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Our reference:
Your reference:
Date: Wednesday, 17 January 2018



Rushcliffe Community
Contact Centre

Rectory Road
West Bridgford
Nottingham
NG2 6BU

To all Members of the Planning Committee

Dear Councillor

A Meeting of the Planning Committee will be held on Thursday, 25 January 2018 at 6.30 pm in the Council Chamber - Rushcliffe Arena to consider the following items of business.

Yours sincerely

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

Glen O'Connell
Monitoring Officer

AGENDA

1. Apologies for Absence and Substitute Members
2. Declarations of Interest
 - a) Under the Code of Conduct
 - b) Under the Planning Code
3. Outline application for the development of a sustainable urban extension comprising residential development up to a maximum of 3000 dwellings; employment development incorporating a maximum of 100,000sqm of B1, B2 & B8 floorspace; retail development (A1 to A5) up to a maximum of 2500sqm of floorspace; community buildings; leisure uses; schools; gypsy & traveller pitches; access to the site; new roads; footpaths & cycleways; green infrastructure including new community park; ancillary infrastructure & groundworks

at

Land East and West of Nottingham Road, South of Clifton (Pages 1 - 136)

The report of the Executive Manager - Communities is attached.

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

By telephone
Monday to Friday
8.30am - 5pm

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Council
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Nottingham
NG2 7YG



Membership

Chairman: Councillor R Butler

Vice-Chairman: Councillor J Stockwood

Councillors: B Buschman, N Clarke, R Jones, J Greenwood, Mrs M Males, S Mallender, M Edwards, Mrs J Smith and J Thurman


Meeting Room Guidance

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

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

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

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

 <p>Rushcliffe Borough Council</p>	<p>Planning Committee</p> <p>25 January 2018</p> <p>Outline application for the development of a sustainable urban extension comprising residential development up to a maximum of 3000 dwellings; employment development incorporating a maximum of 100,000sqm of B1, B2 & B8 floorspace; retail development (A1 to A5) up to a maximum of 2500sqm of floorspace; community buildings; leisure uses; schools; gypsy & traveller pitches; access to the site; new roads; footpaths & cycleways; green infrastructure including new community park; ancillary infrastructure & groundworks</p> <p>At</p> <p>Land East and West of Nottingham Road South of Clifton</p>	<h1>3</h1>
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Report of the Executive Manager – Communities

PLEASE NOTE:

1. Slides relating to the application will be shown where appropriate.
2. Plans illustrating the report are for identification only.
3. Background Papers - the application file for the application is available for public inspection at the Rushcliffe Customer Contact Centre in accordance with the Local Government Act 1972 and relevant planning legislation/Regulations. Copies of the submitted application details are available on the website <http://planningon-line.rushcliffe.gov.uk/online-applications/>. This report is available as part of the Planning Committee Agenda which can be viewed five working days before the meeting at <http://www.rushcliffe.gov.uk/councilanddemocracy/meetingsandminutes/agendasandminutes/>. Once a decision has been taken on a planning application the decision notice is also displayed on the website.
4. Reports to the Planning Committee take into account diversity and Crime and Disorder issues. Where such implications are material they are referred to in the reports, where they are balanced with other material planning considerations.
5. With regard to S17 of the Crime and Disorder Act 1998 the Police have advised they wish to be consulted on the following types of applications: major developments; those attracting significant numbers of the public e.g. public houses, takeaways etc.; ATM machines; new neighbourhood facilities including

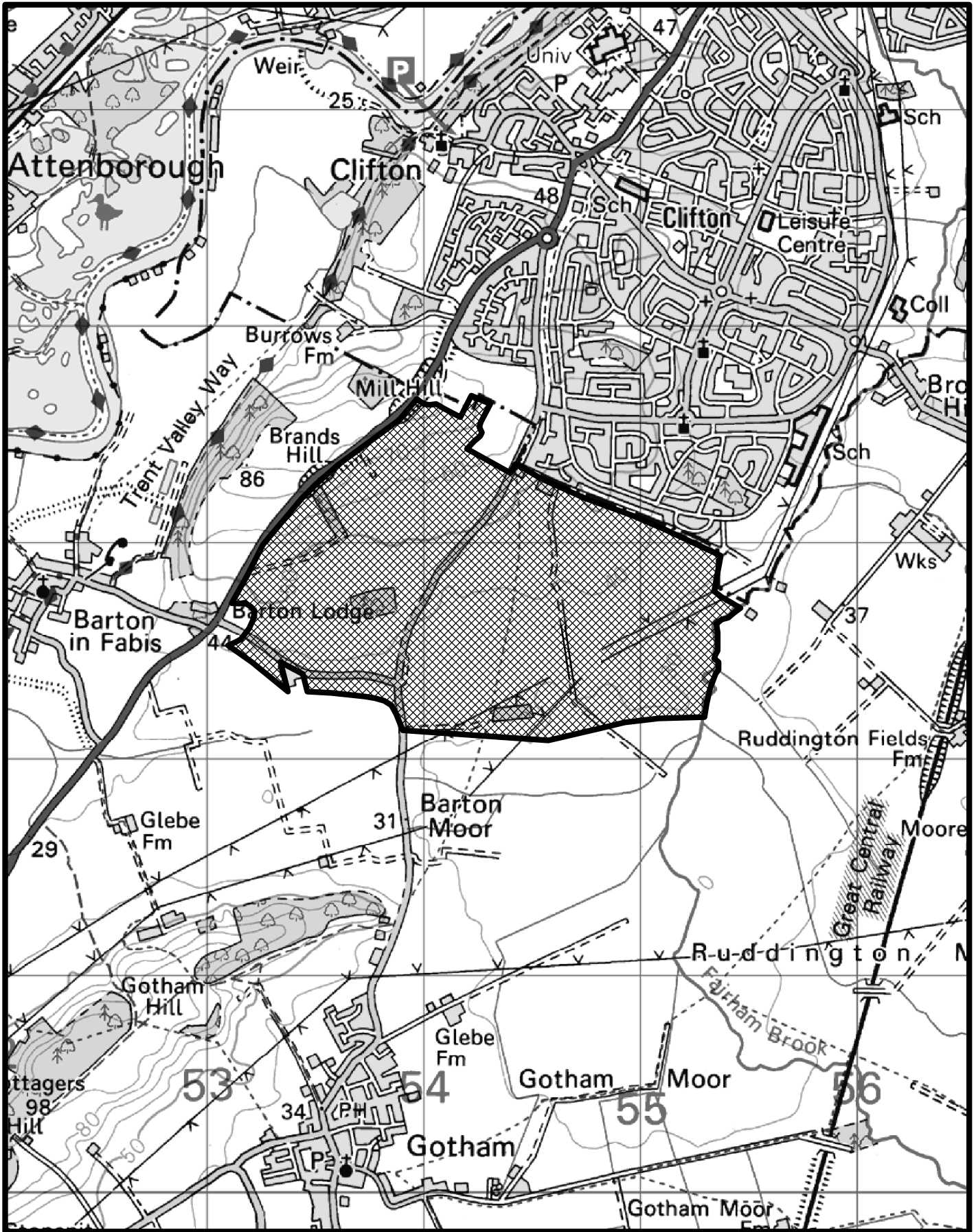
churches; major alterations to public buildings; significant areas of open space/landscaping or linear paths; form diversification to industrial uses in isolated locations.

6. Where the Planning Committee have power to determine an application but the decision proposed would be contrary to the recommendation of the Executive Manager - Communities, the application may be referred to the Council for decision.
7. The following notes appear on decision notices for full planning permissions:

“When carrying out building works you are advised to use door types and locks conforming to British Standards, together with windows that are performance tested (i.e. to BS 7950 for ground floor and easily accessible windows in homes). You are also advised to consider installing a burglar alarm, as this is the most effective way of protecting against burglary. If you have not already made a Building Regulations application, we would recommend that you check to see if one is required as soon as possible. Help and guidance can be obtained by ringing 0115 914 8459, or by looking at our web site at

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

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Application Number: 14/01417/OUT
Fairham Pastures (Land South Of Clifton)



scale 1:24,000

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14/01417/OUT

Applicant C/o Oxalis Planning

Location Land East And West Of Nottingham Road South Of Clifton

Proposal Outline application for the development of a sustainable urban extension comprising residential development up to a maximum of 3000 dwellings; employment development incorporating a maximum of 100,000sqm of B1, B2 & B8 floorspace; retail development (A1 to A5) up to a maximum of 2500sqm of floorspace; community buildings; leisure uses; schools; gypsy & traveller pitches; access to the site; new roads; footpaths & cycleways; green infrastructure including new community park; ancillary infrastructure & groundworks

Ward Gotham

THE SITE AND SURROUNDINGS

1. The site is located in Rushcliffe Borough but is immediately adjacent to the southern edge of the urban area of Clifton, which is within the administrative area of Nottingham City Council. To the west the site is bounded by the old A453 road with the recently dualled A453 (Remembrance Way) running through the site, accessed from the new Mill Hill roundabout. The east of the site extends towards open countryside, with the eastern boundary of the proposed area for built development provided by the existing electricity pylon corridor. Beyond the pylons is the Fairham Brook watercourse. The nearest settlement, in addition to Clifton area, is the village of Barton in Fabis to the west of the site, beyond the A453, with the settlements of Gotham further from the site to the south and Ruddington to the east.
2. The full site extends to approximately 244 Ha and comprises mainly of a series of large agricultural fields with interlinked drainage ditches. The site includes some areas of existing woodland, including the Heart Lees and Drift Lane plantations, with Brands Hill Wood to the west of the site, beyond Green Street (part of the old A453). The site also includes a single public right of way running through the site (footpath Barton in Fabis FP4), with Bridleways and footpaths located off site to the south around Gotham. The site falls topographically to the south east from approximately 82m AOD, in the northwest corner of the site, to 29m AOD in the southeast of the site.
3. The urban area immediately to the north of the site is predominantly residential in character with Clifton's District Centre providing retail and community facilities approximately 1 mile to the north of the site boundary. Clifton is a largely residential suburb of Nottingham City although it also contains a campus of Nottingham Trent University and a range of local employment areas. An extension to Nottingham's NET (Nottingham Express Transit) tram network has recently opened with a Park and Ride site immediately adjacent to the northern (north western edge) of the proposed development site.

4. There are no statutory designations for heritage or ecological purposes on the site itself. To the south of the application site lies a Scheduled Monument, Glebe Farm. The Fairham Brook watercourse flows along part of the eastern boundary of the site and has its own Flood Zone as set out on the Environment Agency's Flood Zone Maps. The Brook continues in a north easterly direction, beyond the site boundary, and runs through the Fairham Brook Nature Reserve.

DETAILS OF THE PROPOSAL

5. The proposal is for a mixed use urban extension comprising both residential and employment uses. The uses proposed include:
 - Residential development (up to 3000 houses)
 - Employment development incorporating a maximum of 100,000sqm of B1, B2 and B8 floorspace
 - Retail development (Use classes A1 to A5) up to a maximum of 2500sqm of floorspace
 - Community buildings
 - Leisure uses
 - School
 - Gypsy and traveller pitches
 - Access to the site, new roads, footpaths and cycleways
 - Green infrastructure including a new community park
 - Ancillary infrastructure and groundworks
6. The application seeks outline planning permission with all matters reserved for future approval, therefore, at this stage approval of the principle of development is sought based on the submitted Parameters Plan, Design and Access Statement and Development Schedule. The Environmental Statement (ES) submitted with the application identifies and assesses any significant impacts of development on environmental matters. Any future reserved matters applications must be largely in conformity with the Parameters Plan, the DAS design principles and the mitigation measures included in the ES. This is to ensure that the development stays within the assessed parameters and delivers the necessary mitigation. Reserved Matters applications will cover details of Layout, Scale, Appearance, Landscape and Access.
7. The application is accompanied by the following, a Planning Statement; Design and Access Statement; and Environmental Statement and Technical Summary with topic areas (with accompanying reports/surveys) including:
 - a. Socio – economic aspects
 - b. Landscape and visual effects
 - c. Ecology and nature conservation
 - d. Geology, soil and groundwater
 - e. Water resources and drainage
 - f. Noise
 - g. Air quality
 - h. Cultural heritage
 - i. Transportation
 - j. Agricultural land quality

8. The scheme parameters plan identifies individual plot areas and identifies the primary access routes, the indicative sports area, location of the local centre and landscaped open space and green corridors. The illustrative masterplan (revised to Rev. Q) along with the supporting text and illustrations in the Design and Access Statement indicate the principles of urban structure (i.e. the framework and the layout of streets and pedestrian routes and the urban grain, including the location, arrangement and design of the development blocks, plot arrangement and green infrastructure). The purpose of the illustrative Masterplan together with the other detailed principles set out in the Design and Access Statement is to provide a template for the detailed design stage of reserved matters applications and sets out the key urban design principles that the development will seek to adopt.
9. The vision for the development, set out in the DAS, states that, "*The overall vision for the site is to provide a distinctive and high quality place which enhances the qualities and character of Clifton.*"
10. *The development will create a sustainable mixed use extension including up to 3000 dwellings, with associated public open space and 20 hectares of employment. There will be a choice of housing to meet the needs of the area, while respecting and enhancing the sites environmental and cultural assets. It will promote the use of sustainable transport and plug into the existing public right of way network. The proposals will also provide a substantial area for employment use strategically located adjacent to the realigned A453, new local centre, 2 primary schools, (revised to one primary school following comments from the education authority) and sports and recreational facilities including a destination play area.*
11. *Development will be set within a robust green infrastructure which will include and unify the existing landscape features. This will help to integrate development within the landscape and create a distinctive sense of place. Rather than attempt to imitate existing built development, the design is informed and inspired by the character and detail found within the surrounding landscape."*
12. The application proposes the following:

Residential Development

13. The development would provide a maximum of 3000 new dwellings located across the site. The dwellings will range in type, size and tenure but will not exceed 12m in height. A proportion of the dwellings will be provided as 'affordable' properties. The level of affordable housing will be discussed later in the report but is intended to deliver a minimum of 10%.

Employment Space

14. The development would provide a maximum of 100,000 sqm of employment floorspace on a maximum area of 20HA to be located mainly on Plots M, N and L, on the eastern side of the site adjacent to the A453, as set out on the Parameters Plan. It is envisaged that some B1(a) office floorspace could be located within Plot A (adjacent to the Park and Ride) and within the local centre. The total floorspace would be a mix of B1 (light

industrial/office/research), B2 (general industry) and B8 (Storage and distribution) uses. For the purposes of the Transport Assessment the assumed mix of employment uses is 20,000sqm of B1 space, 40,000sqm of B2 space and 40,000sqm of B8 space. The maximum height of the employment units within Plot N, in the south western part of the site, would be 21m and within Plot M and L would be 16m. The employment spaces within Plot A and the local centre would not exceed 12m in height.

Social, Community, Leisure and Retail Development

15. The development proposes the incorporation of a range of social, community, leisure and retail uses. Retail provision of up to 2,500sqm is proposed falling within classes A1- A5, with buildings up to 12m in height. Non-residential institutions (Use Class D1) such as a health centre and community buildings, with a total of 1000sqm proposed as originally submitted, has subsequently been increased to 1500sqm in buildings up to 12m in height. Sports facilities/ changing room (Use Class D2) up to 1,000sqm with a maximum height of 12m are proposed. In relation to primary school provision 2 no. two form entry schools were originally proposed, this requirement was subsequently reduced following discussions with the education authority to a single three form entry school (630 place primary school) on a site of three hectares. This has resulted in a change to the illustrative masterplan with the school now proposed to be located on a single site adjacent to the destination park and sports pitches.

Vehicular Access and Circulation

16. There would be three points of access to the site, the two existing points of access from Nottingham Road, to the north and south of the site, and a new point of access from the road linking the A453 Mill Hill roundabout in the north west corner of the site to the NET Park and Ride site. It is proposed that the main street through the site would be a central boulevard linking the Mill Hill roundabout and the proposed local centre. The route would be designed to allow for the future extension of the tram, from the current Park and Ride site. The opportunity for a longer term extension of the tram to the south west is also proposed to be safeguarded. The design of the internal roads would be determined through the detailed design process, however, the approach to Nottingham Road, as set out in the application documentation, is for it to remain open but for traffic (both through traffic and scheme traffic) to be discouraged from using it. This would be achieved both by directing traffic to the A453 at Mill Hill roundabout, which would be a quicker and easier route into Nottingham, and through design and traffic calming measures to make it a slower and longer route to travel through the site on Nottingham Road. It is intended that the design of the primary road network would assist in reducing the amount of 'rat running' through the centre of Clifton and through the village of Gotham.
17. Improvements to the existing Mill Hill and Crusader Islands on the Strategic Road network are proposed. It has been confirmed that no direct vehicular access is proposed to the existing Barton Lane to discourage use of the underpass incorporated into Highways England A453 works for agricultural vehicles and pedestrian and cycle usage. Financial contributions are also sought to allow for the wider improvements to the A52/A606 Improvement Strategy.

Public Transport

18. The site is currently served by bus service 1 and 1A and the Park and Ride and Tram terminus is now open. New infrastructure within the site (road design, bus stops, real time information) is proposed to be provided to ensure that bus services can meet the needs of future residents.

Pedestrians and Cyclists

19. The layout of the development and highway network would be designed to include cycleway and footway connections to all parts of the development from the local road and footpath network. The pedestrian and cycle network would permeate through the site, providing access to other parts of the site itself and to surrounding areas. Where possible connections would be made to the existing Clifton urban area to help integrate the two areas. Existing public rights of way would be retained and enhanced where possible and secure and sheltered cycle parking would be provided within the local centre and within the employment areas. A linkage plan has been submitted by the applicant, which sets out the strategic vision for pedestrian and cycle access and includes linkages to the NCC Southern Cycle Route. Also proposed are pedestrian/cycle connections from the north of the site into the adjacent housing estate towards summerwood Lane and signage improvements to provide an on road cycle route to Gotham Village.

Green Infrastructure

20. The development would provide a significant amount of strategic green infrastructure, which would include a range of public open spaces, formal and informal recreation including a central 'destination' park together with areas dedicated for biodiversity enhancement.
21. The landscape features of merit within the site include hedgerows and occasional trees, of which the majority can be retained and enhanced within the development. Woodland planting is proposed between the new and old A453 routes to provide a landscaped Gateway and woodland setting to the development and a strong woodland edge around the south and west of the site linking to Brands Hill Wood. Sports pitches are proposed to the north of the site adjacent to the existing Clifton community and accessible for the future development. The low point to the southeast of the site is proposed to provide SuDS ponds, which are proposed to be designed to contribute to biodiversity enhancement. The application also includes the provision of allotments in the north east corner of the site, located adjacent to the existing allotment site.

Phasing

22. Taking into account the scale of the development proposed it is intended to be built out in a phased manner. The phasing programme as illustrated within a concept phasing plan, as set out in the Design and Access Statement, is proposed to provide flexibility for development areas to be brought forward in response to commercial considerations and community needs. It is envisaged that residential development areas, east and west of Nottingham Road up to the proposed Mill Hill roundabout would be made available early in the development process. Employment areas are also indicated to be

serviced quite early in the development process, once access from the Mill Hill roundabout has been established. With a development of this size it is anticipated that there will be a phased delivery of onsite infrastructure including the access roads, the improvements to Mill Hill roundabouts, landscaping and the delivery of the local centre, school, sport facilities and destination park. Details of phasing would be set out at reserved matters stage and continually reviewed throughout the construction process.

SITE HISTORY

23. An outline application 09/01025/OUT was submitted in 2009 for a development comprising residential development up to 5,500 dwellings; employment uses of mixed B1, B2 and B8 on up to 30 hectares; retail development (Classes A1 - A5); leisure use; community buildings; extension to Nottingham Express Transit with tram stops; park and ride site; primary schools; new roads, footpaths and cycleways; green and ancillary infrastructure and ground modelling. This was subsequently withdrawn in 2011 with the applicant stating that they had taken the decision at that time mindful of the uncertainty over future development requirements in Rushcliffe, the suspension of the A453 Improvement Scheme and the emergence of the Localism Bill.

REPRESENTATIONS

Publicity

24. The application was publicised for representation in August 2014 in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order. 13 site notices advertising the application and the accompanying EIA were displayed at various locations within and near to the site including notices in the surrounding villages. The required press notices were also placed in the Nottingham Post. Consultations were also undertaken with various bodies, including technical consultees and Parish Councils.
25. Further consultation with specific technical consultees and the Parish Councils has been undertaken on the receipt of additional information received since the submission of the application. Bearing in mind the technical nature of this information and taking into account that the proposal has not fundamentally changed, it was not considered necessary to consult with the wider community, including those who have commented on the application in response to the original publicity.

Ward Councillor(s)

26. At the time of the submission of the application, the Ward Councillor for the area was Cllr Vennett-Smith, who objected to the application on the following grounds:
 - a. The application should be rejected immediately on the grounds that it is premature pending the Core Strategy report.
 - b. Applicant submitted the application in order to influence the Inspector at the Examination in Public.

- c. Inadequate consultation undertaken and no attempt to consult on the Transport Assessment or the Environmental Impact Assessment.
 - d. Application submitted in holiday time and time for comment on the application is inadequate.
 - e. In 32 years as a local councillor he has never objected to a scheme more strongly than he does for this one.
 - f. He totally supports the points made by Gotham and Barton Parish Councils and hope the Council will take note of them.
27. The current Ward Councillor (Cllr Matthews) comments, *“As the Gotham ward councillor I fully support Barton in Fabis PC, Gotham PC and Ruddington PC objections to the Fairham Pastures Development. On a personal point I would have no objection in principle to the development after spending many hours discussing the Fairham Pastures Development with my Parish Councils if we could develop the Jewell in Rushcliffe’s crown. With this I mean a new modern fit for purpose site built and developed on the Poundbury site in Dorset principles but exceeding these in 2018 with a mixture of housing fit for this beautiful site that has affordable housing spread through the development and not just in one area. Also developing an employment area with clean, highly paid, long term position and not ugly tin roof distribution centres as spread all along the M1. What we need in the Rushcliffe crown is this site being unique for young and old working and living in the best development in Europe. We have a wonderful opportunity to create something all of us in Rushcliffe will be proud of for future generations please let us engage architect’s with a vision for the future.”*
28. An adjacent Ward Councillor for Ruddington (Cllr J Lungley) does not object

Town/Parish Council

29. Barton in Fabis Parish Council objected to the original submission on grounds which can be summarised as follows:
- a. Application contains misleading and/or inadequate information concern raised in specific areas and requests issues considered before application is considered.
 - b. Premature and insufficient time for comment.
 - c. Object to the entering into a PPA.
 - d. Failure to undertake any worthwhile pre-screening.
 - e. No attempt to consult on TA or EIA at pre app stage.
 - f. Boundaries of the site exceed the limit defined in CS.
 - g. Disagree that very special circumstances exist.
 - h. Urge removal of B8.

- i. Issues specifically around water resources and drainage, air quality, cultural heritage, transportation, cumulative effects, noise and vibration, ecology and landscape and visual effects.
 - j. PC looking to undertake EIA themselves.
 - k. Adequacy of EIA is questioned.
 - l. Content of Non-Technical summary is questioned.
 - m. Height of warehouse development questioned and cross section requested.
 - n. Request for revenues to enhance facilities in existing villages.
 - o. Potential cumulative impacts with proposed quarry.
 - p. Copy information submitted to Inspector on Core Strategy – lengthy document querying a variety of matters.
30. Gotham Parish Council, as an adjacent Parish Council, objected to the original application on grounds which can be summarised as follows:
- a. Similar to the comments of Barton in Fabis above – includes expectation that they would have financial support for improvement to their facilities and compensation for lack of rural amenity.
 - b. Concerned over rat running through Gotham.
 - c. Trajectory for start on Clifton by 2015 is totally unrealistic.
 - d. Welcome the extension of a dedicated cycle track to Gotham.
 - e. Must be long term plan to move this development into the city boundary in line with the principle of SUES.
 - f. Lack of consideration of the established facilities available in Gotham.
 - g. 3 SSSIs in Gotham – appear to be ignored in relation to air quality.
 - h. Attach copy of correspondence to Inspector on Core Strategy.
31. Ruddington Parish Council, as adjacent Parish Council, objected to the original application on grounds which can be summarised as follows:
- a. Object – increased traffic through Ruddington cutting between A60 and the new development.
 - b. Heavy vehicles through the narrow village streets are a particular problem. If the plans are agreed there should be a condition of traffic management measures put in place to mitigate.
 - c. The extension to the tram included in the plan should be a condition of any approval.

32. Barton in Fabis, Thrumpton and Gotham Parish Council have also appointed a Planning Consultant to act on their behalf and the following comments were raised by the consultant on the submission of the original application:
- a. Questions pre app consultation process – suggests legal requirement to consult on the whole application – no attempt on TA or EIA? Whether the application was consulted upon as required by the 2004 Planning Act.
 - b. Failure to not consult on EIA undermines objectivity of the EIA.
 - c. Request that reps from PC and himself attend project meeting.
 - d. Considers that PCs should be consulted early in EIA process.
 - e. Concern over Landscape and Visual Impact assessment.
 - f. EIA and biodiversity does not take into account likely impact on wildlife as a result of residents and their pets.
 - g. Historic Landscape, undue regard to designations.
 - h. Not possible to assess the value of existing landscape without full consultation with the public.
 - i. Deliverability – timetable to decision not realistic and a late start of site is inevitable.
 - j. Concludes that there is no evidence that Clifton south can make an effective contribution to any short term efficiency in the supply of housing land nor is there evidence that it will make a significant contribution to the need for affordable housing, in either the short, medium or long term.
 - k. There are serious flaws in the EIA in terms of general approach and the detail of the visual impact assessment. These can be addressed in full consultation with residents and visitors to the area. The three parish councils would be happy to facilitate this process.
33. The Parish Councils have been re-consulted on the additional information submitted and a planning consultant has responded on behalf of Barton in Fabis and Gotham Councils on matters other than highways. These comments are summarised as follows:
- a. They consider that all those who objected to the original application should be re-consulted.
 - b. There is nothing in the core strategy to prevent 20 hectares of B8, the traffic generation of an area of employment land varies within much wider parameters than for housing. The proportion of B1, B2 and B8 will need to be part of one or more detailed applications and the interface between the employment and housing will have to be considered.

- c. It is noted that the developers will be required to provide training but nothing is in this submission and presumes that some sort of capitalised cost will be built into the S106 and viability studies.
- d. Urge the Council to consider preparing a Masterplan in consultation with other stakeholders including his clients – justification is that there are many important issues such as access still unresolved, several developers will be involved, the development is likely to take at least 25 years.
- e. Maximum transparency is needed particularly with the affordable housing requirement, which is likely to depend on the viability assessment, makes a very significant difference to the profit or income of land owners. In addition, the provision of affordable housing was a key justification for the optimistic numbers of houses in Greater Nottingham, Rushcliffe and Clifton South.
- f. They request to see a copy of the viability assessment, less those sections which are commercially sensitive in a true sense. Suggest that assumptions on items such as building costs, infrastructure costs and income likely from the houses and the discount rates used are not commercially sensitive.
- g. Suggest that the key issue to be the lowest value of the land at which the owners are still prepared to release the site. Again this is a matter of opinion and it is considered that there is no harm in the council receiving a number of views.
- h. Hopes the District Valuer who is considering the assessment of land or site value has ensured that the estimated land or site value reflects emerging policy requirements and planning obligations.
- i. Consider that up to 30% affordable housing is a policy requirement.
- j. Whilst the extent to which the applicant's viability study should be in the public domain can be debated there is no question that any viability report by the LPA must be readily available to the public and reasonable queries should be answered.
- k. He draws attention to the viability position in relation to Clifton in the core strategy, which identified that there are no identified costs which would prevent the development of this strategic allocation. It is understood that affordable housing may be at 10% and a summary of the differences between the viability work undertaken by RBC in 2013 and the landowners in 2017 should be provided.
- l. He states that if a case can be made that the development is contrary to national policy on transparency and public consultation, and at odds with the development plan on the issue of affordable housing, then a case could be made for a call in.
- m. He considers that the improvements on the A52 are necessary and if a contribution renders this development unviable then so be it.

- n. In relation to the S106 any committee should only make a resolution where the contents of the S106 are known.
- o. He wishes to stress that the two parish councils fully accept the provisions of the Core Strategy but raise legitimate concerns over the next stage in the process – the consideration of the planning applications first in outline and then in detail.

Statutory and Other Consultees

34. Nottinghamshire County Council as Strategic Planning Authority have provided detailed comments on a number of areas, which can be summarised as follows:

Minerals

35. A proposed sand and gravel quarry has been identified to the north east of Barton in Fabis, in the Nottinghamshire Minerals Local Plan Preferred Approach. This is to the north west of the application site, however, given the location of the A453, Brands Hill and Brandshill Wood between the two developments, there is unlikely to be any impacts on either development. Access to/from the site would be from the old A453 before accessing the new A453 at the recently built Mill Hill roundabout outside the application area.

Waste

36. There are no waste safeguarding issues at this site. The proposal should seek the minimisation of waste and maximum use of recycled material in this design, construction and implementation.

Landscape and Visual Impact

37. In relation to physical impact on the landscape they note the loss of some trees, mainly identified as being low quality/value. The loss of these trees will be mitigated by new tree planting as part of the green infrastructure proposals. They consider that there will be space for the retained trees to be successfully retained and integrated into the residential scheme providing tree protection barriers are installed.
38. In relation to landscape character they consider that the design of the scheme will contribute to some of the landscape actions but not all as set out in County level Character Assessment. They note that within the zone of Clifton Slopes, the open and unenclosed character of Clifton Pastures will be lost due to the development of the housing areas as well as open and distinctive views from the A453. They consider, however, that the area will be enhanced by the woodland screening on the edge of both proposed urban area and the edge of Clifton. The moderate adverse impact on Clifton Slopes is balanced by the proposed woodland planting to the surroundings of and within the site but details of the management and maintenance of these areas should be provided.
39. The landscape and visual impact assessment concludes that there are no significant impacts on the landscape character of the above character areas, i.e. impacts greater than moderate adverse, which they agree with.

40. In relation to visual impact they query the Zone of Visual Influence and the height of the buildings proposed. They also suggest that significant visual impacts on some residents on the edge of Clifton. They suggest that additional green infrastructure should be included between the existing and proposed development to reduce the adverse impact of the new development on the existing edge of Clifton. They also consider that there will be significant adverse effects for users of Public Rights of Way at the top of Gotham Hill and users of the Public rights of way passing through the site east of Nottingham Road. They consider the visual impacts would remain as minor adverse.
41. The County Council suggest that the Green Infrastructure corridors entering into the site are broadened from those shown on the illustrative development plan.
42. The County agree there are no significant residual impacts. They suggest that more information is necessary about the proposed light sources within the development at full application stage.
43. In relation to Landscape Proposals the green infrastructure is essential to the success of the scheme and to mitigate the identified landscape and visual impacts. Maintenance and funding of these areas needs to be considered.
44. They consider that the Landscape and Visual Assessment has been carried out to the appropriate procedures and the methodology of assessment is clear.
45. They require further information on the Zone of Visual Influence, a layout drawing of the proposed housing which indicates heights of properties, additional green infrastructure between the existing and proposed development at the edge of Clifton, broaden the width of Green Infrastructure routes through the site to provide corridors from the belt of woodland to the south of the proposed site. Reconsideration of the visual impact on the existing Public Right of Way which has been assessed as negligible in the long term which is considered to remain minor adverse.
46. As part of the detailed planning application the following information will be required:
 - Detailed design proposals should refer to the species list for the South Nottinghamshire Farmlands.
 - More information is required about the night time visual impacts of the proposed scheme.
 - More details about how the maintenance of the site will be funded, including the maintenance of semi mature street trees and entrance gateway features. A management and maintenance plan should be provided at the detailed application stage.

Archaeology

47. Originally advised that an Archaeological field evaluation was required and this work should include a scheme of trial trenching as they considered that there is a high potential for extensive archaeological remains. Additional

information was provided. It is considered that whilst the work undertaken confirms that there is no clear archaeological reason why planning permission may not be granted, it does not conclude that the site is not of archaeological importance. It is therefore recommended that, if planning permission is granted, this should be conditional upon a) further archaeological evaluation for each phase of development and b) the development and implementation of a programme of archaeological investigation and mitigation for each phase of development. It is considered that this is a reasonable approach to de-risking the site while providing developers with the reassurance of a planning consent.

Infrastructure Requirements

48. Education - The proposal will generate a potential total requirement of 630 primary school places and 480 secondary school places. Insufficient capacity exists to accommodate all pupils generated by the development. There is a requirement for the provision of primary school accommodation on site. Secondary School provision can be achieved by way of expansion of East Leake Academy.
49. S106 Matters - Throughout the application process discussions have been ongoing in relation to suggested S106 contributions. The County Council have reviewed the comments which were previously sent to the Borough Council, and the contributions required, and these are summarised below (which would need to be subject to appropriate indexation). More detailed information about these requests, including justification and phasing was provided in appendices, which are available to view on the website.
50. Primary Education obligations - The County Council originally requested the provision of two primary schools (one 420 place and one 210 place with nursery provision) on two 2.0 hectare sites. Having given further consideration to this matter, including the wider issues around the future viability of schools of less than two forms of entry (FE), the County Council's preferred approach is for the developer to make a site and funding available to enable the construction of one three form Entry (630 place) primary school to serve this development, which would require a single three hectare site, located in association with the first phase of development. It has been confirmed that there is now no requirement for nursery provision to be delivered as a planning obligation as this is not a statutory duty on the local education authority to make such provision. The cost of a school of this size is estimated as between £8,482,000 and £10,006,000 (with additional design costs), depending on the phasing of the delivery.
51. Secondary Education obligations - Since the County Council's original response of 2nd December 2014 the number of surplus places at the closest secondary school (East Leake Academy) has fallen from 140 to 118 places. The County Council are, therefore, requesting a financial contribution of £7,185,338 (£19,849 X 362) towards the provision of an additional 362 places. As the Academy is a PFI school the costs of expanding this type of school are 15% higher than those costs related to a non PFI building and, therefore, the cost per pupil is higher than that sought on other schemes.

52. The Borough Council has queried the additional PFI cost which has been applied to the normal contribution sought. A detailed response to these concerns has been submitted which suggests that any changes to the PFI site will involve discussions and negotiations with the School and their professional advisors which will be expensive. They suggest that such a procedure is far more complex and involved than a non PFI site and the uplift is justified on this basis.
53. School Bus Service obligations - Local education authorities are required to provide transport where it is necessary to ensure a child's attendance at school. This applies to all children, including those with special educational needs and disabilities (SEND).
54. As stated above the nearest catchment school to the development site is the East Leake Academy, which is greater than 3 miles from all parts of the development. A school transport contribution of £1,535,273 will, therefore, be required to ensure that appropriate statutory school transport is provided for pupils living on the site. This has been projected through the build-out phase of the development i.e. 17 years, and not in perpetuity (as previously stated in their response of the 2nd December 2014). Further information has been submitted to justify this request, which in summary provides background information in relation to who is entitled to free transport, how this will ensure sufficient capacity if provided to cater for the additional demand and ensure all areas of the development area accessible to the school transport provision. Funding for Local Authority school transport policy does not originate with the Direct Schools Grant but is derived from the Authority's own budget. Therefore, the County Council is asking for a contribution to cover this additional budget pressure.
55. Local Bus Service obligations - To ensure that the site is sustainably served by public transport, a contribution of £1,233,169 is being sought for additional bus vehicle resources with the following indicative allocations:
- Nottingham City Transport Service 1 (Loughborough – East Leake – Clifton – Nottingham) utilising an additional 2.4 vehicles (2 vehicles, plus peak hour weekdays enhancement); and
 - Nottingham City Transport Service 53 (Ring Road Service) – utilising an additional half vehicle resource to enhance peak hour capacity.
56. Further justification has been submitted to support this request which suggests that peak hours' buses operate close to full capacity and any spare capacity on the existing service will be absorbed from forecast demand arising from new developments at East Leake. It is understood that build out in the early phases of the development will be close to the route of Service 1 and therefore there will not be a requirement to provide additional vehicle resources to serve the roads within the development until after year 4.
57. Waste and recycling obligations - The West Bridgford Waste and Recycling Centre is currently operating at full capacity and is no longer fit for purpose. Due to significant actual and proposed housing development in the area a new fit for purpose site will be required. To assist with the delivery of such a facility the County Council is seeking a contribution of £204,743.22 from this scheme which is proportionate to the level of development proposed.

58. The Nottinghamshire County Council were consulted on the additional information submitted and the following additional comments have been made:

Minerals

59. An application has been submitted to Nottinghamshire County Council for a proposed sand and gravel quarry to the north-east of Barton in Fabis. The proposed quarry is to the north-west of the application site, however, given the location of the A453 (existing and new), Brands Hill and Brandshill Wood between the two developments there is unlikely to be any impacts on either development. Access to and from the site would be on to the existing A453 before accessing the New A453 at the recently built Mill Hill roundabout outside the application area.
60. The application site is not within a Minerals Safeguarding and Consultations Area.

Waste

61. In terms of the Waste Core Strategy, there are no existing waste sites within the vicinity of the site whereby the proposed development could cause an issue in terms of safeguarding existing waste management facilities (as per Policy WCS10). As set out in Policy WCS2 'Waste awareness, prevention and re-use' of the Waste Core Strategy, the development should be 'designed, constructed and implemented to minimise the creation of waste, maximise the use of recycled materials and assist the collection, separation, sorting, recycling and recovery of waste arising from the development.' In accordance with this, as the proposal is likely to generate significant volumes of waste through the development or operational phases, it would be useful for the application to be supported by a waste audit. Specific guidance on what should be covered within a waste audit is provided within paragraph 049 of the Planning Practice Guidance.

Ecology

62. The Ecology Mitigation Illustrative Layout plan, dated January 2015 is an evolution of a document that they had sight of at the end of 2014, and they can confirm that it reflects the comments that were made at that stage; so in summary, they are supportive of the principles of ecological mitigation as set out on the January 2015 plan.
63. Therefore, compliance with the principles set out in the Illustrative Layout should be secured as part of any planning permission (i.e. through a condition), along with the submission of more detailed proposals (through, for example, a Habitat Creation Plan). Long-term management of the area should also be secured, through a S106 agreement or other suitable mechanism.
64. The Nottinghamshire County Councils Rights of Way Officer makes the following comments:

- a. Pleased to see that the existing footpath is being retained on (or very near) to its current route which is a direct route towards Gotham. Legal status and resultant maintenance issues are commented on.
- b. Happy to see that a bridleway link from Barton Lane to Gotham is shown but appreciate that this may be outside the scope of the development.
- c. There seems to be a good network of paths and accesses around the development to facilitate pedestrian and cycle movements in most directions.
- d. There are a number of new paths proposed. If these are to allow cycles but not horses, then they need to be adopted. If they are to include equestrians, then they can consider if they are to add to the network and NCC Rights of Way team take them on. However, the surfacing of this is crucial and anything with tarmac is unlikely to be taken on as a definitive bridleway.

Other Matters

65. Discussions have been held with Officers at the County Council in relation to their requests for financial contributions and our considered position on some of the requests. Their comments on this matter are summarised as follows:
 - a. The County Council believes the requests for obligations it has made are necessary to make the development acceptable. It is disappointed that its requests for funding towards County Council services are not going to be met in full but acknowledges the reasoning behind this as set out in previous correspondence.
 - b. It is noted that as the Clifton development will be built in several phases over a long period and that many of the current development costs are likely to be provisional, there is a case for the S106 agreement to include provision for a viability re-appraisal during the lifeline of the construction phase to take account of changes in the value of development and the costs of delivery.
 - c. It is understood that the development has been subject of a funding bid to provide grant aid to assist in improving the viability of the development and that the developers have agreed to revisit the level of obligations provided should this bid be successful. It is important that a mechanism is identified in the agreement to enable this change to occur.
 - d. Given the scale of development proposed through this planning application and the partnership working needed over implementation, it is requested that the County Council be a signatory to the S106 agreement in order to be fully engaged in its ongoing development, monitoring and review.
 - e. They look forward to continuing to work closely with the Borough Council to help achieve a successful development.

66. Nottinghamshire County Council as Local Highways Authority have been in protracted discussions with regard to the modelling of the Transport Assessment and bearing in mind the nature of the objections that have been submitted on this application, the comments of the Highways Authority are set out in full in the following paragraphs and read as follows:
67. *“Further to our previous comments the development has been the subject of significant consultation and discussion between the applicant’s agents and the Highway Authority. As result two further technical notes have been produced, Technical Note 2 (TN2) which seeks to address comments made by the Highway Authority and Technical TN3 which seeks address concerns raised by the local Parishes of Gotham and Barton in Fabis.*
68. *Having reviewed both notes and other additional information provided by the applicant, we would update our previous view as follows:*

Traffic Impacts

69. *Our previous comments highlighted the fact that the data previously provided covered a limited area in and around the application site and did not sufficiently cover a number of villages to the south and south west of the development particularly villages such as Gotham, East Leake and Ruddington. In addition, concerns were raised regarding the potential impact of the development along the A60 corridor.*
70. *In order to address our concerns a further technical note TN2 was produced which provided further output plots from the Greater Nottingham Transport Model (GNTM) which provided details of the development impact over a wider area.*
71. *Whilst TN2 seemed to provide greater clarity with regard to the traffic impacts over the wider area, it was noted that the initial data provided did not fully reflect the likely scenario once the development was complete. The primary reason for this was the transport model used assumed full closure of Nottingham Road through the development site. In reality Nottingham Road is to remain open but on a more tortuous alignment which is intended to significantly reduce the amount of through traffic. Unfortunately, there is no provision within the transport modelling software to allow for a more tortuous alignment, it either has to be modelled as either open or closed. Therefore, in order to overcome the above issue it was requested that further modelling be undertaken and the model re-run for the development scenario with Nottingham Road fully open.*
72. *Results of the additional modelling are contained within technical note TN3 and are shown on Page 3 within Table 1. Overall the results indicate that for the modelled scenario where Nottingham Road is fully closed the majority of flows for the AM are within acceptable levels with increases in flows in one direction often counter balanced by a reduction in the opposite direction. The exceptions to this are the B680 Wilford Road in the AM Peak as well as Clifton Lane and West Leake Lane in the PM peaks. Further clarification was sought from the applicant’s agent in this regard and the increases were explained to be a re-routing effect from the full closure of Nottingham Road. In reality this will not occur as the model predicts due to Nottingham Road*

remaining open, albeit on a longer and more tortuous alignment than the existing road.

73. *The results for the modelling scenario where Nottingham Road remains fully open suggest that whilst generally the AM peak flows are likely to be acceptable, significant increases in traffic occur in the PM peak, particularly on Clifton Lane, Kegworth Road and West Leake Lane. Having sought clarification as to the reason for the increased flows the applicant's agent has confirmed that they are largely due to vehicles rat-running between the A52, A60 and A453. Due to the fact that in this modelling scenario Nottingham Road / Kegworth Road still provides an attractive alternative to other routes.*
74. *Should the flows shown in the sensitivity test come to fruition then the proposed development would raise significant concerns from a congestion standpoint. In order to allay these concerns we would normally require further detailed modelling be undertaken at junctions along the routes in question and improvements provided where necessary to ensure any delays are mitigated. However, what must be recognised is that the sensitivity test is not the actual development scenario. It is an illustration of what would occur if traffic on Nottingham Road remains unhindered, and as such give an absolute worst case scenario. The reality is that flows will be constrained by the revised alignment of the road through the site and therefore actual traffic numbers are likely to be significantly lower than those shown in the modelling.*
75. *Realistically the levels of traffic associated with the development will lie somewhere between the two scenarios and the degree that traffic sways towards one or the other will be very much dependant of the success of the re-alignment of Nottingham Road and associated traffic calming measures.*
76. *It is also perhaps worth noting that both the above scenarios are based on baseline data that appears to have overestimated the background traffic flows in the area. Validation counts taken in 2016 on the A60 and A453 show actual level of traffic on the ground to between 15 and 23% lower than what is currently being used in the model as a baseline condition. Therefore, there may be more capacity on the local network than suggested by the modelling.*
77. *What the above illustrates is that despite the significant amount of modelling that has been undertaken, it is difficult to conclusively determine the traffic impacts of the development. Should the traffic generated by the development follow the profile predicted in the original development scenario then overall it would be difficult to conclude that its impact would be sufficiently severe to merit a recommendation of refusal.*
78. *Should the diversion of Nottingham Road prove unsuccessful then traffic levels may well reach levels which would require further mitigation to be provided in order to bring it an acceptable level. Whilst further detailed modelling could be undertaken at this stage in order to determine possible impacts (and associated mitigation requirements) for this scenario, it must be recognised that what has been considered to date is an absolute worst case which is unlikely to ever be realised. Therefore, requiring further modelling work and improvements for impacts which may never occur could be considered unreasonable.*

79. *In addition to this the scale of the development is such that it will take a number of years to be fully built out. In the meantime, traffic patterns in the local area may have altered significantly, hence any assumptions made currently may be proven invalid in any case.*
80. *Given the degree of uncertainty and lengthy build out time, the Highway Authority would wish to see provision secured within the planning permission to enable us to monitor traffic as the development progresses and re-visit the requirement for mitigation should it arise. Such an approach has recently been applied in Nottinghamshire on a similar sized development south of Newark. Effectively a condition in the outline planning permission established the baseline traffic data, and then further conditions were applied requiring a review of the traffic at agreed intervals within the development with an associated requirement to mitigate any adverse impacts should they be required.*
81. *The scale of development is such that it will likely be built out via a number of reserved matters applications, each of which would require their own transport assessments. Therefore, the additional work that would be associated with complying with the conditions suggested above would not be appreciably greater than what would be required in any case. It would however, offer considerable benefit in terms of allaying the concerns of the local Parish Councils, and residents as to the validity of the transport model as any unforeseen impacts could be remedied as they arise. It would also enable the current application to move forward from a transport modelling standpoint as no further modelling would be required until submission the first tranche of monitoring data post planning.*

Public Transport

82. *Further to our previous comments the site has been considered by our Travel and Transport Services Team who have provided their own detailed comments directly to the LPA. Without re-iterating the full detail of their comments, we feel it would be useful to provide a summary of their position.*
83. *Currently three items have been requested in order to make the development suitable in terms of Public Transport:*
1. *A local bus service contribution of £1,233,169 for additional buses to be added to existing services to cope with the increased demand generated by proposed development.*
 2. *An education bus service contribution of £1,535,273 to enable the County Council to provide a bus service to the nearest County secondary school for the additional children associated within the development. This is required as there is currently no secondary education provision being provided within the development and therefore children from the development will need to be accommodated at the nearest County secondary education facility with suitable capacity which in this case is located in East Leake.*
 3. *Suitable bus stop infrastructure to serve the development including:*
 - *Bus Shelters (Polycarbonate or Wooden dependant on location)*

- *Real Time Pole & Displays including Associated Electrical Connections*
- *Solar/Electrical Lighting in Bus Shelters*
- *Raised Boarding Kerbs*
- *Lowered accessibility kerbs*
- *Enforceable Bus Stop Clearways*

84. *It is recommended that items 1 and 2 are secured via a S106 agreement or similar. Item 3 could also be secured via a S106 agreement; however, it may be better to secure these items via condition requiring a bus infrastructure delivery plan or similar.*

Travel Plan

85. *The Travel Plan has been subject to several updates and revisions. Whilst there still some outstanding issues none of these are considered insurmountable. The outstanding items for resolution as confirmed by e-mail on 05-07-17 are as follows;*

1. *The TP assumes that all trips generated by the School will be from those within the development (i.e. internal) and will therefore travel to/from the school by bicycle or walking. This is not a reasonable assumption in this case. Teachers and staff at the school are not likely to live on the Site and there will therefore be vehicular trips generated by this group, and some children are still likely to enter the site from outside.*
2. *In addition, many parents are likely to drive to the school on-route to/from work or other commitments. The Travel Plan should then suggest measures to address these trips, or there could be a commitment to produce a separate school travel plan at the appropriate time (with connectivity to the main travel plan site). It is not clear what the “leisure” uses are, and how these would be restricted to just occupiers of the site.*
3. *Given the location of the Site amongst walking and cycling infrastructure, there should be a commitment to improve walking and cycling modal share across the lifespan of the Travel Plan, even if these targets are only an interim target to be reassessed (with the agreement of NCC) following establishment of actual travel behaviours. This commitment to encourage walking and cycling should be reflected in the ‘measures’ section.*
4. *The TP layout still remains muddled in certain sections. Sections 5.2.3 to 5.2.12 (inclusive) present the measures to be taken to meet the targets set. However, at the beginning of each sub-section, a description of the existing travel infrastructure is provided. This should be included under section 1.2 since these refer to the ‘baseline’ travel conditions. Sections 5.2.15 to 5.2.18 all describe measures to minimise traffic impact as well as meet travel targets, as such these should be included under the ‘measures’ section. Monitoring and review should be included after all of the ‘measures’. Junction drawings are not necessary within the TP.*

86. *Notwithstanding the above we note that the Travel Plan is currently in an 'Outline Travel Plan' and therefore may be subject to change as works progress on site and further detail regarding site layout, housing types and B1/B2 mixes become apparent. In view of this and in the interest of moving matters forward, our Transport Strategy Team have confirmed they would be content for the outstanding issues to be addressed a part of a final detailed Travel Plan provided that said plan and associated matters are secured via a suitable planning condition.*
87. *With regard to the Tram, we note that the documentation makes reference to a possible future extension into the development. No commitment has been made to provide funding towards the extension and therefore any extension would need be paid for by either NET or the public purse. It is unclear at this time when (if ever) such funding would be made available.*
88. *Nonetheless an offer by the developer to set aside a corridor within the site for future expansion is welcomed. The extent of what land is required will need to be agreed and secured by a S106 agreement or similar. Whilst the extension of the route would sit within the County our current involvement with tram is somewhat limited. It is therefore recommended that the LPA consult directly with NET as to what land would be required to facilitate a future expansion and whether the area proposed is suitable.*

Pedestrian and Cycle Routes

89. *Included in the re-consultation documentation is a Strategic Pedestrian and Cycle access plan (1667-P-302 I). This plan shows the development in the context of local pedestrian / cycle routes and provides an indication as to how it will connect to the wider pedestrian/ cycle network.*
90. *We welcome the additional measures proposed and subject to a condition which secures the offsite cycle and pedestrian improvements we are content that the development provides suitable measures to encourage non-motorised travel choices as recommended in the NPPF.*
91. *For the avoidance doubt, we request the following offsite works secured by condition:*
1. *A new cycle route connecting the NET Park and Ride with the Crusader Roundabout.*
 2. *A new cycle / pedestrian route on Clifton Lane connecting the existing cycle route on Farnborough Road Clifton to the existing route on Pasture Lane Ruddington.*
 3. *A connection from the site to the existing cycle route on Green Street and improvements to the cycle signage between the Development Site and East Midlands Parkway Railway Station.*
 4. *A connection to the Green Street over the A453 at Mill Hill, if feasible as part of the junction improvements required to serve the development.*
 5. *Pedestrian/Cycle connections from the north of the site into the adjacent house estate towards Summerwood Lane.*
 6. *Signage Improvements to provide an on road cycle route to Gotham Village.*

Developer Contributions and Financial Obligations

92. *Our previous comments made reference to our planning obligations strategy and gave a broad indication of the likely scale of sustainable transport measures we would expect to be provided as part of this development.*
93. *Taking into account the scale of Public Transport contributions sought, proposed bus infrastructure, and the improvements to the local pedestrian and cycle routes listed above we consider the combined value of sustainable transport measures to be provided as part of the development to be of an equivalent value to that recommended in our planning obligation strategy. We therefore will not be seeking any further financial contributions towards sustainable transport measures.*

Conclusion

94. *In view of the above the Highway Authority have no objection to the proposed development subject to conditions and provisions.*
95. Nottingham City Council (NCiC) - In response to Core Strategy consultation process the NCiC has previously expressed its position on development south of Clifton commenting that such an urban extension cannot be supported unless following provisos are met:
- The necessary infrastructure (especially green and environmental infrastructure) being in place
 - The development fully integrating with and supporting existing facilities in particular the development should support and enhance the vitality and viability of Clifton District Centre
 - The development being a mixed development including significant employment opportunities which are appropriate and accessible to Clifton residents; and
 - The development being built to the highest environmental standards.
96. They welcome further involvement in the schemes evolution and masterplan development.

Urban Design

97. In view of the outline nature of the proposal it is difficult to expand on such urban design issues previously raised – Use of a Design Review Panel is recommended and NCiC may have scope to accommodate in this regard. Connectivity and interaction with Clifton is key, based on masterplan submitted some concerns are raised particularly the interaction between existing and proposed streets and dwellings with greater emphasis required on connecting routes for pedestrians, cyclists and motorists. NCiC would not support a green walkway/buffer that segregates the developments and considers that a sophisticated approach to the layout would be required that more closely integrates the two.
98. The playing fields are welcomed and the school locations should be considered in relation to these – appropriate changing facilities should be included and be readily available to the community of Clifton. The management of these facilities is questioned.

Employment

99. NCiC also welcomes the employment opportunities proposed particularly the appropriate positioning to the north western boundary along the A453 corridor providing good connectivity.

Housing

100. They consider that this development would be beneficial to the conurbations offer overall and potentially provide uplift and expand the attractiveness of the NCiCs Clifton area. NCiC would welcome involvement in further discussions on the tenure mix of affordable housing. They expect that this element would be made up of a range of tenures available and that as far is sensible and viable, reflecting the type/size mix of the market housing. Also expect that the affordable housing would be integrated throughout the overall housing offer. Any increase in density towards the new local centre would be appropriate in urban design terms and that a distinct overconcentration of small social rented housing between the park and ride and sports field be avoided. Also advise against a distinct overconcentration of social rented accommodation on plot K.
101. The inclusion of a Gypsy and Traveller Site in the framework is welcomed as a proactive measure. The location is broadly in keeping with the expectations of the traveller community in that it has sufficient connectivity to services and amenities yet from a wider community perspective its location is sympathetic to the surrounding land uses. The site although small could provide a key number of pitches to meet the needs of travellers across the broader conurbation. Key to the implementation and sustainability of the site will be its management. There is no mention of the site tenure or management although they would suggest that it was either under the management of the local authority or an appropriate registered provider such as Framework.

Local Centre

102. This should not compete with Clifton as the primary District Centre. Development should, therefore, be of an appropriate scale and nature to its role and function particularly by way of smaller unit types with an individual floor space of no greater than 500sqm gross (recommend that this be controlled by condition). This will ensure that the proposed local centre makes a positive contribution to the wider development without compromising the vitality and viability of Clifton District Centre.

Local Employment and Training

103. The Nottingham Jobs Hub will positively work in collaboration with existing RBC programmes and DWP to ensure local residents from Ruddington, Clifton and wider area can access the employment and training opportunities generated by this substantial investment. The agreement of a Local Employment and Training Plan between RBC (plus NCiC) and the developer should:

- Set targets for the number of new vacancies, apprenticeships and work experience placements that will be generated as part of this

investment in both the construction phase and in the employment space to be developed

- Require the developer, the main contractor and all subcontractors and employer tenants to work with a targets recruitment service such as the Nottingham Jobs Hub which is working to upskill and provide opportunities for unemployed NCiC and RBC residents
- If possible pay an employment and training financial contribution which ensure local residents have the skills to work on site and within the new development once it is completed.

Education/Schools

104. The education facilities proposed should be accessible by a range of transport modes and appropriate to the development having regard to the capacity of existing facilities nearby. A number of queries were raised in relation to whether the primary schools would have nursery provision, what their catchment areas would be, when would the schools open and how would they open, how many preschool and school age pupils live on the development and what key stages is it believed they would be in and how are secondary places being addressed.

Highway Observation

105. Lengthy comments are made in relation to the TA, Public Transport and Travel Plan but are summarised as follows:

- a. Clarification is sought about what consideration has been given to the potential increase in the popularity of the Clifton Park and ride site as a result of the development in determining whether the revised Mill Hill roundabout will operate within capacity.
- b. It is noted that it is suggested that the Clifton NET line currently due to terminate within the new Clifton park and ride site would be extended into the development site whilst a series of pedestrian and cycle linkages will be created into the existing Clifton Estate, the latter of which are particularly welcomed and enhancement of the city's existing walking, cycling and riding network.
- c. They are surprised that no new bus services are being considered and that the existing network is being relied upon.
- d. It is imperative that RBC and NCC as the local planning and highway authorities secure the Travel Plan with appropriate conditions and clauses to ensure it is followed through on.
- e. Some concern that unless the Public Transport Strategy is actioned as expected, the junction of Clifton Lane/ Nottingham Road in close proximity to the Clifton park and ride site may bear the brunt of additional traffic as a result of the development site.
- f. Need to ensure that new facilities are adequately signed so as not to impact upon the operation of the existing Clifton Estate highway network, but also what consideration has been given to the possible

increase in the popularity of existing facilities in Clifton and the associated impact on the surroundings.

106. In terms of public transport NCiC note that the site falls under NCC jurisdiction and they support their initial response. Ultimately the development should ensure good bus access with preference for direct links into the City and possible links into the expanding nearby college. There is also a possibility that commercial bus services in the area NCT2,3, 48, Trent Ruddington Connection could be extended into the proposed development, however, based on expenditure elsewhere it is unlikely that this will be commercial straight away and a three-year subsidy would be considered appropriate to ensure a good frequency and initial take up. In addition, there would be need for bus infrastructure funding (shelters and real time displays, accessible kerbs etc.) at approximately £10K per bus stop. NCiC would also advocate a ticketing incentive to all households to ensure quick uptake.
107. NCiC recommends that each household be provided with a number of Kangaroo travel cards pre-loaded with 12/6 months of credit dependent on the type of dwelling and number of bedrooms.
108. NCiC consider that the key points to address in the Travel Plan are:
 - a. Lack of free public transport ticketing for residents.
 - b. Lack of travel planning content for residents.
 - c. Ambiguous working of policies and schemes that may lead to non-delivery.
 - d. Lack of engagement with operators to enhance services on site.
 - e. Lack of financial commitment to enhance services on site.
 - f. Lack of infrastructure and suitable routing to attract operators on site.
 - g. Extension to the kangaroo ticket boundary area must be provided.
109. Since the submission of the original comments the City Council requested that the Borough Council look to include the provision of a link road through to Summerwood Lane. A feasibility study was undertaken by the City Council which recommended the widening of Summerwood Road and provision of a new link road through the disused Fairham school site which is identified as a possible site for housing development by the City Council. Initial cost estimates suggested that this would cost between £750,000 to £875,000.

Drainage

110. As the development is sited in Rushcliffe the risk of flooding to the development is the concern of NCC as Lead Local Flood Risk Authority and the EA – comments relate solely to the potential flood risk impacts of the development to the NCiCs administrative area.
111. The proposal to accommodate the 100-year event with a 30% allowance for climate change on site with discharge rates controlled to the Greenfield runoff rate is welcomed and correctly designed and constructed will protect downstream areas from the effects of increased runoff due to urbanisation. The detailed drainage strategy should go further to align with the technical requirements of the emerging National Suds Standards.

112. The outfall locations are along a length of Fairham Brook that is the responsibility of the IDB. Consultation with the IDB is recommended to agree the runoff rate as the IDB use a runoff rate of 1.4l/s/ha for agricultural land which is significantly less than the calculated Greenfield runoff rate quoted in the FRA and would affect the SUDS proposals. The lower rate is preferred as this will further protect downstream areas from increased runoff from the development. Management issues of the surface water sewerage networks needs to be developed.
113. NCiC is aware that STW has identified a need for offsite upgrades to their sewerage network to accommodate additional flows that will be generated by the new development. The development should be phased in consultation with STW to ensure that there is no increase in sewer flood risk in the downstream area of Clifton.

Health, Leisure and Sports Facilities

114. Green Infrastructure is considered to be well located, there is a large buffer from Fairham Brook with Public Open Space adjacent. Playing pitches are at the north of the development, considered to be more accessible for use by existing Clifton residents and should help to reduce visual impacts along the boundary. Future potential for pedestrian/cycle access is shown in the Design and Access Statement from the southern boundary of Clifton into the playing pitch area. This would be welcome.
115. The allotments shown adjacent to Summerwood Lane Allotment Association plots are considered to be positive for biodiversity connectivity. Although there is a very small (approx. 7 plots) currently under used and inaccessible allotment site known as Clifton Estate Summerwood Lane (located to the rear of even 154 to 196 Summerwood Lane) which if the developer were minded to provide a second area of allotments for the new development or make their provision provide a second area of allotments for the new development or make their provision by providing two smaller sites rather than one large one, a second allotment site could be located to connect with this smaller City site allowing access and making better use of the space.
116. A destination level play area is shown towards the north centre of the development, positioning of which should also mean that it is suitable for use by existing Clifton residents which is welcome.

Clifton Leisure Centre

117. With respect to Clifton Leisure Centre and its capacity NCiC recently ran the Sport England facility planning model which took into account housing growth through to 2023, the outcome being sufficient supply of both water space and hall space to cater for the current and future demand for facilities. The model does not examine the health and fitness demand but it is considered that any increases could be accommodated within the centre.
118. NCiC Environmental Health – comment as follows:
119. Air Quality - The 'precautionary approach' modelling for receptors being properties near the Crusader Island indicates that the increases in the predicted annual mean concentration of NO₂ in 2032 as a consequence of

the development range from between 2 & 4 mg m⁻³. These are significant increases in the predicted concentrations although it is noted that concentrations without the development are expected to exceed the relevant air quality objective for most of these locations. In relation to the other modelling results there are predicted increases as a consequence of the development although those predicted increases are not so much of a concern.

120. Nottingham will be required to establish a Clean Air Zone. The nature & extent of the CAZ is currently being worked on by Nottingham's Environmental Health Team in conjunction with Defra. It is expected that there would be some sort of consultation with neighbouring authorities including Rushcliffe on the implications of the CAZ for both Nottingham & surrounding authorities. Given the scale of the development & as the implications of the CAZ may be more apparent in the coming year or so it may be appropriate for the AQ modelling & implications to be reassessed in the light of more concrete CAZ proposals.
121. Concern is expressed regarding the potential impact of deteriorating air quality on city residents & would look to the adoption of appropriate & reasonable mitigation measures to reduce its impact. It is suggested that the following is considered which would be of significant benefit to AQ in both Rushcliffe & the city:
 - a. Electric charging points throughout the development and appropriate cable provision to be included in the scheme design and installed as part of the development.
 - b. Consider designating the area as a Smoke Control Area to ensure some, albeit limited, control/enforcement is available to Rushcliffe on the burning of solid fuel/biomass systems & associated emissions.
 - c. In terms of travel provision – mention is made of the possibility of extending the NET into the development, this & the extension or provision of bus routes into the city centre & West Bridgford would provide a viable alternative to personal vehicle use.
 - d. All residents of the development should be provided with a personalised travel plan giving alternatives to personal vehicle use.
122. Noise - In relation to the sports pitches & employment uses the following comments are made:
 - Sports Pitches - consideration needs to be given to the location of these uses to avoid conflict with residential amenity and if any of the pitches are floodlit then they would recommend that restriction of the hours of operation are considered in relation to evening & weekend use as appropriate to reduce the likelihood of nuisance arising.
 - Commercial/Industrial Noise - the current location of employment uses will not directly affect city resident's employment uses.
123. The Nottingham City Council have been consulted on the additional information submitted and the following response has been received:

124. *“Regarding the additional information now submitted relating to technical transport matters, pedestrian/cycle access proposals and the revised Travel Plan, it is hoped that these address the issues raised in our previous response; the comments made at that time would remain the NCiC’s position on these matters. The changes to the Illustrative Development Framework Plan and the increase in the amount of D1 floorspace are noted and are not in themselves matters on which NCiC would wish to comment further. However, given that the majority of the Framework Plan is largely unchanged, NCiC would wish to re-iterate the comments set out in its previous letter of 14 September 2014 and in particular its response to Rushcliffe’s Core Strategy consultation process. This stated that the urban extension can only be supported with the following provisos:*
- *The necessary infrastructure (especially green and environmental infrastructure) being in place;*
 - *The development fully integrating with, and supporting existing Clifton facilities, in particular the development should support and enhance the vitality and viability of Clifton District Centre;*
 - *The development being a mixed development including significant employment opportunities which are appropriate and accessible to Clifton residents; and*
 - *The development being built to the highest environmental standards.”*
125. National Planning Casework Unit - acknowledge receipt of the Environment Statement and they have no further comments to make.
126. Highways England - initially determined that insufficient information had been provided to enable the Agency to form a substantive response. Following a period of discussion and the submission of additional information Highways England confirmed that conditions should be attached to any planning permission and consents to access for any connections to the Strategic Road Network as part of this application. They have commented as follows:
- a. Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.
 - b. They advise that their response is their formal recommendations with regards to Planning Application Reference 14/01417/OUT and has been prepared by Highways England, Midlands Region.
 - c. Highways England has considered the transport assessment for the development prepared by Lawrence Walker Ltd and has concluded that mitigation is required to address the impact arising from the Clifton

Sustainable Urban Extension development at both the A453 Crusader roundabout and the A453 Mill Hill roundabout.

- d. Highways England has been in contact with the applicant, who has submitted drawings and assessment of proposed mitigation at the A453 Crusader and has provided additional information related to the A453 Mill Hill roundabout.
- e. Having reviewed the submitted information, Highways England has concluded that the mitigation proposed is acceptable.
- f. In addition, the Rushcliffe Local Plan Part 1: Core Strategy indicates that, in order to address the impacts of future development in Rushcliffe (including the Clifton Sustainable Urban Extension), a package of junction improvements is required on the A52 and that developments should contribute towards the delivery of these improvements. Highways England has agreed with Rushcliffe Borough Council and Nottinghamshire County Council a process for securing these developer contributions and this is set out in the A52/A606 Improvement Package Developer Contribution Strategy Memorandum of Understanding September 2015.

127. Therefore, Highways England has no objections to the application subject to conditions which require a phased development of the required improvements.

128. Highways England have confirmed that they have reviewed the additional information and have determined that this will not result in any material change to the operation of the Strategic Road network and recommend that their previous response remain in place. Since that response, further discussions have taken place in relation to the proposed triggers for the improvements to be made and this has resulted in conditions which allow for a phased delivery if necessary of the improvements to Mill Hill roundabout and a revised trigger on the Crusader Roundabout to allow no more than 1,500 dwellings and 50,000sqm of employment development to be occupied prior to the improvements being completed.

129. NET (Nottingham Express Transit) - welcomes the proposal to safeguard a potential extension of the tram system from the Clifton Park and Ride into the proposed development. They also make the following comments:

- a. At this stage there has not been detailed design undertaken for this alignment, however, this will need to be developed to ensure that the track alignment is optimised both for the tram system and the adjacent properties. A condition is requested requiring the developer to agree the route for safeguarding.
- b. Consideration will need to be given to the significant level differences, the location of any tram infrastructure that could be required (such as a substation and cabinets) and the potential for noise and vibration from the tramway. They would also welcome the opportunity to discuss the potential for further extension beyond the proposed development and any safeguarding as appropriate.

130. NET have been consulted on the additional information received and further clarification has been sought and provided regarding capacity and highway matters and the NET have confirmed the following:
- a. Existing survey information indicates that the Clifton Park and Ride facility accommodates 1,000 spaces and is currently operating at a capacity of around 30 - 35%. There is clear evidence of growth since opening and increased occupancy is reported at Christmas. From the information provided by the applicant, it is expected that the impact on the occupancy of the park and ride facility will be acceptable.
 - b. It is not considered that Recycling facilities could be accommodated within the Park and Ride facility due to complication over the operation and management of the car park.
 - c. It is understood from the information provided that there will not be any negative impact on existing NET operations.
 - d. They would welcome the opportunity to engage with the developer and travel plan coordinator to deliver the passenger information objectives and to draw up joint objectives to promote sustainable travel to/ from the development.
 - e. To assist the developer to make suitable provision for a future network extension a note has been prepared containing high level detail of the technical parameters for a safeguarded corridor. Whilst this note provides useful reference information they suggest that the developers make early contact with the NET project team to agree details of the safeguarded corridor.
 - f. With regard to the revised primary highway access proposal which has been proposed via the Mill Hill roundabout and the Clifton Park and Ride access road, they draw attention to the fact that this access road is not adopted public highway and is currently owned by Nottingham City Council. As a result the applicant will need to reach agreement with Nottingham City Council to construct such proposals from a private highway.
 - g. Queries are raised in relation to the operation of the access arrangements and clarification on the forecast changes in traffic flows on the approach to the park and ride. The access to the Park and Ride facility should remain unimpeded and conditions be implemented on this basis.
131. Additional information has been provided to NET in relation to the operation of the access road to the Park and Ride to explain how this particular road would function and any additional comments received from NET will be reported to Committee verbally.
132. Pedals (Nottm Cycling Campaign) - are pleased to see many supportive statements for cycling in the proposals and the initiatives proposed in the Travel Plan. Their comments are summarised as follows:

- a. The developer should work closely with the County and Borough Councils and other local organisations.
 - b. Welcome the proposals in the D and A for the development to follow 'Building for Life' principles including routes which integrate into the surroundings.
 - c. Draw attention to the recently produced advice 'making space for cycling; - a guide to new Development and Street Renewals'.
 - d. In addition to internal layout features it is very important that such major developments have good through and internal links which give distinct advantages to safe movements both on foot and by bike.
 - e. Links should include safe and convenient connections to the cycling provision being included in the A453 widening scheme, connections to and from East Midlands Parkway Station, safe crossings of Nottingham Road, safe routes alongside the proposed NET extension, all pedestrian links between new development and existing Clifton are developed as shared path links, connections to wider network at Ruddington.
 - f. Making full use of the proposed ways of maintaining a dialogue with cyclists in the new development and getting feedback to assist the development of further local cycling promotion.
133. Pedals have commented in detail on the additional information submitted and their comments are summarised as follows:
- a. Pleased to see that serious consideration has been given to the inclusion of cycle routes within, and to and from this development and that the documentation accompanying the application include a separate plan for strategic and pedestrian and cycle access.
 - b. They welcome that the outline travel plan recognises that the suitability of the area for cycling and the potential for both utility and leisure trips.
 - c. Growing public health and need to address poor air quality make it imperative that cycling and walking are seriously promoted.
 - d. It is vital that cycling provision is closely integrated with the wider cycle network both within existing provision within Clifton and especially the City Councils plans for the southern cycle corridor being developed to connect the City Centre with Clifton funded by the DfTs Cycling Ambition Grant. Vital also to ensure that new provision is closely integrated with the local trunk road cycle paths.
 - e. Vital to provide a safe crossing of the new A453 between Green Street and the shared path by the access road to the NET Clifton Terminus Park and Ride site.
 - f. Essential to improve links on the east side of the proposed development. There must be a continuous good connection to connect via the Fairham Brook area (between Clifton and Ruddington) and the

existing cycle routes between Clifton and the City Centre (via Ruddington Lane, Compton Acres and Wilford including the path developed alongside phase 2 of the NET). This would assist in improving access to Ruddington Country Park. It is unclear whether this is proposed.

- g. The underpass of the A453 is in practice often used by motor vehicles and it is extra important with the new development that effective measures are taken to curb this abuse and ensure that it is genuinely safe link for vulnerable road users between the new development and areas to the west including the old A453 and Barton in Fabis.
 - h. Riverside path between Barton in Fabis and Clifton Bridge - this is likely to be popular with residents but it is marred by the inclusion of about 12 'A' frame barriers and improving this route needs close collaboration between the County and City Councils.
 - i. They would welcome improvements to cycle route direction signage.
134. Natural England have no objections subject to conditions. They note that the application is in close proximity to Attenborough Nature Reserve and Holme Pit Site of Special Scientific Interest. Natural England is satisfied that there is not likely to be an adverse effect on this site as a result of the proposal being carried out in strict accordance with the details of the application as submitted. They therefore advise that this SSSI does not represent a constraint in determining this application. They feel that there could still be a potential increase in visitors to the site which could have the potential to negatively impact on the interests of the SSSI. As a result, Natural England would request a condition whereby a Welcome Pack is proposed by the applicant which includes key messages about Attenborough Nature Reserve SSSI and other local open spaces. As part of this information, information should be provided on the sensitivities of Attenborough Nature Reserve and best practise when visiting. The final wording should be approved by the Borough Council in consultation with Natural England, prior to final approval.
135. Natural England remind the Borough Council that if the LPA does not follow this required condition then it would be necessary under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended), specifically the duty placed upon the authority requiring it to, *“Provide notice to Natural England of the permission and of its terms, the notice to include a statement of how (if at all) your authority has taken account of Natural England’s advice and shall not grant a permission which would allow the operations to start before the end of a period of 21 days beginning with the date of that notice.”*
136. They would expect the Local Planning Authority to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:
- Local sites (biodiversity and geodiversity);
 - Local landscape character; and
 - Local or national biodiversity priority habitats and species.
137. Standing advice should be referred to in relation to protected species.

138. The proposed development is within an area that Natural England considers could benefit from enhanced green infrastructure (GI) provision. As such Natural England would encourage the incorporation of GI into this development.
139. Another area which NE advise the authority to explore with the applicant is the potential for priority habitat creation on the proposed development site and in accordance with local priorities such as the Biodiversity Action Plan for Nottinghamshire.
140. Biodiversity enhancements – the authority should consider securing measures to enhance the biodiversity of the site in accordance with para 118 of the NPPF. NE draw attention to Section 40 of the Natural Environment and Rural Communities Act 2006 which states that, *“every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.”* Section 40(3) of the same Act also states that, *“conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat.”*
141. Soil and Land Quality – it would appear that the proposed development comprises approximately 244ha of agricultural land, including 167ha classified as ‘best and most versatile’ (Grades 1, 2 and 3a land in the Agricultural Land Classification system).
142. It is recognised that a proportion of the agricultural land affected by the development will remain undeveloped. In order to retain the long term potential of this land and to safeguard soil resources as part of the overall sustainability of the whole development, it is important that the soil is able to retain as many of its many important functions and services as possible through careful soil management.
143. Government policy is set out in para 112 of the National Planning Policy Framework which states that, *“Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.”*
144. Consequently, it is advised that if the development proceeds the developer uses an appropriately soil specialist to advise on and supervise soil handling, including identifying when soils are dry enough to be handled and how to make best use of the different soils on site. Further guidance is available in DEFRA Construction Code of Practice for the Sustainable Use of Soils on Construction Sites and they recommend that this is followed.
145. Historic England made the following points on the submission of the original application:
 - a. Draw our attention to a scheduled monument of the Roman – British nucleated enclosed settlement and Roman villa complex at Glebe Farm which includes a series of buried remains to the north, east and south of the modern farm. The remains of a curvilinear enclosed settlement of probable Iron Age lying to the south east are also

included.

- b. The monument is a rare and relatively well preserved example of this type of rural settlement complex. Aerial photographs give an indication of the form and extent of the site which survives over an area of almost 6Ha. Barton in Fabis is one of just nine or ten examples of large nucleated enclosure complexes in the East Midlands; a group distinctive to other examples nationally.
 - c. Romano – British villas were extensive rural estates, the foci of which were groups of domestic, agricultural and industrial buildings. They are usually complex structures occupied over several hundred years and continually remodelled to fit changing circumstances. The main domestic structure at Glebe Farm was of winged corridor construction which provided evidence of three periods of construction spanning the late 1st to early 4th Centuries AD. Such complexes serve to illustrate the agrarian and economic history during their occupation allowing comparisons over wide areas.
146. Historic England have commented on the additional information submitted expressing reservations over the results of the archaeological work carried out and do not consider that the work carried out to date provides sufficient security to confirm that no further Iron age and Roman British remains survive. They recommend that should the authority be minded to grant consent conditions are applied on the detailed advice of the County Archaeological Officer.
147. The Environment Agency advise that if the LPA are satisfied that this proposal has passed the Sequential Test then the Agency has no objections and recommends conditions are attached to any permission in relation to:
- a. Principles established in the Drainage Strategy and a scheme in relation to timing/phasing.
 - b. Biodiversity – ecological mitigation measures scheme (relates to plan submitted 1667-p-500F).
 - c. The above improvement would take place on a stretch of the Fairham Brook maintained by the Trent Valley Internal Drainage Board (TVIDB). The TVIDB will therefore need to approve any changes to the channel and bank top.
 - d. Pollution Control – scheme to treat and remove suspended solids from surface water run off during construction works.
148. They suggest that Severn Trent Water should be consulted by the LPA and be requested to demonstrate that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows, generated as a result of the development without causing pollution.
149. Severn Trent Water raise no objection subject to drainage plans for disposal of foul and surface water being required by condition, but advise the applicant that there is a public sewer located within the application site. In respect to

capacity queries raised, they have now confirmed that the initial study in 2014 predicted possible flooding from the sewerage network and problems at the Pumping Station at Clifton. Due to the lack of certainty over the development at the time they have not carried out any detailed feasibility as regards to what improvements may be needed. They would, therefore, ask that no development be allowed to connect to the sewerage network until Severn Trent has been able to determine what improvement works are needed.

150. Nottinghamshire County Council as Lead Local Flood Agency support the comments and recommendations previously submitted by the Environment Agency, Nottingham City Council and the Internal Drainage Board regarding management of surface water from the proposed development. They make the following comments:

- a. Comments should be read in conjunction with and to complement the EA/NCiC/IDB comments.
- b. It is understood that the EA commented on surface water issues as the application was made prior to changes to the County Council's role as statutory consultee, however, it is suggested that all surface water issues are dealt with by Nottinghamshire County Council from this point on.
- c. Drainage from the site should be via a sustainable drainage system. The hierarchy of drainage options should be infiltration, discharge to watercourse and finally discharge to sewer, subject to the approval of the statutory utility. If infiltration is not to be used on the site, justification should be provided including the results of infiltration tests.
- d. For greenfield areas, the maximum discharge should be the greenfield run-off rate (Q_{bar}) from the area if discharging to an ordinary watercourse. Any discharges to main river or IDB maintained watercourses must be agreed with the relevant party.
- e. The site drainage system should cater for all rainfall events up to a 100year + 30% climate change allowance level of severity. The underground drainage system should be designed not to surcharge in a 1-year storm, not to flood in a 30-year storm and for all flooding to remain within the site boundary without flooding new buildings for the 100year + 30% climate change event. The drainage system should be modelled for all event durations from 15 minutes to 24 hours to determine where flooding might occur on the site. The site levels should be designed to direct this to the attenuation system and away from the site boundaries.
- f. Consideration must be given to exceedance flows and flow paths to ensure properties are not put at risk of flooding.
- g. Any proposals to use SUDS must include details showing ownership and maintenance proposals that will ensure their effectiveness for the lifetime of the development.

151. Trent Valley Internal Drainage Board - The drainage scheme must be designed to mimic existing sub catchments and run off rate. Prior to planning

permission being granted the Board recommend that the use of SUDs and future maintenance is agreed with the LLFA and EA as appropriate. Any planning approval granted should be subject to a surface water drainage condition. The condition should prevent any development approved by the permission being commenced until the Borough Council has approved a detailed scheme for the provision of sustainable surface water drainage.

152. The Board has no objection to the proposal subject to the applicant satisfying the requirements detailed below:
- a. Part of the site is located within the Boards district and is served by the Board maintained Fairham Brook, an open watercourse which is located along the eastern site boundary.
 - b. No building, structures, planting or fencing will be permitted within 9m of the watercourse without the Boards prior written consent.
153. The Board have been consulted on the additional information submitted drawing the applicant's attention to the requirements for separate consent to be granted for certain works for which Byelaws and the Land Drainage Act 1991 applies.
154. Sport England has assessed the application against its adopted planning policy objectives – the focus is that a planned approach to the provision of facilities and opportunities for sport is necessary in order to meet the needs of local communities. They make the following comments:
- a. The occupiers of any new development especially residential will generate demand for sporting provision. The existing provision within an area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies.
 - b. The population of the proposed development would be around 7200 people. The proposal includes a significant area of sports pitches which have been identified as meeting both the needs demanded by the population growth and also meeting identified issues within the existing residential areas. The pitches would be located adjacent to the boundary of the development site with the Clifton residential area. Sport England supports both the extent of the provision and the location. However, it is not clear from the proposals if changing, toilet or storage facilities are to be provided, this may be necessary if the site is to be the base for a community sports club.
 - c. The planning statement indicates that the application may include within a planning obligation a contribution to sport and leisure facilities. Sport England would support this if evidence is available which suggests that investment would be needed into new or improved facilities as a result of the demand generated from the development and that demand cannot be met by existing or planned facilities.
 - d. The Sport England's Sports Facilities Calculator can help to provide an indication of the likely demand that will be generated by a development for certain facility types. The SFC indicates that a population of 7200 people will generate a demand for an additional 470 visits per week for

swimming, and additional 2 badminton courts, a contribution to an artificial grass pitch and small contribution to indoor bowls. The total demand equates to a figure of £2,620,429.

155. Rushcliffe Clinical Commissioning Group (NHS) confirm the following:
156. Protracted discussions have taken place with the CCG to establish how healthcare provision would be achieved for the site. The proposal could yield a total of 6900 new patients who would be able to register with a number of practises in the area due to patient choice. Three are located within the City boundary in Clifton and form part of the NHS Nottingham City CCG. Three further practices and two branches are located within the geographical boundary of NHS Rushcliffe CCG.
157. Capacity work undertaken by the two CCGs have confirmed that all three practices within Nottingham City are over capacity and all three practices and their branch surgeries in Rushcliffe are either at capacity or currently under space pressure.
158. The CCG have confirmed that a site is therefore required within the development site for the development of a health centre which would allow for the provision of a two storey building providing in total 895sqm of primary and community care (plus pharmacy provision) and the provision of 30-35 car parking spaces. They are therefore seeking a serviced land requirement of 0.7acres together with a financial contribution which equates to £920 per dwelling. They anticipate that a total contribution would be £2,760,000.
159. Nottinghamshire Police (Architectural Liaison Officer) comment as follows:
 - a. The site is situation in close proximity to Clifton within the City boundary, an area which suffers from medium to high level of crime and disorder. It is essential that the development achieves a high level of sustainability from all matters.
 - b. This not only includes the need to use environmentally friendly materials, construction and operational methods but also the need to raise awareness of the reduction of crime as a positive sustainability issue.
 - c. The proposed development is very large and the potential for crime and disorder both at the construction stage and once built and occupied is high.
 - d. Advise that the development is built to Secured by Design standards to ensure the sustainability and reference to the ODPM publication 'safer places- the planning system and Crime Prevention'.
 - e. Concern that D and A statement has not made any direct reference to the sustainability of the proposed development through crime and disorder. Para 58 and 69 of the National Planning Policy Framework are relevant.

- f. Design advice is given on matters such as vehicular and pedestrian routes and design, and siting and design of open space and play areas.
 - g. Suggest that the planning document 'English Partnerships Car Parking What Works Where' is incorporated within the design and advice is provided in relation to parking and garages.
 - h. Request that the Architectural Liaison Officer has site of the specific layout as soon as they become available and requests the developer engages in pre planning discussions to ensure the opportunities for crime and disorder can be minimised.
 - i. The development of this site will have significant policing and road traffic implications. Due to the size of the development it may be necessary to incorporate a small police office into the community hub and the advice of the Divisional Commander has been sought.
160. Further clarification has been requested in relation to the last point but no request for police premises has been received.
161. Council for the Protection of Rural England (CPRE) object to the application and their comments are summarised below:
- a. No very special circumstances to justify development in the green belt.
 - b. Loss of the good quality agricultural land would compromise food security and in this compromises the ability of future generations to meet their needs.
 - c. NPPF directs LPAs to use areas of poorer quality in preference to that of higher quality.
 - d. The development would destroy a distinctive high quality landscape and it will not be possible to mitigate the visual impact of the development.
 - e. Will not contribute to the 5-year housing land supply as projected start of the construction of 2015 is unrealistic.
 - f. The proposed B8 employment allocation is unlikely to create many jobs but will generate a significant number of HGVs.
 - g. Inadequate Travel Plan - not for the development as a whole, barely comments on bus provision and are not sufficiently proactive – contrary to emerging core strategy 23.
 - h. Questions the accuracy of the D and A - The topography of the area means that the adverse visual impact of the new settlement cannot be mitigated even in the longer term. The proposed warehousing in particular will be visible over a considerable distance.
162. They welcome the following proposals in the D and A:

- a. Green infrastructure belt south, east and west.
 - b. The proposal to design in space for an extension of NET and for a terminus at the central square.
 - c. The proposal to design in lower vehicle speeds – this follows CPRE own Quiet Lanes concept.
 - d. The proposals for community features and in particular for the central park and a community centre.
 - e. The proposals for sustainability in designing buildings.
163. They have the following concerns over the D and A:
- a. Many features are proposed as potential or possible – need commitment.
 - b. Suggest that a clear, realistic and binding funding program will have to be agreed to ensure features are not sacrificed at later stage.
 - c. Expect clear demarcation to be needed to avoid conflicts between cyclists and pedestrians on links shared between them but not open to motorised traffic.
164. Other aspects of the application receive comments:
- a. No confidence in the application that it will deliver the level of affordable housing required.
 - b. Location of the offices should be reconsidered to be closer to the centre of the site.
 - c. Inadequate TA.
 - d. Unclear how the applicant is proposing the target to a 20% public transport of journeys generated by the proposed development is to be achieved.
165. The Coal Authority advise that the application site does not fall within the defined coalfield and there is no requirement, therefore, to consider coal mining issues as part of this planning application. The coal authority has no comments to make on this application.
166. Cadent Gas/National Grid an assessment has been carried out with respect to Cadent Gas Ltd, National Grid Electricity Transmission plc's and National Grid Gas plc's apparatus. Due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works.
167. From the perspective of plant protection of the LHP/IP gas pipelines no objections are raised as they are located outside of the application site. It

would appear that this development is proposed directly above some cadent gas apparatus. Therefore, should the planning application be approved, they will require the promoter of these works to contact Cadent directly to enter into diversionary works before any development works can proceed onsite.

168. Western Power have no objections to development under or adjacent to their overhead lines provided adequate clearances are maintained and WPD vehicular access is possible to towers on completion of the development. Attention is drawn to minimum statutory clearances and compliance with HSE note of guidance during construction and subsequent maintenance. Consideration will need to be given when planning landscaping with regard to positioning and species of vegetation.
169. Ramblers - Object to the application – takes up a large quantity of good arable land in a highly visible area. Footpath 4 passes through the centre of the site and on the plans is displayed as a path/cycleway/bridleway. This would entail applying for an upgrade from footpath to bridleway with no historical substantiating evidence, this being the case there is no legal framework to allow an alteration to the footpath's status. The application also affects the ridge line contrary to council policy.
170. Gypsy and Traveller Liaison Officer has confirmed that the integration of sites into a local community is encouraged and as this is part of the development it will hopefully mean there will be no issues which often happen when a site is being added to an already existing community. The work being undertaken on the GTAA is starting to show that Travellers want to have the same access to local facilities as any other community would which is again addressed by this development. Queries were raised regarding the proposed number of pitches (private or LA) or whether it is a residential or transit site.

Other Local Authorities

171. Gedling Borough Council consider that the proposal generally accords with the emerging Rushcliffe Borough Core Strategy and has no comments to make.
172. North West Leicestershire District Council has no objections to the proposal subject to all statutory consultees and RBC being satisfied that the proposal would not cause significant impacts on NW Leicestershire.
173. Broxtowe Borough Council consider that the location, scale and component elements of the proposed development are unlikely to have a material impact on their Borough.
174. Derby County Council - a Local Councillor comments that the houses should be built to lifetime homes standard and are environmentally friendly given that they will be built on former green belt.
175. Officer Comments from Derby County Council are summarised as follows:
 - a. Any potential traffic impact arising from the proposed development would be felt over the road networks in Nottinghamshire and the Strategic Road Network. Nottinghamshire County Council and the Highways Agency are the respective Highway Authorities. It is

assumed that both Highway Authorities will collectively be able to agree the scope of the Transportation Assessment with the applicant.

- b. In relation to landscape matters it is important that the applicant understands the context of the proposed development site so that all potential landscape and visual issues are correctly identified and adequately addressed including potential effects on Long Eaton and the Trent Valley. Concerns that there are potentially long distance views, however, there is no reference to Derbyshire.
- c. Viewpoint 16 – View from the Trent Valley Way is the nearest to the Derbyshire boundary and possibly representative of other views from the Trent Valley. If the current traffic on the existing A453 is already visible on the skyline, then the potential impact i.e. large scale employment use buildings on the proposed employment area needs to be assessed. Vehicles travelling along the skyline, the impact of which is transient, have a different degree of visual impact to large scale static buildings. The LVIA should clearly describe the effect of the development and the potential impact on the skyline. Mitigation measures (as well as the extensive woodland planting) should include design principles for the employment zone including height limits and colours schemes for reducing potential visual effects.
- d. Links to the Trent Valley – In 2012 The Local Nature Partnership (LNP) was established for Lowland Derbyshire and Nottinghamshire. The LNPs vision is to help businesses, communities and individuals to create and enjoy the benefits of a better natural environment as part of a sustainable approach to development and is part of a bigger Government led initiative to work alongside the Local Economic Partnership. As part of this approach the LNP is currently looking into the definition of locally determined Nature Improvement Areas (NIA) of which the Trent Valley has already been identified as a potential area. This builds on work already underway in the Trent Valley through various organisations to improve not just the quality of the natural environment but also to enhance its visual appearance and long term character. It is considered that this planning application should be progressed in consultation with the LNP to ensure that this development proposal fits with LNP aspirations for the Trent Valley and may assist in delivering its vision.
- e. Suggests links to the wider landscape should be considered eg Sustainable urban drainage schemes making connections to the Trent Valley landscape; the creation of linkages to existing habitat off site creating footpath links to this landscape. Ensuring that the employment areas are adequately screened from the Trent Valley landscape.

RBC Internal Consultees

176. The Planning Policy Manager comment as follows:

177. In line with planning law, decisions should be taken in accordance with the Rushcliffe Development Plan unless material considerations indicate otherwise. The relevant statutory policies that form part of the Development Plan for Rushcliffe consist of the adopted Local Plan Part 1: Core Strategy

(CS) and five saved policies of the Rushcliffe Borough Local Plan 1996. None of the five saved policies are applicable to this proposal. Crucial to this particular application is the site specific policy 24 in the Core Strategy, which relates to this particular application.

178. Other material considerations include the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (the Guidance) and the Rushcliffe Borough Non Statutory Replacement Local Plan (NSRLP) (2006).
179. Paragraph 49 of the NPPF sets out that where local planning authorities cannot demonstrate a five-year supply of deliverable housing sites, relevant policies for the supply of housing should not be considered up-to-date. Applications for residential development should, therefore, be considered in the context of the presumption in favour of sustainable development. Paragraph 14 explains that the presumption in favour of sustainable development requires that, where the development plan is out of date, permission is granted unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole; or
 - specific policies in the NPPF indicate development should be restricted.
180. At the last assessment of housing supply, (April 2016), the Borough Council had a 3.42-year housing supply, therefore, the policies for the supply of housing are considered to be not up to date. Paragraph 49 and the presumption in favour of sustainable development are, therefore, engaged. Policies 3 and site specific policies in the Core Strategy relate to the supply of housing. As the site is allocated for residential development through policy 3 of the CS, and criteria contained within policy 24 provides for the sustainable development of the site, it is considered that they should still be offered full weight when determining the application.
181. The planning statement submitted alongside the application has not been updated since the adoption of the CS, therefore, it heavily focusses on the National Planning Policy Framework and the non-statutory plan. Given that the CS as the development plan in decision taking unless material considerations indicate otherwise, this comment focusses on relevant policies in this particular document accordingly.
182. The site is located within Barton in Fabis Parish. The northern boundary of the site adjoins the existing main built up area of Nottingham. Policy 3 of Local Plan Part 1, Rushcliffe Core Strategy (CS) outlines the spatial strategy for the Borough. The Spatial strategy directs most development to areas within or adjoining the main urban area of Nottingham. Policy 3 identifies land South of Clifton for mixed use development, including 3000 new dwellings, therefore it is considered that the principle of development cannot be disputed. In addition, policy 24 contains detailed criteria for what is required in relation to the development of the site. Policy 24 of the CS contains a number of specific criteria under certain themes in relation to the development to enable sustainable development of the site.

183. In relation to housing, policy 24 specifies around 3,000 new homes are required to be built on the site. Criterion 1 requires a mix of housing types on a particular scheme, having regard to the existing mix of housing nearby and seeking to secure through negotiation up to 30% affordable housing. The site is of such a size that it is capable of providing a broad mix of housing. Page 35 of the Design and Access statement indicates that the design principles will seek to deliver a mix of housing - up to 3000 new dwellings, offering 2-5 bedroom properties, comprising a range of house types from linked townhouses to detached properties. It is considered that given the size of the site, 1 bedroom properties or indeed properties over 5 bedrooms should not be excluded from the housing mix. Should planning permission be granted, it should not be tied to this particular element of the design and access statement.
184. Criterion 2 requires efficient use of land and a net density of at least 30 dwellings to the hectare. It also requires a higher density to be achieved around the neighbourhood centre. The gross area of the red line is 245 hectares, however, the broad masterplan for the area indicates substantial areas used for other purposes including considerable areas of strategic green space, employment land, playing fields, community uses and a neighbourhood area. It is considered that a minimum net density of 30 dwellings to the hectare is likely to be achieved across the areas identified as housing, however, it is recognised that some areas will be higher and some areas lower than this on average. The design and access statement indicates that higher densities will be achieved in this location and along public transport corridors.
185. Criterion 3 requires appropriate provision for gypsy and travellers to be provided on the site. The description of the application and the indicative masterplan identifies such provision in the south west corner of the site, of the now truncated Barton Lane.
186. In terms of employment, the indicative masterplan identifies 20 hectares of employment land adjacent to the A453 corridor as required by the policy. In addition, the criterion requires the need for the development to provide for training opportunities to be provided as part of the sites development.
187. The requirements for a neighbourhood centre are set out in criterion 5 and 6. A number of community facilities are being proposed in or around the neighbourhood centre, together with a proposal for 2,500m² of retail development. It is considered that whilst local retail provision should be provided on-site to provide for local day to day needs, it should not be of a type to draw trade away from the nearby Clifton District Centre. Nationally, the threshold for any new retail units to require an impact test is 2,500m² with local thresholds set accordingly. The latest retail study covering the Greater Nottingham area recommends that a local threshold of 500m² should apply. It is considered that in order to enable that there is a range and number of retail units offered as part of the neighbourhood centre, no unit should be any larger than 500m², and that retail development should be limited to the neighbourhood centre and no other parts of the site.
188. In terms of the retail centre for the sustainable urban extension to the South of Clifton, policy 6 of the Core Strategy sets out the general approach to retail. The supporting text to the policy (paras 3.6.5 and 3.6.6) state that,

“Larger new developments, such as at land South of Clifton, land East of Gamston/North of Tollerton, the former RAF Newton, land off Melton Road, Edwalton, and land north of Bingham are proposed. To meet their needs, the designation of suitably sized centres, or the enhancement of existing centres, may be necessary to ensure access to a mix of facilities based on local need and identified through masterplans.

189. *New or enhanced centres should fit within the hierarchy, and reduce the current number of unsustainable journeys connected to retail activity. New centres should not have a detrimental impact on other existing centres recognised through the hierarchy.”*
190. The policy for South of Clifton itself identifies that the development should provide for a neighbourhood centre of an appropriate scale. The definition of a centre of Neighbourhood importance in appendix A of the Core Strategy is, “Centres of Neighbourhood Importance - these typically consist of a small parade of shops serving walkable local communities.”
191. The Clifton District Centre lies around 1 mile away to the north-east of the site, and retail offer upon the site should be of a scale and kind so as not to have a detrimental impact on the function of this District centre, and be geared towards more for day to day items rather than a full shop.
192. Criteria 7-13 relate to transportation matters. The Borough Council should be guided by the relevant advice of the appropriate transport authorities on whether the development is adequately mitigated in terms of walking, cycling and public transport improvements, together with any mitigation proposed in relation to highway improvements.
193. In terms of the other criteria (listed under ‘other requirements’) any decision on compliance with the policy should be guided by relevant consultee responses, and planning conditions and S106 agreements should be used where appropriate.
194. Other policies of relevance in the core strategy are as follows Policy 1, 2,4,8,10,11,12,14,16,18, and 19.
195. Conclusion - The Strategic Allocation South of Clifton is a vital component in contributing towards the Borough Councils land supply and give full support of the principle of development of the site.
196. In relation to the required Gypsy and Traveller site provision, additional comments have been submitted which confirms that Policy 24 (Strategic Allocation South of Clifton) of the Rushcliffe Local Plan Part 1: Core Strategy states that appropriate provision should be made on the site for Gypsy and Traveller accommodation, in accordance with Policy 9 (Gypsies, Travellers and Travelling Show people).
197. The 2016 South Nottinghamshire Gypsy and Traveller Accommodation Assessment covers the administrative areas of Broxtowe, Nottingham City, Gedling, Erewash and Rushcliffe for the period 2014-2029 and identifies the need for new pitches for Gypsies and Travellers in the Borough. This is the most up to date evidence to inform the level of need at this current time. The earlier 2010 GTAA (which identified a requirement for 9 pitches) was the

most up to date evidence at the point at which the application was submitted to the Borough Council.

198. The 2016 GTAA identifies a total requirement for 4 pitches in Rushcliffe between 2014 and 2029 (3 pitches between 2014 and 2019 with 1 further pitch by the end of 2029). There is no fixed definition as to what comprises a pitch. The 2016 GTAA applies an average requirement of 1.3 vans (a permanent/static tourer) per pitch/household. Since the publication of the 2016 assessment, planning permission for an additional 6 caravans has been granted at the existing site at Cedar Lodge, Radcliffe on Trent. The permission for the 6 additional units comprises of 2 caravans for two additional households and 4 additional touring caravans. This additional provision is, therefore, considered to equate to two additional pitches. (The site previously accommodated 6 permanent pitches). After subtracting the two additional pitches at Cedar Lodge, there therefore remains a current extant requirement from the 2016 GTAA for 2 additional pitches.
199. As outlined under the Core Strategy policies, it is expected that provision for Gypsy and Traveller accommodation is made on the Sustainable Urban Extensions at East of Gamston and South of Clifton. Although the current remaining requirement from the 2016 GTAA is only for two pitches, it is still considered necessary for the strategic sites to include adequate provision for pitches in order to ensure flexibility in the supply of appropriate sites. It should also be borne in mind that one of the permitted pitches only has temporary permission. As such, it is still considered appropriate for the South of Clifton site to provide at least three pitches. In terms of the GTAA it also has to be borne in mind that it will be updated on a regular basis and the strategic allocation provides for longer term development needs, therefore, it is considered that the site should be of sufficient size on order to accommodate some flexibility and possible expansion as new need arises. It is, therefore, recommended that a site is reserved in order to accommodate this, together with any ancillary buildings such as utility blocks, storage and the accommodation of works vehicles.
200. National planning policy on Gypsy, Traveller and travelling show people accommodation, Planning Policy for Traveller Sites (PPTS) identifies that a Local Planning Authority should identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of sites against their locally set targets. Critically, the PPTS indicates that sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that development will be delivered on the site within five years and in particular that development of the site is viable. In order for the Borough Council to be able to demonstrate this, the requirement is that provision is made for the four pitches in the early phase of site delivery.
201. In terms of layout, the proposed site is considered appropriate given the available easy access to the A453. In terms of size of site, a pitch should be capable of accommodating 1.3 vans, as per the recommendation of the 2016 GTAA. This study, nor current Government guidance, offers any detail in relation to recommended size of pitches. The DCLG Designing Gypsy and Traveller Sites Good Practice Guide (2008) was withdrawn in September 2015 with the publication of the PPTS. The PPTS does not contain any guidance in relation to size of pitches. Even the 2008 publication

acknowledges that “there is no one-size-fits-all measurement of a pitch as, in the case of the settled community, this depends on the size of individual families and their particular needs”. In relation to management of the pitches, it would be envisaged that any site should be privately owned and managed.

202. The Strategic Housing Manager originally commented that the site is allocated for mixed use development under policy 3 (The Spatial Strategy) and policy 24 (Strategic Allocation South of Clifton) of the Rushcliffe Local Plan Part 1: Core Strategy. Policy 24 requires up to 30% of the housing to be affordable. We would request 30% of the total number of dwellings to be affordable which would equate to 900 dwellings based on a scheme of 3,000.
203. Information regarding the suggested breakdown and mix of affordable housing that should be sought in order to meet existing and predicted needs through the lifetime of the development has been provided. This breakdown is based upon the outputs of the housing needs model that was produced as part of the SHMA Needs Update 2012. This considers both existing need (backlog need based on the waiting list) and future need (based on forward household projections). This suggest that there should be a mix of 58% rent (33% social rent and 66% affordable rent) and 42 % intermediate.
204. The intermediate dwellings should be sold at 50% or less of the open market value to ensure that they are affordable having regard to local incomes and prices. The dwellings should be provided through a Registered Provider or through another appropriate mechanism which ensures that the dwellings remain affordable, and should meet the Homes and Communities Agency scheme design and quality standards (see <http://www.homesandcommunities.co.uk/ourwork/design-and-sustainability-standards>).
205. They should be built to a minimum of Code Level 3 and up to Level 6 in the Code for Sustainable Homes. The affordable dwellings should be ‘pepper potted’ across the development. It is noted that the outline application does not contain detailed information about likely phasing of the scheme. The Core Strategy trajectory anticipates a 13 year build out for the site and would, therefore, involve a number of phases. It is critical that the affordable housing is distributed evenly through all phases of the development.
206. The flats should be no higher than two storeys with each unit having its own entrance. The bungalows (for elderly needs) should also be clustered together in groups and should be built to lifetime home standards. The bungalows should also be located close to main access roads, preferably close to public transport corridors, to ensure that the elderly residents have good access to services and facilities to ensure they do not become isolated.
207. The provision of 30% affordable housing on this site will assist the Borough Council in meeting its strategic aims to address housing need in the Borough whilst reducing the number of households in temporary accommodation by increasing the supply of permanent affordable housing.
208. Strategic Housing is aware of the viability issues affecting the site and appreciate the issues affecting the level of provision of affordable units on the site. Whilst reluctantly accepting the position they have suggested that a revised mix of properties be sought to achieve more of a balance in terms of

mix, reflective of the model outputs i.e. more 3 bedroom houses and fewer bungalows.

209. The Community Development Manager has commented on the proposal and provided details of requirements for Outdoor Sport and Leisure as set out below:

Spatial Requirements based on Local Standards within Rushcliffe Borough Council (RBC) Leisure Facilities Strategy 2011-2016

Type	Local standard hectares per 1,000	Additional demand created 3,000 dwellings x avg 2.3 people = 6900	Spatial provision required	Comment
Allotments	0.4	6900	2.76 hectares	Size of provision unclear
Playing pitches	1.77	6900	12.21 hectares	Meets requirements in terms of pitch space. Associated changing facility is essential
Formal and informal amenity open space	0.72	6900	5 hectares	Meets requirements
Play areas - unequipped	0.55	6900	3.8 hectares	Sufficient areas for play are provided
Play areas - equipped	0.25	6900	1.73 hectares	Size of provision unclear within document, but otherwise acceptable

210. He advises that details of proposals for the on-going management and maintenance of all open space are required.
211. In terms of other aspects of the development, he advises as follows:
212. Allotments - are well located adjacent to existing allotments. The new provision should have a water supply, be securely fenced and have 3-metre-wide haulage ways. It would be envisaged that these could be managed through an allotment holder's association in partnership with the existing site.
213. Playing pitches - are well located in a position which will support integration through sport of the existing community of Clifton with the new residents. The large expanse of pitches will act as an informal recreational park which will support this area and local retail provision in becoming the community heart of the new development. The network of footpaths through this area will

need to be aligned appropriately to fit in with the configuration of the football pitch layout. Furthermore, they will need to be supported by sufficient dog waste bins to minimise this potential problem on the pitches.

214. It is essential that such a large area of pitch provision is supported with an appropriate changing pavilion with sufficient storage space for goal posts and nets. Page 32 of the D & A statement indicates a 'proposed 1,000sqm sports changing facility', whilst page 57 refers to the 'potential for a sports changing building'. Clarity is, therefore, sought whether this will definitely be provided within the development. The location of the pavilion will need to take into account car parking for players and visiting teams in order to minimise problems of on street parking, this could for example involve making use of the park and ride site.
215. Children's Play - There is a good hierarchy of play provision with good geographical coverage of play opportunities across the development. The destination play area incorporates different zones of activities for different age groups and is well located equidistant from the two primary schools and in a prominent and busy area to provide informal supervision as well as acting as an 'attraction' to visit the central retail area. Furthermore, it supports cross over activities with the adjacent park/football area.
216. The water depth and frontage of the balancing pond will need a risk assessment and appropriate mitigation to ensure that this does not pose a safety hazard in an area designated for use by young children. A regular programme of safety inspections and maintenance will be required through either a management company or other arrangement.
217. Connectivity - the network of cycle and footpaths along green corridors and other traffic free areas is welcomed. Consideration could, however, be given to the shared footpath (page 39/40) along the boulevard adjacent to the local centre retail area being inside the fence-line of the park area.
218. Indoor Sport and Leisure - the comments of Nottingham City Council are noted regarding the view that the existing Clifton Leisure Centre has capacity to absorb the additional demand created by the development. As such no further provision would be requested by RBC.
219. Since the original comments were submitted work has been undertaken on a Borough Wide Playing Pitch Strategy which will help inform the required provision across the Borough. Comments are based on the Rushcliffe Playing Pitch Strategy – Draft Strategy and Action Plan dated August 2017. Part 7 page 91 identifies the minimum level of provision that would be generated from the Clifton development (based on 3,000 new homes and an associated population increase of 7,200). This is shown in the table below and uses as a reference for sizes the 'Sport England – Comparative Sizes of Sports Pitches and Courts (outdoor) September 2015 Update':

Pitch type	Number of pitches	Pitch dimensions (including run-off and team/match officials areas)	Space requirement
Adult Football	2 pitches	106 x 70 m	14,840 sqm
Youth Football	4 pitches	Based on under 15/16 97 x 61 m	23,668 sqm
Mini Football	4 pitches	2 pitches under 7/8 @ 43 x 33 m 2 pitches under 9/10 @ 61 x 43 m	2,838 sqm 5,246 sqm
Cricket	2 pitches	111.56 x 128.04 m	28,568 sqm
Rugby Union – adult	1 pitch	154 x 80 m	12,320 sqm
TOTAL			87,480 sqm

220. In addition to the playing pitch space, changing accommodation and car parking are required. Although the space requirements for the associated changing and car parking are currently unquantified, the allocation of space within the masterplan appears to be adequate to meet the demands generated. Confirmation has been received that a combined community hall and sports changing facility is appropriate. It is proposed that a community hall aspect of the joint building is 500sqm (incorporating a main hall, separate meeting room, kitchen, bar and ancillary facilities) plus 8 x sports changing rooms for teams plus associated officials changing and storage. In addition, Car parking will be required and it is envisaged that a similar level to that provided at Gresham sports park would provide a good benchmark for a multipitch site (i.e. 150 spaces plus 6 disabled spaces).
221. The Environmental Sustainability Officer comments that the application outline fits closely to the previous discussions for this site, therefore, in principle he has no objections, subject to the agreement of detailed design, in particular the Green Infrastructure/Masterplan. The following should be followed within the detailed design:
- a. The recommendations of the ecology reports should be adopted, especially with reference to the Bird/Biodiversity Mitigation area.
 - b. Bats have been found at the site, using this site for foraging and roosting. Opportunity for bat provision within the green infrastructure and buildings would be appropriate. Street lighting should be appropriate and follow the principles in BATS AND LIGHTING IN THE UK by the Bat Conservation Trust, and should not be installed within the Bird/Biodiversity Mitigation Area.
 - c. The ongoing management of the green infrastructure needs to be ensured through the development of an appropriate management plan and consideration of how this would be implemented and funded in the long term.

- d. Consideration could be given within house designs to add wildlife features (e.g. bat bricks/tiles and swallow nests). It is also recommended considering options within the County Council's Sustainable Developer Guide available online at:
<http://www.nottinghamshire.gov.uk/atoz/s/sustainable-development/>
 - e. Energy – as part of a quality development, high energy efficiency standards would be expected.
 - f. Recycling – appropriate provision for recycling should be included.
 - g. Building Materials – where possible should be appropriate and sustainably sourced.
222. The Landscape Officer raises no objection to the application and confirms he has reviewed the application with reference to the Greater Nottingham Landscape Character Assessment 2009 and the landscape actions as set out in that assessment. The site predominantly falls within 2 draft policy zones, the majority of the built development falls within SN01 'Clifton Slopes' with the landscape infrastructure in the south east part of the site falling within SN02 'Ruddington Alluvial Farmlands'.
223. The GNLCA classifies the Clifton Slopes as having a moderate landscape condition and notes both the decline of remaining field boundaries and the historical connection to areas which were never enclosed. The landscape strength is also moderate with long views to the south and a more enclosed nature with the wooded escarpment close to the river.
224. Landscape Actions relevant to the site include restoring and conserving hedgerow boundaries and trees, conserving woodland blocks and encouraging new woodland along urban edges. Conserving the open unenclosed character of Clifton Pasture and Barton Moor. In terms of built form it recommends that new development does not increase the prominence of built form within the landscape. It suggests enhancing urban fringes and prominent development through localised geometric woodland planting to soften their appearance within the landscape.
225. The Ruddington Alluvial Farmlands character area is a large expanse of flat alluvial land characterised by farming and frequent streams and watercourses. Most field patterns are modern in origin, but some link to older patterns close to Barton Moor. The large scale arable farmland is described as having 'expansive monotonous modern field patterns'. There is limited built form in the character area and it is relatively inaccessible with few roads or paths, but their expansive views across the area due to a general lack of trees, hedgerows and built form. Villages tend to be located on the edge of the character area such as Bunny, Bradmore and Gotham and overhead powerlines are prominent vertical features.
226. The GNLCA suggests a poor landscape condition due to past hedgerow removal and fields with few features. Landscape strength is considered to be moderate with expansive farmland being the main character, with some urban features and a loss of hedgerows.

227. Landscape Actions include, amongst others, enhancing field boundaries and riparian planting, conserving field boundaries and patterns. Enhance the pattern of woodland to increase visual interest and recreate areas of low lying wet pasture, moor and fen on lower lying ground close to watercourses.

Open Landscape Character

228. It is important to make the distinction between open arable fields within the areas of Clifton and Barton Moor, which were not enclosed, and the much wider area which has an open character due to hedgerow removal in the late 20th century caused by a desire to modernise farming and make it as efficient as possible. Such practices resulted in the Hedgerow Regulations being introduced in 1997 to give Councils the opportunity to retain hedgerows which were important for wildlife or historical reasons.
229. The removal of hedgerows has been detrimental to the landscape character and makes it harder to interpret the landscape, Clifton and Barton Moor would have originally sat within a network of small field enclosures and would have been 2 distinctive open areas, now they are fairly indistinct and are not readily identifiable within the wider landscape. The fact that unenclosed land existed in the local area does not mitigate the subsequent removal of hedgerows over a wider area and it is suggested the overall impact of hedgerow removal has been harmful to the landscape character of the development site. The development does encroach onto to the northern half of Clifton Moor, but it is considered that the sensitivity of this site has been reduced by the loss of hedgerows on adjoining land. If it was a distinct landscape feature, the Landscape Officer would be inclined to object, but it isn't and the layout of the site does provide a large area of open grassland in the south west corner to help mitigate the effect on the landscape.

Landscape and Visual Impact Assessment

230. The LVIA has been carried out in accordance with best practice outlined in Guidelines for Landscape and Visual Impact Assessment, 3rd Edition (GLVIA, 3rd) by the Landscape Institute and the Institute for Environmental Management and Assessment. Overall it provides a fair assessment.
231. The Landscape Officer agrees with the findings of the LVIA that the majority of the application site, in terms of landscape character, has low sensitivity. The report's view that the A453 is intrusive and will become more so with the new road may have proved less so than predicted as the road is now at the base of the escarpment and the free flowing traffic is less prominent than the solid lines of slow moving traffic that used to occur. Nevertheless, the road still has an urbanising effect on the landscape character due to noise and visual affect and it is not considered this would have affected the overall conclusion of the LVIA. Other negative influences on the landscape character include the loss of hedgerows, the pylons and the prominent urban edge of Clifton.
232. In terms of the impact on the landscape character there will clearly be huge changes, but given the low sensitivity of the landscape the officer would agree with the findings of the LVIA that the impact on the character of the landscape is not significant especially given the robust landscape infrastructure which is proposed, particularly on the southern boundary of the

site with woodland linking with the existing escarpment at Brands Hill and the balancing ponds being located on the lower ground at Clifton Pastures, this links in with some of the landscape strategies suggested by the GNLCA.

233. The Landscape Officer agrees with the LVIA on the sensitivity of the visual receptors, the most sensitive of which are from the rights of way on Gotham Hill and the Trent Valley Way, users of Rushcliffe Country Park, households on the southern edge of Clifton and the villages of Thrumpton and Barton.
234. The LVIA concludes that there would be significant effects on residents on the edge of Clifton and users of the right of way on Gotham Hill to the south, but the impact on other receptors would not be significant. The landscape officer is inclined to agree with this assessment. There will be large scale changes, but the impact of these is often limited due to the low sensitivity of receptors such as motorists and existing influences such as the existing stark edge to Clifton and pylons. Given the scale of the development some significant effects are to be expected and the site layout does try to mitigate them to a degree with strong woodland planting to the south to help soften the edge of the development from Gotham Hill and playing fields and a linear walk along the boundary with Clifton.
235. It is clear the proposed layout does provide a substantial landscape buffer around the perimeter of the site and this will certainly help mitigate the impact of the proposed development. It also links with some of the landscape recommendations in the GNLCA such as ensuring development does increase in prominence and using blocks of woodland to soften the urban fringe.

Trees

236. The arboricultural report seems a fair reflection of the quality of the trees on the site. Whilst there are some prominent copses of woodland, they are retained within the proposed layout. There are only a few individual trees within the site, none of any particular individual merit, BS3998 class B, being the highest recorded. The retention of trees and woodland can be dealt with through the standard tree protection condition.
237. Suggested Conditions:
- Tree protection in accordance with BS5835.
 - Detailed landscape planting plans for residential properties and open spaces. To include details on phasing with an emphasis on encouraging the early planting of the woodland belt around the perimeter of the site.
 - Any trees or shrubs that die within 5 years of completion should be replanted.
 - Landscape management plans, to include a detailed 10-year landscape establishment plan and then details of the aims of long term woodland management and the provision of long term maintenance of all public open spaces.
238. The Economic Growth Manager supports the planning application for the delivery of 3000 houses and 20ha of employment land at Land South of Clifton. The delivery of the employment land will provide much needed jobs

for the new residents as well as for existing local residents of both Rushcliffe and the City. In addition, during the construction phase of the development the Council will work with the developer to implement the CITB Client Based Approach to deliver employment and training opportunities in construction for local residents.

239. The site is in a prime location for employment development being located on the newly widened A453 with its excellent links to the M1 and in addition its proximity to East Midlands parkway railway station and East Midlands Airport. The team continues to work with the landowners who are positive about the employment land being developed quickly once planning permission is in place.
240. The Council has recently submitted two funding applications to contribute towards the upfront infrastructure costs on the site and accelerate development.
241. The Conservation Officer advises that there are no designated heritage assets within the application site, no listed buildings, no conservation areas, scheduled parks and gardens or registered battlefields. Cultural Heritage features within the EIA submitted at the earliest stage of the application process back in 2014. At an early stage the limited number of heritage assets where the potential for impact arising from the proposal was narrowed down to the Scheduled Monument at Glebe Farm and potential unidentified buried archaeology within the site. He has also reviewed the comment from English Heritage and makes the following points.
242. Historic England, under its previous identity as English Heritage, made comments expressing concern over the potential adverse impact of the proposal on the setting of the Roman villa site at Glebe Farm, which is protected as a Scheduled Ancient Monument. Historic England, in their comments, explain the significance of the site as a well preserved villa site, relatively rare on account of its good state of preservation. The comments then go on to explain how the wider agricultural landscape contributes to the significance of the asset as sites such as this would have enjoyed a close association with the wider rural community and the landscape around them.
243. The scheduled site consists of buried archaeological remains which are largely unidentifiable from the ground and have no perceivable presence within the landscape. Whilst it is appreciated that an agricultural site like a villa could be said to be related to the wider agricultural landscape it should be noted that this would only apply where there could be confidence that the surrounding agricultural landscape has been largely unchanged for the last 1600 years, from the time when the villa was in habitation and use.
244. It is not considered that this is the case in this instance. In the past 150 years alone there has been a gypsum mine operating within 250 metres of the scheduled monument, plantation woodland has appeared, disappeared or significantly expanded, fields have been amalgamated into larger units and within 120 metres of the scheduled monument 2 high voltage power lines run on pylons to the south and to the north the A453 has been significantly enlarged from the lane which previously followed this route in 1880. When looking back to the Sanderson Map of 1835 this pattern continues, with less enclosure than in 1880 and yet more changes in the positions and scale of

plantation woodland, there are also additional workings to the south of the site, a sand pit and brick kiln.

245. With reference to the County Council "Historic Landscape Character Assessment" none of the fields and field boundaries shown as being within the proposed development pre-date the agricultural revolution of the 18th and 19th centuries, being mainly large un-enclosed fields suited to modern agricultural equipment. As such the field pattern is not a historic feature of the landscape. The decision not to reflect the existing field pattern within the proposed development is, therefore, not unreasonable and would not, in his opinion, be detrimental to the character of the local landscape or have any adverse effect in terms of the historic environment.
246. Whilst it is agreed that some degree of context is necessary so as to preserve the character of the scheduled site, especially given that the potential for archaeological remains does not end at the designation boundary, it is not agreed that the existing wider landscape context offers any great opportunity to understand and appreciate the site and the way it existed when in use, given that it has changed significantly over the past 200 years, and has likely changed beyond recognition over the past 1600 years. In addition, the closest edge of the proposed development area would still be a considerable distance from the scheduled site and would not form an immediate urbanised context for the scheduled site.
247. Historic England also point out that villa sites are a part of a rural agricultural community and the landscape around them has the potential to preserve contemporaneous archaeological features associated with rural occupation and farming activity. Whilst this is also true the applicants have undertaken geophysical survey of the development site, this revealed a number of small areas which appeared to have archaeological potential, although the majority of features identified were the strong linear patterns of residual ridge and furrow ploughing.
248. A series of 22 trial trenches, each of considerable size (2 metres by 50 metres) were excavated on site to identify the nature and age of the potential archaeological features with limited results, whilst this represents a large amount of excavation it is a tiny percentage of the site area.
249. NCC Archaeologists have highlighted that experience on nearby sites has demonstrated that the nature of the ground in this area is such that the results of geophysical investigation are unreliable. Unfortunately, this makes it difficult to insist on further excavation at this stage as there is no evidence upon which to base such a request, but neither is it possible to confirm with any certainty that there are no significant archaeological features within the site.
250. It is considered that the EIA is adequate in so far as it relates to cultural heritage. The document makes clear that archaeology within the site would be protected during the development stage. Given that all efforts have been made to ensure that archaeology is identified in advance of the development phase, the submission should not be refused on heritage or archaeology grounds, however, given the comments of NCC archaeology it is important that any development is undertaken with awareness of the potential to encounter archaeology not previously identified. Given the scale of the site it

should be possible for site phasing to accommodate archaeological rescue excavation should areas of significant archaeology be encountered.

251. The comments made by several parish councils and their objections to the conclusion that the landscape within and around the site is of “low importance” is appreciated. From a strict historic importance standpoint, it is agreed that the landscape is essentially a modern creation and as such could be reasonably considered to be of low importance in that narrow respect. People find value in views and landscapes in all kinds of ways and this conclusion is not intended to suggest that the landscape has no positive qualities.
252. It is highlighted that there is a farmyard at the southwest corner of the site, mainly comprising of modern agricultural buildings but including at least 1 brick barn dating to the late 18th or first half of the 19th century. Any application should consider these buildings and ascribe them some value, potentially as non-designated heritage assets. The same applies to Barton Lodge to the extreme southwest of the site which is from a similar period. It is unlikely that any harm to these buildings could ever be considered to outweigh the benefits of such a substantial scheme.
253. The Environmental Health Officer has considered the information and reports submitted with the application and has provided comments on the following issues.
254. Noise – no objection to the proposal on environmental health grounds. In summary the report suggests that the impact of the scheme development generated traffic will be minor and that consideration of noise mitigation for the proposed dwellings is not required. Noise impacts that have been identified include noise from construction/demolition stage, road traffic and possible operational noise from proposed commercial/retail activities. Providing that Highways accept the road traffic data predictions then this department can accept the noise level predictions and there is no requirement for any further assessment or conditions relating to road traffic. No assessment of light pollution has been undertaken as part of the supporting Environmental Statement. Conditions are suggested to deal with noise during site clearance and construction phase, sound insulation scheme to effectively reduce the transmission of noise from external sources, control over hours of deliveries and waste collection times, details of any externally mounted plant or equipment and security lighting/flood lighting.
255. Contamination – agree with the recommendations as set out in the WSP Geo Environmental Desk Study. Recommend a condition requiring the submission of a Phase II Contaminated Land Report prior to development commencing and a minimum of four rounds of ground gas monitoring to establish if ground gas precautions are required for the proposed development. Bearing in mind some evidence of potential unexploded ordnance on site has been presented by a local resident, a condition requiring an unexploded ordnance risk assessment is suggested.
256. Air Quality – the proposal will produce transport and air quality impacts in the surrounding area. These impacts have been assessed using the ADMS roads model and has followed the guidelines as set out in Technical Guidance (TG09), which was valid at the time of submission. This has been

updated to TG16 in 2016. The scope of the report is considered sufficient. Information has been used from Environmental Health's own published reports and consultation has taken place with the service prior to the report being produced.

257. It is not considered that the development would cause any significant adverse impact to receptors in the current Air Quality Management Zones. The report states that for the Rushcliffe area the largest impacts are likely to be in the village of Bunny on properties closest to the main road. Even so the levels would not exceed the AQS and there would be sufficient headroom such that there would not be a significant concern with this estimated impact.
258. For sites in the Rushcliffe area there are no significant impacts from the 'with development' assessment. This conclusion is agreed with. It is recommended that the report should be considered by Nottingham City Council for impacts in relation to properties in their area, in particular receptors 52-57 (properties near the Crusader Island). The report does indicate larger impacts in the Clifton area. Mitigation proposed in the report for the construction phase and operational phase should be adopted to ensure air quality impacts are minimised.
259. The Environmental Health Officer has considered the points raised by the Parish Council in relation to air quality and has concluded that the report and method of modelling is robust and satisfactory and that a permanent air quality monitoring station is not required on the site.
260. With regard to the City Council's request for the consideration of creating a smoke free zone for the area, it has been confirmed that the proposed site is not currently in a smoke control area, however, it appears that it is still open to the Council to declare a smoke control area that could include this development, if there is a benefit in doing so. This would have the effect of making it an offence to emit smoke from chimneys on buildings and would thereby impose some control over the impacts of emissions from wood burning and bio-mass fireplaces that may be used in the new development. Any such fuels would either have to be approved as smokeless fuels or be burned on an exempted appliance in order to provide a defence against the offence of emitting smoke from a chimney. This would apply to both domestic and commercial chimneys although larger commercial fireplaces would probably be controlled by an environmental permit.
261. A Smoke Control Area would be declared under the provisions of the Clean Air Act 1993 and would be dealt with independently of the planning consent. At present there are no current proposals to go down this route.

Local Residents and the General Public

262. 489 pro-forma letters of objection have been received which state the following:
 - a. The application is premature and should wait for the publication of the Rushcliffe Core Strategy before being submitted.
 - b. The case for exceptional development in the Green Belt is not made.

- c. The Traffic Assessment is unsound and does not evaluate accurately the amount of the extra traffic that would travel through Gotham.
 - d. The development destroys valuable agricultural land.
 - e. The development would ruin the local landscape.
 - f. Object to the timing of the consultation in the holiday period and the short time available to comment on such a large and complex development.
263. A further 120 letters of objection or expanded pro-forma letters have been received with comments which can be summarised as follows:
264. Traffic related issues:
- a. Traffic Assessment is unsound.
 - b. Serious concerns over increased traffic in the area, frequent hold ups and lack of alternative routes.
 - c. Rat run through Gotham.
 - d. No traffic assessment conducted on 'The Ridgeway'.
 - e. Additional impact of traffic on local roads and from journeys to local schools has not been properly assessed.
 - f. Concerns over volume and speed of traffic through Gotham – local school looking to install traffic lights to protect children.
 - g. Properties in Gotham with no off street parking.
 - h. Nottingham Road closure could impact on emergency vehicle access.
 - i. Traffic modelling should incorporate actual data from now widened A453 and NET.
 - j. Rerouting of Nottingham Road highly inconvenient and lengthens journeys to Clifton and Ruddington.
 - k. Assumptions that all traffic would migrate towards Nottingham, no consideration for traffic towards Loughborough making road more dangerous and congested.
 - l. A453 widening did not incorporate potential traffic from this development and would therefore struggle to cope once more.
 - m. Traffic Counter surveys done in holidays so not true reflection on traffic volume or conditions.
 - n. Consider that traffic assessment is unsound eg as there is no secondary school in the development the traffic caused by the school runs to East Leake is not taken into account.

265. Landscape related issues:

- a. Highly visible on the landscape and no amount of landscaping and trees would hide it.
- b. Consider this to be beautiful evocative landscape which shouldn't be encroached upon by uniform bland urban sprawl.
- c. Lose the enjoyment of open spaces and ability to walk through beautiful countryside.
- d. Attracted to the area due to its outstanding natural beauty.
- e. Obliterates the stunning views across the Trent Valley.
- f. The city should be trying to protect a glorious approach into the city.
- g. Loss of visual amenity and destroying landscape by inappropriate, ugly and mass produced low grade housing.

266. Flood Risk related issues:

- a. Consider land forms vital part of the local flood defence - surface water drainage will be affected.
- b. Natural drainage will be destroyed and Gotham is already suffering flooding during severe weather.
- c. Pollution of water courses especially Fairham Brook.

267. Ecology related issues:

- a. Gotham is in the process of developing an extensive nature reserve which would be damaged by proposed unnecessary development.
- b. The land is important for our natural environment of birds, insects and mammals.
- c. Destruction of schedule 1 breeding species under the 1981 Wildlife and Countryside Act – specifically Owl and Marsh Harrier.

268. Residential Amenity:

- a. Concern that this will impact on the present enjoyment of residents adjoin the site.

269. Green Belt related issues:

- a. Need to preserve Green Belt for future generations.
- b. Green belt has to separate the city from the countryside.
- c. Gotham will be joined to Clifton.

- d. No defensible boundaries to the south and east with the potential for even further development.
270. Loss of Agricultural Land:
- a. Will impact on local businesses and the environment.
 - b. Need to provide food for the population.
 - c. Cannot recreate agricultural land.
271. Air Quality related issues:
- a. Increased traffic will be noisy dangerous and potentially dangerous to air pollution levels.
272. Impact on Gotham:
- a. On its rural character.
 - b. Should be protecting Gotham's heritage.
273. Impact on Clifton:
- a. Proposal is too big for Clifton.
 - b. Concern over the environmental impact on the retirement village Lark Hill.
274. Alternatives:
- a. Should look at brownfield sites in the city.
 - b. Should be retrofitting older properties.
 - c. Alternatives should be considered in Nottingham City, Gedling and Broxtowe.
275. Traveller and Gypsy Site:
- a. Could cause further social problems.
 - b. Will they pay proper prices for parking up like other caravan users have to?
 - c. Will they have a waste disposal site?
 - d. Why does this need to be situated on this site and not spread the sites around the Rushcliffe area.
 - e. Increase in anti-social behaviour.

276. Warehousing:

- a. Insufficient justification for employment land provision.
- b. Don't need more warehousing.
- c. Not appropriate in this location and will be visible for miles around.
- d. Concern over layout of the scheme which will mean heavy articulated vehicles travelling through or at best around the perimeter of proposed dwelling areas and could be 24/7.

277. Impact on Services:

- a. No appreciation of the affects that the likely number of new inhabitants would have on the NHS, Police and Fire Services.
- b. No mention of a secondary school on the site – bussing students to East Leake should be included in the Traffic Assessment.
- c. Inadequate infrastructure, sewerage, water, gas, electricity, roads etc.

278. Other issues raised:

- a. Not listening to the public.
- b. Inadequate consultation on the application.
- c. Concern that this will set a precedent.
- d. New estates should be pleasant places for people to live not just a means of squeezing together as many homes as possible.
- e. Houses are unwanted and not needed.
- f. No mention of a new police station.
- g. No need for new shops.
- h. Query over whether the bus service is adequate.
- i. Will the prospective residents receive written notification of the possible risks to health associated with living close to power lines.
- j. Concern that there will be a concentration of affordable housing.
- k. Concern over possibility of unexploded bombs.
- l. Impact on light pollution.
- m. Case for exceptional circumstances has not been made.
- n. The site is in the Green Belt and should remain so.

- o. Application is grossly premature.
- p. Application submitted in holiday time and inadequate time to consider it.
- q. Increase in crime and litter due to increase in population.
- r. Concern over fly tipping.
- s. Alleged hare coursing activities.

279. Two letters of support have been received commenting as follows:

- a. The development will benefit, Clifton, Nottingham, the Region and the country.
- b. Concerned that the development is not progressing quickly enough.
- c. It has good links to the M1, East Midlands Airport, Derby, Nottingham and has the benefits of a large park and ride and proximity to Parkway.

280. Thrumpton Cricket Club Object to the application on the following grounds:

- a. This is green belt land which must be protected from development where there is no justification proven. Brownfield sites must be utilised first and foremost for housing needs. There are already industrial unit sites in this area underutilised.
- b. The Cricket Club is in a unique English Village and as there are no defensible barrier to the south and east of this site Thrumpton, Barton and Gotham are seriously threatened by future sprawling development. This would be a wicked loss to this part of Nottinghamshire. We must protect these beautiful areas of England from unnecessary development and against exploitation for monetary gain.

281. Comments have been received from a Planning Consultant acting on behalf of Morrison's Supermarket who make the following comments:

- a. Morrison's trade from a number of locations in the local area, including a store that anchors Clifton District Centre. This store has a partly implemented planning permission to extend its sales area.
- b. They acknowledge that Policy 6 of the Core Strategy proposes new retail development on land south of Clifton. They are concerned that the applicant has not assessed the potential impact of the retail element of its proposal on existing centres particularly on Clifton.
- c. Draws reference to the most recent Greater Nottingham Retail Study (partial update 2013) which concluded at para 5.9 that, *"There will be a significant theoretical oversupply of convenience goods floor space in Clifton and out of centre in Nottingham, Gedling and Rushcliffe."*

- d. Given the recognised current underperformance of Clifton as a district centre and the identified oversupply of convenience goods floor space in the area, there is a real risk that the proposed retail development at land south of Clifton could harm the vitality and viability of Clifton particularly if the new floor space were to be developed before the new housing development is occupied.
 - e. They therefore consider that the applicant must provide an assessment of the retail impact of its proposal before the Council make a decision on the application.
282. Whilst it was not considered necessary to consult residents on the additional technical information received, two additional letters of representation have been received whose comments can be summarised as follows:
- a. Do not consider the traffic flows make sense in relation to Gotham.
 - b. The proposed rerouting of Nottingham Road through the proposed new development will be a considerable disadvantage to travellers from Gotham by virtue of the proposed rerouting around the development – this will isolate the village.
 - c. As this is the main bus route into and out of the Nottingham it will not serve the eastern side of the new development.
 - d. Consider that Gotham is being downgraded in terms of access.
 - e. Concern other cumulative impact of local air quality from and near a proposed enlarged Mill Hill roundabout.
 - f. Improvements to footpaths will result in urbanising impact of hard surfacing and signage etc.
 - g. Query why the County Council did not consider acquiring Fairham School and playing field instead of Nottingham City Council planning housing.
 - h. Concern that documents not viewable easily.
 - i. Concern over earthworks. Land degradation and excessive lighting around the Park and Ride.
 - j. The authorities don't do enough to curtail off road motorbikes and issues around brown hares which affects nature value.
 - k. Considers the A453 scheme is deliberately urbanizing alignment and design and its road naming is unwelcome and not recognised.

PLANNING POLICY

283. The Development Plan for Rushcliffe consists of the 5 saved policies of the Rushcliffe Borough Local Plan (1996) and the adopted Rushcliffe Local Plan Part 1: Core Strategy.

284. Other material considerations include the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG) and the Rushcliffe Borough Non Statutory Replacement Local Plan (2006).
285. Any decision should therefore be taken in accordance with the Core Strategy, the NPPF and NPPG, policies contained within the Rushcliffe Borough Non-Statutory Replacement Local Plan where they are consistent with or amplify the aims and objectives of the Framework, together with other material planning considerations.

Relevant National Planning Policies and Guidance

286. The National Planning Policy Framework (NPPF) states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. It is highly desirable that local planning authorities should have an up-to-date plan in place.
287. The NPPF includes a presumption in favour of sustainable development. Local Planning Authorities should approach decision making in a positive way to foster the delivery of sustainable development and look for solutions rather than problems, seeking to approve applications where possible. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development. Development proposals that accord with the development plan should be determined without delay. Where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
288. There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:
- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
 - a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations, and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
 - an environmental role – contributing to protecting and enhancing our natural, built and historic environment, and as part of this, helping to

improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

289. The NPPF includes 12 core planning principles. 7 of these principles state that planning should:

- Be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up to date, and be based on joint working and cooperation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;
- Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places the country needs;
- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of buildings and land;
- Take account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
- Support the transition to a low carbon future in a changing climate taking full account of flood risk;
- Conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

290. Chapter 1: 'Building a strong competitive economy' states that the Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future. The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore, significant weight should be placed on the need to support economic growth through the planning system. To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.

291. Chapter 4: 'Promoting sustainable transport' states that decisions should ensure that developments that generate significant movement are located where the need for travel will be minimised and use of sustainable transport

modes can be maximised. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

292. Chapter 6: 'Delivering a wide choice of high quality homes' states that local planning authorities (LPAs) should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements and an additional buffer of 5% to ensure choice and competition in the market for land, or 20% where there has been a record of persistent under delivery of housing. LPAs should also identify a supply of specific developable sites or broad locations for growth for years 6 - 10 and, where possible, for years 11 - 15. Housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 49 states that relevant policies for the supply of housing should not be considered up to date if the LPA cannot demonstrate a five year supply of deliverable housing sites.
293. Chapter 7: 'Requiring good design' states that good design is a key aspect of sustainable development and should contribute to making places better for people. Planning policies and decisions should aim to ensure that developments will function well and add to the overall quality of the area, incorporate green open space, and respond to the local character and history, and reflect the identity of local surroundings and materials.
294. Chapter 10: 'Meeting the challenge of climate change, flooding and coastal change' states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

Relevant Local Planning Policies and Guidance

295. No saved policies from the Rushcliffe Local Plan are relevant.
296. The following policies in the Rushcliffe Local Plan Part 1: Core Strategy are relevant:

Policy 1 - Presumption in Favour of Sustainable Development
Policy 2 - Climate Change
Policy 3 - Spatial Strategy
Policy 5 - Employment Provision and Economic development
Policy 8 - Housing Size Mix and Choice
Policy 9 - Gypsies, Travellers and Travelling Showpeople.
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 15 -Transport Infrastructure Priorities
Policy 16 - Green Infrastructure, Landscape, Parks and Open Space
Policy 17 - Biodiversity
Policy 18 - Infrastructure
Policy 19 - Developer Contributions
Policy 24 - Strategic Allocation South of Clifton

297. Policy 3 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 of Bingham, Cotgrave, East Leake, Keyworth, Radcliffe on Trent and Ruddington. Policy 24 is the overarching policy which identifies the application site as a strategic site for mixed use development and sets out the requirements for the site in terms of housing, employment, neighbourhood centre, transportation and other requirements.
298. Bearing in mind the outline nature of the application and taking into account this is a strategic allocation in the Core Strategy with its own specific criteria it is not considered necessary to refer to the Non-Statutory Replacement Local Plan.
299. Consideration should also be given to other Borough Council Strategies including the Sustainable Community Strategy, Leisure Facilities Strategy, Nature Conservation Strategy, the Borough Wide Playing Pitch Strategy and the Borough Councils Corporate Priorities.

Relevant Legislation/Regulations

300. Planning (Listed Buildings and Conservation Areas Act) 1990 - Section 66 of the Act, requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority 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. Section 72 of the Act requires that special attention should be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. Considerable importance and weight should be attached to any harm to these heritage assets or their setting. The courts have held that this creates a negative presumption (capable of being rebutted) against the grant of planning permission where harm will be caused and that the balancing exercise must begin with this negative weight/presumption even where the presumption in favour of sustainable development is engaged under the Framework.
301. Conservation of Habitat and Species Regulations 2010 (as amended), and the Wildlife and Countryside Act (as amended) 1981 - These Regulations contain certain prohibitions against activities affecting European Protected Species, such as bats. These include prohibitions against the deliberate capturing, killing or disturbance and against the damage or destruction of a breeding site or resting place of such an animal. The Habitats Directive and Regulations provide for the derogation from these prohibitions in certain circumstances. Natural England is the body primarily responsible for enforcing these prohibitions and is responsible for a separate licensing regime that allows what would otherwise be an unlawful act to be carried out lawfully.
302. The Council as local planning authority is obliged in considering whether to grant planning permission to have regard to the requirements of the Habitats Directive and Habitats Regulations in so far as they may be affected by the grant of permission. Where the prohibitions in the Regulations will be offended (for example where European Protected Species will be disturbed

by the development) the Council is obliged to consider the likelihood of a licence being subsequently issued by Natural England and the “three tests” under the Regulations being satisfied. Natural England will grant a licence where the following three tests are met:

- i. There are “imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment”;
- ii. there is no satisfactory alternative; and
- iii. the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

303. The Supreme Court has clarified that that it could not see why planning permission should not ordinarily be granted unless it is concluded that the proposed development is unlikely to be issued a license by Natural England. The fact that Natural England is not objecting to the application is not determinative of this issue as Natural England has referred to its generic Standing Advice for protected species. Consideration is needed to the Protection of Protection of Badgers Act 1992. Badgers are not European Protected Species but are subject to protection under the above Act. This Act includes various offences, including wilfully killing, injuring or taking a badger or deliberately damaging a badger sett. A licence is required from Natural England where development proposals may interfere with badger setts.

304. Natural Environment and Rural Communities Act 2006 - at Section 40 states that ‘every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity’. Section 40(3) of the same Act also states that ‘conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat.’

305. Planning for Growth (Ministerial Statement 2011) - this emphasises the priority for planning to support sustainable economic growth except where this compromises key sustainable development principles. The range of benefits of proposals to provide more robust and viable communities should be considered and appropriate weight should be given to economic recovery.

306. The Community Infrastructure Levy Regulations 2010 (As amended) - The Community Infrastructure Levy (CIL) places the Government’s policy tests on the use of planning obligations into law. It is unlawful for a planning obligation to be a reason for granting planning permission when determining a planning application for a development, or part of a development, that is capable of being charged CIL, whether or not there is a local CIL in operation, if the obligation does not meet all of the following tests:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

307. Since April 2015 Regulation 123 has also come into effect, this states:

- 1) This regulation applies where a relevant determination is made which results in planning permission being granted for development.

- 2) A planning obligation may not constitute a reason for granting planning permission for the development to the extent that the obligation provides for the funding or provision of relevant infrastructure (as defined).
- 3) A planning obligation (“obligation A”) may not constitute a reason for granting planning permission to the extent that:
 - a. obligation A provides for the funding or provision of an infrastructure project or type of infrastructure; and
 - b. Five or more separate planning obligations that:
 - i. relates to planning permissions granted for development within the area of the charging authority; and
 - ii. which provide for the funding or provision of that project, or type of infrastructure, have been entered into before the date that obligation A was entered into.

308. Design Council Building for Life 12 - This assessment sets 12 criteria to measure the suitability of schemes and their locations in relation to design, layout, sustainability criteria, adaptability and effect of existing local character and reduction of crime, amongst other things.

APPRAISAL

309. It is considered that the main planning considerations in the determination of this application relate to the principle of development in this location and then whether the application accords with the specific site requirements as set out in the specific site allocation within the Core Strategy Policy 24 (Land South of Clifton) which are set out in the policy in the following order, together with any other material planning considerations, which includes other relevant policies.

- A. Housing
- B. Employment
- C. Neighbourhood Centre
- D. Transportation
- E. Other requirements including flood risk and drainage, design, green infrastructure, ecology, heritage, community facilities and S106 requirements

Environmental Impact Assessment

310. In considering the application, the Borough Council should take into account the information and assessment of the impacts of the proposal within the accompanying Environmental Impact Assessment.

311. The proposal constitutes an Urban Development Project with a site area in excess of 0.5 ha and, therefore, it falls within Schedule 2 Part 10(b) of the Environmental Impact Assessment Regulations 1999 and due to the scale, nature and location of the development, in the context of Schedule 3 of the same regulations, it is considered to be EIA development. The EIA Regulations were amended coming into force on 15th April 2015 which

changed the threshold for developments constituting an EIA. For the avoidance of doubt the project would still constitute an EIA development given its size. New EIA regulations have also been introduced and came into force on 16 May 2017. There are transitional provisions for projects for which an environmental statement was submitted or where a scoping opinion has been sought before 16 May 2017. In such cases, the provisions of the 2011 Directive will continue to apply.

312. An Environmental Impact Assessment (known in this instance as an Environmental Statement (ES)) has been submitted as part of this Outline Planning Application. The Environmental Statement is extensive and the documents and its conclusions are available to view on the Councils website.
313. The aim of Environmental Impact Assessment is to protect the environment by ensuring that a local planning authority, when deciding whether to grant planning permission for a project which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this into account in the decision making process. The regulations set out a procedure for identifying those projects which should be subject to an Environmental Impact Assessment, and for assessing, consulting and coming to a decision on those projects which are likely to have significant environmental effects.
314. The Environmental Statement, together with any other information which is relevant to the decision, and any comments and representations made on it, must be taken into account by the local planning authority in deciding whether or not to grant consent for the development. The report below shows the consideration of the comments and representations made in relation to the application and the ES.
315. The ES has been prepared to comply with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. The ES has been prepared in accordance with the requirements of the Regulations and in particular Schedule 4 which sets out the information for inclusion within an ES. It is considered that the ES includes the information referred in in Part II of Schedule 4 including:
 1. A description of the development, comprising information on the site, design and size of the development.
 2. A description of the measures envisaged in order to avoid, reduce and if possible remedy significant effects.
 3. The data required to identify and assess the main effects which the development is likely to have on the environment.
 4. An outline of the main alternatives studied and an indication of the main reasons for the choice, taking into account the environmental effects.
 5. A non – technical summary of the information provided under para 1 to 4 of this Part.

316. In addition, the ES includes information referred to in Part I of Schedule 4 as is reasonably required to assess the environmental effects of the development and which the applicant can, having regard in particular to current knowledge and methods of assessment, reasonably required to compile.
317. The EIA regulations stipulate that the ES must include an outline of the main alternatives studied by the applicant and an indication of the main reasons for the choices, taking into account the environmental effects. Appropriate consideration of alternative sites is a material consideration in the determination of the application. The principle of development on the site has already undergone a rigorous testing and independent examination as part of the preparation of the Core Strategy. It is therefore agreed that the consideration of alternatives in this instance is most appropriately focused on the alternative land use arrangements within the site.
318. The application proposals seek to accord with, what was at the time of the submission, the emerging allocation policy for land south of Clifton and in doing so the range of on site design and layout alternatives are reduced. The ES, however, explains the alternative development scenarios and design approaches which have been considered through the iterative process of site assembly, master planning, assessment and consultation. As an iterative process the design of the proposed scheme detailed in this application has undergone many changes as part of a rigorous approach to its design development, which has been underpinned by the Environmental Assessment process and has been used to both inform and test the proposals. The Design and Access Statement submitted with the application explains the approach to the proposal and why it is in the form it is. The revised masterplan represents a logical but more importantly deliverable solution to development within the site. Officers are satisfied that there are no other alternatives which would present the opportunity to deliver the development envisaged through the allocation of the strategic site.
319. The impacts from the scheme are considered through technical assessments within the Environmental Statement (ES). Taking into account the comments received from Statutory Consultees and other interested parties it is considered that the ES provides sufficient information to enable a proper assessment of likely significant impacts, including cumulative impacts on the environment. Suitable mitigation has been negotiated and safeguarded by appropriate suggested conditions to address environmental concerns after lengthy and in depth consideration from key stakeholders and statutory bodies. Construction impacts have also been considered. It is felt that these can be adequately managed through a Construction Environmental Management Plan, which is suggested to be conditioned. As required by the EIA regulations, consideration of the environmental impacts has been taken into account in the assessment of this application.

Principle of Development

320. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. In the recent decision of the Supreme Court of Hopkins LTD v SoS CLG [2017] it was made clear that the starting point for the consideration of any planning

application was the adopted local development plan. The law requires planning applications to be considered against and in conformity with the policies contained within that local plan. Paragraph 14 of the NPPF advises that there is a presumption in favour of sustainable development and for decision-making this means approving development proposals that accord with the development plan without delay. The NPPF is a material consideration in planning decisions.

321. Paragraph 49 of the NPPF sets out that where local planning authorities cannot demonstrate a five-year supply of deliverable housing sites, relevant policies for the supply of housing should not be considered up-to-date. Applications for residential development should, therefore, be considered in the context of the presumption in favour of sustainable development. Paragraph 14 explains that the presumption in favour of sustainable development requires that, where the development plan is out of date, permission is granted unless:
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole; or
 - specific policies in the NPPF indicate development should be restricted.
322. As set out above, at the present time the Borough Council is unable to demonstrate a five year supply of deliverable housing sites and, therefore, the policies for the supply of housing should be considered to be not up to date. The consequence of Paragraph 49 is to act as a trigger to create a 'tilted balance' in favour of granting permission under paragraph 14 of the NPPF where the development is otherwise to be regarded as sustainable development. Policies 3 and site specific policies in the Core Strategy relate to the supply of housing. As the site is allocated for residential development through policy 3 of the CS, and criteria contained within policy 24 provides for the sustainable development of the site, it is considered that they still should be offered full weight when determining the application. Whichever way the policy position is interpreted it is considered that there is a strong policy imperative in support of the proposal.
323. The National Planning Policy Framework attaches great importance to sustainable development. It states, "*Development that is sustainable should go ahead without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision*" (NPPF - ministerial foreword). This is further confirmed in paragraph 14 which states that, "*at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking.*" One of the core principles of the NPPF is to support and deliver economic growth to ensure that the housing, business and other development needs of an area are met.
324. The Rushcliffe Core Strategy identifies the need for a minimum of 13,150 new homes between 2011 and 2028 with approximately 7, 650 homes in or adjoining the main built up area of Nottingham. These allocations are part of an adopted strategy to relieve pressure within Nottingham City and to meet in part the needs of the City by the construction of Sustainable Urban Extensions immediately adjoin the City conurbation. The proposed

development sited next to the existing community of Clifton, therefore, accords with the highest priority site in the housing hierarchy. The Core Strategy has been designed and found to be sound on the basis that it would achieve a sustainable distribution of development across both Rushcliffe and the wider housing market area. This site must, therefore, be considered as a key and vital component of the strategy for the delivery of housing in the Borough as set out in the adopted Core Strategy.

325. The adopted Core Strategy allocates strategic sites and the emerging Local Planning Part 2 Document will be used to allocate non-strategic sites. Policy 3 (The Spatial Strategy) identifies this application site as a strategic location for growth to accommodate up to 3000 homes together with new employment development. The above policies establish the principle which supports the case for largescale, mixed use residential development on the site. Detailed revisions to the Nottingham - Derby Green Belt within Rushcliffe were undertaken through the Local Plan Part 1 Core Strategy to accommodate the strategic allocations around the main Nottingham Area, including removal of the Land South of Clifton from the Green Belt. Within the Core Strategy, Policy 24 provides the policy framework for assessing this application and for ease of reference this report is set out following the format of this Policy to assist the Committee in the consideration of the requirements.

Housing

326. Policy 24 of the Core Strategy requires the following issues to be specifically addressed by way of housing matters. This states:
1. *A mix of housing, size and tenure taking into account the existing mix of adjoining and nearby areas of housing, including seeking through negotiation to secure to up to 30% affordable housing. The affordable housing should be phased through the development.*
 2. *The development should make efficient use of land. New residential development should seek to achieve an average net density of at least 30 dwellings to the hectare. Higher densities should be achieved close to the neighbourhood centre.*
 3. *In accordance with Policy 9 appropriate provision should be made for Gypsy and Traveller accommodation.*
327. This application seeks outline planning permission to provide up to 3000 dwellings and the Design and Access Statement proposes the delivery of a mix of housing offering 2 – 5 bedroom properties comprising a range of house types from linked townhouses to detached properties. As the Council is looking to secure a variety of house types, and the viability assessment undertaken by the developer includes the provision for one bedroom apartments and bungalows, the applicant has agreed that the mix of housing should not be restricted to that set out in the D and A. The mix of housing will be considered further at the reserved matters stage.
328. Discussions have been ongoing in relation to the level of affordable housing able to be achieved on the site, taking into account viability issues surrounding the deliverability of the site. At the present time a minimum of 10% affordable dwellings (300 units) would be achieved on the site, phased throughout the development with a mix of Affordable Rent and Shared Ownership on an approximate 50/50mix. Both policy 24 of the Core Strategy

and Policy 8 (Housing size, mix and choice) confirm that up to 30% affordable housing will be sought. Policy 8 confirms that the overall proportion and mix for affordable housing will be determined by, inter alia:

- c) *the ability to deliver affordable housing alongside other requirements, taking into account broad assessments of viability. Where the findings of local assessments are disputed on a particular site, a financial appraisal of the proposal will be expected in order to determine an appropriate level of affordable housing.*

329. A viability assessment has been submitted to the Borough Council and this has been scrutinised by an independent consultant. The key issues that affect the viability of this type of scheme are the infrastructure costs and Section 106 contributions including affordable housing requirements. Significant infrastructure costs in the delivery of the development exist around on and off site highway work, utilities, surface water drainage and landscaping. Bearing in mind the outline nature of the application it must be acknowledged that the costs are estimates but consultant engaged by the Council has considered these costs and has benchmarked these against other schemes in the region and overall considers these to be reasonable. A site is viable if the value generated by its development exceeds the cost of developing it and also provides sufficient incentive for the land to come forward and the development to be undertaken. Consideration has been given to the viability of a scheme which provides the highest desired level of affordable housing. The Council's Consultant has both assessed the developers Viability Assessment and has undertaken his own research and detailed assessment and has confirmed that a scheme involving 30% affordable housing and a profit level appropriate to encourage the site to come forward is not viable. As the site is a key and vital component of the adopted Core Strategy, identified to deliver a significant level of housing, Officers have needed to review the scheme to ensure the development is encouraged to be delivered.

330. A review of the planning obligations has been undertaken and it should be acknowledged that where they provide essential site specific items to mitigate the impact of the development, such as a necessary road improvement or new school, there is only limited opportunity to negotiate. The NPPF states that where local planning authorities are requiring affordable housing obligations they should be flexible in their requirements as the provision of affordable housing on the site has a significant cost to the scheme. Work undertaken by the developer and the council's independent consultant has confirmed that the scheme is considered viable with 5% affordable housing and Officers have been attempting to deliver a higher proportion of affordable housing on the site by reviewing S106 contributions being sought, and reviewing the nature of facilities being provided. The applicants have made an offer of 10% affordable housing with no review mechanism imposed and, in the circumstances and to ensure the delivery of this scheme comes forward, this is considered appropriate and reasonable and also accords with the policy requirement of securing up to 30% having regard to the other policy requirements and scheme viability.

331. The Borough Council has submitted a bid for funding to assist in the delivery of upfront highway infrastructure costs. However, the success of these bids cannot be guaranteed and any such funding cannot be relied upon in

considering the current outline planning application. If funding bids are successful for the provision of infrastructure associated with the site, the total or a substantial proportion of the cost of some of the highway works may not have to be borne solely by the developer. Therefore, it is intended that the S106 agreement should include mechanisms such that, if the funding bid is successful, a review of the Affordable Housing provision on site should be undertaken or financial contributions sought for off-site provision.

332. The Design and Access statement, within the design principles section, promotes a development which will make efficient use of land with different levels of density depending on the residential phase's location within the site. It is acknowledged that the higher densities will be achieved around the local centre and main road system.
333. In accordance with Policy 9, and in line with the identified need, this outline planning application makes provision for 4 gypsy and traveller pitches and an enclosed and serviced site would be secured by planning condition. The proposed siting of the pitches is shown on the illustrative masterplan towards the south west corner of the site, south of the employment land and is considered an appropriate location. It is intended that the pitches would be in private ownership and not for transit traveller use.

Employment

334. Policy 24 requires that, "*There should be provision of around 20 hectares of employment land to provide for a wide range of local employment opportunities where appropriate. Training opportunities should be provided for as part of the development.*" Given the sites strategic position, proximity to Clifton and relative transport accessibility advantages adjacent to the dualled A453 with links to the M1 and strategic road network, including access into Nottingham City, employment provision is considered essential to create a Sustainable Urban Extension providing opportunities for local employment and training for the new residents and existing population. Policy 5 of the Core Strategy relates to Employment provision and economic development and promotes significant new economic development on this strategic site. This policy makes specific reference to the site delivering B1, B2 and B8 employment land.
335. As set out above the application proposes to deliver 20 HA of employment land and provides for employment uses including B1 (offices), B2 (General Industry) and B8 (warehousing). The total floorspace provided on site would be up to 100,000sqm. The transport assessment assumes that the mixes of uses are likely to be 20,000sqm of B1 space, 40,000sqm of B2 space and 40,000sqm of B8 space. The employment area is likely to be delivered over a number of years in response to market demand. Bearing in mind the transport Assessment is based on this mix, it is considered that, should the Committee resolve to accept the recommendation, it is necessary to attach a condition to any permission to ensure that any alternative mix proposed would give rise to no greater traffic generation/impacts than that assessed in the transport assessment. Whilst concerns have been raised in relation to the siting of the potential employment uses, particularly in respect to landscape impact, this issue has been carefully considered and, on balance, bearing in mind the need for easy access to the Strategic Roads Network, this is considered the most appropriate location for such uses within the site.

The Design and Access Statement confirms that, within the employment zone, design proposals will provide for high quality mixed use development including a feature building within the employment zone acting as a focal point as part of Mill Hill gateway. The reserved matters application will adequately consider in more detail the visual impact and design of these uses. Should Members resolve to accept the recommendation it is proposed that a condition requiring a design brief is attached. This brief would include provision for the mix and disposition of uses, access and circulation, public realm, parking, layout, urban design principals, massing and scale. The reserved matters application(s) for this commercial/employment area would then need to be submitted in accordance with that approved design brief.

336. The application is supported by a report that provides an assessment of the Economic and Regeneration benefits of the proposed urban extension. This concludes that this development will generate a wide range of direct, indirect and catalytic economic effects both quantifiable and non-quantifiable. This report considers that once the employment provision is complete it is likely to accommodate around 3100 direct jobs dependent on the final mix of employment.
337. In addition, during the construction phase of the development the Council will work with the developer and the City Council to implement and deliver employment and training opportunities in the construction of the residential development for local residents and a planning condition is suggested to achieve this.
338. Taking into account the above it is, therefore, considered that the application satisfies the requirements of Policy 24 and Policy 5 of the Core Strategy and satisfies the aims of the NPPF in relation to the economic role of Planning and the corporate priority of supporting economic growth to ensure a sustainable, prosperous and thriving local economy.

Neighbourhood Centre

339. Policy 24 requires:
 - a. The provision of a neighbourhood centre of an appropriate scale to serve the proposed development.
 - b. Community facilities and retail development of an appropriate scale will be provided to serve the new development. On site community facilities should primarily be located within or adjacent to the neighbourhood centre. Where appropriate, enhancements to existing community facilities within Clifton and within other adjacent villages will be explored as an alternative.
340. It is acknowledged that the retail provision on the site should be restricted to provide local facilities for the immediate population with the main aim to ensure that residents utilise the existing shopping centre and supermarkets in Clifton to assist in regeneration and the continued vitality and viability of these facilities. The Core Strategy defines a neighbourhood centre as typically consisting of a small parade of shops serving walkable local communities. The illustrative masterplan and parameters information makes provision for a neighbourhood centre located approximately centrally within

the site along the safeguarded route for the tram which would provide a maximum retail floor space (A1 – A5 uses) of 2500sqm together with community buildings up to 1500sqm. The Greater Nottingham Retail Study (2015) recommends that, based upon their methodology for identifying a local floor space threshold, new retail development of 500m² gross should be subject to an impact test. In the absence of an impact test and in order to ensure that the retail element of the development does not impact on the vitality and viability or regeneration of Clifton as a district centre, it is considered necessary to recommend a condition restricting the size of any individual unit to 499sqm gross. The Neighbourhood Centre has been purposely arranged to front the main destination/central park, helping to create a natural neighbourhood focus and a sense of place for the community.

341. The Neighbourhood Centre has been purposely arranged to front the main destination/central park, helping to create a natural neighbourhood focus and a sense of place for the community. As with the Employment area it is recommended that any outline planning permission is accompanied by a Design Brief for the Neighbourhood Centre.

Transportation

342. In relation to transportation matters Policy 24 requires:

- a. Measures as necessary to improve the proposed A453(T) Mill Hill and Crusader roundabouts;
- b. Improvements to road infrastructure necessary to mitigate adverse traffic impacts and serve the new development and potential expansion of the Nottingham Express Transit (NET) Park and Ride facility if necessary;
- c. The provision of a safeguarded route to allow the possible future extension of the NET through the site and further to the south;
- d. Measures as necessary to minimise traffic impacts through Gotham and Ruddington villages;
- e. Improvements to walking, cycling and public transport links through and beyond the site, including enhancements where necessary to existing bus services linking in with the NET terminus;
- f. Implementation of a travel plan; and
- g. A financial contribution to a package of improvements for the A52(T) between A6005 (QMC) and A46(Bingham).

343. The NPPF in section 4 is very clear that when assessing developments that generate significant amounts of traffic, decision makers should apply the following tests and take account of whether:

1. *the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;*

2. *safe and suitable access to the site can be achieved for all people; and*
3. *improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.*

344. The application is supported by a Transport Assessment (TA), supplementary reports to address consultee requirements, a Non-Technical Summary and an Outline Travel Plan for both residential and employment uses, and also the educational facility on the site. The applicants have tested the proposed development against a number of different traffic generation scenarios to meet the requirements of NCC Highways and Highways England. In addition, they have looked at walking, cycling and bus proposals and Travel Plan measures to encourage alternative modes of transport to the private car. Whilst concerns have been raised by Parish Councils and other interested parties in relation to transportation issues, it is considered that the submission of the additional technical and other supporting information allows for a robust assessment of the application on highway grounds.

345. In response to the specific requirements of Policy 24 in relation to Transportation issues set out above, the following should be considered:

- a. Protracted discussions with both Highways England and NCC Highways have taken place to ensure acceptable impacts on both the Strategic and Local Road network. Improvements to the Mill Hill and Crusader roundabouts are required and will be achieved in a phased manner to assist in the viability of the scheme and help minimise impacts on the operation of the road system whilst improvements are being undertaken. The phasing is dependent on the level of employment floor space coming forward and numbers of properties being occupied.
- b. The illustrative masterplan and application proposes the provision of a safeguarded route for the NET to be able to penetrate the site and link with the proposed local centre and potentially continue further south. It is considered that a safeguarded route can be adequately achieved and protected by way of planning conditions and the reserved matters application and its delivery would be subject to separate funding. A technical note has been prepared by NET which assists the developer in considering the requirements for designing the layout of the development to ensure the safeguarding of this route. Discussions have taken place with NET to establish whether the existing Park and Ride Site requires expansion and it has been determined that sufficient capacity exists to accommodate any increase in usage. The layout of an upgraded access road to the Park and Ride, which the main access to the site is proposed to be accessed from, has also been designed to discourage residents of the new development from driving to the car park which therefore encourages residents to walk or cycle to take the tram, in the interests of sustainability.

- c. Particular attention has been paid to the potential impact of the development on the villages of Ruddington and Gotham. The parameters plan and illustrative masterplan has been designed to minimise traffic impacts through these villages. Whilst consideration has been given to the City Council proposal for securing a vehicular access through to Summerwood Lane, it was considered that such a link may have encouraged greater use of the road link to Ruddington and then onto the A52/A60. Negotiations on this matter were, therefore, not pursued further by the Borough Council as this would have been potentially contrary to this fundamental requirement of the Core Strategy. In relation to minimising impact on Gotham, significant modelling work has been undertaken to test the impact on this and other villages. The primary access routes serving the site have been designed to make the road link between Clifton and Gotham less attractive to use as a rat run. Through access along the Nottingham Road is retained but changes to its alignment are proposed which would result in the route becoming slower and longer through the site, thus becoming unappealing to such traffic users. It will not be necessary for each subsequent reserved matters application to be accompanied by a Transport Assessment but to ensure that traffic follows the predicted patterns as suggested in the Transport Assessment and to allow suitable mitigation to be introduced if required in the interests of highway safety, monitoring conditions have been discussed and agreed with the County Council and applicant which will allow ongoing monitoring on a regular basis as the development is built out.
 - d. The scheme allows for the encouragement of walking, cycling and public transport links. The site has the clear benefit of the proximity of the NET terminus and Park and Ride site together with an existing network of cycle routes outside of the site. Whilst internal routes would be subject to the necessary reserved matters applications, the applicant has provided a linkage plan which proposes a series of new and improved shared cycle/footpaths throughout the site linking with existing provision, including the Southern Cycle Corridor and the National Cycle Network. These will be secured by way of a planning condition for works that can be undertaken on the public highway or by using reasonable endeavours in the S106 if third party land is required.
 - e. The submitted Transport Assessment & Outline Travel Plan recognise the need to ensure that the development is readily accessible by non-motorised modes of transport. This is concurrent with established national and local policy, and is essential to the minimisation of negative traffic impacts associated with the development, through the encouragement of more sustainable forms of travel. To this end, it is essential that the Outline Travel Plan is underpinned by a robust package of measures that create an environment where the needs of pedestrians, public transport users and cyclists are given priority over car users.
346. The Travel Plan has been subject to several updates and revisions and an Outline Travel Plan has been submitted to set out an over-arching strategy for the development, aimed at positively influencing travel behaviour thereby encouraging sustainable forms of travel to, from and within the development.

The Plan sets out a series of sustainable transport proposals provided in principal. As the site is built-out, each individual developer/occupier would be required to submit an occupier specific Travel Plan which would need to adhere to the principles set out in the Outline Travel Plan. The Framework Travel Plan would apply to the majority of uses across the site including residential, employment and educational. A number of measures have been agreed with the County Highway Authority and incorporated into the applicant's Outline Travel Plan. These include the appointment of a Travel Plan co-ordinator to oversee all travel policies and implement The Clifton Travel Plan; the establishment of a Clifton web site which should provide information on travel and the use of non-car modes of travel; Real Time information; travel packs; and encouragement of walking and cycling. The travel plan confirms that all new houses will be equipped with ducting to enable high speed Broadband to be connected to encourage working from home.

347. The County Highway Authority considers that the document is acceptable and outstanding matters can be adequately addressed as part of a final detailed travel plan. The measures within the Outline Travel Plan to reduce reliance on the private car will be achieved through planning conditions.
348. A financial contribution of £1.7 million will be secured by way of a S106 agreement in accordance with the Memorandum of Understanding agreed with the Highways England to contribute to wider transport improvements necessary along the Strategic Network.
349. Taking all of the above into account, it is considered that the proposal satisfies the specific requirements of CS policy 24 in relation to transportation matters and will not result in 'severe' residual cumulative transport impacts satisfying the requirements of NPPF Section 4. No highway objections are, therefore, raised subject to the inclusion of planning conditions and obligations in a Section 106 agreement.

Other Requirements

Sewage and off site drainage improvements

350. The Environmental Statement includes an assessment of the likely significant effects of the proposed development on drainage, flooding, water quality and water resources in the context of the site and surrounding area. This also sets out the legislative framework which protects such environmental matters. In particular, it considers the potential effects on surface water and foul drainage systems, potable water demand, water bodies and flood risk on site, in the vicinity of and downstream of the site during the construction and operational phases of the development.
351. In relation to sewage there is currently no foul drainage connection to the site and the Sewer Capacity Assessment submitted as part of the ES notes that this development has implications for the capacity of the existing utility infrastructure, although the ultimate treatment works at Stoke Bardolph has capacity for the development. Severn Trent has confirmed that, as yet, they have not undertaken any detailed feasibility of what improvements may be necessary. No objections have, however, been raised to the application on these grounds. They have suggested a standard condition be applied in

relation to the submission of details together with a condition preventing any connection to the sewerage network until such works have been determined.

352. It is acknowledged that Section 94 of the Water Industry Act 1991 imposes a continuing duty on all sewerage undertakers to provide, maintain and where necessary improve its systems for collecting and treating foul and wastewater drainage so as to effectually drain its areas and effectually deal with the contents of its sewers. The planning authority must also take into account that the developer has the absolute right to connect to the public sewerage system under Section 106 of the Water Industry Act and consideration has, therefore, been given to whether the suggested planning conditions meet the tests as set out the NPPF. Bearing in mind that Severn Trent Water have been made aware of this site throughout the Core Strategy process of allocation and initially commented raising no objections to the application subject to its normal condition requiring details of foul and surface water drainage, and taking into account this is an outline application and subsequent reserved matters applications will be needed to be determined before any sewerage connection will need to be made, it is considered that enough time exists for capacity to be planned for and provided as and when needed. Sufficient legislation is, therefore, available to ensure mitigation measures are in place to protect the water environment and water resources in accordance with national, regional and local policies and in accordance with legislation.

An appropriate sustainable drainage system

353. In this particular consideration it is necessary to cover the wider issues of Flood Risk. The National Planning Policy Framework sets strict tests to protect people and property from flooding, which all local planning authorities are expected to follow. For the purposes of applying the National Planning Policy Framework, 'flood risk' is a combination of the probability and the potential consequences of flooding from all sources – including from rivers, directly from rainfall on the ground surface and rising groundwater. Paragraph 100 of the National Planning Policy Framework states that local planning authorities should take advice from the Environment Agency and other relevant flood risk management bodies such as lead local flood authorities and internal drainage boards. This advice has been sought and the comments of these bodies have been taken into account in the consideration of this application.
354. As the site is now an allocated site in the Core Strategy it is not necessary to undertake the flood risk sequential test on this particular application. Notwithstanding this it should be noted that an area identified to be at risk of some flooding in the EA flood zone maps only affects a small section of the site around the Fairham Brook watercourse and it should also be noted that only water compatible uses are proposed within this area.
355. The ES assesses the likely significant environmental effects of the proposed development in respect of flood risk, foul and surface water sewerage, water quality and water supply. The ES is accompanied by a site specific Flood Risk Assessment which includes a Drainage Strategy to assess the flood risk to and from a development site. The assessment demonstrates to the decision-maker how flood risk will be managed now and over the development's lifetime, taking climate change into account, and with regard

to the vulnerability of its users. Whilst the site is within the Borough of Rushcliffe, downstream impacts on areas within the administrative boundary of Nottingham City Council have been considered.

356. It is acknowledged that local authorities and developers should seek opportunities to reduce the overall level of flood risk in the area and beyond. This can be achieved, for instance, through the layout and form of development, including green infrastructure and the appropriate use of sustainable drainage system. Effectively managing run off also has a role to play in preventing pollutants entering waterbodies and in doing so supporting the aims of the Water Framework directive. The information submitted with this application has been carefully considered by the appropriate statutory bodies who are satisfied that the principles set out in the drainage strategy can be implemented by way of a detailed design scheme to be achieved by planning condition.

A High Quality built environment, to create a distinctive character that relates well to the surroundings, which gives consideration of the most appropriate sustainable methods of construction

357. The quality of the design - This is a key aspect of this strategic development which needs to be considered under the Framework and the Core Strategy Policy. Taking this into account, the proposal has evolved from the previous application which was subject to a CABA review. The findings of this design review have been considered and the application, as submitted, has responded to the points raised. Details of how the masterplan has evolved and the applicant's own Buildings for Life Assessment are contained within the submitted supporting documents. Overall it is considered that the application proposes a comprehensive sustainable urban extension, with suitable connections into the existing settlements. The development would also provide a supply of housing required to meet the local needs and would create a high quality built environment, with accessible local services. The framework masterplan and parameter plans seek to ensure the design philosophy set out in the Design and Access Statement are adhered to in future reserved matters schemes.
358. The Design and Access Statement includes information in relation to the design principles in relation to sustainability. This refers to the development proposals following the aspirations as set out within 'Code for Sustainable Homes' (2006) in order to provide a high quality environment. Bearing in mind this code has been withdrawn it will be necessary for sustainability issues to be considered by way of the reserved matters applications and a condition is recommended to require details of how renewable/energy efficiency and climate change proofing has been incorporated into the phase of the development. A condition is also recommended to ensure that any commercial/employment development over 1000sqm in floor space achieves a minimum of BREEAM Very Good standard and the provision of electric charging points in each house and within the commercial areas are provided.
359. Residents living alongside a development of this scale or within its vicinity, and indeed within the development itself, will inevitably experience disruption for a period of time from construction works. However, whilst it would not normally be appropriate to seek to control such issues through the planning regime, given the scale of this particular proposal planning conditions are

recommended that seek to keep this to a minimum. Existing housing on the southern edge of Clifton may lose, to some degree, the open aspect and in time it will abut aspects of the development. Any amenity impacts from and affecting the development can be controlled to a large extent through the reserved matters application(s), such matters being required to be in accordance with the principles and parameters described and illustrated in the submitted masterplan.

360. At an outline stage it is impossible to fully assess the impact this development will have on specific properties, until the design and layout of individual dwellings and the associated separation distances and window locations are known. Nevertheless, and notwithstanding the commentary above, it is considered that this site can accommodate the quantum of development suggested without significantly adversely impacting on the amenity of neighbouring properties. The consideration of Reserved Matters applications will ensure that the proposed development would not result in any material overbearing, overlooking or overshadowing impact on neighbouring residential amenity due to the scale of the properties and their relationship with neighbouring dwellings. It is, therefore, considered that the indicative details deposited with the application accord with the NPPF and Policy 24, and that acceptable standards of amenity will be maintained and achieved. Issues of noise and air quality have been addressed in the Environmental Statement and elsewhere in this report. Given the safeguards to be put in place, the application is considered capable of safeguarding and providing adequate levels of residential amenity.
361. It is important to remember that this application only seeks outline planning permission at this stage and it is considered the submission has adequately demonstrated that the proposed development can achieve high quality design and, therefore, is in accordance with the Framework and the intentions of Policy 24 of the Core Strategy.

The creation and enhancement of open space and green infrastructure which links to the wider green infrastructure network which has regard to the Greater Nottingham Landscape Character Assessment and provides for biodiversity enhancements

362. Careful consideration was given to landscape matters when the site was first considered for allocation within the Core Strategy. The 'Appraisal of Sustainable Urban Extensions Study (Tribal 2008)' found marginally in favour of the development of the site but acknowledged that the landscape in this area is of high quality when viewed from the existing urban edge, thanks to its open nature gentle slope and distant views to the surrounding hills.
363. The allocation of the site in the core strategy accepts that the development will impact on the landscape character of the area. Policy 24 requires the development to create and enhance open space and green infrastructure linking to the wider green infrastructure network, which has regard to the Greater Nottingham Landscape Character Assessment. This would also provide for biodiversity enhancements including the creation of significant green infrastructure areas and buffers, particularly on the southern and eastern boundaries of the site, and green corridors through the site linking features such as the Heart Leas and Drift Lane plantations.

364. The Environmental Statement includes a comprehensive Landscape and visual assessment (LVIA) to assess the impacts of the development on the landscape of the area, taken within the context of the proposals and the development parameters. Overall it provides a fair assessment and key view points and receptors from within an area are considered and the assessment is then focussed on the effects of the scheme on these main receptors. It is acknowledged that in some cases significantly adverse visual effects are demonstrated. The introduction of a development of such scale will by its very nature have an impact on the landscape and the allocation of this site for such a mixed use development acknowledges this. Mitigation is proposed in the form of significant areas of new planting and the parameters plan and framework masterplan show clearly the extent of this provision at the strategic level. Landscaping is a reserved matter and will be considered further at each reserved matters stage.
365. A comprehensive tree survey has been undertaken to assess the trees present on the site and this has informed the parameters plan and emerging masterplan. The development proposals provide an opportunity for a significant increase in tree cover across the site, in particular to the north, south and eastern extents in the form of a substantial woodland belt. Trees are an integral part of the wider redevelopment of this site and, as outlined above, are important elements within the larger landscaping plans. Generally, the majority of trees being removed are of lower grade quality trees. Once all the proposed landscaping works and tree planting has been carried out the quality of tree cover across the site would be significantly enhanced. As required by Policy 24 the scheme, by way of mitigation, includes an extensive landscape and green infrastructure provision as set out in the landscape concept plan which has been devised to provide a biodiversity enhancement as set out below. It should be noted that the scheme allows for approximately 30 HA of new woodland.
366. In relation to Ecological considerations, the Ecology and Nature Conservation chapter of the ES assesses the likely significant effects of the project on the ecology and nature conservation of the site and its surroundings. It describes the methods used to assess the likely effects, and presents the baseline conditions currently existing at the site and the value of the component features. Detailed surveys have been undertaken to confirm the presence of species protected under the Wildlife and Countryside Act 1981 (as amended), The Protection of Badgers Act 1992 and the Conservation of Habitats and Species Regulations 2010 (as amended) together with faunal surveys. The ES has been considered by Natural England, Nottinghamshire Wildlife Trust, Environment Agency and the Borough Councils Sustainability Officer. It is considered to be robust in its methodology and outcomes.
367. The ES has concluded that over the period of the survey the majority of the habitats identified within the survey area were considered to be of low ecological value. No significant populations of protected species were confirmed within the site. It is acknowledged that badgers do utilise parts of the site to the north west which are associated with significant woodland areas that abut the site. Assemblages of interesting breeding and overwintering birds were confirmed to be using the site. However, in overall nature conservation terms, the site is impoverished with few major habitats types present.

368. Green infrastructure has been designed from the outset to surround and subdivide the proposed development area. In the order of 97Ha of GI is to be created with biodiversity enhancement as a key objective. Negotiations have been undertaken with the statutory bodies to secure biodiversity enhancement and provision in an area of open space/surface water balancing provision to the east of the site. A revised ecological mitigation plan has been submitted to address comments originally made by the statutory consultees which includes the provision of the following:
- Mitigation zone (fenced to restrict public access).
 - Wet grassland.
 - Species rich grassland.
 - Scrapes and lakes with convoluted shape to create maximum edge effect.
 - Online fry refuge with reed bed connected to Fairham Brook.
 - Wild Bird Seed mix.
 - Pole mounted Barn Owl boxes.
 - Rough Grass buffer along Brook.
 - Two staged channel to be created along the development boundary.
369. CS policy EN1 requires development to contribute towards the conservation, enhancement or restoration of biodiversity and ecological networks throughout the landscape. The NPPF (Section 11) advises that the planning system should contribute to and enhance the natural and local environment by: minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Under Section 40 of the Natural Environment and Rural Communities Act (2006), every local authority has a statutory duty, in exercising its functions, to have regard, so far as it is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. Whilst the application is in outline only the Ecological Mitigation Illustrative Plan forming part of the application, which was subject to discussion and negotiation with all ecological bodies, provides a robust basis for adequate consideration of conserving and providing ecological enhancement on the site around the Fairham Brook area and this, and its ongoing management, are considered to be able to be achieved by way of the reserved matters applications and secured by planning condition.
370. The applicant has undertaken a comprehensive range of ecological surveys and proposed mitigation measures, which after careful consideration and review are considered appropriate in the context of the Framework and Policy 24 of the Core Strategy. As set out above ecological information has been carefully assessed by the Ecologists in various organisations and no objections to the proposals are raised. It will be important that the mitigation measures are fully implemented and these will be secured by attaching appropriate planning conditions, should planning permission be granted.
371. To ensure that the proposed development is undertaken in a way that will minimise adverse impacts on biodiversity and secure future long-term management to retain biodiversity and deliver biodiversity gain, a range of mitigation measures would be required and secured by the imposition of

suitable planning conditions. The proposal would therefore accord with the aims of Paragraph 118 of the Framework and the provisions of Policy 24 of the Core Strategy.

372. As there would potentially be a need for a license (with regards to badgers and potentially bats and otters) from Natural England under the Conservation of Habitat and Species Regulations 2010, Rushcliffe Borough Council are obliged under the Habitat Regulations to consider whether a license is likely to be issued and the 3 tests under the Regulations (set out earlier in this report) are satisfied. Bearing in mind the nature of the development proposed and the scope to incorporate mitigation measures if necessary, it is considered that the proposed mitigation process is expected to result in these licenses being issued.

The creation of significant green infrastructure areas and buffers, particularly on the southern and eastern boundaries of the site to contribute to the creation of a permanent defensible Green Belt boundary. Green corridors should also be created through the site linking features such as the Heart leas and Drift Lane plantations

373. The Design and Access Statement in section 5 sets out the design principles in relation to green infrastructure. The landscape features of merit within the site include hedgerows and occasional trees, of which the majority can be retained and enhanced within the development. Key landscape features proposed are the creation of a strong woodland edge around the south and west of the site linking to Brands Hill Wood, woodland planting between the old and the new A453 routes to provide a landscaped gateway and woodland setting to the development, the creation of a strong gateway at the Mill Hill Roundabout with new tree planting and landscaping with potential for a central artwork feature. A green filtered edge would be created to the south and east of the development area to screen views from the wider countryside and the existing woodland blocks are proposed to be retained. The site is proposed to be permeated with open spaces linked with a strong network of green corridors with a minimum width of 15m. It is considered that the green infrastructure parameters are appropriate at this outline application stage and the details can be adequately achieved at Reserved Matters stage on a phased basis.

Protect and/or enhance heritage assets within and surrounding the site

374. Sections 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers to have special regard to the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest which they possess. Section 72 of the same Act requires decision makers, with respect to any buildings or other land in a conservation area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
375. As was made very clear in the judgement of the Court of Appeal in the Barnwell Manor case, and subsequent case law, the abovementioned legislation requires that considerable importance and weight must be attached by the decision maker to the desirability of preserving the setting of heritage assets when balancing harm against public benefits. Section 12 of the NPPF sets out the approach to conserving and enhancing the historic environment in decision making. Paragraph 132 states that great weight

should be given to the conservation of heritage assets and the more important the asset, the greater the weight should be. There are three policy tests in the NPPF relating to designated and non-designated heritage assets:

- Paragraph 133 states, *“Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss....”*
- Paragraph 134 states, *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”*
- Paragraph 135 states, *“The effect of an application on the significant of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”*

376. In this context, proposals which would result in substantial harm to or total loss of significance of a designated heritage asset should be refused unless it can be demonstrated that it is necessary to achieve substantial public benefits that outweigh the harm. Where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. Although substantial and less than substantial harm is a matter of judgement the Planning Practice Guidance advises that substantial harm is a high test and is most likely to be applicable where a fundamental element of a heritage asset’s special interest is seriously compromised.

377. The ES considers the likely significant environmental effects of the development on both designated and non-designated heritage assets. There are no designated heritage assets within the application site, no listed buildings, no conservation areas, no scheduled parks and gardens or registered battlefields. At an early stage the limited number of heritage assets with the potential for impact arising from the proposal was narrowed down to the Scheduled Monument at Glebe Farm located outside of the application site to the south west and potential unidentified buried archaeology within the site. The ES is considered to be adequate in so far as it relates to cultural heritage.

378. Historic England have made comments expressing concern over the potential adverse impact of the proposal in the setting of the Roman Villa site at Glebe Farm, which is protected as a Scheduled Ancient Monument and these have been carefully considered by our Conservation Officer. The scheduled site consists of buried archaeological remains which are largely unidentifiable from the ground and have no perceivable presence within the landscape. Different weight is given to the significance of how the wider agricultural landscape contributes to the significance of the asset. It is not considered that the existing wider landscape context offers any great opportunity to

understand and appreciate the site and the way it existed when in use given that it has changed significantly over the past 200 years and has likely changed beyond recognition over the past 1600 years. In addition, the closest edge of the proposed development area would still be a considerable distance from the scheduled site and would not form an immediate urbanised context for scheduled site. Taking into account these considerations it is considered that the proposal would serve to preserve the setting of the scheduled monument.

379. In relation to undesignated heritage assets, buried archaeological assets would potentially be permanently damaged or destroyed during the construction phase. A planning condition is recommended to require further evaluation by geophysical investigation, analysis and publication to determine the presence, extent, character and condition of potential or known buried remains to be secured and carried out prior to the commencement of development of each key phase. There will be moderate beneficial effect arising from the archaeological investigation and interpretation works that would be carried out for below ground remains on site. Historic England was satisfied that the impacts could be adequately assessed by the County Councils Archaeological Officer and accordingly no objections have been raised by the statutory bodies.

New or expanded educational, outdoor sports and leisure, health, community, faith, cultural and youth facilities as required by the scale of the development, which is planned in such a way to integrate existing and new communities. Provision or expansion of facilities will be secured through planning obligations and/or a Community Infrastructure Levy in line with Policy 19

380. Significant consideration of community facilities and the potential interrelationship with existing provision both within the existing local villages and/or within Clifton has taken place including extensive discussion with consultees to understand existing capacity of facilities and their capability or otherwise to accommodate the new development.
381. In relation to school provision it is acknowledged that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Accordingly, paragraph 72 of the NPPF states that “*local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education*”, giving great weight to the need to create and expand or alter schools. The County Council as the Education Authority has been involved in the application and it has been resolved that the site will need to provide for a serviced site and financial contribution to allow the building of a three form entry primary school. Secondary pupils generated by the development would be accommodated by East Leake Academy and whilst limited capacity exists to accommodate some pupils requiring secondary schooling, it will be necessary to extend and alter the Academy to provide sufficient space in the future. A financial contribution is sought to allow this expansion and discussions have taken place in relation to the phasing of contributions. It is considered that this provision is compliant with CIL Regulation 122 in order to mitigate the impact of the proposed development in terms of health care provision. Bearing in mind the changing nature of education provision it is suggested that flexibility is provided in the S106 for funding to potentially be

diverted from East Leake Academy to other educational facilities if justification exists.

382. With regard to health provision, the development falls within the Rushcliffe Clinical Commissioning Group (CCG) area, who have calculated that the new development would result in an increased patient population of around 6900. Discussions have been undertaken with the City CCG team and it has been concluded that no capacity exists for patients to be accommodated within existing doctor surgeries. It is therefore necessary for the site to allow for the potential delivery of a doctor's surgery on site. Discussions with the CCG have taken place to establish the size of the site required and how this will be delivered. It is proposed that this is secured by way of planning conditions and a financial contribution through a S106 contribution. It is considered that this provision is compliant with CIL Regulation 122 in order to mitigate the impact of the proposed development in terms of health care provision.
383. In relation to open space, sport and recreation facilities the total quantity of open space provided by the proposal satisfies that identified to be required by our Community Services Manager and the level of playing pitches is in accordance with that recommended in the recently adopted Playing Pitch Strategy. The sport pitch provision is proposed to be located within the northern areas of the site which would allow existing and future communities to have easy access to the facilities. No flood lighting is proposed within this area. The illustrative masterplan also shows the provision of a destination park adjacent to the Local Centre with play areas supplemented by 6 local equipped areas for play (LEAPS) located in a logical and efficient manner through the development which will allow for a variety of play equipment for children of all ages.
384. The application as originally submitted proposed separate provision for sports changing facilities and a separate community hall. Following discussions, it has been agreed that a single building designed to be able to accommodate these uses would be more appropriate and allow for financial saving to be made to improve the viability of the scheme. This approach has been agreed with the Borough Council's Community Services Manager and a building of a minimum size of 500sqm for the community hall aspect of the joint building together with sports changing facilities, plus associated changing and storage would be required to satisfy the standards as recommended by Sport England. This requirement is compliant with CIL Regulation 122 in order to mitigate the impact of the proposed development in relation to community and sport provision. It provides accessible opportunities for outdoor play, sport and leisure and this is a benefit of the scheme. The long-term management of this provision should be secured through a requirement in the Section 106 legal agreement for a Public Open Space and Community Facilities Strategy/Management Plan, if members are minded to approve the planning application. Allotment provision is also allowed for and would be located adjacent to existing provision in the City Council's area, to potentially allow for ease of management.
385. Other sports provision in the form of sports hall and swimming pool provision are not sought in this particular instance due to the identified capacity at Clifton swimming pool, which will assist in the integration of the new and existing communities.

Other material planning considerations

Air Quality

386. The NPPF (Section 11) supports compliance with national limits for pollutants and states that planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan. The impact of the development on air quality is, therefore, a relevant material planning consideration.
387. The NPPF states that, *“Planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new developments in Air Quality Management Areas are consistent with the local air quality action plan.”*
388. The National Planning Practice Guidance (NPPG) contains guidance on air quality. It requires local planning authorities to consider whether development would expose people to existing sources of air pollutants, and/or give rise to potentially significant impact (such as dust) during construction for nearby sensitive locations.
389. The ES contains a chapter assessing air quality impacts and this has been considered by both the Borough Council and City Council’s Environmental Health Officers. The assessment of potential effects as a result of the proposed development has taken into account both the construction phase and the operational phase. Mitigation proposed in the report should be adopted to ensure air quality impacts are minimised, which includes a construction management plan and the implementation of the Travel Plan and the promotion of more sustainable methods of transport.
390. In response to the comments of the City Council’s Environmental Health Officer it is acknowledged that the travel plan confirms that all new houses will be equipped with high speed Broadband as part of the developments construction to encourage working from home and conditions are suggested to ensure this is achieved together with the provision of electric charging points to promote the use of electric vehicles. All residents would be provided with information regarding alternatives to personal vehicle use and whilst the opportunity is available to the Borough Council to designate the area as a Smoke Control Area, this would be considered under separate regulations. At the present time this is not being considered by the Environmental Health team. It is noted that it is not considered necessary for static air monitoring stations to be required as part of this development.

Noise

391. The NPPF advises that planning decisions should, inter alia, aim to:
1. Avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.
 2. Mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development including through the use of conditions.

3. Recognise that development will often create some noise.
 4. Identify and protect areas of tranquillity which have remained undisturbed by noise and are prized for their recreational and amenity value for this reason.
392. The principal noise sources associated with the development post construction are anticipated to be related to road traffic and the commercial uses within the site. Some noise could also be generated by the sports uses on the site. The illustrative masterplan proposes the potential noise generating commercial uses to be located adjacent to the new A453 which could effectively provide a noise mitigation barrier to the existing road noise for new residential areas.
393. The ES has established the noise environment at the development site and considered the potential noise impacts associated with the proposed development on the surrounding area. The existing noise sources include road traffic predominantly consisting of road noise from the A453 and to a lesser extent Nottingham Road. There are a number of noise sensitive receptors located within the vicinity of the site, the closest of which being residential properties located immediately north of the proposed development (east and west of Nottingham road). The ES is informed by assessments to determine the potential noise effects associated with construction and operational phases of the proposed development. The ES incorrectly refers to Nottingham Road becoming a bus only route and the applicant has confirmed that this is an error and has confirmed that the base data used to inform the noise assessment is not based on a bus only route and, therefore, the conclusions of the noise and vibration assessment as set out in the ES is considered valid.
394. Noise modelling and monitoring has been carried out for the ES in a robust manner and no objections are raised from the Borough Council or City Council Environmental Health Officers. It is considered that noise matters at construction stage can be adequately considered by way of the Construction Management Plan. However, in the absence of a detailed layout, noise generated by the employment and local centre users, and the safeguarded tramline will need to be considered at the reserved matters stage in order to inform the detailed design of these proposals and a mitigation strategy if required. Reserved matters applications will also enable adequate assessment of set back and layout including plot orientation, internal room layouts, bunding/buffer requirements and building methods to minimise noise impact. Whilst it is noted that the Environmental Health Officer initially suggested a planning condition to control delivery and waste collection times, bearing in mind the outline nature and scale of the development proposed, and the need to encourage economic development in the Borough, it is not considered that such a restrictive condition is justified. The opportunity will exist for the Borough Council to consider whether such hours' restrictions are necessary and justified on individual developments at reserved matters stage, taking into account the specific nature of the uses and location on the site.

Contamination

395. The ES includes a Geo Environmental Desk Study of the site which identifies potential sources of contamination to include agricultural uses of the site

(pesticides, fuel spillages etc), made ground including backfilled ponds and ground gas. Any contamination of the site is anticipated to be localised and gross or widespread contamination is not expected. The recommendations as set out in the report include a ground investigation to be undertaken across the site to characterise the underlying ground and groundwater conditions and a minimum of four ground gas monitoring visits to assess the ground gas regime beneath the site. In light of consultation responses, the potential for unexploded ordnance has been identified and a precautionary condition is, therefore, advised to deal with this possibility.

Waste

396. The National Planning Policy for Waste (2104) advises that when determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that:
- The likely impact of proposed, non-waste related developments on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy (prevention, preparing for reuse, recycling, other recovery, disposal) and/or the efficient operation of such facilities.
 - New non waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and in less developed areas with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service.
 - The handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities and minimises offsite disposal.
397. The National Planning Guidance follows this advice and suggests that for proposals that are likely to generate significant volumes of waste through the development or operational phases, it will be useful to include a waste audit as part of the application. This audit should demonstrate that in both construction and operational phases of a proposed development waste will be minimised as far as possible and that such waste as is generated will be managed in an appropriate manner in accordance with the Waste Hierarchy. Bearing in mind the mixed nature of this outline application and long build out of the development it is not considered that a waste audit is essential on this site to ensure consideration of the waste hierarchy is achieved. It is considered that waste matters can be adequately considered by way of planning conditions as set out below.
398. Consideration has been given to waste matters in the application and it would be normal practice for the construction management plan to include a requirement for a scheme for recycling/disposal of waste resulting from site clearance and construction works. On a development on this size it is also considered necessary for the site to achieve appropriate provision to allow for

the recycling of waste for items which are not covered by the Council's kerbside collection service eg glass and textiles. It is suggested by the Borough Council's recycling officer that this is achieved within the Local Centre, preferably in partnership with a retailer. Consideration has also been given to locating this on the existing park and ride site or within the community centre or sports fields' car park. Bearing in mind the outline nature of this application, it is considered appropriate to deal with such matters by way of details to be achieved by a condition requiring the site to include provision for a recycling site.

399. Reserved matters applications would ensure that adequate provision for storage facilities at residential premises and commercial/employment units are achieved by ensuring that there is sufficient and discrete provision for bins. The road layout would ensure that adequate provision for servicing of the development is achieved.
400. Before granting planning permission, the Council will need to be satisfied that the impacts of non-waste development on existing waste management facilities are acceptable and do not prejudice the implementation of the Waste Hierarchy. It is noted that the County Council as the Waste Authority are satisfied that there are no existing waste sites within the vicinity of the site whereby the proposed development could cause an issue in terms of safeguarding existing waste management facilities.

It is noted that the County Council suggest that the West Bridgford Waste and Recycling Centre is currently operating at full capacity and is no longer fit for purpose. They advise that, due to significant actual and proposed housing development in the area, a new fit for purpose site will be required. They have confirmed that they do not wish such a site to be accommodated on this development but to assist with the delivery of such a facility on an alternative site the County Council are seeking a contribution of £204,743.22 from this scheme which is considered proportionate to the level of development proposed. This request was made late in the application process after the Viability Assessment had been undertaken and has not been sought on any other recent applications within West Bridgford including the very recent Wilford Lane residential development. It is acknowledged that the County Council's Planning Obligations Strategy is presently being updated, and has recently been out to consultation, and includes the provision of a formula for achieving contributions which is proposed to be sought on schemes providing over 200 dwellings this is in draft form only and carries limited weight. A replacement site has not been identified and S106 contributions would only be able to be sought on four sites. Consideration will need to be given to whether contributions would be more appropriate to be sought from any community infrastructure levy contribution strategy which would allow all development to be able to contribute. Taking into account that recycling facilities are proposed within the site and at the present time no new site has been identified it is not considered, in weighing up the S106 requests, that this is fully justified.

401. Taking into account the above comments and suggested condition it is considered that waste management is adequately considered alongside other spatial planning concerns, and reserved matters applications will be able to ensure the design and layout of new residential and commercial development

complements sustainable waste management including the provision of appropriate storage and segregation facilities to facilitate collection of waste.

Light Impacts

402. The NPPF acknowledges that some proposals for new development may have implications in relation to light impact. The nature of the development proposed will result in the introduction of lighting in an area which at present is unlit apart from the approach to the Mill Hill roundabout and the Park and Ride site and the edge of Clifton itself. The development will therefore impact on the dark skies and the character of the area at night. This is not however an area where the dark sky is specifically protected and the impact on what is a dark landscape needs to be balanced against the necessity for the development. Consideration also needs to be given to the impact on sensitive wildlife receptors throughout the year or at particular times and a condition is therefore suggested to ensure this can be adequately considered at reserved matters stage. In relation to the proposed sport pitches it is not considered necessary at this stage for the pitches to have artificial lighting and if this is proposed in the future this would be subject to consideration at that stage.

Socio-economic impacts

403. In terms of economic Impact, the proposed development would generate a wide range of direct/indirect jobs including up to 4000 person years of temporary construction employment, equivalent to approximately 270 jobs per year of construction or 400 FTE jobs at a range of skill levels. It is anticipated that the development might provide a net figure of 3100 new permanent jobs which will result in a further 620 'spin off' FTE jobs in local services and other firms in the area. There will be benefits to the area as a whole in that the increased population may be likely to undertake the majority of its expenditure in the town. This is a major beneficial effect of the development and will assist in the ongoing regeneration of Clifton centre.

404. The socio-economic effects of the development would bring considerable benefits to Clifton and Rushcliffe through the provision of a significant amount of new housing, employment opportunities and community infrastructure in accordance with the CS policy and the NPPF, helping to ensure that a sustainable development is created. As set out above a condition is recommended to help secure training and employment opportunities for the local community.

Health and Well Being

405. The NPPF also seeks to promote healthy communities. Paragraphs 69-78 of the NPPF sets out ways in which the planning system can play an important role in facilitating social interaction and create healthy inclusive environments. Planning policies should in turn aim to achieve places which promote:

- Safe and accessible environments.
- High quality public spaces.
- Recreational space/sports facilities.
- Community facilities.
- Public rights of way.

406. Policy 12 of the Core Strategy (Local Services and healthy lifestyles), Rushcliffe's Sustainable Community Strategy and Nottinghamshire Health and Wellbeing Strategy support the promotion of healthy communities through the creation of safe and accessible environments; high quality public spaces, recreational space/sports facilities, community facilities and public rights of way. Consideration also needs to be given to access to community facilities and services as a lack of these can lead to people being isolated and suffering from mental health conditions, therefore, adversely affecting their health and wellbeing.
407. The high provision of open and green space proposed as part of the development would support these policy ambitions, as will the development's proximity to existing countryside and links to the Trent Valley Way. Additionally, the inclusion of shared streets and pedestrian and cycle ways throughout the development would support access to the local health centre and community facilities. The proximity of the existing tram system and the potential for this to be extended into the site, together with existing and potentially new bus services, would also support the ability of less mobile members of the population to visit community and health facilities as required and to access the facilities within Clifton District Centre.
408. In accordance with the Planning & Health and Engagement Protocol between local planning authorities & health partners in Nottinghamshire 2017 the application has been assessed by the Borough Councils Health Development Officer by using the Rapid Health Impact Assessment Matrix and it is considered that this development is likely to have a largely positive health impact and no specific issues have been raised that need addressing at this stage. Reserved Matters application will be assessed against this matrix and Building for Life Criteria.

Viability

409. The National Planning Policy Framework policy on viability states that decision-taking on individual schemes does not normally require an assessment of viability, however, viability can be important where planning obligations or other costs are being introduced, such as at this site, and local planning authorities should look to be flexible in applying policy requirements wherever possible.
410. The viability of the development has been independently assessed. Their assessment has been made by comparing the residual value of the proposed scheme with an appropriate benchmark figure having regard to the National Planning Policy Framework and the published RICS Guidance Note into Financial Viability in Planning. They have also considered the suggested infrastructure costs associated with the development and whilst it is acknowledged that these are, in some cases, approximate due to the outline nature of the scheme it is concluded, having regard to other schemes of a similar nature, reasonable and they are content that the costs assigned to the scheme are appropriate. As set out in more detail in the Affordable housing section of this report, having regard to the contributions required by the scheme to S106 requirements and the overall infrastructure costs associated with a development of this nature, an on-site affordable housing contribution of just over 5% is viable based on a mix of affordable rent and shared

ownership tenure. The Council's advisor suggested that, if the Council are minded to grant consent with this level of affordable housing, that a review mechanism is included in any Section 106 agreement in order to review viability as each phase comes forward for development. It is noted that the County Council have also requested a review mechanism is included.

411. The Consortium of landowners have subsequently offered a fixed level of 10% affordable housing but with the proviso that no review mechanism is proposed, providing this leads to an early agreement between the parties. The Council's independent advisor has confirmed that this position is fair and is similar to other schemes agreed elsewhere. The applicant has stated that any variance to the fixed level offer of 10% affordable housing introduces uncertainty and further risk to the developers and would require a full review of the offer by the Consortium. They state that the issue of a review mechanism is complex on a site of this size and because of how it will be delivered. Given the high levels of initial investment required, the Consortium will require certainty in relation to land sales. In short it is considered that a review mechanism would add significant uncertainty and complexity to the process and could jeopardise the delivery of the scheme.
412. Concern has been expressed regarding the apparent difference in the viability outcomes undertaken at the preparation of the Core Strategy stage in identifying sites and the site specific requirements. The work undertaken at that stage was high level only and the figures set out in the Core Strategy are confirmed in the accompanying notes to be *'estimates of costs at a snapshot in time and do not supersede the need for necessary and continuing negotiations in respect of infrastructure requirements both prior to the submission of planning applications and then during the planning application stage itself.'*
413. Requests from the Planning Consultant acting on behalf of the Parish Councils for sight of the viability assessments undertaken have been considered but the Council's advisor has confirmed that his report is considered Exempt Information within the terms of paragraph 9 of Schedule 12A to the Local Government Act 1972 (section 1 and Part 1 of Schedule 1 to the Local Government (Access to Information Act 1985) as amended by the Local Government (access to Information) (Variation) Order 2006 and the council is expected to treat it accordingly.

S106 Planning obligations

414. Obligations within a section 106 agreement assist in mitigating the impact of development to make it acceptable in planning terms. Planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. These tests are set out as statutory tests in the Community Infrastructure Levy Regulations 2010 and as policy tests in the National Planning Policy Framework. Attached to this report is a S106 Heads of Terms Table which sets out the contributions being sought by infrastructure providers or equivalent and the Borough Council's considered position on this. Where possible the triggers and potential phasings for the contribution are also set out within the table.

415. The contributions requested have been challenged with the infrastructure providers and additional information provided where necessary to justify the level or type of contribution being sought. Officers have also carefully considered ways of reducing the financial contributions required in an attempt to improve the viability of the scheme and hence increase the potential affordable housing provision on the site. Consideration has been given to how the requests sought satisfy the tests and it has been concluded that in relation to the requested NCC school bus provision and PFI uplift in relation to Secondary School Provision, these do not fully satisfy the necessary tests and are, therefore, not proposed to be sought by the Borough Council.
416. The Council has carried out a prioritisation exercise to establish which mitigation contributions are most important to achieving the overall aims of the development plan. There are some S106 topic areas where maximum/full contributions will not be sought in full. Bearing in mind the proximity of the tram system, the availability of the existing public bus services and commercial aspect of this type of provision, it is not considered necessary to seek the full S106 contribution being requested by the County Council in relation to bus service improvements. On applying the planning balance in relation to seeking contributions, a reduced level has been secured which will assist the County Council in commissioning appropriate services.
417. Legislation and guidance state that planning obligations should not be sought where they are clearly not necessary to make the development acceptable in planning terms and this has been taken into account in the preparation of the S106 Heads of Terms Table. Where possible the triggers for the provision of the contribution or the community facility have been set out but this is likely to be subject to further consideration. In relation to the S106 contributions sought consideration has been given to the potential pooling of contributions. The contributions as set out in the table are considered to be CIL compliant. In addition to the contributions set out in the attached table, there are additional costs to the development, including off site highway works, e.g. circa £4m for work to the Mill Hill and Crusader. Furthermore, on site infrastructure will also be provided at a cost to the development with an anticipated £10million associated with Landscaping provision together with costs associated with the provision of items such as bus stops and the, laying out of sports pitches/open space etc.
418. It is noted that the Parish Council has raised comments to the effect that they wish to receive improvements to facilities within their villages and compensation for the development. Where considered appropriate (eg healthcare provision) consideration has been given to whether facilities within the local villages are able to be extended and or improved to provide for the new population. Capacity issues have been identified by the Healthcare provider and therefore a new facility within the site itself is necessary. Other facilities such as sports pitches and associated changing facilities and play areas etc are considered to be most appropriately located within the site itself to serve the new residents. Compensation is not payable to communities that consider themselves to be affected by a development.

Loss of Agricultural Land

419. The development comprises approximately 244 HA of agricultural Land including 167 Ha of land classified as best and most versatile (Grade 1, 2 and

3A land) in the Agricultural Land Classification. Soil profiles would be restored within those areas of the site that are covered by open spaces and gardens but the land use itself would no longer be classed as agricultural. Paragraph 112 of the NPPF identifies that the economic and other benefits of the best and most versatile agricultural land (BMVAL) should be taken into account. Significantly, development of agricultural land, where demonstrated to be necessary, should utilise areas of poorer quality land in preference to that of higher quality. The land is BMVAL and the resultant loss of BMVAL is a matter that weighs against the scheme. BMVAL is a finite resource and the NPPF makes it clear that the economic and other benefits of such land must be weighed in the balance. The economic and social benefits of development at Land south of Clifton are clearly set out in the Core Strategy. The loss of BMVAL would, at worst, be modest, taking into account the general quality of agricultural land across the country. Nonetheless, it would be a dis-benefit of the proposal that must be weighed into the overall balance of the decision although, in these circumstances, as the site is a strategic allocation essential to deliver the required housing provision and employment opportunities, it should only be afforded limited weight. A requirement in relation to topsoil handling, stripping, stockpiling and reuse is proposed to be included in the suggested condition relating to the Construction Method Statement.

Publicity

420. Further concerns have been raised regarding the alleged failure to consider public opinion. Minimum requirements for consultation by the Local Planning Authority on planning applications are primarily set out in the *'Town and Country Planning (Development Management Procedure) Order'* (DMPO). In addition to the DMPO, the Council carries out consultation on planning applications in accordance with the adopted Statement of Community Involvement and the requirements of the Environmental Impact Assessment Regulations. Individual letters of notification were sent to all households in the villages of Barton in Fabis, Gotham and Thrumpton, all residents of Lark Hill Village and properties to the south of Farnborough Road in Clifton plus the local schools and community facilities. All comments have been considered and are summarised in this report. Furthermore, the applicants also engaged with local communities before the application was submitted through a local public exhibition.
421. The Council has also engaged widely with local communities and other interested groups concerning this strategic site through the Core Strategy. In particular, the Council has held a number of road show exhibitions and discussion forums across the Borough including the villages around Clifton to give local residents the opportunity to engage in development of the Core Strategy and within Clifton itself. The plan was publicised through the website, press notices, notification by letter, e-mail and media releases. It is considered that the application has been subject to adequate publicity and full consideration of the points raised has been undertaken.
422. Bearing in mind the technical nature of the additional and revised information submitted, which sought to address primarily the queries from statutory consultees, it was not considered necessary to consult all of the contributors to the initial submission. Consideration has also been given to whether the nature of the information submitted required additional publicity and consideration in respect to the Environmental Impact Regulations. The

information did not alter the fundamental principles of the Parameters Plan, nor given the scale of the changes, make any significant change to the scale and form of development proposed and following a review of the Environmental Statement in light of these changes it was not considered necessary. This additional information has been made available on the Council's website and has been sent through to the Parish Councils and comments received from interested parties on this information have been summarised above and considered as part of this appraisal.

Green Belt

423. The Strategic site as set out in Policy 24 in relation to the housing and employment land has been removed from the Green Belt by way of the adoption of the Core Strategy, therefore, the application of Green Belt policies does not apply. It is acknowledged that landscaping, Sustainable Drainage schemes, allotments and enhanced biodiversity habitats and some recreational uses are proposed within the Green Belt, however, these are considered to fall within the scope of appropriate development as set out within the NPPF.

Sand and Gravel application

424. The Borough Council has been consulted on an application on land at Mill Hill and Barton in Fabis, which is presently being considered by the County Council for the extraction and processing of sand and gravel, including the construction of a new site access road, landscaping and screening bunds, mineral washing plant and other associated infrastructure with restoration to agriculture and nature conservation areas. The site is proposed to be accessed via an upgraded farm access to Green Street with traffic leaving the site turning left and joining the highway at the Mill Hill roundabout. The proposal includes provision for a defined plant area located on Mill Hill.
425. The application was reported to this Planning Committee in October and it was resolved to object to the application on the grounds that it would represent unjustified and inappropriate development in the Green Belt and that it had not been demonstrated that the development would not have adverse impacts in respect of noise, dust, air quality, landscape impact, archaeology or the cumulative impact with the housing allocations/applications.
426. The Draft Minerals Local Plan did not identify this site as a draft allocation and the application is at an early stage. Representations have been made to the County Council on the application but it is not considered that the application, subject of this report needs, to consider the cumulative impact of this proposal and this application can be decided in advance of consideration of the County Matter application.

Other Issues

427. It has been suggested that a masterplan or development brief should be prepared in consultation with other stakeholders, including the two parish councils. This application is, however, supported with a parameters plan and a Design and Access Statement, including an illustrative development framework plan and design principles, and is an individual outline application

covering the whole site. A planning condition is recommended to ensure each reserved matters application shall substantially accord with the parameters plan and the design principles as set out in the Design and Access Statement submitted with the application. To allow specific attention to layout, design and mix of uses to be given to the employment area and the local centre separate conditions are proposed which secure the submission and approval of a design brief. Any reserved matters applications for these areas of the development will thereafter need to be submitted in accordance with the approved design brief.

428. Concern has been raised regarding alleged hare coursing activity on the site which is a potential illegal activity for the Local Police Authority to investigate and take appropriate action if necessary.
429. Concerns regarding instances of fly tipping is not a matter that can be considered as part of this planning application as it is dealt with under separate legislation.
430. Impact on house values and right to a view are not material planning considerations.
431. Any potential future changes to the boundary of Rushcliffe and the City Council is not for consideration through the planning application process.

Conclusion

432. This planning application should be considered by applying Section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires it to be determined having regard to the adopted development plan unless material considerations indicate otherwise.
433. In considering this application, the Borough Council has examined the environmental information as set out in the EIA and the requirements set out in the EIA Regulations. It has concluded that the method of assessment contained in the Environmental Statement and other environmental information is considered sound and robust and that a reasoned conclusion has been reached on the effects of the proposed development on the environment. The ES and accompanying studies have demonstrated that the majority of environmental and traffic impacts of the development can be adequately mitigated. It is recognised that a development of this scale will have some impacts that cannot be fully mitigated such as the loss of agricultural land and whilst landscape and visual effects will to some receptors have a major/moderate adverse impact, maturing landscape proposals would reduce the effects over time. Potential environmental effects have been appropriately addressed and can be adequately mitigated, subject to the recommended planning conditions and planning obligations secured within a Section 106 legal agreement.
434. It is acknowledged that the Borough Council cannot demonstrate a five-year land supply and the policies regarding housing should not be considered to be up to date. This has resulted in the borough being at risk from predatory applications for housing development in other areas, and this has proven to be more than a threat with developments approved at appeal on unallocated sites in Aslockton and East Leake where the position of the Council's five

year supply of developable housing sites was a significant factor in the appeals being allowed. In the absence of a five-year housing supply, paragraph 49 and the presumption in favour of sustainable development are, therefore, engaged. Of the strategic sites allocated in the Core Strategy, this site was originally projected to deliver the largest number of houses (3000) within the plan period to 2028 with only land East of Gamston projected to deliver more houses in the longer term, 2500 during the plan period and a further 1500 post plan period. As such, the approval of this application would result in the site making a significant contribution to the housing provision within the borough and would enable the Council to significantly close the gap on the current deficit in the housing supply. It would also send a strong message to Inspectors in considering future appeals that the Council's efforts to address the deficiency in the housing supply are serious and producing results. However, in order to ensure that the development is deliverable, it is important that any permission granted for this site is not fettered by unreasonable or excessive requirements for financial contributions that could render the scheme unviable or conditions setting unreasonable requirements that might delay delivery of the site.

435. As the site is allocated for residential development through policy 3 of the Core Strategy, and criteria contained within policy 24 provides for the sustainable development of the site, it is considered that they should be offered full weight when determining the application. This site forms a key and vital component to the delivery of a five-year housing supply, and so accords with the NPPF presumption in favour of sustainable development. Consideration of the application has been based on ensuring compliance with these policies, having regard to a number of individual planning policies that apply to the proposed development. It is concluded that when considering the development plan as a whole, subject to the satisfactory resolution of the S106 agreement, the proposals would be in compliance with the Development Plan and with the fundamental aims of the NPPF.
436. It is considered that, taking into account the benefits that would be generated as a result of this proposal, it would constitute a sustainable form of development. In reaching this conclusion regard has been had to paragraph 98 of the NPPF which advises that when determining planning applications, local planning authorities should approve the application if impacts are, or can be made acceptable. Given the considerations set out above, it is considered that it has been demonstrated that, on balance, the planning impacts have been addressed and have, therefore, been made acceptable, or that such impacts are outweighed by the benefits that result from the scheme.
437. In conclusion, there would be many environmental, social and economic benefits of the proposals and the development is considered acceptable for the above reasons and, in particular, the following:
- The principle of residential and employment development on the site is supported in policy. This site forms a key and vital component of the adopted Core Strategy.
 - The development will deliver local housing need, contributing significantly to Rushcliffe's requirement to deliver 13,150 homes by 2028.

- The development forms a natural urban extension to Nottingham's urban boundary assisting in the continued regeneration of Clifton.
- The development is accessed directly from the recently dualled A453 and is adjacent to the NET encouraging residents and employees of the development to use alternative forms of transport.
- Residential amenity will not be significantly adversely affected, although it is considered there may be some impact on amenity during the demolition/construction phase, which will be controlled through the implementation of safeguarding conditions.
- The Environmental Statement is considered to be a reasonable assessment of the likely significant environmental effects of the proposals and provides a suitable basis for assessment. Subject to mitigation measures and safeguarding conditions being implemented it is considered that the development would be acceptable environmentally.
- The site provides a generous green framework retaining existing areas of woodland and providing an additional 30 HA of new woodland.
- The scheme delivers community infrastructure, including a primary school, local shops, health centre and community hall and sports facilities, to support the new population and also encourages and supports the use of existing facilities within Clifton.

438. In these circumstances, and subject to the satisfactory resolution of planning conditions and the S106 agreement, paragraph 14 of the NPPF advises that proposals that accord with the development plan should be approved without delay unless material considerations indicate otherwise. These have been fully assessed within this report and officers conclude that, subject to the satisfactory resolution of the S106 agreement, there would be no other material considerations which indicate that planning permission should not be granted.

439. The Strategic Allocation south of Clifton which is subject to this outline planning application is considered to be a vital component in contributing towards the Borough Councils land supply and it is, therefore, recommended that outline planning permission be granted subject to the satisfactory resolution of the S106 and the imposition of planning conditions.

440. This application has been subject to a Planning Performance Agreement. Discussions have taken place in an attempt to resolve concerns raised by interested parties during the consultation process which has resulted in the submission of additional information. Negotiations have been undertaken in relation to securing an appropriate level of affordable housing and community facilities and infrastructure considered necessary to serve the development. This has ultimately resulted in a favourable recommendation to the Planning Committee.

RECOMMENDATION

It is **RECOMMENDED** that the Executive Manager – Communities be authorised to grant outline planning permission subject to the prior signing of a S106 agreement, and the following conditions:

1. The development shall commence within five years from the date of this permission or before the expiration of two years from the date of the approval

of the first reserved matters whichever is the later.

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

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

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

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

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

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

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

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

4. No phase (as detailed pursuant to the phasing programme to be approved pursuant to condition 8) of the development is to commence until the following details have been approved in advance and in writing by the local planning authority.
 - (a) the earthworks strategy relating to that phase of development including the management and protection of soils;
 - (b) an Earthworks Specification for each phase of the development;
 - (c) cutting slopes and embankment design that would accord with the approved Earthworks Specification;
 - (d) the extent of any material to be temporarily stored within the site; and
 - (e) any surplus material to be removed from the site for disposal or material to be imported to the site.

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

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

needs to be discharged before work commences on site as the information was not included in the application and it is important to agree these details in the interests of visual amenity, biodiversity and soil protection and to comply with policy 24 of the Rushcliffe Local Plan Part 1 Core Strategy

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

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

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

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

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

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

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

- i) Site wide earthworks Strategy
- ii) Development areas (including broad areas, range of residential unit numbers and/or floor space of non-residential uses)

- iii) Site accesses, major internal infrastructure including internal spine road, pedestrian and cycle crossings, footpaths, cycleways, bridleways.
- iv) Green Infrastructure, including informal and formal sports and recreation facilities, allotments etc.
- v) A site-wide structural landscaping scheme, in accordance the illustrative green infrastructure plan within the Design and Access Statement and the illustrative Framework Plan. This site-wide structural landscaping scheme shall include all existing and proposed structural landscaping and provide sufficient level of detail to allow effective monitoring and management of phased delivery (including implementation proposals for any part of the scheme that will be delivered early to mitigate visual impacts, and/or any part that will be implemented).

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

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

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

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

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

be implemented in accordance with the agreed details.

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

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

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

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

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

11. No development (including highway infrastructure or built development), shall take place until an On-site Leisure Scheme for the site has been submitted to and approved in writing by the Borough Council. This scheme shall include a minimum provision for allotments of 2.76HA, playing pitch provision of

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

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

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

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

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

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

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

[To make sure the development is in accordance with the requirements of Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy. This condition is a pre commencement condition to ensure that any features of archaeological importance are identified and appropriate mitigation undertaken prior to works commencing on site.]

14. Prior to the submission of reserved matters application for the Employment Land as identified on Parameter Plan drawing no. 1667 – P-1000 G plots A,

L, M and N, a Design Brief shall be submitted to and approved in writing by the Local Planning Authority. The Brief shall include the mix and disposition of uses, access and circulation, public realm, parking, layout, urban design principles, massing and scale. The reserved matters application/ applications for this commercial/ employment area shall be submitted in accordance with the approved Design Brief.

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

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

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

16. No development (including site clearance, or site preparation), in each phase shall take place until a Construction Method Statement for that phase of the development has been submitted to and approved in writing by the Borough Council and shall include the:
 - a) measures for ensuring the means of exit from the site for construction traffic;
 - b) parking provision for site operatives and visitors;
 - c) the siting and means of loading / unloading and storage of plant and materials used in constructing the development;
 - d) wheel washing facilities (including full details of its specification and siting);
 - e) measures to control the emission of dust and dirt during construction;
 - f) scheme for recycling/disposing of waste resulting from construction works;
 - g) siting and appearance of contractors compounds including heights of stored materials, boundaries and lighting together with measures for the restoration of the disturbed land and noise mitigation;
 - h) A scheme for temporary signage and other traffic management measures including routing and access arrangements for construction traffic;
 - i) A scheme to treat and remove suspended solids from surface water run-off during construction works.

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

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

17. Each reserved matters application shall be accompanied by the following details:
 - a) A detailed layout plan of the phase in context with the whole site.
 - b) The siting, design and external appearance of the proposed buildings.
 - c) The means of access; car parking and provision for service vehicles.
 - d) Facing, roofing and hard surfacing materials.
 - e) Plans, sections and cross sections of any roads or access/ service roads or pedestrian routes within the application site, and this shall include details of drainage, sewerage and lighting.
 - f) The layout and marking of car parking, servicing, manoeuvring areas and cycling storage for each building.
 - g) The means of enclosure to be erected on site.
 - h) The finished ground levels for the site and floor levels of the buildings relative to existing levels and adjoining land and in relation to the ground levels or contours proposed in any adjacent landscaping scheme.
 - i) Plant and equipment and other structures.
 - j) Re cycling and bin storage facilities including an area for 3 wheeled bins for each dwelling and community bin storage for apartments and commercial areas and arrangements for maintenance and servicing.
 - k) Details of the means of foul and surface water drainage together with a programme of implementation and means to ensure there is no run off to highways.
 - l) The detailed design of all junctions, which shall include details of visibility splays.
 - m) Drainage and rainwater run off systems including SuDS which shall accompany any road layout submission and detail maintenance/ management arrangements.
 - o) The number and location of the affordable dwellings to be provided

together with the mix of dwellings in terms of the number of bedrooms and the proportion of houses and flats and tenure.

- p) Detailed plans of the layout of the play areas, equipment, open space and other green infrastructure associated with that phase of development.
- q) Each reserved matters application for residential development shall be accompanied by a statement assessing the development against the Building for Life Standards. The development shall thereafter be carried out in full accordance within the approved scheme.
- r) Each reserved matters application for a non-residential use of a floor space of over 1000sqm shall be accompanied by a statement detailing how each non-residential building shall achieve a minimum of BREEAM Very Good (or the equivalent level of such national measure of sustainability for employment building design that replaces BREEAM).
- s) Details of how renewable/energy efficiency and climate change proofing has been incorporated into the phase to include for the provision of electric charging points in each house and within the commercial areas.
- t) Each reserved matters application which includes safeguarded land for the tram corridor shall include technical details to allow for the long term safeguarding of the route in general accordance with the technical note ref 364372-WTD-MCH-006 provided by NET dated 02/01/2018.
- u) Provide details of the public transport provision to serve this part of the development in accordance with the details agreed under condition 12.

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

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

18. Prior to the submission of reserved matters applications for the Neighbourhood Centre and destination central park, a Design Brief shall be submitted to and approved in writing by the Borough Council which shall largely accord with the design principles for the Neighbourhood Centre as set out in the Design and Access Statement. The Design Brief shall include the provision for a serviced site of 0.7 Acres for Health Centre, 3 HA for the Primary School, Community Hall with sports pavilion of approximately 900m2 plus with parking, the mix and disposition of uses, access and circulation, public realm, parking, site for recycling facilities, layout and urban design principles and details of the layout, landscaping and play area provision. The reserved matters application for this area and the facilities shall be submitted in accordance with the approved Design Brief and thereafter development shall be delivered in accordance with the approved details.

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

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

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

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

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

21. No development of a phase shall begin until reserved matters submissions on landscaping have been submitted to and approved in writing by the Borough Council for that phase. The submissions shall include full details of both hard and soft landscape works for that phase and a programme for their implementation. Hard landscaping details shall include proposed finished levels or contours, means of enclosure, surfacing materials, minor artefacts and structures (e.g. furniture, play equipment, dog bins, refuse or other storage units, signs and lighting). Soft landscaping details shall include details of the retained trees and hedgerows and their means of protection (in accordance with BS5837/2012) whilst construction takes place, proposed contours, planting plans (including woodland planting), written specifications (including cultivation and other operations associated with plant and grass establishment) and schedules of plants/trees, including species use of plants/trees, grass mix, cultivation and grass establishment of highway verges as well as measures to prevent ingress of roots into the adjacent highway construction. Only native species appropriate to the local area and of native genetic origin shall be used in areas of 'natural' planting around the boundaries of the site in habitat creation areas, and in green corridors through the site and any trees shall be located such that they do not obscure visibility to vehicles accessing or using the adjacent highway. The works shall be carried out as approved. Any tree(s) or planting which die, are removed or become seriously damaged or diseased within 5 years of completion of the development within that phase shall be replaced in the next planting season with others of a similar size and species.

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

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

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

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

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

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

[To ensure that the A453 and A52 trunk roads continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the road network resulting from traffic entering and emerging from the application site and in the interests of road safety.]

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

[To ensure that the A453 and A52 trunk roads continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising

disruption on the road network resulting from traffic entering and emerging from the application site and in the interests of road safety.]

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

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

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

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

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

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

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

29. No buildings shall be occupied until the associated parking areas and manoeuvring areas associated with that building have been provided, drained and surfaced in accordance with the details that have been previously submitted to and approved by condition 17 by the Borough Council. The

facilities so provided shall not be used, thereafter, for any purpose other than the parking and manoeuvring of vehicles, unless otherwise agreed in writing by the Borough Council.

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

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

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

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

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

32. Prior to the occupation of the 500th dwelling a strategy to monitor and manage traffic travelling through the site on Nottingham Road shall be submitted to and approved by the local planning authority. The strategy shall include details of the traffic management measures and their timing for delivery that will be put in place if through traffic along Flawforth Lane between Wheatcroft Island on the A52, the new Mill Hill Roundabout and Gotham increases such that it is shown to have a severe impact when compared to the baseline figures established in condition 31 above. The traffic management measures shall thereafter be implemented by and at the applicant's expense in accordance with approved details. Monitoring shall occur on the occupation of every 400 dwellings and shall continue on this basis until such a time as the development is complete.

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

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

[The potential extension of the tram is seen as a critical part of the development and a requirement of Policy 24 of the Rushcliffe Local Plan Part 1 Core Strategy. This is a pre commencement condition to ensure that

consideration of its precise route is considered early in the development process in the interests of sustainable development].

34. No part of the development shall be occupied or be brought into use until the owner or the occupier of the site has appointed and thereafter continue to employ or engage a travel plan coordinator who shall be responsible for the implementation delivery monitoring and promotion of the sustainable transport initiatives set out in the Outline Travel Plan and whose details shall be provided and continue to be provided thereafter to the Local Planning Authority.

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

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

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

36. The travel plan coordinator shall submit reports in accordance with the Standard Assessment Methodology (SAM) or similar to be approved and to the Local Planning Authority in accordance with the Travel Plan monitoring periods. The monitoring reports submitted to the Local Planning Authority shall summarise the data collected over the monitoring period and propose revised initiatives and measures where travel plan targets are not being met including implementation dates to be approved in writing by the Local Planning Authority.

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

37. Prior to the occupation of each dwelling and in accordance with the Outline Travel Plan submitted as part of the planning application each dwelling shall be provided with ducting to enable the connection to high speed fibre optic Broadband.

[To assist in reducing travel demand by enabling working from home initiatives in accordance with the aims of Policy 24 of the Rushcliffe Local Plan Part 1 – Core Strategy]

38. Notwithstanding the provisions of the Town and Country Planning Use Classes (Amended) Order 1995 (as amended) (or in any provision equivalent to the Class in any statutory instrument revoking and re-enacting that Order with or without modification), any non-residential buildings falling within Classes B2 and B8 constructed pursuant to this outline planning permission

shall only be used for B2 and B8 purposes. There shall be no subsequent change of use to one falling within Class B1(a) without the benefit of obtaining planning permission.

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

39. No non-residential unit shall be occupied until a scheme has been submitted to and agreed in writing by the Borough Council to cover the following:
- a) hours of operation of those premises,
 - b) details of delivery handling equipment and industrial processes to be undertaken;
 - c) details of externally mounted plant, equipment, tools and machinery or internally mounted plant, equipment, power tools and machinery which vents externally;
 - d) associated structural planting and external and internal buffer zones to mitigate any noise generated;
 - e) details of refuse collection and bin storage and servicing arrangements;
 - f) details of security lighting or flood lighting to be installed on the employment premises or associated open areas including lux plot of estimated illumination and designed, located and installed so as not to cause nuisance to neighbouring residents or to users of the highway and to avoid significant impacts on foraging commuting bats;
 - g) hours of deliveries taken at or dispatched from and waste collection;
 - h) details of any outdoor storage or display of goods or materials.

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

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

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

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

41. The development shall allow for a minimum of four gypsy and traveller pitches. Prior to the commencement of built development details of the size, layout and specification and timing for the provision of a serviced area to be set aside for the pitches shall be submitted to and approved by the Borough

Council. Thereafter, the area shall be made available in accordance with the approved details. The area/pitches shall thereafter be retained and made available for families within the gypsy/traveller community.

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

Notes to Applicant

Highways

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

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

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

It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and that design calculations and detailed drawings for the proposed works are submitted to and approved by the Highway Authority in writing prior to submission of any reserved matters applications required to comply with the requirements of the conditions outlined above. Failure to do so may result in significant delays in the approval of such applications.

The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.

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

Please contact Jan Witko of Nottinghamshire County Council on telephone number 0115 9774364.

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

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

Correspondence with the Nottinghamshire County Council as Highway Authority should be addressed to:

Development Control (Highways), Nottinghamshire County Council, County Hall, Loughborough Road, West Bridgford, Nottingham, NG2 7QP or alternatively via e-mail at transport.strategy@nottscc.gov.uk

Drainage

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

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

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

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

Other matters

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

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

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

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

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

In relation to the conditions referring to the Safeguarded Land for the potential extension of the NET you are advised to contact the NET projects office for further technical information and requirements. Your attention is drawn to the technical note ref 364372-WTD-MCH-006 dated 02.01.2018

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

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

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

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

The Borough Council is charging developers for the first time provision of wheeled refuse containers for household and recycling wastes. Only containers supplied by Rushcliffe Borough Council will be emptied, refuse containers will need to be provided prior to the occupation of any dwellings. Please contact the Borough Council (Tel: 0115 981 9911) and ask for the Recycling Officer to arrange for payment and delivery of the bins.

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

Infrastructure requirements and S106 Draft Heads of Terms Summary 14/01417/OUT Land East and West of Nottingham Road South of Clifton WITHOUT PREJUDICE AND SUBJECT TO CONTRACT work in progress document and subject to change. Position at 8/01/2018

Item/Policy	Detail/requirement	Financial contribution sought	Developer position	Borough Council position	Trigger
Public Open Space/ Landscaping and SuDS	Maintenance - management company	On site provision	Masterplan shows indicative provision.	Satisfied level and general approach acceptable.	Submit scheme, including triggers for implementation and management before commencement of residential development or associated commercial.
Equipped play space	To be determined by scheme and agreed at Reserved Matters stage. Ongoing maintenance needs to be achieved. Management company required.	On site provision	Community/ destination park and Local Play Areas Equipped for all ages – masterplan shows indicative provision.	Satisfied level and general approach acceptable.	Submit scheme, including triggers for implementation, before commencement of residential development.
Allotments	Shown in masterplan, would require perimeter fencing, planting, haulage way, water supply and car parking.	On site provision	Shown on masterplan	Location appropriate and will potentially assist in management	Phasing to be agreed - Submit scheme, including triggers for implementation and details of management, before commencement of residential development.
Education	PRIMARY The County Council previously requested the provision of two primary schools (one 420 place and one 210 place with nursery provision) on two 2 hectare sites. The County Councils preferred approach is now for one three form Entry (630 place primary school) to serve the development which would require a single three hectare site, located in association with the first	Two potential scenarios provided:- Total build cost of £8,482,000(plus £150,000 feasibility study- = £8,632,000 or as alternative approach to design	Developer position – preferred option in relation to viability is the second option – although a higher overall figure includes benefits in terms of the deferral of	Masterplan amended to reflect need for a 3 HA site. Provision is justified on site.	Prior to commencement of development – feasibility study payment of £150,000 Option 1 Phase 1 land and funding for core building for 3FE primary school to be built with five classrooms fully fitted and external shell for remaining classrooms (on completion of 478 dwellings)

Infrastructure requirements and S106 Draft Heads of Terms Summary 14/01417/OUT Land East and West of Nottingham Road South of Clifton WITHOUT PREJUDICE AND SUBJECT TO CONTRACT work in progress document and subject to change. Position at 8/01/2018

Item/Policy	Detail/requirement	Financial contribution sought	Developer position	Borough Council position	Trigger
	<p>phase of development.</p> <p>Sufficient capacity existing to accommodate children from up to 478 dwellings in existing schools (site is within Gotham Primary)</p> <p>NCC have confirmed that there is no longer a requirement for nursery provision. It is not a statutory duty on the LEA to make such provision.</p>	<p>and cost of the school which results in lower initial costs but higher cost of total build - £9,856,000 + £150,000 feasibility study = £10,006,000</p>	<p>payments.</p>		<p>£ 6,524,000</p> <p>Phase 2 – funding for additional five classrooms to be fitted out (on completion of 1278 dwellings) £ 630,000</p> <p>Phase 3 funding for additional five classrooms to be fitted out (on completion of 1878 dwellings) £691,000</p> <p>Phase 4 – final six classroom to be fitted out and any other outstanding provision on completion of 2478 dwellings £637,000</p> <p>Option 2 Alternative – it would be possible to build the core area and five classrooms within phase 1 at an cost of £4,533,000 and complete the additional classrooms as extensions</p> <p>Phase 1 – new build £4,533,000 Phase 2 extension £</p>

Infrastructure requirements and S106 Draft Heads of Terms Summary 14/01417/OUT Land East and West of Nottingham Road South of Clifton WITHOUT PREJUDICE AND SUBJECT TO CONTRACT work in progress document and subject to change. Position at 8/01/2018

Item/Policy	Detail/requirement	Financial contribution sought	Developer position	Borough Council position	Trigger
					<p>1,689,000 Phase 3 extension £1,899,000 Phase 4 extension £ 1,735,000</p> <p>The site for the school will be required to meet the County Councils Serviced Sites requirement for new school</p>
	<p>SECONDARY The closest available secondary school within the County to the proposed development is East Leake Academy and following discussions with the school they have confirmed that they will work with the County Council to accommodate the additional 480 secondary age pupils generated. At the time of the original comments the Academy estimated there was 140 surplus places and as such a financial contribution of £6,748,660 (£19,849 x 340) was required. The academy is a PFI school and as such the costs of expanding this type of school are 15% higher than those costs related to a non PFI building (17,260 x 15%=£19,849).</p>	<p>NCC originally requested £6,748,660</p> <p>Update as of 4th May 2017</p> <p>Schools surplus is now reduced to 118 therefore the contribution is now (£19,849 x 362) = £7,185,338</p>		<p>Consider that the PFI uplift is not justified and is not therefore sought. The total contribution sought is therefore £6,248,120</p>	<p>Based on the requested contribution this would be phased in the following way (need to be revised to take into account the non PFI contribution)</p> <p>Phase 1 - £150,000 for feasibility study Phase 2 -£ 200K for design development of the scheme at completion of 165 dwellings Phase 3 - at completion of 365 dwellings payment of £1m Phase 4 -at completion of 1165 dwellings payment of £1.5m to deliver first specialist teaching</p>

Infrastructure requirements and S106 Draft Heads of Terms Summary 14/01417/OUT Land East and West of Nottingham Road South of Clifton WITHOUT PREJUDICE AND SUBJECT TO CONTRACT work in progress document and subject to change. Position at 8/01/2018

Item/Policy	Detail/requirement	Financial contribution sought	Developer position	Borough Council position	Trigger
	<p>UPDATE 4th May 2017</p> <p>Schools surplus is now 118 therefore the contribution is now (£19,849 x 362) = £7,185,338</p> <p>If the figure is based on normal formula figures then the contribution sought will be 362 x 17,260 = 6,248,120</p>				<p>Phase 5 - at completion of 1765 dwellings payment of £2m to deliver classrooms and specialist teaching</p> <p>Phase 6 - at completion of 2365 dwellings payment of £2,335,338 to deliver balance of required teaching accommodation.</p> <p>Potentially need to ensure flexibility of S106 to allow for contribution to be paid to the City Council/ free schools for new facilities/ expanded facilities</p>
	<p>Other Education matters</p> <p>Local Authorities have a duty to fund the costs of pupils travel to school in excess of certain defined distances. For children aged 8- 16 years old this is 3miles. East Leake Academy is more than 3 miles away from the proposed development. Therefore, the County Council would request the cost of transporting the secondary age students from the proposed development to the Academy. The estimated cost of this is that a double decker bus, carrying 70 pupils from Clifton Pastures will cost in the region of £170 per day (based on 2014 cost)</p>	£1,535,273	Applicant considers that funding for such services would be paid for by council tax payments and Central Government School funding for pupils.	Not considered that this is justified and, therefore, is not sought	None required

Infrastructure requirements and S106 Draft Heads of Terms Summary 14/01417/OUT Land East and West of Nottingham Road South of Clifton WITHOUT PREJUDICE AND SUBJECT TO CONTRACT work in progress document and subject to change. Position at 8/01/2018

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Item/Policy	Detail/requirement	Financial contribution sought	Developer position	Borough Council position	Trigger
	<p>thus the cost to transport 480 pupils will be £221,500 per annum (480/£170 x 190). The County Councils statutory home – school transport policy is without a time limit and would therefore stand in perpetuity. It is impossible to predict how many families located on the new development would choose to use a bus service and therefore the County Council plans for the total number of 480 students utilising the bus service, of whom the overwhelming majority would travel to school by bus.</p> <p>UPDATE 8 June 2017</p> <p>Capacity should be provided for 393 pupils</p> <p>Bus service cost should be projected through the build out phase of the development i.e. 17 years</p> <p>Projected contribution is £1,535,273.</p>				
Health	<p>Developer contribution required based on formula. (£920 per dwelling Anticipate total contribution would be £2,760,000 plus possibility of reserving a site for a new health facility – need is demonstrated from analysis of the current facilities but would be subject to further work undertaken by Nottingham</p>	£2,760,000	Applicant content with making a site available for a health facility – facility can be provided on a commercial	Land and contribution of £2,760,000 required	Trigger to be agreed. As set out in the Viability Assessment this allows for 20% unit 1, 50% at 250 unit and 30% at 500 unit. – awaiting confirmation from CCG – S106 will need to consider when the serviced

Infrastructure requirements and S106 Draft Heads of Terms Summary 14/01417/OUT Land East and West of Nottingham Road South of Clifton WITHOUT PREJUDICE AND SUBJECT TO CONTRACT work in progress document and subject to change. Position at 8/01/2018

Item/Policy	Detail/requirement	Financial contribution sought	Developer position	Borough Council position	Trigger
	<p>City and Rushcliffe CCGs in the process of developing their estate strategies.</p> <p>CCG have confirmed their serviced land requirements to be 0.7 acres</p> <p>Land requirement based upon the following:- Total primary care and community care space in building (895m²) to be split 2/3 ground floor and 1/3 first floor (600m² and 295m² respectively) Pharmacy to be based on ground floor (150m²) meaning ground floor footprint to be 750m² (600m² + 150m²) Building footprint to cover 30% of the site therefore site of 0.7acres required (would provide circa 30 -35 car parking spaces).</p>		<p>model. Specialist developer would construct new units which would then be rented to GP practices. The buildings would either then be retained or sold on the investment market. Not clear what the contribution is needed for.</p>		<p>site is proposed to be released</p>
<p>Leisure/ community</p>	<p>Swimming Pool – City Council have confirmed sufficient capacity to take new development – no contribution sought as does not satisfy S106 requirements in relation to need. Sports Hall – City Council have confirmed sufficient capacity to take new development – health and fitness demand can be accommodated within the existing centre – no contribution sought as does not satisfy S106 requirement in relation to need.</p>			<p>No requirement for additional or improved facilities</p> <p>No requirement for additional or improved facilities</p>	<p>None required</p> <p>None required</p>

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	Sport Pitches - on site provision required as shown on the masterplan and parameters plan.	On site provision		Provision on site to appropriate standard – provision to be required by condition of planning permission. Management of pitches to be addressed through S106 agreement	Sports pitch strategy detailing management of pitches to be submitted to aim to follow The Rushcliffe Playing Pitch Strategy and include details of delivery, specification to follow Football Foundation ‘Natural Grass Pitches’ and performance quality standard produced by the FA and Institute of Groundmanship. Management Company to maintain. Scheme to be submitted prior to laying out/provision of pitches.
	Sports changing rooms/facilities to be sought on site. Community Centre to be provided on site.		Agree to approach	Agreed that appropriate to provide shared facility consisting of community hall and sports pavilion/ changing facilities – developer to provide facility and	Cost provided for a joint use facility is approximately £2,203,894. Provision of site and building. Joint building of min of 500sqm (incorporating a main hall, separate meeting room, kitchen, bar and ancillary facilities) plus 8 x changing rooms for teams plus associated officials changing and storage. Car parking – 150 spaces plus 6 disabled – Sport England

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				management company to maintain.	Design Guidance for village/ community halls and changing rooms should be followed. Trigger for provision to be agreed
Library	County Council have confirmed that no contribution to be sought as there are existing facilities in Clifton – no information received to show insufficient capacity at Clifton library so no contribution being sought.			Agreed not justified	None required
Affordable Housing	<p>Up to 30% of total number to be affordable which would equate to total of 900 dwellings</p> <p>Breakdown of affordable housing that should be sought in order to meet existing and predicted needs through the lifetime of the development</p> <p>RENT 58% - social rent (33%) equals 173 dwellings, affordable rent (66%) equals 346 dwellings INTERMEDIATE 42% - equals 381 dwellings</p>		Offer of 10% based on a mix of 50% affordable rent and 50% intermediate with no review mechanism	Viability Report undertaken and mix agreed - discussions ongoing regarding house type of affordable rent and potential increase in level of AH if S106 contributions negotiated	<p>Submit scheme to be agreed and phased throughout the development.</p> <p>Have mechanism in S106 to allow for review of AH provision if grant funding bid(s) successful.</p>

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Highways	Highways England:- package of junction improvements is required on the A52 – set out in the A52/ A606 Improvement Package Developer Contribution Strategy Memorandum	£1,701,612 This equates to £567 per dwelling		The Borough Council is party to the MOU	MOU states staged payment of agreed index linked contributions so that 100% of contributions is paid on completion of 75% of the development, with 20% payable on first occupation This is to be achieved by the signing of a S278
Integrated Transport Contribution	NCC have initially indicated that the NCC Planning Obligation Strategy Document indicates a figure of £32,000 per 30 two-way peak hour vehicle trips generated by the development. Based on a peak hour flow of 2867 trips this would equate to a figure of £3,058,000. Should the developer be able to demonstrate that significant transport measures are to be incorporated into the sites design then this figure would be reduced accordingly. Pedestrian and cycle Linkage plan submitted and provision of this will be achieved by way of a planning condition or by reasonable endeavours in the S106. NCC have confirmed that no ITC contribution sought.	To be provided through on and off site works			No financial contribution required in S106 Secure by reasonable endeavours a connection to Green Street over the A453 and pedestrian /cycle connections from the north of the site into the adjacent house estate towards Summerwood Lane.

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Travel Plan	Travel Plan monitoring costs confirmed by NCC	£27,000 plus VAT			Contribution payable before 200 th Occupation (breakdown of charge applicable per year has been provided but bearing in mind the level of contribution thought a single payment may be appropriate)
Bus Service Contribution	<p>NCC have requested a local bus service contribution to provide socially necessary services, including revenue support for services that are forecast to break even and become commercial in the future. This will include school bus services where appropriate.</p> <p>Bus infrastructure contribution to provide bus stop facilities, information (including real time information) and bus priority measures including bus stop clearways.</p>	£1,233,169	Offered £300,000	<p>Bearing in mind existing bus service provision and the close proximity to NET, the full request is not considered to be justified and the £300,000 is sought if NCC can demonstrate that it is required after the first four years</p> <p>On site infrastructure to be</p>	No contribution sought in first four years. Triggers after that to be agreed

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				required by conditions of planning permission.	
Waste	Contribution towards the building of a new fit for purpose, split level recycling centre that can cater for both the additional waste generated and the additional site users particularly during peak hours.	£204,743.22		Recycling provision is being made on the site. The County Council have not identified a new site and no contribution is being sought.	None required
Traveller Pitches	4 pitches required - In terms of size of site, a pitch should be capable of accommodating 1.3 vans, together with any ancillary buildings such as utility blocks, storage and the accommodation of works vehicles as per the recommendation of the 2016 GTAA. - to be managed privately	No financial contribution sought	VA allows for 6 pitches costing 75,000 each – masterplan allows for 2000sqm	Delivered by condition - suggested location on masterplan is considered appropriate	
Grant funding	The Borough Council is awaiting decisions on a number of bids for grant funding. In addition, other funds may become available during the life of the development, e.g. funding opportunities for schools.				Have mechanism in S106 to allow for review of AH provision if bids for grant funding are approved or funding opportunities for new schools is sought and any bid is successful.

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Safeguarded route for extension of tram into/beyond site	Tram park and ride is located immediately adjacent to the site and illustrative master plan shows potential for tram to be extended in to the site and potentially beyond.				Obligation within S106 agreement to ensure that route of possible tram extension is formally safeguarded in the long term
Monitoring Fee	Contribution sought based on 0.5% of gross S106 contributions sought minus £10,000 initial monitoring fee				
Legal Costs				To be met by applicant	