which to stand. The Juliet balcony would

replace an existing rear window and it is not considered that there would be a significantly greater, or unacceptable overlooking impact on properties either side or to the rear.

24. The proposed extended terrace would be 22 metres from the rear boundary which consists of a fence and high conifer hedge, providing a good degree of screening. It is not considered that the terrace would result in a loss of privacy to rear neighbouring properties. The side boundary fences would be extended to follow the extended raised patio at a height of 1.8 metres relative to the level of the terrace, providing screening from both adjacent neighbours.
25. In terms of the proposed front boundary wall, the plans as originally submitted proposed a 1.8 metre high wall. A well-used bus stop is located directly outside of the property and it is understood that the applicant sought a high wall to provide privacy and security. Having carefully assessed the front boundary treatments along Wilford Lane, it was noted that there were no front boundary walls of comparable height in the vicinity. Discussions took place with the agent during the application process and revised plans have been submitted, proposing a lower front boundary wall of 1.5 metres in height. It is considered that this revised wall height would provide a degree of security and privacy to the applicant without compromising the character of the street scene. One neighbour made reference in their representation to deeds limiting the height of front boundary walls, this is not a material consideration and is not relevant to the consideration of this application.
26. The proposed sliding vehicular gate would be electronically operated, however, in the event of this being manually operated there would be sufficient space to the front to station a vehicle without obstructing traffic.
27. The neighbour makes reference to the positioning of the boundary fence between the property and 99 Wilford Road. Boundary disputes would be a civil matter and not relevant to the consideration of the application.
28. Negotiations have taken place during the consideration of the application to address adverse impacts identified by officers in connection with the proposal. Amendments have been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a recommendation to grant planning permission.

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 in accordance with the following approved plans: 11224/10 (Proposed Ground Floor Plan, Proposed First Floor Plan, Proposed Roof Plan), received on 28 November 2017; and 11224/11A (Proposed Front Elevation, Proposed Rear Elevation,

Front Wall and Entrance Detail), 11224/18B (Proposed Block Plan), and 11224/12A (Proposed Side Elevations), received on 22 January 2018.

[For the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

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

[To ensure the appearance of the development is satisfactory and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

4. The replacement first floor windows to both side elevations of the dwelling shall be rendered permanently obscured to Group 5 level of privacy or equivalent. Thereafter, the windows shall be retained to this specification.

[To ensure a satisfactory development in the interests of amenity and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

5. Prior to the extension and raised terrace hereby approved being brought into use, a close boarded fence with a height of 1.8 metres above the level of the terrace shall be erected on the south west and north east boundary along the full depth of the terrace, as shown on drawing number 11224/18B. Thereafter the fence shall be retained and maintained for the life of the development.

[To ensure a satisfactory development in the interests of amenity and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

Notes to Applicant

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.

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.



Application Number: 17/02884/FUL
Weir House, Main Street, Hickling



scale 1:1000

17/02884/FUL

Applicant Ms Clarke

Location Weir House Main Street Hickling Nottinghamshire LE14 3AQ

Proposal Proposed car port, widening of driveway and associated works

Ward Nevile and Langar

THE SITE AND SURROUNDINGS

1. Weir House is a traditional two storey white rendered dwelling situated at the junction of Main Street and Clawson Lane. Vehicular access to the property is gained from Clawson Lane. Whilst there is a garage on the site, it is used for storage purposes. Due to the existence of a tree and shrubs adjacent to the drive, there are currently no turning facilities within the site.
2. The property lies within the Conservation Area and is described as a “positive building” in the Hickling Conservation Area Appraisal and Management Plan.

DETAILS OF THE PROPOSAL

3. The application relates to the construction of a car port, which would be located adjacent to the north-west elevation of the dwelling. It is also proposed to widen the drive within the site, to be surfaced with gravel, to create a turning area though there would be no increase in the width of the access point to the highway. A number of shrubs and one tree would be removed to facilitate the work.
4. The car port would measure 7.7m in width with a depth of 6.6m, including overhang of footpaths on two sides. It would be supported on four circular columns painted or powder coated white and have a single ply roof with white metal fascia. The south and west elevations would comprise white timber louvres, the other two sides would be open. The height would be 2.5m.
5. When originally submitted, the application included a 2.4m high wall and gate at the side of the car port. This was subsequently reduced to 2m high, making it permitted development.

SITE HISTORY

6. In April 2008, planning permission was granted for the erection of a single storey dwelling on land within the curtilage of Weir House, to the rear of Ambleside, served by a new access from Clawson Lane. This property has been built and is known as The Clarke House.

REPRESENTATIONS

Ward Councillor

7. The Ward Councillor (Cllr Combellack) objects and agrees with the Parish

Council's comments (set out below).

Town/Parish Council

8. The Parish Council objects commenting, "*The Parish Council does not feel that the design of the flat roofed car port is appropriate for the Conservation Area. Members do not support the removal of the mature hedge but if the application is approved, it is felt that a condition needs to be set insisting that the mature hedge is replaced and maintained to screen the car port. There is no objection to the widening of the drive.*"

Statutory and Other Consultees

9. Historic England has offered no comment and suggest that the views of our specialist conservation and archaeological advisers are sought, as relevant.
9. The Borough Council's Conservation and Design Officer points out that the widening of the drive would not include any works of relevant demolition, also it would have no impact visually outside the site and would in no way affect the sites contribution to the special architectural and historic character and appearance of the conservation area. There is a car port of similar design within the curtilage of the adjacent property, as highlighted in the Design and Access Statement, although the Conservation Officer acknowledges that each case must be considered on its own merits. He comments that the site is not as well screened as the Design and Access Statement suggests and there are some viewpoints where there would be limited screening.
10. Whilst he questions the justification put forward by the applicant, it is concluded that there is no objection in principle to the proposed car port, subject to the timber louvres being painted or powder coated white to be sympathetic to the existing white render of the dwelling, on the basis that the structure would most often be seen against the backdrop of the blank white gable end wall of the dwelling.
11. The Borough Council's Landscape Officer acknowledges that one tree would be removed, however, it is not visually prominent and would not justify a preservation order. He does, however, recommend a condition requiring a landscaping scheme.

Local Residents and the General Public

12. No representations received.

PLANNING POLICY

13. The Development Plan for Rushcliffe consists of the 5 saved policies of the Rushcliffe Borough Local Plan (1996) and the Rushcliffe Local Plan Part 1: Core Strategy.
14. Other material considerations include the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG) and the Rushcliffe Borough Non-Statutory Replacement Local Plan (2006).

15. Any decision should therefore be taken in accordance with the Rushcliffe Core Strategy, the NPPF and NPPG and policies contained within the Rushcliffe Borough Non-Statutory Replacement Local Plan where they are consistent with or amplify the aims and objectives of the Core Strategy and Framework, together with other material planning considerations.

Relevant National Planning Policies and Guidance

16. The National Planning Policy Framework (NPPF) includes a presumption in favour of sustainable development. Local Planning Authorities should approach decision making in a positive way to foster the delivery of sustainable development and look for solutions rather than problems, seeking to approve applications where possible. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.
17. There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles. The environmental role refers to *'contributing to protecting and enhancing our natural, built and historic environment'*.
18. Two of the core planning principles state that planning should:
- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of buildings and land.
 - Conserve heritage assets in a manner appropriate to their significance.
19. Chapter 7: 'Requiring good design' states that good design is a key aspect of sustainable development and should contribute to making places better for people. Planning policies and decisions should aim to ensure that developments will function well and add to the overall quality of the area and respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. Permission should be refused for development of poor design that fails to improve the character and quality of an area. Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.
20. Chapter 12: 'Conserving and enhancing the historic environment' states that, in determining planning applications, local planning authorities should take account of:
- The desirability of sustaining and enhancing the significance of heritage assets.
 - The desirability of new development making a positive contribution to local character and distinctiveness.

21. Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is given to the desirability of preserving or enhancing the character or appearance of that area.

Relevant Local Planning Policies and Guidance

22. Policies 10 (Design and enhancing local identity) and 11 (Historic Environment) of the Rushcliffe Local Plan Part 1: Core Strategy requires 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 local characteristics. Development shall be assessed in terms of the criteria listed under section 2 of Policy 10 and, of particular relevance to this application, are 2(b) whereby the proposal shall be assessed in terms of its impacts on neighbouring amenity, 2(f) in terms of its massing, scale and proportion and 2(g) in terms of assessing the proposed materials, architectural style and detailing.
23. Policies GP2 (Design & Amenity criteria) and EN2 (Conservation Areas) of the Rushcliffe Borough Non-Statutory Replacement Local Plan are also of relevance.

APPRAISAL

24. Whilst the proposed car port is contemporary in design, it should be noted that paragraph 58 of the NPPF states that appropriate innovation should not be discouraged whilst paragraph 60 states that planning policies and decisions should not attempt to impose architectural styles or particular taste and should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles whilst preserving or reinforcing local distinctiveness.
25. In principle, it is considered that there is no overriding reason why a contemporary approach should not be taken to the proposed development. It is noted that reference is made to a mature hedgerow being lost but this is in fact a group of shrubs and not a hedgerow. It should, however, be noted that even allowing for the removal of existing vegetation, the impact on views from the public realm would be limited due its limited size, lightweight structure and the fact that it would be set back in the site and partially screened by the dwelling. Also, painting or powder coating the structure white would be sympathetic to the render on the dwelling. Nevertheless, it is considered that in the interests of biodiversity and the overall character and appearance of the Conservation Area, a replacement landscaping scheme should be required.
26. In terms of impact on neighbours, it is not considered that there would be a material impact in terms of loss of light, overbearing impact/overlooking or noise and disturbance as a result of traffic generated by the development.
27. It should be noted that the widening of the drive internally in the site and formation of a turning area would avoid vehicles having to reverse onto Clawson Lane, with consequential highway safety benefits.
28. It is considered that the proposed development would not cause harm to and would, therefore, preserve the character of the Conservation Area as required

by Government guidance and local plan policies, and described as desirable by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

29. Negotiations have taken place during the consideration of the application to address the potential adverse impacts identified by officers in connection with the proposal. Amendments have been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a recommendation to grant planning permission.

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 materials to be used on the proposed development shall be as described in the application as amended by the e-mail from the applicant's agent dated 23rd January 2018, confirming that the car port would be finished in white.

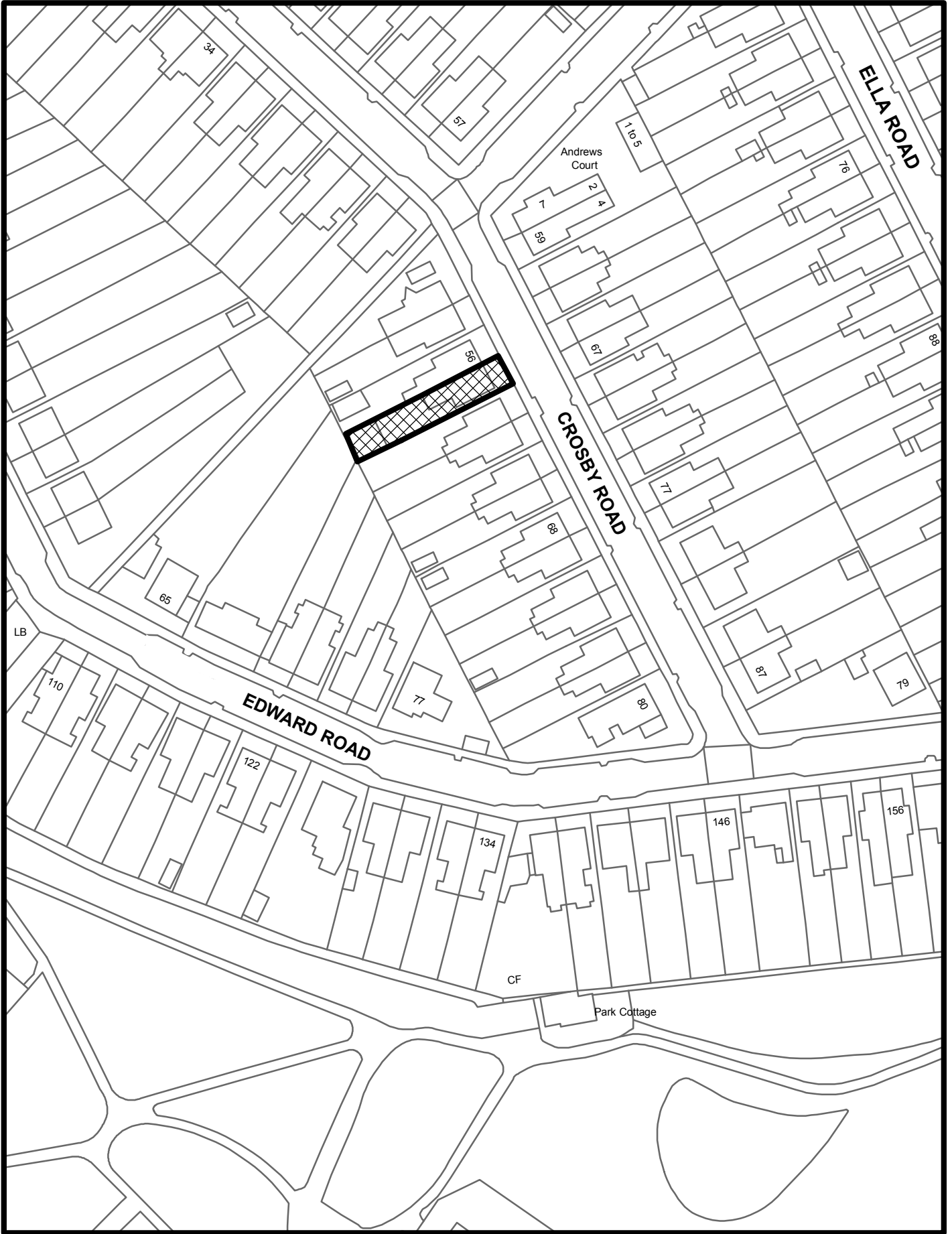
[To ensure the appearance of the development is satisfactory and to comply with Policy 11 (Historic Environment) of the Rushcliffe Local Plan Part 1: Core Strategy and Policies GP2 (Design and Amenity Criteria) and EN2 (Conservation Areas) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

3. 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 approved 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 to comply with policy EN13 (Landscape Schemes) of the Rushcliffe Borough Non Statutory Replacement Local Plan. Commencement of the development in advance of the submission of a landscaping scheme could result in insufficient space being available to carry out a satisfactory scheme].

4. The development shall be carried out in accordance with the submitted plans 134/01/C and 134/03/D and the email from the applicant's agent dated 23rd January 2018, confirming that the car port would be finished in white.

[For the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].



Application Number: 17/02812/FUL
58 Crosby Road, West Bridgford

scale 1:1000



17/02812/FUL

Applicant Mr & Mrs Nichols

Location 58 Crosby Road West Bridgford Nottinghamshire NG2 5GH

Proposal Single storey rear extension, internal alterations and raised deck/patio to rear.

Ward Lady Bay

THE SITE AND SURROUNDINGS

1. The property is a two storey semi-detached dwelling of traditional Victorian design and construction, having a rear projection forming an 'L' shape layout. It has dark red brick walls with a slate roof. It sits within a street of similar dwellings in an established residential area of West Bridgford

DETAILS OF THE PROPOSAL

2. The current application seeks planning permission for a single storey rear/side extension incorporating a raised decked area.

SITE HISTORY

3. There is an existing small extension on the rear of the dwelling.

REPRESENTATIONS

Ward Councillor(s)

4. One Ward Councillor (Cllr S Mallender) has declared an interest in the application.

Local Residents and the General Public

5. The neighbour to the north at 56 Crosby Road has objected to the application on the following grounds:
 - a. The extension has the potential to lead to a loss of privacy and will increase the overbearing consequences of the development for the adjoining property.
 - b. The proposed extension of the patio/deck would be intrusive.
 - c. The alteration of the pitch of the roof on the existing rear extension to construct a gable next to the adjoining property has the potential to cause drainage issues to the neighbouring extension. The existing rear extension is attached by lead. It is noted the plan shows the down pipe leading from this increased pitch into the ground, into a soakaway perhaps, but this is far from clear.

6. On submission of a revised plan indicating the inclusion of a privacy screen along the side of the raised deck/patio, the neighbour at 56 Crosby Road still objects to the proposal commenting that the privacy screen would significantly reduce light through a window in their property.

PLANNING POLICY

7. The Development Plan for Rushcliffe consists of the 5 saved policies of the Rushcliffe Borough Local Plan (1996) and the adopted Rushcliffe Local Plan Part 1: Core Strategy (December 2014).
8. Other material considerations include the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG) and the Rushcliffe Borough Non-Statutory Replacement Local Plan (2006).
9. Any decision should therefore be taken in accordance with the Core Strategy, the NPPF and NPPG, policies contained within the Rushcliffe Borough Non-Statutory Replacement Local Plan where they are consistent with or amplify the aims and objectives of the Framework, together with any other material planning consideration

Relevant National Planning Policies and Guidance

10. The National Planning Policy Framework (NPPF) includes a presumption in favour of sustainable development. Local Planning Authorities should approach decision making in a positive way to foster the delivery of sustainable development and look for solutions rather than problems, seeking to approve applications where possible. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development. There are three dimensions to sustainable development, economic, social and environmental. One of the core planning principles of the NPPF state that planning should, *'Always seek to secure high quality design and a good standard amenity for all existing and future occupants of land and buildings.'*

Relevant Local Planning Policies and Guidance

11. The Rushcliffe Local Plan Part 1: Core Strategy was formally adopted in December 2014. It sets out the overarching spatial vision for the development of the Borough to 2028. Policies 1: 'Presumption in Favour of Sustainable Development' and 10: 'Design and Enhancing Local Identity' are relevant.
12. None of the 5 saved policies of the Rushcliffe Local Plan are relevant to this application.
13. The Rushcliffe Borough Non-Statutory Replacement Local Plan (RBNSRLP) is a material consideration. Whilst not part of the Development Plan, the Borough Council has adopted the RBNSRLP for development control purposes in the determination of planning applications. Policy GP2 (Design and Amenity Criteria) is relevant.

APPRAISAL

14. At the rear of the ground floor of 56 Crosby Road is an existing utility room/wc and part of the kitchen diner. This section of residential accommodation has a projection of 2.6m from the original rear elevation. It has an eaves height of 3m from ground level and a lean-to ridge height of 4m from ground level. There is a raised platform/patio abutting the rear of the dwelling with height of 300mm from ground level. This projects 2.05m into the garden area.
15. The dwelling adjacent to the north, no. 56 Crosby Road forms the other half of the semi-detached pair and it has a rear extension, with mono-pitch roof with height of 3m adjacent to the common boundary, which projects 1.3m beyond the rear elevation of the lean-to extension to no. 58.
16. The floorspace of the existing utility/wc and dining area at 58 Crosby Road would be incorporated into the proposed extension meaning that structures on the boundary with 58 Crosby Road to the north would not change as a result of the proposed extension, the height of the roof where it meets the rear elevation of the original building remaining at 4m and the eaves height at 3m. The main ridge of the extension would be slightly higher, approximately 450mm, although this would be around 2.8m from the boundary with 56 Crosby Road.
17. There is a raised patio at the rear of 58 Crosby Road which projects 2.05m beyond the rear of the property and 0.85m beyond rear wall of the extension at 56 Crosby Road. The boundary between these two dwellings consists of a 1m high brick wall with a 1m close boarded fence on top. On top of this on the side of 56 Crosby Road is a 600mm high trellis with shrubs and trees to a height of 3m-3.5m. The first 1.3m of the boundary is also taken up with the 3m high side wall of the extension at 56 Crosby Road
18. Due to the proposed extension having the same footprint on the boundary with 56 Crosby Road and the heights on the boundary remaining the same as the existing structure it is not considered that the proposed extension would have a detrimental effect on the amenities of the dwelling at 56 Crosby Road in terms of loss of light or over-shadowing.
19. No windows in the extension would over-look the garden at 56 Crosby Road and it is not considered that the extension would have a negative impact on the neighbouring property in terms of over-looking or loss of privacy, the boundary between the two dwellings being established, substantial and robust
20. The existing raised patio area to the rear of the property would be extended to a maximum depth of approximately 4m and slightly increased in height compared with the existing patio. However, the increased projection and gradual fall in ground level would result in the patio/decking having a maximum height above ground level of 500mm. Given the existing boundary treatment, it is not considered that the increase in height would give rise to unacceptable overlooking towards 56 Crosby Road, however, the neighbour has raised a concern regarding over-looking from the raised area. The applicant has subsequently agreed to incorporate a privacy screen 1.8m high from the top level of the raised platform for the full depth of the raised

platform, 2.7m of which would be screening the shared boundary, 1.3m of which would be adjacent the high wall of the neighbouring extension.

21. On the submission of a revised plan showing the incorporation of the privacy screen to alleviate the neighbour's concerns regarding overlooking, the neighbour at 56 Crosby Road still raised objections stating the privacy screen would block light to a ground floor window. However, given the nature of the existing boundary treatment and limited projection of the fence beyond the rear wall of the neighbouring extension, it is not considered that the privacy screen would have an excessive or unacceptable effect on the residential amenities of the neighbouring property in terms of over-shadowing or loss of light.
22. Matters of drainage would be dealt with under the Building Regulations and are not a planning consideration, however due to the proximity of the proposed works to the shared boundary it would be prudent to include a note to the applicant on any planning approval in respect of works close to a boundary.
23. The rear/side extension coming off the existing kitchen would be 2m wide and run parallel with the side boundary with the adjacent dwelling to the south, 60 Crosby Road, for 8.55m, sitting 1.04m from the boundary and around 2.02m from the side wall of 60 Crosby Road. It would have an eaves height of 3.3m and a maximum ridge height of 4.5m. This maximum ridge would be 2.8m from the boundary with no. 56 Crosby Road and 3.8m from the boundary with no.60 Crosby Road.
24. There are two windows and door proposed in the side elevation of the extension facing 60 Crosby Road. There would be 4 roof lights in the lean to side roof a minimum of 2.7m from floor level. The boundary with 60 Crosby Road consists of a 1.8m high close boarded fence. Due to the height of the roof windows above the floor level of the extension, it is not considered that these openings would have an unacceptable impact on the amenities of 60 Crosby Road in terms of over-looking or loss of privacy. However, whilst there are existing windows in the side elevation of the original property, the extension would bring the proposed windows closer to the boundary and whilst they would not necessarily look out onto an area of high amenity value, it is considered that they should be obscure glazed to avoid any conflict with windows in the side elevation of the neighbouring property.
25. The application site is to the north of 60 Crosby Road and as such it is not considered that the proposal would result in unacceptable over-shadowing of the neighbouring property and would be similar to that already experienced from the main dwelling itself.
26. Overall it is considered that the proposal complies with planning policies and would not have a detrimental impact on the residential amenity of the neighbouring properties.
27. Negotiations have taken place during the consideration of the application to address concerns raised by neighbouring residents. Amendments have been made to the proposal thereby resulting in acceptable scheme and the recommendation to grant planning permission.

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 in accordance with the following approved plan(s): 504 002 rev E.

[For the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

3. The extension(s) hereby permitted shall be constructed in suitable facing and roofing materials to match the elevations of the existing property.

[To ensure the appearance of the development is satisfactory and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

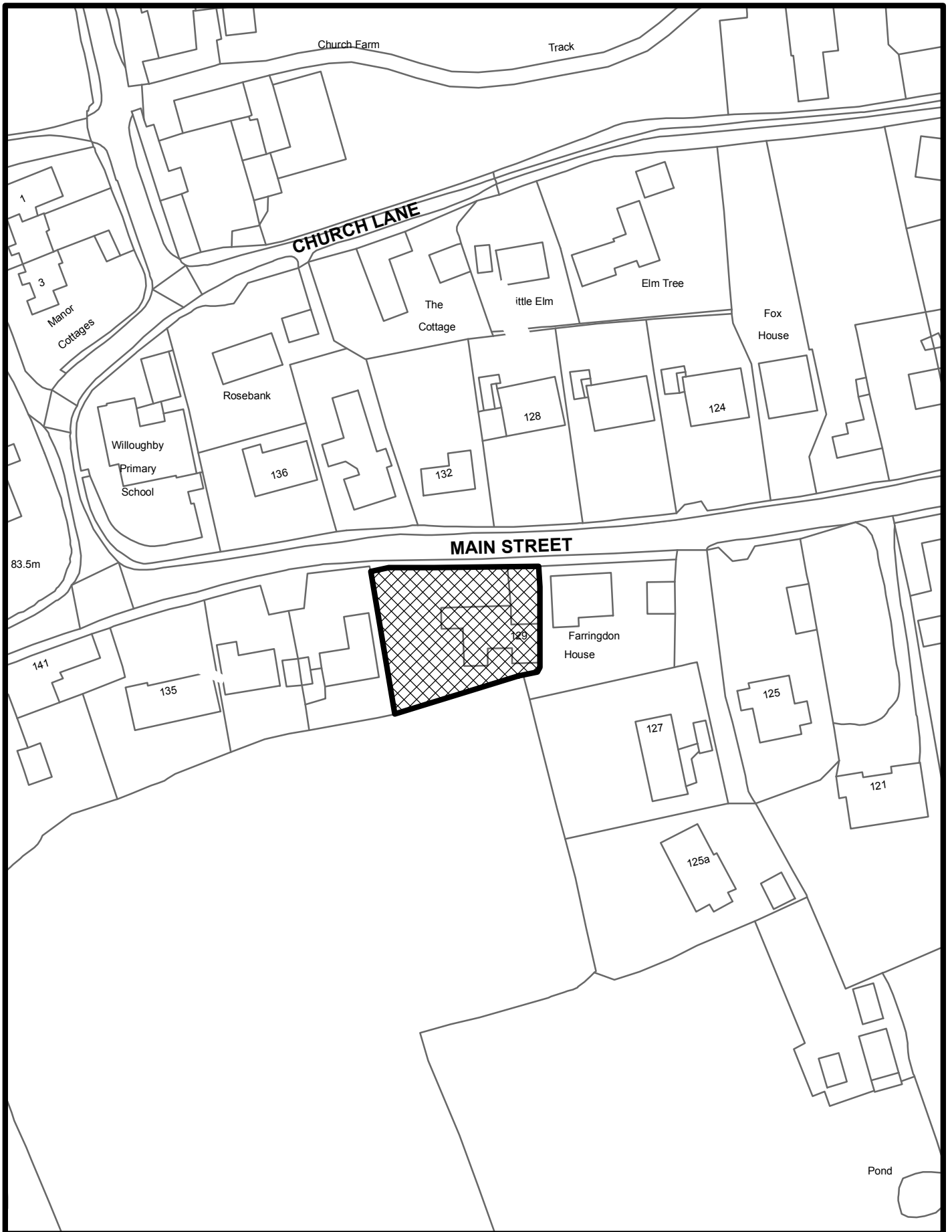
4. The windows in the southern elevation of the extension hereby approved (excluding the roof-lights) shall be fitted with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent. Thereafter the windows shall be retained to this specification unless otherwise agreed in writing by the Borough Council. No additional windows shall be inserted in this elevation without the prior written approval of the Borough Council.

[In the interests of the amenities of neighbouring properties and to comply with policy GP2 (Design and Amenity) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

NOTES TO APPLICANT

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

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



Application Number: 17/02962/FUL
129 Main Street, Willoughby-on-the-Wolds



scale 1:1000

17/02962/FUL

Applicant Mr & Mrs Edyvean

Location 129 Main Street Willoughby On The Wolds Nottinghamshire LE12 6SY

Proposal Two storey rear extension, single storey extension to front of garage, insert window in side elevation.

Ward Keyworth and Wolds

THE SITE AND SURROUNDINGS

1. The application site is a large two storey detached house in the centre of Willoughby on the Wolds. The dwelling appears to be an early 20th century property, shown on the site on the survey plans of 1900-1915.
2. It is of traditional construction having a red brick frontage with a slate roof. The rear elevation and western side elevation have been pebble-dashed rendered and painted. There are surviving ancillary features such as a partial front boundary of railing topped dwarf wall.

DETAILS OF THE PROPOSAL

3. The application seeks planning permission for a two storey rear extension, a single storey front extension to the garage and the provision of a first floor side window to serve a bathroom.

SITE HISTORY

4. The dwelling has been extended in the past, most recently with a first floor rear extension constructed pursuant to permission granted in December 2002 (ref. 02/01486/FUL).
5. There is an attached garage to the east of the dwelling which is an older addition.

REPRESENTATIONS

Ward Councillor(s)

6. The applicant is one of the Ward Councillors (Cllr Edyvean) and he has, therefore, declared an interest.

Town/Parish Council

7. Willoughby on the Wolds Parish Council does not object to the proposal

Statutory and Other Consultees

8. The Conservation and Design Officer raises no objection and his comments can be summarised as follows:
 - a. There are no designated heritage assets nearby.
 - b. The proposed garage extension would not affect the character of the house itself, and would leave the garage still deeply recessed behind the front elevation of the house where it has an ancillary and subservient character.
 - c. The rear extension would simply switch the relationship of two existing rear gable ranges; instead of being the shorter of an asymmetrical pair it would become the larger of an asymmetrical pair retaining the asymmetrical relationship with contributes to its architectural character.

PLANNING POLICY

9. The Development Plan for Rushcliffe consists of the 5 saved policies of the Rushcliffe Borough Local Plan (1996) and the adopted Rushcliffe Local Plan Part 1: Core Strategy (December 2014).
10. Other material considerations include the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG) and the Rushcliffe Borough Non-Statutory Replacement Local Plan (2006).
11. Any decision should therefore be taken in accordance with the Core Strategy, the NPPF and NPPG, policies contained within the Rushcliffe Borough Non-Statutory Replacement Local Plan where they are consistent with or amplify the aims and objectives of the Framework, together with any other material planning consideration

Relevant National Planning Policies and Guidance

12. The National Planning Policy Framework (NPPF) includes a presumption in favour of sustainable development. Local Planning Authorities should approach decision making in a positive way to foster the delivery of sustainable development and look for solutions rather than problems, seeking to approve applications where possible. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development. There are three dimensions to sustainable development, economic, social and environmental. One of the core planning principles of the NPPF states that planning should, *“Always seek to secure high quality design and a good standard amenity for all existing and future occupants of land and buildings.”*

Relevant Local Planning Policies and Guidance

13. The Rushcliffe Local Plan Part 1: Core Strategy was formally adopted in December 2014. It sets out the overarching spatial vision for the development of the Borough to 2028. Policies 1: ‘Presumption in Favour of Sustainable Development’ and 10: ‘Design and Enhancing Local Identity’ are relevant.

14. None of the 5 saved policies of the Rushcliffe Local Plan are relevant to this application.
15. The Rushcliffe Borough Non-Statutory Replacement Local Plan (RBNSRLP) is a material consideration. Whilst not part of the Development Plan, the Borough Council has adopted the RBNSRLP for development control purposes in the determination of planning applications. Policy GP2 (Design and Amenity Criteria) is relevant.

APPRAISAL

16. The rear elevation of the dwelling comprises of three gables, all of varying lengths accommodating bedrooms and the garage. The proposed two storey extension would extend the centre gable outwards by 4.90m and would project 0.930m beyond the adjoining two storey gabled element to the west.
17. It would have eaves and ridge heights to match the existing two storey gable, being 4.6m to the eaves and 6.2m to the ridge. The proposed extension would be 2.4m from the rear boundary and 5.3m from the eastern boundary.
18. The main garden of 129 Main Street is to the western side of the dwelling. The dwelling to the east is around 22m from the rear extension with the side garden of 129 Main Street in between the two dwellings.
19. The eastern elevation of 129 Main Street forms the boundary with the dwelling to the east, Farringdon House. When viewed from this property the two storey extension would be largely screened by the existing garage.
20. It is not considered that the two storey rear extension would have a negative impact on the amenities of neighbouring dwellings in terms of over-shadowing or overbearing impacts.
21. There is a window proposed at first floor on the rear elevation and full height double patio doors proposed at ground floor. The rear of the dwelling looks across a paddock and open fields. It is not considered that the additional windows would have a negative impact of neighbouring dwellings in terms of loss of privacy or over-looking.
22. A first floor window is proposed in the eastern elevation of the dwelling looking towards Farringdon House. This window would serve a bathroom. It would be largely hidden from both the street scene and Farringdon House by the presence of the extended garage roof. Any outlook from this window would potentially be limited to the side elevation of the neighbouring property, which does not contain any windows, with views over the rear garden screened by the existing garage roof, and more so if the extension to the front of the garage was to be constructed. Therefore, it is not considered that this window would have any adverse impact on the street scene, neighbouring amenities or the area in general.
23. The proposal also includes a front extension to the garage. This would have a forward projection of 1.4m and a ridge and eaves height to match that of the existing garage, 2.6m to the eaves and 4.6m to the ridge.

24. It is not considered that the garage extension would have a negative effect on the character of the house itself or the street scene in general. The garage would remain recessed behind the front elevation of the house and continue to have an ancillary and subservient character.
25. Overall it is considered that the proposal complies with planning policies and would not have a detrimental impact on the residential amenity of the neighbouring properties.
26. There were no perceived problems with the application and, therefore, no requirement for negotiations with the applicant or agent or the need to request any amendments. Consequently there was no delay in dealing with the application.

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 in accordance with the following approved plan(s): 362.03A, 362.04A and 362.05A.

[For the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

3. The extension(s) hereby permitted shall be constructed in suitable facing and roofing materials to match the elevations of the existing property.

[To ensure the appearance of the development is satisfactory and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

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