

**When telephoning, please ask for:** Democratic Services  
**Direct dial** 0115 914 8511  
**Email** democraticservices@rushcliffe.gov.uk

**Our reference:**  
**Your reference:**  
**Date:** Wednesday, 2 July 2025

**Email:**  
customerservices  
@rushcliffe.gov.uk

**Telephone:**  
0115 981 9911

[www.rushcliffe.gov.uk](http://www.rushcliffe.gov.uk)

To all Members of the Planning Committee

Dear Councillor

A Meeting of the Planning Committee will be held on Thursday, 10 July 2025 at 6.00 pm in the Council Chamber, Rushcliffe Arena, Rugby Road, West Bridgford to consider the following items of business.

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

Yours sincerely



Sara Pregon  
Monitoring Officer

## **AGENDA**

1. Apologies for Absence and Substitute Members
2. Declarations of Interest

[Link to further information in the Council's Constitution](#)

3. Minutes of the Meeting held on 12 June 2025 (Pages 1 - 4)
4. Minutes of the Meeting held on 26 June 2025 (Pages 5 - 8)
5. Planning Applications (Pages 9 - 50)

The report of the Director – Development and Economic Growth

6. Planning Appeals (Pages 51 - 52)

The report of the Director – Development and Economic Growth

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

## Membership

Chair: Councillor R Walker

Vice-Chair: Councillor A Edyvean

Councillors: A Edyvean, T Birch, A Brown, S Calvert, J Chaplain, S Ellis,  
S Mallender, D Mason, C Thomas and T Wells

<b>Meeting Room Guidance</b>
------------------------------

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

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

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

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

<b>Recording at Meetings</b>
------------------------------

National legislation permits filming and recording by anyone attending a meeting. This is not within the Council's control.

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



## **MINUTES OF THE MEETING OF THE PLANNING COMMITTEE THURSDAY, 12 JUNE 2025**

Held at 6.00 pm in the Council Chamber, Rushcliffe Arena, Rugby Road, West  
Bridgford  
and live streamed on Rushcliffe Borough Council's YouTube channel

### **PRESENT:**

Councillors R Walker (Chair), A Edyvean (Vice-Chair), T Birch, A Brown,  
S Calvert, J Chaplain, S Ellis, S Mallender, D Mason, C Thomas and T Wells

### **OFFICERS IN ATTENDANCE:**

A Cullen	Planning Manager - Development
T Pettit	Landscape Officer
G Elliott	Senior Planning Officer
R Clack	Borough Solicitor
E Richardson	Democratic Services Officer

## **1 Declarations of Interest**

Councillor A Edyvean declared a non-pecuniary interest as Ward Councillor for application 24/00161/FUL and would remove himself from the debate and not vote for this item.

Councillor T Wells declared a non-pecuniary interest having submitted an objection for application 24/00161/FUL and would remove himself from the debate and not vote for this item.

Councillor T Birch declared a personal interest for application 24/00161/FUL in being related to a member of the Wysall & Thorpe in the Glebe Parish Council who had been consulted on and submitted an objection to the application. He confirmed that he had not discussed the application with the family member and had not been influenced in the way in which he approached his decision making and that he approached the application with an open mind.

Councillors S Mallender and A Brown arrived after the start of the presentation for application 25/00073/TORDER and did not take part in the debate and did not vote for this item.

## **2 Minutes of the Meeting held on 15 May 2025**

The minutes of the meeting held on 15 May 2025 were agreed as a true record and were signed by the Chair.

### 3 **Planning Applications**

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

#### **36.1 25/00073/TORDER - To the Ruddington No.1 Tree Preservation Order 2025 -7 Manor Park, Ruddington**

##### **Updates**

In accordance with the Council's Public Speaking Protocol for Planning Committee, Mr V Ahlawat (Objector) addressed the Committee.

##### **DECISION**

**THE RUDDINGTON NO.1 TREE PRESERVATION ORDER 2025 BE CONFIRMED FOR THE SPECIFIED REASONS SET OUT IN THE REPORT PUBLISHED WITH THE AGENDA**

Councillors A Edyvean and T Wells removed themselves from the Committee and did not contribute to the discussion nor vote on the following application.

#### **36.2 24/00161/FUL - Construction, operation and subsequent decommissioning of a renewable energy park comprising ground mounted Solar PV with co-located battery energy storage system (BESS) at the point of connection, together with associated infrastructure, access, landscaping and cabling - Land West of Bradmore Road and North of Wysall Road, Land West of Wysall, Wysall**

##### **Updates**

Additional representations were received after the agenda was published and this was circulated to the Committee before the meeting.

In accordance with the Council's Public Speaking Protocol for Planning Committee, Mr A Mott (Applicant), Mr N Hartley (Objector) and Councillor A Edyvean (Ward Councillor) addressed the Committee.

The Committee adjourned at 8:06pm and reconvened at 8:13pm.

The Chair confirmed with Members of the Committee that they had not discussed the application during the break.

##### **Comment**

Members of the Committee expressed concern about the cumulative impact from the proposed application on the landscaping and visual amenity of the area and the impact on the public right of way and thought that it would create an enclosed industrial corridor and would result in an industrialisation of the area. Members of the Committee also expressed concern about the impact on

heritage and noted in particular the impact on the twelfth century church and said that the application would change the character of the area. The Committee also noted the potential fire safety risk from the battery storage which could result in contamination and which could require specific fire mitigation measures. The Committee also noted the impact caused by the application upon protected species including Skylarks, would not be outweighed by the benefits of the application.

Councillor A Brown moved to reject the recommendation and refuse the application and this was seconded by Councillor T Birch and the vote was carried.

Members of the Committee delegated wording of the reasons for refusal to Officers.

## **DECISION**

### **PLANNING PERMISSION BE REFUSED FOR REASONS THE DETAILS OF WHICH ARE DELEGATED TO THE DIRECTOR - DEVELOPMENT AND ECONOMIC GROWTH**

Councillors A Edyvean and T Wells rejoined the meeting.

#### **4 Planning Appeals**

The Planning Manager – Development confirmed to members of the Committee that the first appeal was subject to a Costs Decision which had been dismissed by the Planning Inspectorate.

The Committee noted the Planning Appeal Decisions report which had been circulated with the agenda.

The meeting closed at 8.25 pm.

CHAIR

This page is intentionally left blank



## **MINUTES OF THE MEETING OF THE PLANNING COMMITTEE THURSDAY, 26 JUNE 2025**

Held at 6.00 pm in the Council Chamber, Rushcliffe Arena,  
Rugby Road, West Bridgford  
and live streamed on Rushcliffe Borough Council's YouTube channel

### **PRESENT:**

Councillors R Walker (Chair), A Edyvean (Vice-Chair), T Birch, A Brown, S Calvert, J Chaplain, S Ellis, S Mallender, D Mason, C Thomas and T Wells

### **ALSO IN ATTENDANCE:**

Councillor R Mallender

### **OFFICERS IN ATTENDANCE:**

L Ashmore	Director of Development and Economic Growth
R Clack	Borough Solicitor
A Cullen	Planning Manager - Development
H Tambini	Democratic Services Manager
C Thompson	Area Planning Officer

## **5 Declarations of Interest**

Councillor Calvert declared a non-pecuniary interest as a "MyForestPro" membership holder. Having reflected on whether this affected his ability to maintain an open mind, he had concluded that it did not and he would participate in the debate and vote on this application.

Councillor S Mallender advised that she had previously made an objection in March 2020, when the application was first submitted. Having expressed an opinion publicly she would remove herself from the debate and not vote on the item. She stated that she would be speaking as the Secretary of the Lady Bay Community Association.

Councillor R Walker declared a non-pecuniary interest as a Nottingham Forest membership holder, who regularly attended matches. He stated that he had carefully reflected upon this and considered any impact of this on his ability to approach decision making with an open mind and concluded that this interest was not prejudicial and that he would participate in the debate and decision making process.

## **6 Minutes of the Meeting held on 12 June 2025**

The minutes of the meeting held on 12 June 2025 were agreed as a true record and signed by the Chair.

## 7 Planning Applications

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

Having previously objected to the application, Councillor S Mallender removed herself from the Committee and did not contribute to the discussion nor vote on the following item.

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

### Updates

Additional representations were received after the agenda was published and these were circulated to the Committee before the meeting and published on the Council's website. Members were asked to note in particular the updated heritage comments relating to the Britannia Boathouse being identified as a non-designated heritage asset and the correction of a cross-referencing error in proposed condition 45.

In accordance with the Council's Public Speaking Protocol for Planning Committee, Mr C Potts (Applicant's Agent), Ms P Gowland and Ms S Mallender (Objectors) and Councillor L Plant (Ward Councillor) addressed the Committee.

### Comment

Members of the Committee expressed concern that there had been very little community engagement and consultation with local residents and community groups, particularly on issues relating to match day parking and preparation of the required Travel Plan and requested that some form of liaison group should be established with community groups and the football club.

The Area Planning Officer suggested the following wording for the advisory note relating to proposed conditions 15 and 16 "That it was recommended that the applicant sets up a Community Liaison Group to provide input into the preparation and implementation of the updated Travel Plan."

Councillor D Mason moved to accept the recommendation to approve the application, subject to conditions and completion of the Section 106 Agreement, including the amendment to condition 45 as listed in the additional representations and to add an additional advisory note referred to above, and this was seconded by Councillor S Ellis and the vote was carried.



**DECISION**

**PLANNING PERMISSION BE GRANTED SUBJECT TO CONDITIONS AND  
THE PRIOR SIGNING OF A SECTION 106 AGREEMENT.**

The meeting closed at 7.43 pm.

CHAIR

This page is intentionally left blank



**Rushcliffe**  
Borough Council

## **Planning Committee**

**Thursday, 10 July 2025**

## **Planning Applications**

### **Report of the Director – Development and Economic Growth**

#### **PLEASE NOTE:**

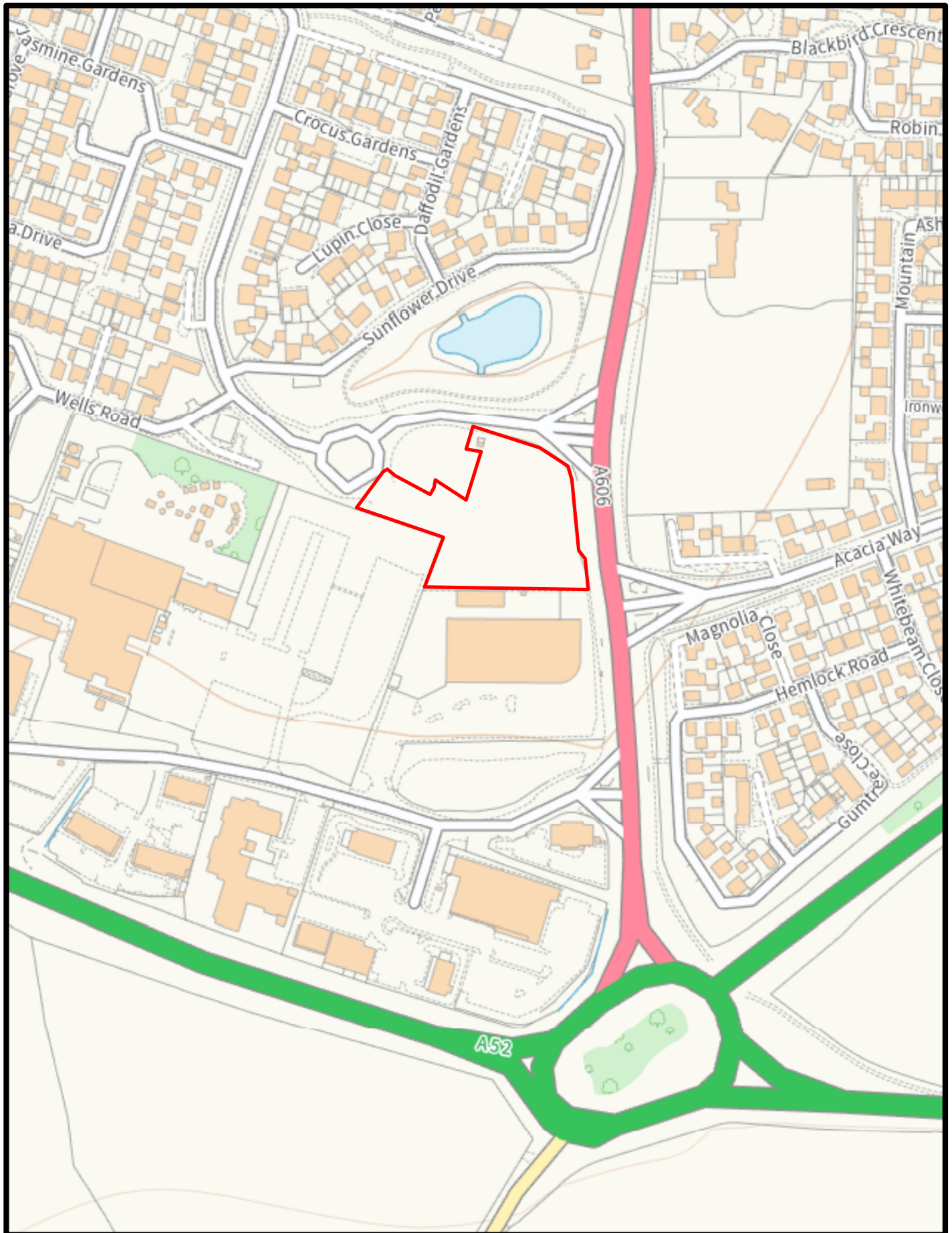
1. Slides relating to the application will be shown where appropriate.
2. Plans illustrating the report are for identification only.
3. Background Papers - the application file for each application is available for public inspection at the Rushcliffe Customer Contact Centre in accordance with the Local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

If you have not already made a Building Regulations application we would recommend that you check to see if one is required as soon as possible. Help and guidance can be obtained by ringing 0115 914 8459, or by looking at our web site at

<http://www.rushcliffe.gov.uk/planningandbuilding/buildingcontrol>

Application	Address	Page
<a href="#">24/02130/FUL</a>	Land Fronting Rose Way and Melton Road, Melton Road, Edwalton	11 - 30
	Development of 80 age-restricted apartments (use Class C3) including associated parking and landscaping	
<b>Ward</b>	Edwalton	
<b>Recommendation</b>	Grant planning permission subject to Section 106 agreement and conditions	

Application	Address	
<a href="#">24/01451/HYBRID</a>	Land to the North of Main Street, Sutton Cum Granby	31 - 49
	Outline planning application for four semi-detached homes (appearance, landscaping and scale reserved) and change of use of agricultural land to accommodate community use, with access to land provided	
<b>Ward</b>	Cranmer	
<b>Recommendation</b>	Refuse planning permission	



**Application Number:24/02130/FUL**  
**Land Fronting Roase Way And Melton Road & Melton Road,**  
**Melton Road, Edwalton**

scale 1:2500

page 11

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Rushcliffe Borough Council - 100019419

This page is intentionally left blank

**Applicant** Anchor

**Location** Land Fronting Rose Way And Melton Road Melton Road Edwalton Nottinghamshire

**Proposal** Development of 80 age-restricted apartments (Use Class C3) including associated parking and landscaping

**Ward** Edwalton

## THE SITE AND SURROUNDINGS

Details of the application can be found [here](#).

1. The application site is located to the west of Melton Road and to the south of Rose Way, falling within the strategic allocation at Melton Road as defined under Policy 20 of the Local Plan Part 1: Rushcliffe Core Strategy. Planning permission was granted under 23/01218/REM for the construction of a local retail store and a 77-apartment residential accommodation building (falling within use Class C2). The permission has been implemented, and construction has commenced on the residential accommodation building.
2. Access to the site is to be taken from an existing roundabout junction to the west. There is a car showroom to the south and an attenuation area immediately to the north of Rose Way, beyond which are recently constructed residential properties, along with a residential development on the eastern side of Melton Road. Planning permission for a retail unit on land to the west of the application site was granted as part of 23/01218/REM.

## DETAILS OF THE PROPOSAL

3. The application seeks the development of 80 age-restricted apartments including associated parking and landscaping, falling within Use Class C3 (residential). This represents a change from the approved scheme which comprised extra care residential accommodation falling under use class C2. It is proposed that all 80 units would be affordable housing.
4. Internal changes are proposed to the approved building comprising a reduction in communal space and an internal reconfiguration to provide 3 additional apartments. Associated with this, minor revisions to the fenestration of the ground floor of the building are proposed including an additional window on the north west elevation, the repositioning of a window on the south west elevation.
5. The number of parking spaces are to be increased from 46 to 48.

## SITE HISTORY

6. 14/00001/FUL- Erection of Local Centre comprising a foodstore (class A1) and 4 No. units for Class A1, A2, A3, A5 and/or D1 use, together with car parking and associated infrastructure and landscaping. Approved in 2014.
7. 20/00089/HYBRID- Hybrid planning application comprising an application for full planning permission for the development of a car showroom and service centre (revised plans) with associated infrastructure, plant, car and cycle parking and landscaping, and an application for outline planning permission (with all matters reserved except for access) for a local centre comprising: 4 flexible A1, A2, A3, A4, A5, D1, D2 or Veterinary Practice units; and; C2 residential accommodation featuring supported care. Approved in 2020.
8. 21/01032/VAR- Variation of condition 2 from planning permission 20/00089/HYBRID to allow relocation of main building further north, small increase in size of the main building, internal reconfigurations, minor external alterations to the building and a revision the parking layout (Amended Description). Approved in 2022.
9. 23/01218/REM- Application for matters reserved under application ref 21/01032/VAR for approval of appearance, landscaping, layout and scale for local retail store and 77 apartment C2 residential accommodation. Approved in 2023.

## **REPRESENTATIONS**

### **Ward Councillor(s)**

10. One Ward Councillor (Cllr Parekh) objects to the application for the material reason of a lack of parking spaces. They are not satisfied that the Transport Technical Note accurately captures the issues and it compares the site with other Anchor developments which is not a fair comparison. The TTN has offered no solutions to the lack of parking and minimum statutory spaces required.

### **Statutory and Other Consultees**

11. National Highways- no objection
12. NHS Nottinghamshire Integrated Care Board request Section 106 contributions towards primary healthcare as detailed in their consultee response.
13. The Environment Agency does not wish to make formal comments.
14. The Highway Authority (Nottinghamshire County Council) submitted comments on 24 February 2025 in objection to the application, however if the applicant submits further details then they may reconsider this. In summary they consider the proposed 48 parking spaces to represent a substantial under-provision which does not appear justified based on the submitted information. The previously approved use is not considered comparable as the nature of car use/ trips, car ownership and parking requirements would be significantly different. The sustainable location does not preclude car ownership and there are no on-street parking restrictions in the vicinity. The TRICs trip rate data does not adequately support the under-provision.



Reference to parking provision at other Anchor developments does not include evidence to validate this. Cycle parking provision is poor and the details do not include a Travel Plan. Concern that the proposal as presented could give rise to significant displaced parking around the vicinity resulting in potential access and amenity issues for residents.

15. The Highway Authority provided further comments on 28 May following the receipt of a Transport Technical Note in order to address and justify the parking ratios. In summary they expect the parking ratios for the site to be higher than the other Anchor Independent Living sites in Nottingham. The site does benefit from a frequent bus service and the retail park offers a number of facilities that could be easily accessed by residents, lessening the need for vehicle ownership. Based on the additional information provided, the Highway Authority considers the level of off-street parking to be satisfactory to serve the development. They are satisfied with the proposed level of bike storage as use is likely to be low, and they do not wish to see a Residential Travel Plan due to likely low car ownership. The Highway Authority does not object subject to the conditions set out in their consultee response.
16. Nottinghamshire County Council Archaeology - no comments or recommendations
17. Nottinghamshire County Council Planning Policy have provided comments detailing how the application relates to their minerals and waste policies and providing details of requested planning contributions.
18. Rights of Way (Via on behalf of Nottinghamshire County Council) seeks clarification of the treatment of the footpath and if a diversion of the footpath is proposed then a formal application for a diversion would be required. Informatives are detailed in the consultee response.
19. Nottinghamshire Police Designing Out Crime Officer- no objection, recommend it achieves Secured By Design accreditation.
20. The Borough Council's Environmental Health Officer's comments are summarised as follows:
  - a. Potential sound impacts: Confirmation sought that the findings of the previous noise report still apply, documentation submitted under previous application should be resubmitted. Noise Impact Assessment does not consider external amenity, this should be considered given the C3 residential use.
  - b. Air Quality: in general agreement with findings of the air quality report, with reference to dust it is noted that building work has commenced and main clearance and earth moving may have been completed.
  - c. External lighting: A condition is recommended requiring a lighting assessment for external lighting as detailed in the consultee response.
  - d. Construction Method Statement: recommend this is secured by way of a condition.
21. The Borough Council's Strategic Housing Officer comments are summarised as follows: The Housing Needs Update recognises that there is a growing aging population within Rushcliffe. Support for the proposal as part of a wider strategy to provide innovative and diverse models to meet the needs of an aging population. The model would have limited impact on meeting the needs

of eligible applicants requiring social rented accommodation through the Local Authority Allocations Scheme, however it would free up homes in the private market as people look towards this type of accommodation.

22. The Borough Council's Environmental Sustainability Officer considers the development to be unlikely to impact on the conservation status of protected species. The submitted BNG metric appears to have been completed in accordance with good practice.

### **Local Residents and the General Public**

23. Representations have been received from 73 neighbours/ members of public in objection to the application with comments summarised as follows:
- a. Insufficient parking, impact on roads within estate/ congestion/ highway safety
  - b. Parking demand higher for a C3 use than C2 care facility/ over 55's more likely to own cars
  - c. Impact on public services
  - d. Excessive scale and density
  - e. Lack of adequate green space
  - f. Ecological impact of loss of green space/ habitats
  - g. Design out of character
  - h. Not the provision of the community centre/ focal point that was envisaged
24. Representations have been received from 2 neighbours/ members of public neither objecting to or supporting the application with comments concerning the under provision of parking and congestion.
25. Representations have been received from 1 neighbour/ member of public in support of the application commenting that people need affordable housing.
26. The full comments received from all consultees can be found [here](#).

### **PLANNING POLICY**

27. The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: Core Strategy LPP1 and the Local Plan Part 2: Land and Planning Policies (LPP2). Other material considerations include the National Planning Policy Framework (NPPF) (2024) and the National Planning Practice Guidance (the Guidance).

### **Relevant National Planning Policies and Guidance**

28. The relevant sections of the NPPF are:
- Paragraph 11c)
  - Chapter 2 Achieving sustainable development
  - Chapter 6 Building a strong, competitive economy
  - Chapter 7 Ensuring the vitality of town centres
  - Chapter 8 Promoting healthy and safe communities
  - Chapter 9 Promoting sustainable transport
  - Chapter 11 Making effective use of land
  - Chapter 12 Achieving well- designed places

- Chapter 14 Meeting the challenge of climate change, flooding and coastal change
  - Chapter 15 Conserving and enhancing the natural environment
29. A copy of the National Planning Policy Framework 2024 can be found [here](#).
30. A copy of the Planning Practice Guidance can be found [here](#).

### **Relevant Local Planning Policies and Guidance**

31. The relevant policies from the LPP1 are:
- Policy 1 Presumption in Favour of Sustainable Development
  - Policy 2 Climate Change
  - Policy 3 Spatial Strategy
  - Policy 10 Design and Enhancing Local Identity
  - Policy 14 Managing Travel Demand
  - Policy 17 Biodiversity
  - Policy 18 Infrastructure
  - Policy 19 Developer Contributions
  - Policy 20 Strategic Allocation at Melton Road Edwalton
32. The relevant policies from the LPP2 are:
- Policy 1 Development Requirements
  - Policy 14 Specialist Residential Accommodation
  - Policy 15 Employment Development
  - Policy 18 Surface Water Management
  - Policy 27 Main Town Centre Uses Outside District Centres or Local Centres
  - Policy 38 Non- Designated Biodiversity Assets and the Wider Ecological Network
  - Policy 39 Health Impacts of Development
  - Policy 40 Pollution and Land Contamination
  - Policy 41 Air Quality
33. The policies in the Core Strategy and Local Plan Part 2 are available in full along with any supporting text [here](#).

### **APPRAISAL**

34. Planning permission for a 77-bed care home was granted as part of reserved matters application 23/01218/REM and this permission has been implemented. The reserved matters application also included a retail unit, however this is separate to the current application which only relates to the apartment building and its associated access, parking and landscaping.
35. The approved development comprises extra care apartments falling under use class C2. The current application proposes a change in the use class to C3 to provide residential accommodation that would be age-restricted to over 55's. Three additional apartments are proposed.
36. Following the approval of 23/01218/REM the applicant states in the submitted Planning Statement that the anticipated demand, support and funding for extra care at the site may not be available and therefore on that basis, the decision

has been taken to repurpose the development that is under construction as age-restricted affordable housing falling within Class C3. It is considered that the provision of C3 use in this location for this building is acceptable given that permission has already been granted for C2 use and they both comprise similar uses for residential purposes, subject to other matters considered below.

37. There would be no change to the overall scale and external layout of the building from that approved under 23/01218/REM. Internal alterations are proposed to the ground floor to provide additional apartments resulting in minor fenestration changes to the ground floor. Notwithstanding this the overall design of the building would remain as per the previous approval which is now at an advanced stage of construction.
38. It is not considered that the changes proposed would result in a materially greater impact on the closest residential properties than the implemented scheme in terms of overbearing, overshadowing or privacy.
39. Changes are proposed to the parking layout to provide two additional spaces. These two additional spaces would be sited within the central courtyard parking area with minimal change to the landscaping scheme submitted under 25/00374/DISCON, comprising a slight repositioning of the tree adjacent to parking bay no. 38 compared to that shown on the approved layout

#### Highways and parking

40. The main consideration is the level of parking provision having regard to the likely differing parking demands generated by a C3 use class compared to the approved C2 use. The revised proposal does not include a care element, nor would any be staff employed at the site, both aspects of which generate parking demand. At the same time, the level of car ownership would be expected to be higher for a C3 use, which in this case comprises age-restricted accommodation.
41. One Ward Councillor objects to the application due to a shortfall in parking spaces in the context of the proposed change from use Class C2 care home to C3 residential and several representations from members of public have also cited concerns regarding a shortfall in parking spaces and potential impacts on the highway network.
42. The Highway Authority in their initial consultation response noted that the proposed 48 parking spaces would represent a significant under-provision for 80 apartments when considering the standards set out in the Nottinghamshire Highway Design Guide. The applicant subsequently provided a Transport Technical Note which included data on parking demand from comparable Anchor Independent Living Schemes in Nottingham and Nottinghamshire.
43. The proposed scheme would provide a parking space-to-apartment ratio of 48:80, equating to 60% whereas the average standard operational parking ratio at the other Anchor schemes referred to in the report equates to around 30%. The report concludes that on average 29% of residents at existing Anchor schemes own a car, suggesting that the proposed development could generate a demand for around 23 resident vehicles.

44. Following review of the Transport Technical Note, the Highway Authority accept that the ratio of parking spaces versus the number of residential units is higher than the average demand within the other Anchor schemes referred to, although they also note that the site is in a more remote location compared to the other sites referred to and therefore they would expect the parking ratios to be provided to be higher.
45. The site is in a sustainable location on a frequent bus route to West Bridgford and Nottingham. There are various retail facilities and services provided in walking distance at Landmere Lane. These factors should lessen the need for vehicle ownership.
46. In summary, having regard to the parking ratios of the other Anchor schemes within the Transport Technical Note and taking into account the sustainable location of the site, the Highway Authority considers that the proposed level of off- street parking provision would be satisfactory to serve the development.

#### Conditions

47. Several of the conditions from the previous outline and reserved matters applications have either been discharged or are in the process of being discharged. The current submission is a separate standalone full application and therefore this information has been provided once again under the current application.
48. Whilst most of the information submitted is sufficient to negate the need for conditions to be discharged again, Environmental Health note that the revised C3 use would be more likely to give rise to the use of external areas and the submitted Noise Impact Assessment does not fully consider external amenity. Therefore further details of noise mitigation measures for external areas would be sought by way of a condition should planning permission be granted.
49. With reference to lighting, the Environmental Sustainability Officer is satisfied with the information provided under application 24/01260/DISCON pursuant to condition 14 of 23/01218/REM and this information, including a lighting specification and lux plot, has been resubmitted under the current application.
50. Public footpath FP5 runs partly within the application site. Condition 19 of 21/01032/VAR requires details of the design and specification of the footpath to be submitted to and approved in writing by the Borough Council. NCC Rights of Way have sought clarification regarding the treatment of the footpath and note some discrepancies in its alignment as indicated on the various submitted plans. As such, final details of the footpath shall be secured by way of a condition on the current application should planning permission be granted.
51. Condition 23 of 23/01218/REM required the provision of a secure external cycle store or an internal cycle store to be provided for staff of the care home. The current application instead seeks the provision of cycle hoops. The Highway Authority are satisfied with this arrangement on the basis that bike usage is likely to be low with the age-restricted C3 use now proposed. A revised condition is therefore proposed to this effect.
52. With reference to landscaping, the Design and Landscape Officer is satisfied with the information provided under application 25/00374/DISCON pursuant to

condition 8 of 23/01218/REM. In addition to details of soft landscaping, the condition required the submission of details of hard surfacing, means of enclosure and seating, all of which have been provided under the current application.

## Contributions

53. The application proposes that all 80 apartments are to be socially rented affordable housing, age restricted to over 55, to be secured by way of a Section 106 planning obligation. Having regard to the change in use class to C3, additional planning contributions are sought including towards healthcare and allotment provision, details of which shall be secured via a S106 for which the draft Heads of Terms is enclosed with this report.

## Biodiversity Net Gain

54. With reference to Biodiversity Net Gain, Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the “biodiversity gain condition” which means development granted by this notice must not begin unless: (a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan. This application requires the submission and approval of a Biodiversity Gain Plan before development is begun in the event of the grant of planning permission. The submitted Biodiversity Net Gain assessment demonstrates a 0.36 unit (167.19%) gain in area habitats and 0.42 hedgerow unit gain which meets the policy requirements.

## Conclusion

55. The proposed development would include limited physical alterations to the scheme approved under planning reference 23/01218/REM, with some internal changes proposed and some minor changes to the fenestration. No concerns are therefore raised in respect of the impact of the proposal on the character of the surrounding area or on the amenity of neighbouring residents.
56. The proposed use of the site for C3 properties, would result in a shortfall in parking provision when compared to the Nottinghamshire County Council Highway Design Guide. However, the proposal is for age-restricted units and evidence has been provided by the applicant to show how the proposed parking levels would compare to other schemes they have developed. Whilst it is noted that the application site is located further from a local centre when compared to some of these other schemes, the site is well served by public transport, and there are local amenities in close proximity which could be accessed on foot, factors which would lessen the need for car ownership. Given these circumstances the Highway Authority does not object to the application. As such it is considered that reasonable justification for the shortfall in parking has been provided and that the proposal would not result in unacceptable impacts on highway safety, or the amenity of nearby residents as a result of increased parking around the site.
57. For the reasons set out above it is considered that the development accords with the general national and local planning policies considered above and accordingly the approval of planning permission is recommended.

## RECOMMENDATION

It is RECOMMENDED that planning permission be granted subject to Section 106 and the following conditions:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].

2. The development hereby permitted shall be carried out in accordance with the following approved plans received on 17 December 2024:

- Site Location Plan
- 0202-A3-C04 Proposed Roof Plan
- 0201-A3-C06 Typical Floor Plates
- 0220-A3-C03 Proposed Elevations Sheet 01
- 0220-A3-C04 Proposed Elevations Sheet 02
- 0222-A3-C04 Proposed Elevations Sheet 03
- 0223-A3-C01 Typical Bay Study
- 0224-A3-C02 Typical Building Section
- 0920-A3-C03 Site Sections
- 02001-C6 Drainage Layout
- PW.1786.L.1001.Rev D Landscaping Masterplan
- 02001-C4 External Works Levels

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].

3. The materials specified on drawing 0223-P03- Typical Bay Study shall be used for the external walls, roof, windows, balconies, facia and soffit goods, rainwater goods, windows and doors hereby approved comprising the following:

- Base brick: Forterra Westcroft Multi
- Upper brick: Forterra Autumn Glow
- The brick feature panels shall comprise a Flemish bond pattern in the above brick mix with 10mm projecting brick headers
- Roof tile: Russell Galloway slate grey
- Fascia and Soffit Goods: Ral 7038 Agate Grey Upvc
- Windows & Doors: Ral 7038 Agate Grey Upvc Flush Casement Upvc
- Rainwater Goods, Balconies (Structures and Railings), and Copings: Ral 7038 Agate Grey Aluminium
- Fibre cement cladding detailing: Swiss Pearl Carrat 12mm thick

The balcony enclosures shall be installed with the details shown on the following plans received on 10th July 2025:

- 3421 P03- Typical Balcony Details- Sheet 1
- 3422 P03- Typical Balcony Details- Sheet 2
- 0223-P03- Typical Bay Study

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

4. The residential accommodation shall be constructed in accordance with the ground floor Finished Floor Levels shown on drawing 02021 Rev C4- External Works Levels received on 17 December 2025.

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

5. The landscaping scheme encompassing the location, number, size and species of any new trees/shrubs to be planted; details of retaining walls; details of means of enclosure; and details of seating shall be carried out in accordance with the following drawings/ documents:

- 1001 Rev D- Landscape Masterplan

received on 17 December 2024; and

- PW.1786- Hard Landscape Specification
- PW.1786.A.101- Surface and Edging: Access Road and Parking Bays
- PW.1786.A.102- Surface and Edging: Entrance and Exit Threshold
- PW.1786.A.103- Surface and Edging: Pull-in Zone and Footpath
- PW.1786.A.104- Surface and Edging: Resin Bound Gravel Footpaths
- PW.1786.A.105- Surface and Edging: Tarmac Footpath Surface
- PW.1786.A.106- Surface and Edging: Communal Terraces
- PW.1786.A.107- Surface and Edging: Private Patios
- PW.1786.A.108- Boundary Treatments: Timber Fence and Maintenance Gate
- PW.1786.A.109- Boundary Treatments: Metal Railing and Gates
- PW.1786.A.110- Boundary Treatments: Trellis Dividing Screen
- PW.1786.A.111 Rev A- Boundary Treatments: Timber Knee Rail
- PW.1786.A.112- Free-standing Structures: Timber Seats
- PW.1786.A.114 Rev A- Free-standing Structures: EV Chargers for Parking Bays Along Central Soft Landscape Strip
- PW.1786.A.115 Rev A- Free-standing Structures: EV Charger for Disabled Parking Bays.
- PW.1786.A.116- Tree Pits: Tree Planting in Soft Landscape
- PW.1786.A.117- Tree Pits: Boxhead Tree Planting in Planters
- PW.1786.L.104 Rev C - Kerbs and Edging Plan
- PW.1786.L.105 Rev C - Tree and Hedge Planting Plan
- PW.1786.L.106 Rev E - Ornamental and Shrub Planting Plan
- PW.1786.L.107 Rev C - Bulb and Grass Mixes Planting Plan

received on 10 June 2025

Any retaining walls, means of enclosure or seating shall be built/ installed in accordance with the details as approved prior to occupation and thereafter retained to the agreed specification. The soft landscaping shall be implemented within the first tree planting season following the substantial completion of the apartment building and any trees or plants which within a period of 5 years from the completion of the development of the respective plots die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The approved hard landscape scheme shall be implemented prior to the first



occupation of the apartment building. The space shall be managed in accordance with the approved maintenance/ management scheme thereafter.

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

6. Notwithstanding the RBA Acoustics Noise Impact Assessment reports (Ref: 12520.RP01.EBF.4 Rev 4 dated 18th May 2023; and Ref:12520.RP02.EBF.2 Rev 4; dated 9th December 2024) no part of the development hereby permitted shall be occupied until an updated Noise Impact Assessment (NIA) has been submitted to and approved in writing by the Local Planning Authority. The NIA must be prepared by a suitably qualified acoustician and as a minimum must include the following:
  - confirmation that the findings of the 2023 report Ref: 12520.RP01.EBF.4 Rev 4 remain valid having regard to any changes in the locality
  - An assessment of noise impacts on external amenity areas and any mitigation measures.

The development hereby permitted must be carried out and completed in accordance with the approved NIA and any mitigation measures proposed must be fully implemented prior to the development being occupied or first bought into use.

[To protect the amenities of the future occupiers and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

7. The gated access to the residential accommodation building shall be provided in accordance with drawings PW.1786.A.109- Boundary Treatments: Metal Railing and Gates; and 1001 Rev D- Landscape Masterplan prior to the first occupation of the building. Thereafter the gated access shall be retained and made available to use for the lifetime of the development.

[To encourage the use of sustainable modes of transport and to comply with policy 41 (Air Quality) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

8. No part of the residential accommodation building shall be brought into use until such time that the access arrangements from the roundabout junction along with internal roads, parking, turning, serving areas and internal road markings (including the zebra crossing) have been provided in accordance with drawing 1001 Rev D- Landscape Masterplan. The parking, turning and servicing areas shall not be used for any purpose other than parking, turning, loading and unloading of vehicles, and shall thereafter be retained for the lifetime of the development.

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

9. Prior to the residential accommodation building being brought into use, EV charging points for the respective buildings shall be installed in the locations shown on drawing 1001 Rev D- Landscape Masterplan in accordance with BSI PAS 1899:2022 Electric vehicles - Accessible charging - Specification.

Thereafter the EV charging points shall be maintained and made available for use for the lifetime of the development.

[To promote sustainable modes of transport and to comply with policy 41 (Air Quality) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

10. The external lighting shall be installed in accordance with drawing 023.AHG EX02 Rev P2 (Proposed External Lighting) and the document LS16027-1-1 received on 10 June 2025 and thereafter maintained to the agreed specification.

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

11. The hard surfaced areas of the site shall be surfaced in the materials as specified on drawing 1001 Rev D- Landscape Masterplan and thereafter the hard surfaced areas shall be maintained to the agreed specification.

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

12. The residential accommodation shall be designed to meet the higher 'Optional Technical Housing Standard' for water consumption of no more than 110 litres per person per day.

[To promote a reduction in water consumption and to comply with criteria 3 of Policy 12 (Housing Standards) of the Rushcliffe Local Plan Part 2: Land and Planning Policies]

13. The substation and its means of enclosure shall be carried out in accordance with the details as shown on drawing 02050- Rev P1 (Substation Retaining Wall Plans and Details) and DR-A-0904 Rev C01 (Boundary Treatments Plan) received on 10 June 2025. The means of enclosure shall be implemented prior to the development being brought into use.

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

14. Prior to the installation of any externally mounted plant or equipment, together with any internally mounted equipment which vents externally, details of this shall be submitted to and approved in writing by the Borough Council, and the plant/equipment shall be installed in accordance with the approved scheme, and retained in good working order to the satisfaction of the Borough Council.

[To protect the amenities of nearby residents and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

15. No part of the development hereby permitted shall be brought into use until cycle parking has been provided in accordance with drawing 1001 Rev D- (Landscape Masterplan) and A113 Rev A (Free-standing structures: cycle

stands). The approved cycle parking provision shall thereafter be retained for the life of the development

[To promote sustainable modes of transport and to comply with policy 41 (Air Quality) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

16. If any unexpected, visibly contaminated or odorous material or tanks or structures of any sort are encountered during development, remediation proposals shall be submitted to and approved in writing by the Borough Council, before further work is undertaken in the affected area and works shall proceed only in accordance with the agreed remediation proposals.

[To make sure the site, when developed is free from contamination, in the interests of public health and safety and to comply with Policy 40 (Health Impacts of Development) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

17. Prior to first occupation of the development hereby approved—details of the design and specification of the public footpath (FP5), within the application site, which extends adjacent to the sites access, shall be submitted to and approved in writing by the Local Planning Authority. The footpath so agreed shall then be constructed in accordance with the approved details before first use of the outline phase of the development hereby approved.

[To ensure that this public facility is constructed to a suitable specification for its intended use and to promote pedestrian and cycling to and from this site and the wider area. This is to comply with Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

18. The installed surface and foul drainage provision shall be maintained in perpetuity in accordance with the details within the Drainage Strategy Rev P3 (Perega- May 2023).

[To ensure that surface water and foul water is adequately dealt with as part of the development to comply with Policies 17 (Managing Flood Risk), 18 (Surface Water Management) and 19 (Development Affecting Watercourses) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

19. The development hereby permitted shall be carried out in accordance with the Biodiversity Management Plan (Reference ER-6669–02B) received on 10 June 2025.

[In order to ensure that the development renders a net gain to biodiversity in accordance with Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

20. The development hereby permitted shall be carried out in accordance with the Environmental Aspect & Impact Action Plan (Ref: VG-FM-SHE-029 Version A1.0; Rev: 01/04/2023), and the document 'Dust and Noise Response' received on 10 June 2025.

[To protect the amenities of neighbouring residents and in the interests of highway safety to comply with Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies. This condition needs to be discharged before work commences on site to ensure that the agreed measures are implemented throughout the construction phase of the authorised development].

21. Prior to the development hereby approved being brought into use, a 30 year (or as amended by sub-paragraph (4) of paragraph 9 of Schedule 7A of the Town and Country Planning Act 1990) Habitat Maintenance and Monitoring Plan (HMMP) shall be submitted to and approved in writing by the Local Planning Authority in order to secure Biodiversity Net Gain. The HMMP shall include:

- how the habitat will be maintained
- who is responsible for creating or enhancing the habitats
- who is responsible for maintenance, management and monitoring

All maintenance and monitoring shall be carried out in accordance with the details provided.

[To achieve a net gain in biodiversity, in accordance with Policy 17 (Biodiversity) of the Local Plan Part 1: Core Strategy and Policy 38 (Non Designated Biodiversity Assets and the Wider Ecological Network) of the of the Rushcliffe Local Plan Part 2: Land and Planning Policies]

#### **Note-**

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

#### **IMPORTANT - Biodiversity Gain Condition**

The development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan, or
- (c) the development is exempt from the biodiversity gain condition

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

Further information about the BNG status of this application and how to comply with this statutory condition are set out below within the notes.

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

#### **NOTES TO APPLICANT**

Please be advised that all applications approved on or after the 7th October 2019 may be subject to the Community Infrastructure Levy (CIL). Full details of the amount payable, the process and timescales for payment, and any potential exemptions/relief

that may be applicable will be set out in a Liability Notice to be issued following this decision. Further information about CIL can be found on the Borough Council's website at <https://www.rushcliffe.gov.uk/planningandgrowth/cil/>

### Biodiversity Net Gain Condition

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: Submit a biodiversity gain plan - GOV.UK ([www.gov.uk](http://www.gov.uk))

### Statutory exemptions and transitional arrangements

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at <https://www.gov.uk/guidance/biodiversity-net-gain>.

### Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

### Effect of Section 73(2D) of the 1990 Act

Under Section 73(2D) of the Town and Country Planning Act 1990 (as amended) where -

- (a) a biodiversity gain plan was approved in relation to the previous planning permission ("the earlier biodiversity gain plan"), and
- (b) the conditions subject to which the planning permission is granted:
  - (i) do not affect the post-development value of the onsite habitat as specified in the earlier biodiversity gain plan, and
  - (ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat within the meaning of regulations made under paragraph 18 of Schedule 7A, do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier biodiversity gain plan.
- The earlier biodiversity gain plan is regarded as approved for the purposes of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended) in relation to the planning permission.

All demolition and construction work shall be restricted to the following times, to cause the minimum amount of disturbance to nearby premises:

Monday - Friday 0700 - 1900 hours Saturday 0800 - 1700 hours

## Sunday/Bank Holidays No work activity

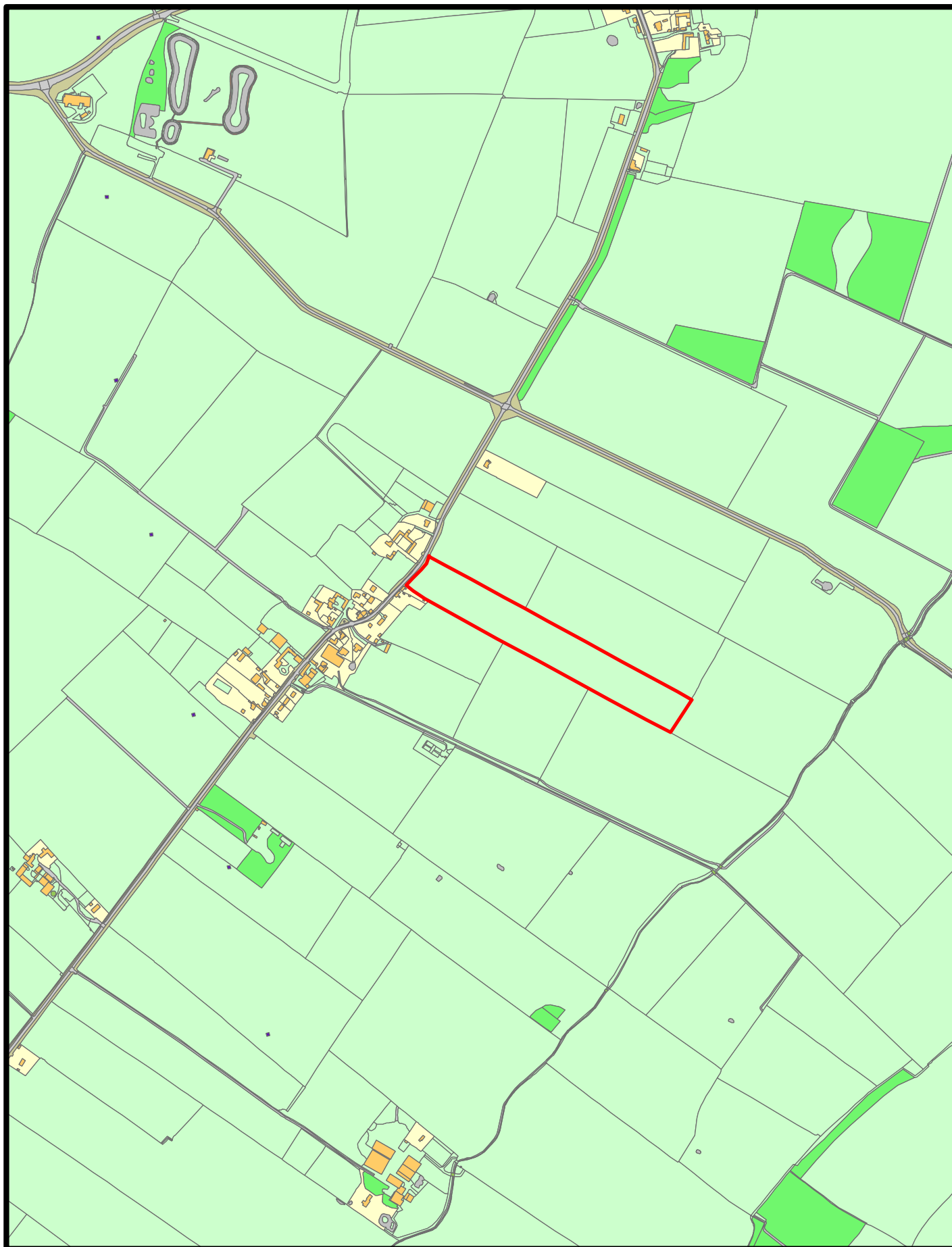
This permission does not give any legal right for any work on, over or under land or buildings outside the application site ownership or affecting neighbouring property, including buildings, walls, fences and vegetation within that property. If any such work is anticipated, the consent of the adjoining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

Item/Policy	Detail/requirement	Developer proposes	RBC proposes	Trigger
<b>Affordable Housing</b>	RBC Affordable Housing SPD requires 30% affordable housing provision.	100% social rent units	Agreed	
<b>NHS Nottingham and Nottinghamshire ICB</b>	<p><b>£63,680.00</b> sought for the provision of primary healthcare- £600 x 31 for each 1 bed apartment and £920 x 49 for each 2 bed apartment.</p> <p>Planning obligations would be minus the difference of any money already paid on 20/00089/HYBRID</p>			Prior to first occupation
<b>Allotments</b>	<p><b>£4,121.6</b> sought for off-site allotment provision.</p> <p>Application proposes 31 no. 1 bedroom units and 49 no. 2 bedroom = 1.61 residents per dwelling</p> <p>0.4 hectares per 1,000 population = 4,000 sqm per 1,000</p>			Prior to first occupation

Item/Policy	Detail/requirement	Developer proposes	RBC proposes	Trigger
	<p>4,000/1000 = 4 sqm per person  4 x 1.61 residents per dwelling = 6.44 sqm per dwelling</p> <p>6.44 x £8.00* = £51.52 per dwelling</p> <p>£51.52x 80= <b>£4,121.6</b></p>			
<b>Waste Management</b>	Nottinghamshire County Council request <b>£8,857.09</b>		Likely not justified/ not CIL compliant on the ground of there being no identified site for the contribution to be spent at and as such no demonstrated need for the contribution at this time.	
<b>Monitoring Fee</b>	TBC – in accordance with our monitoring fees schedule			
<b>Indexation</b>	All financial contributions subject to indexation using Retail Price Index or the BCIS All-in Tender Price Index as appropriate			
<b>Legal Costs</b>	TBC			





**Application Number:24/01451/HYBRID**  
**Land To The North East Of Main Street**  
**Sutton Cum Granby**

scale 1:10000

page 31

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Rushcliffe Borough Council - 100019419



This page is intentionally left blank

# 24/01451/HYBRID

**Applicant** B Roberts & Granby cum Sutton PC

**Location** Land To The North East Of Main Street Sutton Cum Granby  
Nottinghamshire

**Proposal** Outline planning application for four semi-detached homes (appearance, landscaping and scale reserved) and change of use of agricultural land to accommodate community use, with access to land provided.

**Ward** Cranmer

## THE SITE AND SURROUNDINGS

Details of the application can be found [here](#).

1. Sutton cum Granby is a small village/hamlet consisting of a group of dwellings and agricultural buildings surrounded by the open countryside, which is mainly in arable agricultural use. The settlement is linear in form. The proximity of the open countryside, which extends between buildings to the main road through the settlement, and the green boundary treatments add to the areas strong agricultural character.
2. The application relates to a greenfield site comprising the northwest (roadside) portion of a large arable field located to the north east of the main built up part of Sutton cum Granby. The land slopes slightly away from the highway with an existing vehicle access located in the western corner of the site serving the existing agricultural land use. The access is gated with an open bar, metal gate which immediately adjoins the residential curtilage of the adjacent dwelling known as Willow Cottage. There is currently no delineation to the south east of the site area between the application site and the adjoining parcel of land, which currently represent one large agricultural field system. The site's northwest boundary adjoins the highway Main Street and is formed by deciduous hedgerow/trees, this hedgerow, of varying densities and heights extends along the site's eastern boundary. An open, timber, post and rail fence is located along much of the site's western boundary shared with Willow Cottage.
3. There are two dwellings to the south west of the site (Willow Cottage & Bruncot) and five dwellings on the opposite side of Main Street including a Grade II listed building (Highfield House) and three barn conversions. Planning permission ref. 19/01420/FUL has also been granted for a further 3 dwellings on the opposite side of Main Street which is currently under construction.

## DETAILS OF THE PROPOSAL

4. The application is a hybrid planning application which seeks outline consent for the erection of 4 No. semi-detached dwellings with access and layout

included. Appearance, landscaping and scale are set as reserved matters and full planning permission for the change of use of land to community uses.

5. Para 6.21 of LPP2 explains rural exceptions sites and sets out that applications for rural exception sites for affordable housing beyond the physical boundary of a settlement will be allowed where local need is identified in an up to date housing needs survey and the development is well related to and respects the character and scale of the settlement and its landscape setting. Planning permission will be subject to conditions and/or planning obligations which ensure that all initial and subsequent occupiers should be local people (applying the cascade approach where residents within the parish have priority, followed by neighbouring parishes and, if no occupier is found, the wider Borough) and that the restrictions on occupation and its status as an affordable home remains in perpetuity
6. However, the applicant has confirmed that while the residential development is intended to be affordable rent tenure, the proposal development would not be a rural exception site and therefore the policy guidance and legal obligations referred to in LPP2 that would normally allow this form of development outside of the physical boundaries of the village would not apply in this instance.
7. A new access point would be created broadly in the same position as the existing field gate. The access point would have visibility splays either side and a pedestrian path created. The access point would lead through onto a private drive with junction separating the private drive to serve the residential development and a separate drive to serve the community meadow. The plans allow for the provision of dedicated parking for Willow Cottage
8. The proposed dwellings would consist of 2 pairs of semi-detached suggested to be proposed with a cottage style aesthetic. The layout of dwellings would be positioned running parallel with the adjacent highway, albeit set back, with the associated off-street parking and shared driveway in front. Private residential curtilages would be created to the rear.
9. The proposal also includes the change of use of agricultural land to the rear of the proposed residential development to form a community meadow use including allotments, orchard and a pond. Car parking is also shown to be provided for this area.
10. It is stated within the supporting documents that the intentions for the community meadow is to hold a wide range of events and activities including craft workshops, kite flying competitions, community plays and picnics and family celebrations.
11. The application is supported by a design and access statement including information in relation to community involvement, a housing study, outline Parish Council business case and information in relation to legalities for transfer of land, benefits to the Parish and heads of terms for affordable housing.

## **SITE HISTORY**

19/00330/OUT - Outline application with all matters reserved for construction of 4no dwellings - REFUSED - APPEAL DISMISSED

20/01644/FUL - Erection of general-purpose grain store & machine store for farming equipment - APPEAL NON DETERMINATION - APPEAL DISMISSED

20/03272/FUL - Erection of 2 dwelling houses with paddock land to rear – REFUSED

21/02426/FUL - Erection of 2 dwelling houses with a paddock to the rear, creation of new vehicular access (Resubmission of 20/03272/FUL) – REFUSED - APPEAL DISMISSED

23/00925/FUL - Change of use of land from agricultural to caravan storage; Erection of new security fence and gate; Erection of security shed; Formation of hard surfaced roadway. REFUSED

23/00926/FUL - 2no. new agricultural workers dwellings; Single storey detached garage/store; Creation of new access; Construction of new barn; Associated landscaping. REFUSED

## REPRESENTATIONS

### Ward Councillor(s)

12. **Cllr Grocock** – Supports application. Provides detailed comments in relation to the interpretation of policy. He considers that the proposal would deliver affordable housing for which there is a local need. The development would follow the historic linear pattern of development within Sutton.

*He concludes that the planning interpretation of this proposed development, which has the backing of the parish council, strong support from the local community, the dedication of community facilities, the construction of affordable housing, and crucially, respects the historic pattern of development within Sutton and wider area should be positive, where on balance, it does just about qualify as in-fill development, and should therefore, be approved.*

### Town/Parish Council

13. **Granby Cum Sutton Parish Council** – (As joint applicant) support the application for the following grounds

*- This application has the full support of Granby cum Sutton Parish Council. The proposal will provide four houses for a discounted market rent which will be a boon for people wishing to move into the village and may make staying in the village a possibility for some young people.*

*- The proposed allotments will meet a local need which the PC has sought to address, at times, over the last decade. No previous attempt has been successful. The Council has a list of a dozen local people interested in renting an allotment. Local experience suggests that once the project is actually running many people from surrounding villages will be interested in having an allotment. The Council envisages the setting up of an Allotments Society which will administer the allotments and pay rent to the Parish Council on the lines of arrangements at Cropwell Bishop.*

*- The public open space will be very helpful to the mental health of local people from Sutton, Granby and other nearby villages. The allotments will also have big health*

*benefits for people. A recent survey identified Rushcliffe as being particularly short of public open space so this development will help RBC to provide a good environment for local people.*

*- The proposed pond will provide a locally rare habitat for several species which already have populations in the area. Amphibians, including newts and frogs, are likely to take up residence as are snakes. The proposed Community Orchard will be enjoyed by local people whether they seek to make cider or just enjoy the spring blossom. As part of this proposal the PC will be gifted land which it could never afford to buy but which it can develop to the benefit of people in Sutton, in Granby and in a wide area around. A business plan has been prepared which sets out community involvement in the development of this public asset and describes timescales and funding in a realistic way. A survey carried out by the PC identified very strong local support for this proposal.*

*- The Parish Council is ready to take on the responsibility of a very large area of land and has a clear view that it will be a public asset providing a wonderful leisure space for local people. The land will be managed in an environmentally sensitive way to promote precious wildlife. Local farmers have offered free help and expertise managing land. Conversations have already taken place between the PC and local conservation groups. Though it will cost money for the PC to gain proper legal title to the land, in the long term this will be a financial benefit for the Council and, therefore, for local people.*

*- The Parish Council is a joint applicant and has organised events ensuring community engagement. Further community participation is vital and the PC will enable this to happen.*

## **Statutory and Other Consultees**

14. **Nottinghamshire County Council as Highway Authority** - Initial objections were raised in relation to the visibility splays and intensity of use of the proposed access to serve the development.
15. Following the submission of a speed survey the visibility has been deemed acceptable. A condition is stated to be required to restrict events on the community land to overcome highway safety objections. Further conditions are recommended in relation to a dropped pedestrian crossing, driveway/parking for Willow Cottage as well as surfacing of the car park for the allotment and community garden.
16. **RBC Ecology and Sustainability Officer** – No objection. The onsite biodiversity gains will need to be secured via a planning obligation for a minimum of 30 years. Additionally, a Habitat Management and Monitoring Plan (HMMP) should be submitted to the planning authority and approved by the planning authority with the Biodiversity Net Gain Plan. Enhancement measures and RAMS are recommended to be secured by condition.
17. **RBC Landscape Officer** – n. The tree survey seems to be an accurate reflection of the trees. Whilst the application is only outline, the plans showing the access and the parking areas respect the root protection areas of retained trees. Many are Ash so there will be a need for succession planting if approval were to be granted. In fact I have just seen the landscape specification and such planting is proposed between parking spaces. If permission were to be

granted a reserved matters application would need to provide tree protection measures in accordance with BS5837:2012. It would also need to provide a detailed landscape scheme.

18. It seems around an 8 or 9 metre length of hedgerow will need to be removed to create a new access point. Whilst on its own this is a relatively small length, the combined access width will be quite large (15m wide approx.) due to the existing access being given over to providing additional parking to the adjacent property. Such a wide access will look out of character. My preference would be to keep hedgerow removal to a minimum and look to gap up areas either side of the proposed access.
19. The community landscape space would have some public benefit. It would be important that it shouldn't become too ornamental, but clumps of native tree planting, orchards, wildflower meadow and a pond would be acceptable from a landscape perspective. Tree species would have to be in keeping with the local landscape character area, we have a [guide on our website](#). I think it would be important to secure the long term use and maintenance of the area and it might be possible to do this via biodiversity net gain and a long term management plan.
20. **RBC Environmental Health** – Notes that the proposal includes a community use providing allotments, an orchard, a wildflower meadow and a pond. Whilst there are no objection to the uses specified in the Design and Access statement they query if this can be restricted by condition. The red line encompasses a significant area of land and they seek to ensure there is some control over how this may be used so that any further uses do not have an adverse impact on the amenity of neighbouring properties
21. They note that the Parish Council is the joint applicant and the supporting information indicates that the land earmarked for community use will be gifted and thereafter managed by them. If so they recommend a detailed land use management plan be conditioned. Conditions are also recommended in relation to potential contamination and informative on construction times.
22. **RBC Planning Policy and Strategic Housing** – Within the Local Plan Part 2, paragraph 3.10 states that development to meet local needs will be limited to small scale infill development, exception site development and the allocation of land by Neighbourhood Plans.
23. There is no Neighbourhood Plan for Sutton cum Granby, so the application site is not a Neighbourhood Plan allocation. The agent has confirmed that the proposed development is not an exception site. The Inspectors of the previous appeals have confirmed that the application site is part of the open countryside and not a gap site for infill development. Therefore, the proposed development does not fall within one of the permitted development types to meet local needs in other settlements. The proposed development therefore conflicts with policies of the development plan.
24. Strategic Housing recognise there is a need for affordable housing in the Borough and that the provision of four dwellings for affordable private rent will contribute towards meeting this need. It is understood that the proposed development is responding to a community need for discounted rented homes.

They query whether the applicant will look to ensure that the affordable housing is rented to members of the local community through local connection criteria as part of a S106 if the development is to be permitted.

25. **RBC Communities Manager** – confirms that that no records of allotment provision in Sutton Cum Granby are held so any application to provide allotments, community orchards wildflower meadows etc providing community use managed by the parish council would be welcomed from a communities perspective.
26. He is unaware of any waiting list or interest in allotments from this area, and would expect this information to be provided by the parish council. 24 allotment which are a mixture of full and half plots seems reasonable for a typical allotment provision but as the population is 60 it seems to be more than would be required for the immediate area, so he would ask the applicant to justify the amount proposed.

### **Local Residents and the General Public**

27. 11 written representations have been received from 9 properties.
28. All representations received write in support of the application on the following grounds;
- Much needed housing in the village
  - The community space would provide a fantastic place of interest to villagers and wildlife.
  - The allotments are in demand
  - The proposed community meadow would accessible green space
  - Planning permission has been granted for large dwellings close to the site, to deny the building of the subject dwellings but to allow large executive dwellings appears to only support those that are moving from the city to the country.
  - There is a definite need for affordable housing, community spaces and consideration for allotments and re-wilding areas
  - The land, unlike all the surrounding fields, has always been used for livestock and therefore not subjected to pesticides hence wild flowers and insects can flourish.

The full comments received from all consultees can be found [here](#).

### **PLANNING POLICY**

29. The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: Core Strategy 2014 and The Rushcliffe Local Plan Part 2: Land and Planning Policies 2019. The overarching policies in the National Planning Policy Framework (the NPPF) and the accompanying National Planning Policy Guidance ( the NPPG) are also relevant, particularly where the Development



Plan is silent. Recent appeal decisions affecting the site are also a material planning consideration in the determination of the application.

## **Relevant National Planning Policies and Guidance**

30. The NPPF includes a presumption in favour of sustainable development. Local planning authorities should approach decisions on proposed development in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development. Decision-makers at every level should seek to approve applications for sustainable development where possible.
31. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
- a) an economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
  - b) a social objective - to support strong, vibrant and healthy communities, b ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
  - c) an environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

As such, the following national policies in the NPPF with regard to achieving sustainable development are considered most relevant to this planning application:

- Section 5: Delivering a Sufficient Supply of Homes
  - Section 6: Building a strong, competitive economy
  - Section 12: Achieving well designed places
  - Section 15: Conserving and enhancing the natural environment
  - Section 16: Conserving and enhancing the historic environment
32. A copy of the National Planning Policy Framework 2024 can be found [here](#).
33. A copy of the Planning Practice Guidance can be found [here](#).

34. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is relevant.
35. Section 66 states that "In considering whether to grant planning permission for works which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

### **Relevant Local Planning Policies and Guidance**

36. Policies in the Local Plan Part 1: Core Strategy can be found [here](#).
37. The following policies in the Rushcliffe Local Plan Part 1: Core Strategy are considered to be relevant to the determination of the application
  - Policy 8 (Housing size, mix and choice)
  - Policy 10 (Design and Enhancing Local Identity)
  - Policy 11 (Historic Environment)
  - Policy 12 (Local Services and Healthy Lifestyles)
  - Policy 13 (Culture Tourism and Sport)
  - Policy 14 (Managing travel demand)
  - Policy 16 (Green Infrastructure, Landscape Parks and Open Spaces)
  - Policy 17 (Biodiversity)
38. Policies in the Local Plan Part 2: Land and Planning Policies can be found [here](#).
  - Policy 1 (Development requirements)
  - Policy 22 (Development in the countryside)
  - Policy 28 (Conserving and Enhancing Heritage Assets)
  - Policy 31 (Sustainable Tourism and Leisure)
  - Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network)

### **APPRAISAL**

39. The main issues in the consideration of this application are the principle of development, heritage, landscape, design, amenity, highways, drainage and ecology.
40. It was established at appeal ref. APP/P3040/W/19/3239537 relating to application reference 19/00330/OUT which sought outline permission for 4 homes that "the proposal would be contrary to the spatial housing strategy of the Development Plan and harm the character and appearance of the area. Accordingly, the proposal would conflict with the development plan."
41. Furthermore, the later application, for the erection of 2 dwelling houses with a paddock to the rear, creation of new vehicular access (Resubmission of 20/03272/FUL) was refused and dismissed at appeal (APP/P3040/W/22/3294802). It is worthy to note that the appeal inspector also concluded that the development would not represent small scale infill development. The proposal would therefore be contrary to the spatial strategy set out in policy 3 of the Core Strategy, and would conflict with the requirements of policy 22 of the LAPP with regards to development in the countryside. The

inspector went on to explain that due to its location, siting, layout and design, the proposal would lead to significant harm to the character and appearance of the area and that the proposal would not be in a location which would provide suitable access for residents to services and facilities by sustainable modes of transport.

42. No significant changes have occurred with regard to the site context or planning policy guidance in regard to new residential development within the open countryside since the latest appeal decision was issued on 18th October 2022.
43. However, this application introduces different elements to the scheme than previously proposed in the form of the provision of affordable housing and the formation of a community use meadow with allotments and parking area which will need to be fully assessed and weighed in the planning balance.

#### Principle of Development

44. Policy 3 of the Core Strategy outlines the distribution of development in the Borough during the plan period. It ensures the sustainable development of Rushcliffe will be achieved through a strategy that promotes urban concentrations by directing the majority of development towards the built-up area of Nottingham and the Key Settlements identified for growth. In other settlements development should be for local needs only which will be delivered through small scale infilling and on exception sites.
45. Policy 22 of the LPP2 confirms that 'Sutton' forms a settlement for which beyond its physical boundary open countryside policies apply. As such Sutton is considered to represent an 'other' settlement under policy 3 of the Core Strategy and as such any development must be for local needs only met through small scale infill development or exception sites. The Local Plan Part 2 (para 3.10) has sought to clarify the definition of infilling as 'the development of small gaps within the existing built fabric of the village, or previously developed sites, whose development would not have a harmful impact on the pattern or character of the area'
46. Policy 22 of the LPP2 states that "Land beyond the Green Belt and the physical edge of settlements is identified as countryside and will be conserved and enhanced for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources, and to ensure it may be enjoyed by all." Paragraph 6.11 confirms that the local plan does not identify settlement boundaries to which Policy 22 will adhere, instead the location of any proposal and its physical relationship with the edge of the settlement will determine whether the application is within the settlement, or within the open countryside.
47. Given the definition of 'infilling' provided in the LPP2, it is important to identify that the site does not represent previously developed land. Therefore, it must be assessed as to whether the scheme would represent the development of a 'small gap within the existing built fabric of the village'. The site forms part of a 270m wide swathe of undeveloped agricultural land, extending from Willow Cottage to the west of the site, across several agricultural fields to Windy Ridge to the east. This gap would not be considered to represent a 'small gap' in context of this settlement. Furthermore, the site is open to the south-east (rear)

and north-east (side), and is not considered to form land 'within the built fabric of the village', with the site having a clearly more established relationship with the surrounding agricultural field systems and land uses than the established settlement form.

48. This conclusion is supported by the previous appeal decision relating to a 2019 outline application for the erection of 4 dwellings on the site (APP/P3040/W/19/3239537 relating to application reference 19/00330/OUT). Of particular relevance are paragraphs 7 and 8 of the Planning Inspectors report which conclude firstly that the site: "Is not between buildings in an otherwise built-up frontage. Furthermore, it is within the open countryside and would not therefore be an infill site." And: "The site is not isolated, being adjacent to a small group of dwellings. However, it would extend the hamlet into open countryside and would be beyond the identifiable boundary of the hamlet. In this circumstance, development of the appeal site would contribute towards ribbon development."
49. The proposed development would include the creation of new shared access to serve both the residential development and the community use meadow and allotments. It is important to note that the provision of a significant access point has formed refusal reasons for the previous applications for residential development at the site which have been upheld at appeal. The reasons were based on both the impact on the character and appearance of the site and wider countryside as well as an unsustainable location in which future occupants would be heavily reliant on private vehicle.
50. Indeed, the appeal inspector for 20/03272/FUL (APP/P3040/W/22/3294802) sets out in para 16 of the appeal report 'The vehicle access and manoeuvring area would also introduce a significant extent of hard surfacing to the front of the dwellings, which would increase the footprint of built development. The design and layout of the proposal would result in development of a suburban nature, and would be of an incongruous appearance compared to the understated rural character of the hamlet.'
51. In para 23 of the same appeal report, the Inspector states 'the proposal would not be in a location which would provide suitable access for residents to services and facilities by sustainable modes of transport. The proposal would therefore conflict with policy 1 of the Core Strategy and policy 39 of the LAPP in respect of the provision of sustainable development and providing homes to meet people's needs in locations that promote walking and cycling.'
52. In terms of affordable housing, it is acknowledged that the proposal comes forward with the intention that the dwellings would be of an affordable rent tenure. It is also acknowledged that there is a general need for all forms of affordable housing within the Borough.
53. However, in relation to development in the countryside planning policy only permits affordable housing forming an exception site supported by a robust housing needs survey identifying the justification for such development in that particular location. The housing survey undertaken by the Parish is not considered sufficiently robust to demonstrate the necessary need and the applicant has confirmed that the site would not constitute a rural exception site. It is therefore considered that the proposal does not therefore fall within one of the permitted development types to meet local needs in other settlements, and

as such only limited positive weight can be afforded to this element of the proposal.

54. Given the above, it is considered that the principle of the residential development at the site would conflict with Policy 3 of the Core Strategy and Policy 22 of LPP2.
55. In relation to the community field and allotments, the provision of such a facility would not conflict with identified policy guidance within the Local Plan. Indeed, Policy 12 of the Core Strategy states 'The provision of new, extended or improved community facilities will be supported where they meet a local need.' and to use the site for allotments and the planting of a orchard and wildflower meadow would not on their own constitute development requiring planning permission.
56. Furthermore Policy 34 of LPP2 states that 'Development that protects, enhances, or widens their Green Infrastructure importance will be supported, provided it does not adversely affect their primary functions.'
57. Given the above policy support for development that includes new community facilities and green infrastructure, no objection is raised in relation to this aspect of the development in principle.

#### Character and appearance of the site and wider countryside.

58. Policy 10 of the Core Strategy requires that new development makes a positive contribution to the public realm and that proposals will be assessed in terms of scale, form and materials and impact on the amenity of occupiers or nearby residents.
59. The site is located outside of the main built up area of the settlement within the open countryside, and is currently agricultural land bounded from the road by a notable mixed hedgerow. The site sits at the entrance to the settlement and can be considered to make a positive contribution to the rural character of the surrounding area, and setting of the settlement.
60. The proposal includes the loss of part of the hedgerow frontage to create the widened vehicular access to serve the residential dwellings and the community meadow and allotments, as well as a private drive and parking area to serve Willow Cottage. The access driveway is shown to be 5.8m in width with visibility splays either side, a 2m wide pedestrian pathway, bin storage area. A separate driveway and parking area to serve Willow cottage is also included adjacent to the proposed main access drive.
61. The main access drive would lead to a junction, with a private driveway leading to 12 off street parking spaces serving the residential development, and a separate driveway leading to a car park area providing 18 spaces for the community field and allotments.
62. Having considered the scale and nature of proposed access, drives and off-street parking, the level of hardstanding proposed appears significant, and the layout overengineered, introducing a very urban character into this rural, countryside setting. Furthermore, the removal of hedgerow would also further increase the visibility through the site, increasing the prominence of the

scheme and the susceptibility of the locality to change. This view is supported by the Councils Landscape Officer.

63. Given the above, by virtue of the nature, scale and design of the access including the driveways and parking area, as well as the removal of a section of hedgerow, it is considered that the proposed development would result in substantial harm to the rural character of the area which would be fundamentally harmful to the public realm contrary to Policy 10 of the Core Strategy and Policies 1 and 22 of the LPP2. This concern is shared by the Councils Landscape Officer
64. As the application is a Hybrid, with the residential development coming forward in outline form, with scale and appearance all left as reserved matters the design of the dwellings cannot be fully assessed within this application and would be a consideration within a reserved matters application should outline planning permission for the proposed development be given.

### Heritage

65. There is a grade II listed building, Highfield Farmhouse, located opposite the application site. This property is characterised by its three-story scale, rendered walls, and hipped slate roofs. There is a statutory duty to have special regard to the desirability to preserve the setting of a listed building. The proposal would result in the loss of an area of open countryside however taking into consideration the distance between the application site and the neighbouring listed building, along with intervening boundary treatments and features including the public highway, it is considered that the proposal would not impact the setting of the neighbouring listed building, and thus preserve its setting, therefore achieving the desirable objectives as set out in Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990

### Residential Amenity

66. The application site would be capable of accommodating the proposed dwellings as well as providing suitable levels of private amenity and circulation space in accordance with the Residential Design Guide. The frequency and type of vehicle movements likely to be generated by the proposed residential development is unlikely to result in significant harm to the amenity of the adjacent residential property Willow Cottage.
67. The proposed layout is considered to include sufficient separation distances between the proposed dwellings and the neighbouring residential properties to protect their residential amenities.
68. The comments from the Environmental Health department in relation to potential contamination are noted, and the recommended conditions in relation to this issue are considered appropriate to attach to any grant of planning permission.
69. Careful consideration must be given to the introduction of community uses on the site which have the potential to impact on existing and potential local residents from both the uses on the site itself and vehicular movements generated by the use. It is noted that whilst in principle the majority of the uses proposed on the site proposed by the Parish such as allotments, community

orchards etc are likely to be of a nature not to generate noise and disturbance the use of the site for events could potentially see the introduction of uses such as festivals, music, fireworks etc could create disturbances which could impact on nearby residential amenity. It is noted that a event management condition is recommended by Environmental Health colleagues.

### Highway Safety

70. In terms of highway safety, there has been extensive discussions with the Highway Authority regarding the access point and the potential safety concerns. Initially the Highway Authority raised an objection over visibility from the access and visibility of/for right turners into the site. However, once a speed survey had become available which indicates 85th percentile speeds of 34.87mph in a southwest bound direction, it was considered that the visibility splays achievable were adequate and the initial objection was overcome.
71. Concerns have also been raised by the Highway Authority in relation to the community use, with the Highway Authority stating that a condition is required to safeguard the local highway, to withdraw what would normally be permitted development rights for uses on the site and to restrict events. It is considered that use of the access/facility for which larger scale events would be detrimental to highway safety. Discussions have taken place in relation to this condition with the applicant concerned that this will unduly restrict the use of the site and the highways authority concerned that other alternative conditions would be impossible to enforce
72. No concerns have been raised in relation to the level and nature of the off street parking amenity for both the residential development and the community use, and the recommended conditions in relation the hard surfacing of the parking and turning areas as well as the parking for Willow Cottage is considered to be appropriate to attach to any grant of planning permission.
73. Given the above, whilst the access arrangements are considered acceptable to serve the proposed dwellings and the use of the site as allotments, community orchard and gardens the highways authority remain concerned over any further potential uses which would intensify the vehicular movements associated with the access. A tightly worded condition has been suggested by the Highways Authority and is therefore considered necessary to restrict events on the site and has not been agreed by the agent. On this basis it is considered that it has not been demonstrated that the use of the site can be adequately controlled through the use of conditions to mitigate any adverse effects in relation to potential highway safety from potential activities on the site. Bearing in mind the in principle objections to the proposal it has not been considered prudent to enter into further protracted discussions on this matter.

### Flood risk and drainage

74. The site lies within flood zone 1 at the lowest risk of flooding. There are no surface water drainage issues highlighted on the site itself. Surface water is proposed to be dealt with by soakaway which would fall in accordance with the sustainable drainage hierarchy as required by policy 18 of the LPP2. Foul drainage is proposed to be dealt with through connection to mains sewerage.

75. No precise details of surface water or foul water have come forward on this element of the proposal. In light of this it is considered that a condition be imposed requiring a scheme of surface and foul water drainage to be submitted to show consideration for the drainage hierarchy and advocate a SUDS first approach (including appropriate infiltration testing for viability), and a full non-mains drainage assessment supporting a final scheme of foul drainage. Only subject this condition, would the scheme meet with the requirements of policy 2 of the Core Strategy and Policy 18 of the LPP2.

### Ecology

76. The application is supported by a preliminary ecological appraisal which has been found to be carried out in accordance with best practise measures. The comments from the senior ecology and sustainability officer are noted which raise no objections and considers the development unlikely to result in a detrimental impact on populations of protected species provided the proposed reasonable avoidance measures, mitigation and enhancements are implemented.
77. With appropriate conditions to secure these measures it is considered that the proposal would meet with the aims of Policy 38 of LPP2.
78. Following discussions with the case officer, a full site BNG metric was supplied. No objection has been raised in relation to this document and it is acknowledged that the BNG enhancements would need to be secured by legal obligation as well as conditions for the associated BNG plan and Habitat Management and Monitoring Plan.

### Community Benefits

79. The benefits of the community meadow, by virtue of creation of a new green space that would be available to use by local residents are acknowledged, as well as the supportive comments from local residents and weigh in favour of the scheme, as does the creation of allotment space.
80. However, the community meadow would need to be restricted from hosting events due to highway safety concerns. This does therefore limit the potential usability and function of this element of the proposal use, and therefore, in turn, also limits the wider benefits to the community which can be brought forward from the proposed development.
81. Furthermore, it is considered that it has not been demonstrated by the applicant that there is local need for this specific type of community use with Sutton Cum Granby, as required by Policy 12 of the Core Strategy.
82. While the provision of allotments within the community meadow is considered to be advantageous, the comments from the Communities Manager in respect of a potential over provision of allotments considering the small population are also noted.

### Other matters

83. Comments have been received drawing attention to other residential developments in the vicinity of the site. Whilst each application should be



considered on their own merits the policy considerations to these other schemes were such that they satisfied planning policies at the time.

### Conclusion

84. The principle of residential development at the site is considered to be contrary to policy, by virtue of forming a continuation of the ribbon development and extending into open countryside. This assessment has been upheld at appeal on multiple occasions. The provision of land with associated community uses which is proposed to be gifted to the Parish could be viewed as effectively an enabling development to justify the development of four dwellings within the countryside. Whilst enabling development is recognised within national planning policy in terms of allowing development which would otherwise conflict with planning policies this is normally used to secure the future conservation of a heritage asset. There is no firm policy justification for this form of enabling development.
85. It is also acknowledged that the proposal is for dwellings with an affordable rent tenure and that there is a need for affordable housing within the Borough generally. However, the applicant has confirmed that the development would not form a rural exception site and at present there is no Neighbourhood Plan to allocate such a site. Whilst a housing survey has been submitted with the application this does not follow the normal criteria for such a survey and is not considered robust enough to demonstrate local need to overcome the normal presumption against new residential development in the open countryside. Therefore, the proposed development does not fall within one of the permitted development types to meet local needs in 'other' settlements.
86. The Borough Council is able to demonstrate a five year land supply and therefore whilst the proposal would represent a windfall site which would contribute to the provision of housing this would carry little weight in favour of the proposal particularly in light of its unsustainable location.
87. Furthermore, the proposal would result in a significant adverse impact on the character and appearance of the site and wider countryside from the new built form, creation of a significant access, hard standing and parking area, as well as the loss of hedgerow. Such impact weighs negatively for the scheme and is contrary to the aims of both national and local planning policy.
88. The benefits of the community allotments and meadow and biodiversity net gain potential weigh in favour of the development. It is noted that the Parish Council are a joint applicant in the application and the suggested level of local support for this element of the proposal is acknowledged and have been very carefully considered. It is noted that the potential range of community uses of this land would however need to be limited and controlled in the interests of highway safety and residential amenity. Such limitations may impact on the Parish Councils ability to raise capital to manage the site as set out within their business plan.
89. At the present time without the agreement of conditions which would satisfy the necessary tests to restrict the community uses on the site in the interests of highway safety there remains concerns over the potential highway safety impact of an unrestricted use on the site

90. The proposal raises complex policy and technical matters to be considered and pre application advice was provided to identify the issues which would need to be addressed in any application. Additional information has been provided through the application process in an attempt to overcome highway safety concerns and to further justify the development. Whilst benefits of the scheme have been identified and considered carefully these benefits are not considered to sufficiently outweigh the fundamental policy objections or provide sufficient reassurance that highway safety concerns can be adequately mitigated and therefore a recommendation to refuse planning permission is recommended.

## RECOMMENDATION

It is RECOMMENDED that planning permission be **refused** for the following reasons

1. Policy 3 of the Rushcliffe Borough Local Plan Part 1: Core Strategy sets out the spatial strategy for housing delivery in the Borough which seeks to ensure that sustainable development will be achieved through a strategy which promotes urban concentrations by directing the majority of development towards the built up areas of Nottingham and Key Settlements. In other settlements the Core Strategy at para 3.3.17 envisages that development should be for local needs only through small scale infill development or on exception sites. Paragraph 3.9 of the Local Plan Part 2 lists a number of smaller settlements which are capable of accommodating a limited number of dwellings. Paragraph 3.10 states that beyond these allocations, development will be limited to small scale infill development, defined as development of small gaps within the existing built fabric of the village or previously developed sites whose development would not have a harmful impact on the pattern or character of the area. The application site is outside the built up part of the settlement of Sutton Cum Granby within the open countryside and the proposed development would not, therefore, constitute infill development. The site does not represent previously developed land and as such the development would be contrary to policy 3 of the Rushcliffe Local Plan Part 1: Core Strategy and paragraph 3.10 of the Local Plan Part 2 as well as policy 22 of the Rushcliffe Local Plan Part 2: Land and Planning Policy and the National Planning Policy Framework.
2. The site is in an isolated location in relation to services and facilities and there are no services or facilities in Sutton Cum Granby. It is, therefore, likely that future occupants of the proposed dwelling would be reliant on the use of private car for day to day needs. The development would, therefore, be unsustainable and contrary to policy 1 of the Rushcliffe Local Plan Part 1: Core Strategy and policy 39 of the Rushcliffe Local Plan Part 2: Land and Planning Policies.
3. Due to its location, siting and layout the proposed development including the significant access, parking and driveway areas resulting in the removal of boundary hedgerows would fail to respect the defining local characteristics of the area. The development would appear as an incongruous incursion into the rural setting of the hamlet which would have significant adverse impacts on the rural character of the site and surroundings, and the rural setting and approach to the hamlet, clearly extending the built-up part of the settlement and changing its form and character to its detriment. The proposal is, therefore, contrary to policy 10 (Design and enhancing local identity) of the Rushcliffe Local Plan Part 1: Core Strategy, Policies 1 (Development requirements) and 22

(Development within the countryside) of the Rushcliffe Local Plan Part 2: Land and Planning Policies, and the design objectives of the National Planning Policy Framework.

4. Part of the site is proposed for community uses which may result in activities that could result in unacceptable levels of vehicular movements to the detriment of highway safety. It has not been demonstrated how this risk can be adequately mitigated and controlled and therefore the proposal is contrary to Policy 1 (2) of the Local Plan Part 2 Land and Planning Policies.

This page is intentionally left blank

Planning Ref:	Address	Proposal or Breach	Appeal Decision	Decision Type	Planning Inspectorate Reference	Comments/Decision Date
23/00523/FUL	Land North West Of Lammas Farm Kneeton Road East Bridgford	Mixed use of land to include glamping site, existing vineyard and orchard, and new access and retention of static caravan for managers accommodation.	Allowed	Delegated	APP/P3040/W/25/3358676	16/06/2025
24/02088/FUL	Marriots, Screveton Road, Car Colston	Two story side extension and single storey rear extension.	Dismissed	Delegated	APP/P3040/D/25/3363457	30/06/2025

This page is intentionally left blank