

MINUTES
OF THE MEETING OF THE
PLANNING COMMITTEE
THURSDAY, 8 OCTOBER 2020
Held at 6.30 pm via Zoom

PRESENT:

Councillors R Butler (Chairman), Mrs M Stockwood (Vice-Chairman), N Clarke, P Gowland, L Healy, A Major, D Mason, J Murray, F Purdue-Horan, C Thomas and D Viridi

ALSO IN ATTENDANCE:

Councillors

OFFICERS IN ATTENDANCE:

A Pegram
E Dodd
T Coop
L Webb

Service Manager - Communities
Principal Area Planning Officer
Democratic Services Officer
Democratic Services Officer

11 Declarations of Interest

There were no declarations of interest reported.

12 Minutes of the Meeting held on 10 September 2020

The minutes of the meeting held on 10 September 2020 were approved.

13 Planning Applications

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

20/01826/CTY – Proposed development of the East Midlands energy Re-Generation (EMERGE) Centre (a Multi-fuel Energy Recovery Facility, recovering energy from waste material) and associated infrastructure – Ratcliffe on Soar Power Station, Green Street, Ratcliffe on Soar, Nottinghamshire NG11 0EE.

Updates

A number of representations were received from East Leake Parish Council, local residents and Borough Councillor's after the agenda had been published and were circulated to the committee before the meeting.

In accordance with the Council's public speaking protocol for planning committee, Mr A Read (Applicant's Agent) addressed the Committee.

Comments

Councillor Thomas requested a recorded vote for this item, which was taken as follows:

Motion to object to the application

For: Cllr P Gowland, Cllr J Murray and Cllr C Thomas

Against: Cllr R Butler, Cllr N Clarke, Cllr L Healy, Cllr A Major, Cllr D Mason, Cllr F Purdue-Horan, Cllr M Stockwood and Cllr D Viridi

Motion that Rushcliffe Does not object to the application

For: Cllr R Butler, Cllr N Clarke, Cllr L Healy, Cllr A Major, Cllr D Mason, Cllr F Purdue-Horan, Cllr M Stockwood and Cllr D Viridi

Against: Cllr P Gowland, Cllr J Murray and Cllr C Thomas

DECISION

It was RESOLVED that the Nottinghamshire County Council be advised that the Borough Council DOES NOT OBJECT to the development, subject to the County Council being satisfied that the proposal accords with the relevant development plan and that all other material considerations can be satisfactorily addressed, including the following:

- Odour
- Air quality
- Pest Control
- Health Impacts
- Pollution/Contamination
- Traffic Generation
- Landscaping
- Availability of Waste
- Impact on Heritage Assets

20/00810/FUL – Seasonal change of use, erection of 3 tipis each 10.3m diameter to be used from 1st May to 30th September annually to allow for 28 events to be held and erection of pagoda for wedding ceremonies, part use of existing dwelling as bridal suite (limited to bridal use during the 28 events only) – Overgrown Acres, Cotgrave Road, Normanton on the Wolds, Nottinghamshire, NG12 5PE.

As Ward Councillor for Tollerton, Councillor D Mason removed herself from the meeting and did not take part in the following discussion.

Updates

A number of late representations were received from neighbouring properties after the agenda had been published and were circulated to the Committee before the meeting.

In accordance with the Council's public speaking protocol for planning committee, Mrs M Woodward (Applicant), Mrs Y Burbank (Objector) and Councillor D Mason (Ward Councillor) addressed the Committee.

DECISION

PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. This permission shall expire on 30 September 2021 after which, unless a further planning permission has been granted, the tipis and associated timber base shall be removed from site and the site be restored to its former condition within 28 days of this date; the use of the dwelling as a bridal suite shall cease; and the land shall not be used for events unless a further consent has been granted.

[To enable the Borough Council to monitor the impacts of the use and effectiveness of mitigation measures, in the interests of neighbouring amenity and to comply with Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

2. The tipis shall only be erected between the 1 May and 30 September annually. The tipis shall accord with the specification for the 'big hat' tipis detailed on page 2 of the technical information sheet dated 7 April 2020. The tipis shall be sited in accordance with the Block Plan received on 10 June 2020.

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

3. The use of the site for events, including the use of the dwelling as a bridal suite, shall be limited to no more than 28 event days within a calendar year as defined in paragraph 5 of the Event Plan received on 10 June 2020, with each event capped to a maximum hire period of 46 hours. There shall be a maximum of 28 days with amplified music and/or a licensed bar per calendar year.

[For the avoidance of doubt and in the interest of the amenities of the area and nearby residential occupiers and to comply with Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

4. Within one month of the date of this permission, a final version of the noise management plan shall be submitted to the Borough Council. The management plan shall include details of noise monitoring to be undertaken, required by condition 12, which would be sought for a minimum of the first three wedding events following the grant of planning permission and shall also include the hours of use, times of amplified/live music, controls to be put in place when guests are leaving the premises e.g. ensure no congregating guests, details of signs to be displayed on the premises (including number, content and location) to

remind patrons/visitors that the venue is located close to other residential properties and to minimise disturbance when leaving the premises, particularly late at night, vehicles leave the premises in an orderly manner and during the evening entertainment that there are no groups of guests congregating near to any residential dwellings. The use hereby approved shall only be carried out in accordance with the approved noise management plan.

[In the interest of the amenities of the area and nearby residential occupiers and to comply with Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

5. The development shall not be brought into use until the site access has been surfaced in a hard-bound material for a minimum distance of 10m to the rear of the highway boundary, and suitably drained to prevent surface water from the driveway discharging to the public highway. The hard-bound material and measures to prevent the discharge of surface water to the public highway shall be retained for the life of the development.

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

6. The speaker system shall be the 'zone array' system to the specification tested in report P4113-R1-AD-V1 and no other or alternative speaker or PA system shall be used.

[In the interest of the amenities of the area and nearby residential occupiers and to comply with Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

7. No further weddings/events shall be held at the site until all sound attenuation measures detailed in the Noise Impact Assessment P4271-R1-V3 (produced by Noise Air Acoustic Consultancy and Solutions) have been implemented and, thereafter, the use shall be carried out in accordance with the mitigation measures detailed within the report and these measures shall be retained for the lifetime of the development.

[In the interest of the amenities of the area and nearby residential occupiers and to comply with Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

8. Within one month of the date of this permission, a site management plan shall be submitted to the Borough Council. This shall include reasonable avoidance measures (RAMs) to avoid impacting on wildlife. This should consider ensuring the grass on the development site remains short at all times, including when the tipis are removed (to prevent wildlife making use of the grassland) and for a visual check to be carried out each time the tipis and any ancillary structures are to be erected. Permanent fencing of more sensitive sites (e.g. adjacent woodland) to prevent unauthorised access should be included. The plan should also set out habitat improvements that will be made to provide a biodiversity net

gain. Thereafter, the approved management plan shall be implemented for the life of the development.

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

9. Prior to the tipis being brought into use, an acoustic barrier shall be constructed in accordance with paragraph 5.1.6 and Fig. 14 of the Noise Impact Assessment P4271-R1-V3 Version 3, details of which shall be first submitted to and approved in writing by the Borough Council. These details shall include the design of the barrier and details of when this will be erected and disassembled. The barrier shall be implemented to the agreed specification and erected for the duration of any events for the lifetime of the development.

[In the interest of the amenities of the area and nearby residential occupiers and to comply with Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

10. No camping or caravanning shall be permitted on the site.

[In the interest of the amenities of the area and nearby residential occupiers and to comply with Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

11. The use of Chinese lanterns or fireworks on the premises is not permitted.

[In the interest of the amenities of the area and nearby residential occupiers and to comply with Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

12. The approved use shall be subject to noise monitoring to include but not limited to 3 events with music entertainment and guest numbers at 130 (+/- 5), to verify that the noise levels at the nearest sensitive receptors as specified within by Noise Air Acoustic Consultancy and Solutions report ref P4271-R1-V3 dated 21/7/20 are as predicted. Before any monitoring is undertaken the applicant shall liaise with the Local Planning Authority to provide details of the event proposed for monitoring in order to agree noise monitoring locations. The post monitoring verification report shall be submitted to the Local Planning Authority for approval following the event and prior to further events being held. The noise monitoring shall continue until 3 events have been held with guest numbers at 130 (+/- 5). If any further mitigation measures are required by the post completion report these shall be fully implemented and maintained before further events are held.

[In the interest of the amenities of the area and nearby residential occupiers and to comply with Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

Notes to Applicant

This permission does not give any legal right for any work on, over or under land or buildings outside the application site ownership or affecting neighbouring property, including buildings, walls, fences and vegetation within that property. If any such work is anticipated, the consent of the adjoining land owner must first be obtained. The responsibility for meeting any claims for damage to such features lies with the applicant.

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

- The use of external lighting (during construction and post construction) should be appropriate to avoid adverse impacts on bat populations, see http://www.bats.org.uk/pages/bats_and_lighting.html for advice and a wildlife sensitive lighting scheme should be developed and implemented.
- The maximum usage of the site, times of use and noise control measures should be conditioned.
- A basic metric biodiversity net gain assessment should be provided as recommended in section T2.8.1 on page 124 of CIRIA (2019) Biodiversity Net Gain – Principles and Guidance for UK construction and developments.
- Permanent artificial bat boxes / bricks and wild bird nests should be considered on adjacent retained trees.
- New wildlife habitats should be created where appropriate, including wildflower rich neutral grassland, hedgerows, trees and woodland, wetlands and ponds.
- Any existing hedgerow / trees should be retained and enhanced, any hedge / trees removed should be replaced. Boundary verges should be retained and enhanced.
- Where possible new trees / hedges should be planted with native species (preferably of local provenance and including fruiting species). See <https://www.rushcliffe.gov.uk/conservation/treeshedgesandlandscaping/landscapingandtreeplanting/plantingonnewdevelopments/> for advice including the planting guides (but exclude Ash (*Fraxinus excelsior*))
- Good practice construction methods should be adopted including:
 - a. Advising all workers of the potential for protected species. If protected species are found during works, work should cease until a suitable qualified ecologist has been consulted.
 - b. No works or storage of materials or vehicle movements should be carried out in or immediately adjacent to ecological mitigation areas or sensitive areas (including ditches).
 - c. All work impacting on vegetation or buildings used by nesting birds should avoid the active bird nesting season, if this is not possible a search of the impacted areas should be carried out by a suitably competent person for nests immediately prior to the commencement of works. If any nests are found work should not commence until a suitably qualified ecologist has been consulted.
 - d. Best practice should be followed during building work to ensure

trenches dug during works activities that are left open overnight should be left with a sloping end or ramp to allow animal that may fall in to escape. Also, any pipes over 200mm in diameter should be capped off at night to prevent animals entering. Materials such as netting and cutting tools should not be left in the works area where they might entangle or injure animals. No stockpiles of vegetation should be left overnight and if they are left then they should be dismantled by hand prior to removal. Night working should be avoided.

- e. Root protection zones should be established around retained trees / hedgerows so that storage of materials and vehicles, the movement of vehicles and works are not carried out within these zones.
- f. Pollution prevention measures should be adopted
- It is recommended that consideration should be given to energy efficiency, alternative energy generation, water efficiency, travel sustainability (including electric vehicle charging points and cycle storage), management of waste during and post construction and the use of recycled materials and sustainable building methods.

The development makes it necessary to amend a vehicular crossing over a verge of the public highway. These works shall be carried out to the satisfaction of the Highway Authority. You are therefore required to contact Via (in partnership with Nottinghamshire County Council) on 0300 500 8080 to arrange for these works to take place.

Councillor D Mason re-joined the meeting at this point.

20/01615/FUL – Demolition of existing garages and erection of two no. 2 storey houses with associated parking. Creation of an area of hard-standing for use for 9 car parking spaces – Garages South of 15 Orchard Close, Barnstone, Nottinghamshire.

Updates

A number of late representations were received from local residents after the agenda had been published and were circulated to the Committee before the meeting.

In accordance with the Council's public speaking protocol for planning committee, Mr A Gatehouse (Applicant), Mrs N Heath (Objector) and Councillor S Bailey (Ward Councillor) addressed the Committee.

DECISION

PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

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

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

2. The development hereby permitted shall be carried out strictly in accordance with the Planning Statement, Transport Appraisal ref: SP/JW/21332-05c and subsequent information. Tree Report ref: SJA482.100 Rev E, Ecology Report ref: 551330LTJUNE20FV03_Orchard_CL_PEA, Bat Survey ref: 551330LTJUNE20FV03_Orchard_CL_BATS, Land and Utility Survey ref: 919336 S1, Asbestos Demolition Survey Report ref: J187308, details outlined in the Garages Occupancy Data and Parking Survey submitted on the 7th August 2020, details outlined in supporting information received on the 15th and 21st September 2020, revised site plan received on the 17th September 2020 ref: 100-663/(P) 052 Rev M, Stopping Up Plan received on the 21st September 2020 ref: 100-663/(P) 054, layout and elevations plan submitted with the application on the 7th July 2020 ref: 100-663(P) 053 Rev A and boundary treatment plan submitted with the application on the 7th July 2020 ref: 100-663/(P) 056 Rev C.

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

3. The development hereby permitted shall not proceed above foundation level until details of the facing and roofing materials to be used on all external elevations have been submitted to and approved in writing by the Borough Council and the development shall only be undertaken in accordance with the materials so approved.

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

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

[This condition is pre-commencement to ensure adequate controls are in place prior to works starting in order to protect the amenities of neighbouring residents and the wider area and to comply with policy 1

(Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

5. The dwellings hereby permitted shall be designed to meet the higher 'Optional Technical Housing Standard' for water consumption of no more than 110 litres per person per day.

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

6. Notwithstanding the provisions of Schedule 2, Part 1 Class A & B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) there shall be no enlargement or alteration of the proposed dwellings, no additional windows and no additions to the roof without the prior written approval of the Borough Council.

[The development is of a nature and density whereby future development of this type should be closely controlled to protect the amenities of neighbouring residents and future occupiers alike, and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

7. The development will require the stopping up of the public highway and no part of that development hereby permitted (or any temporary works or structures) shall obstruct the public highway until the areas of public highway as shown on Plan Ref 100-663/(P) 054 – Orchard Close – Stopping-Up Plan have been formally stopped up.

[In the interests of highway safety and to protect the amenities of neighbouring residents and future occupiers alike, and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

8. No part of the development hereby permitted shall be brought into use until the site access works as shown indicatively on Plan Ref 100-663/(P) 052 L have been provided in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.

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

9. No part of the development hereby permitted shall be brought into use until the parking and turning area is provided and surfaced in a bound material with the parking bays clearly delineated in accordance with the approved plans. The parking and turning area shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking/turning/loading and unloading of vehicles.

[In the interests of highway safety and to comply with policy 1

(Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

10. No part of the development hereby permitted shall be brought into use until the parking and turning area is constructed with provision to prevent the unregulated discharge of surface water from the parking and turning area to the public highway in accordance with details first submitted to and approved in writing by the LPA. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

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

11. No part of the development hereby permitted shall be brought into use until the additional on-plot parking for existing properties no. 10 and 15 Orchard Close as shown indicatively on the approved plans has been provided, surfaced in a hard-bound material and suitably drained to prevent the unregulated discharge of surface water to the public highway.

[In the interests of highway safety and to protect the amenities of neighbouring residents and future occupiers alike, and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

Notes to Applicant

Please be advised that all applications approved on or after the 7th October 2019 may be subject to the Community Infrastructure Levy (CIL). The Borough Council considers that the approved development is CIL chargeable. Full details of the amount payable, the process and timescales for payment, and any potential exemptions/relief that may be applicable will be set out in a Liability Notice to be issued following this decision. Further information about CIL can be found on the Borough Council's website at <https://www.rushcliffe.gov.uk/planningandgrowth/cil/>

Good practice construction methods should be adopted including:

- Advising all workers of the potential for protected species. If protected species are found during works, work should cease until a suitable qualified ecologist has been consulted.
- No works or storage of materials or vehicle movements should be carried out in or immediately adjacent to ecological mitigation areas or sensitive areas (including ditches).
- All work impacting on vegetation or buildings used by nesting birds should avoid the active bird nesting season, if this is not possible a search of the impacted areas should be carried out by a suitably competent person for nests immediately prior to the commencement of works. If any nests are found work should not commence until a suitably qualified ecologist has been consulted.

- Best practice should be followed during building work to ensure trenches dug during works activities that are left open overnight should be left with a sloping end or ramp to allow animal that may fall in to escape. Also, any pipes over 200mm in diameter should be capped off at night to prevent animals entering. Materials such as netting and cutting tools should not be left in the works area where they might entangle or injure animals. No stockpiles of vegetation should be left overnight and if they are left then they should be dismantled by hand prior to removal. Night working should be avoided.
- Root protection zones should be established around retained trees / hedgerows so that storage of materials and vehicles, the movement of vehicles and works are not carried out within these zones.
- Pollution prevention measures should be adopted

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

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

Condition 5 requires the new dwellings to meet the higher 'Optional Technical Housing Standard' for water consumption of no more than 110 litres per person per day. The developer must inform their chosen Building Control Body of this requirement as a condition of their planning permission.

It is possible that the roofspace, and/or behind the soffit, fascia boards, etc. may be used by bats. You are reminded that bats, their roosts and access to roosts are protected and it is an offence under the Countryside and Wildlife Act 1981 to interfere with them. If evidence of bats is found, you should stop work and contact English Nature on 01476 584800.

You are advised that the demolition and disposal of asbestos requires special measures. Further advice can be obtained from Nottinghamshire County Council (0115 977 2019). Alternatively, you can obtain an asbestos fact sheet from their website www.nottinghamshire.gov.uk

The applicants should consult Severn Trent Water Limited who should be satisfied that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate additional flows, generated as a result of the development, without causing pollution.

Section 278 Agreement (Highways Act 1980).

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 the County Highway Authority for details.

The deposit of mud or other items on the public highway, and/or the discharge of water onto the public highway are offences under Sections 149 and 151, Highways Act 1980. The applicant, any contractors, and the owner / occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc. is washed onto the highway, from the site. Failure to prevent this may force the Highway Authority to take both practical and legal action (which may include prosecution) against the applicant / contractors / the owner or occupier of the land.

The proposed development requires a Stopping-Up Order. No part of the development hereby permitted or any temporary works shall obstruct the public highway until an Order has been secured.

19/01500/FUL – Demolition of existing offices, workshops and stores an erection of 4 two storey dwellings (Emended Description) – PJ Fletchers and Sons Ltd, builders Yard, Cropwell Road, Langar, Nottinghamshire, NG13 9HD.

Updates

A late representation was received from the Planning Officer after the agenda had been published and were circulated to the Committee before the meeting.

In accordance with the Council's public speaking protocol for planning committee, Mr N Bacon (Applicants Agent) and Councillor T Combellack (Ward Councillor) addressed the Committee.

Comments

Members considered the development to be at risk of flooding as the properties would be sited within flood zone 1 and near to flood zones 2 and 3 and requested that the method of construction for surfacing, driveways and parking be permeable.

DECISION

PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

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

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

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

Location Plan, dated 1 May 2019
Proposed Block Plan dated 23 September 2020

Plots 1, 2 & 4 Floor Plans and Elevations, dated 12 February 2020

Plots 3 Floor Plans and Elevations, dated 12 February 2020

Garage to Plot 1, dated 12 February 2020

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

3. Prior to the commencement of development, a detailed land remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. The remediation scheme shall bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
 - a) The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.
 - b) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared and submitted to and approved in writing by the Local Planning Authority.
 - c) All work must be carried out in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

[To make sure that the site, when developed, is free from contamination, in the interests of public health and safety and to comply with policy 40 (Pollution and Land Contamination) of the Rushcliffe Local Plan Part 2: Land and Planning Policies. This condition needs to be discharged prior to work commencing on site to ensure that any contamination issues can be addressed during the construction phase].

4. No development shall commence, except ground investigations and remediation, until infiltration testing and soakaway design in accordance

with Building regulations Part H, section 3 (3.30) have been undertaken to verify that soakaways will be suitable for the development. If the infiltration test results demonstrate that soakaways are not appropriate, an alternative method of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority and the approved method installed prior to the occupation of the development.

[To ensure that an appropriate method of surface water drainage is installed and in the interests of flood risk management in accordance with policy 18, Surface Water Management of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

5. No construction of the external walls of the development shall commence or roof covering added until specific details of the facing and roofing materials to be used on all external elevations are submitted to and approved in writing by the Local Planning Authority. The development shall only be undertaken in accordance with the materials so approved.

[To ensure the appearance of the development is satisfactory and to comply with policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and policies 1 (Development Requirements) and 28 (Conserving and Enhancing Heritage Assets) of the Rushcliffe Local Plan Part 2: Land and Planning Policies.]

6. No operations shall commence on site until the existing trees and/or hedges which are to be retained as indicated on block plan drawing dated 23/09/2020 have been protected in accordance with details to be approved in writing by the Borough Council and that protection shall be retained for the duration of the construction period. No materials, machinery or vehicles are to be stored or temporary buildings erected within the perimeter of the fence, nor is any excavation work to be undertaken within the confines of the fence without the written approval of the Borough Council. No changes of ground level shall be made within the protected area without the written approval of the Borough Council.

[This is a pre commencement condition to ensure that careful consideration is given to retaining existing vegetation on the site and to ensure the provision of an appropriate landscape setting to the development in accordance with policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and policies 1 (Development Requirements) and 28 (Conserving and Enhancing Heritage Assets) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

7. No occupation of the dwellings hereby approved shall commence until a hard and soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority, showing details of all trees, hedgerows and other planting to be retained, a planting specification to include numbers, size, species and positions of all new trees, hedgerows and shrubs, details of proposed walls, fences and other boundary treatment, surface treatment of the open parts of the site, and

a programme of implementation.

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme of implementation agreed in writing with the Local Planning Authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details.

[To ensure the provision of an appropriate landscape setting to the development in accordance with policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and policies 1 (Development Requirements) and 28 (Conserving and Enhancing Heritage Assets) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

8. The development hereby approved shall be carried out in full accordance with the Reasonable Avoidance Measures described in section 5.8 of the Protected Species Survey at Fletcher's Yard, Cropwell Road, Langar, Nottinghamshire, NG13 9HD by Andrew P Chick, dated February 2019.

[To avoid harm to wildlife, including protected species and nesting birds, in accordance with policy 1 (Development Requirements) and policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies]

9. Prior to occupation of the dwellings hereby approved details of a scheme for the provision of compensatory habitat for bats and nesting birds shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be erected on the site and retained for the lifetime of the development.

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

10. Occupation of the proposed dwellings shall not take place until details of the surfacing materials for the accesses, driveways and parking areas as indicated on the approved plan, Proposed Block Plan, dated 28/07/202012, have been submitted and approved in writing by the Local Planning Authority. The access should be surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary and drained to prevent the discharge of surface water from the driveway to the public highway. The approved details shall be installed prior to occupation of the dwellings hereby approved and shall be retained for the life of the development.

[To prevent deleterious material / surface water from being discharged onto the public highway, in the general interest of highway safety and to comply with policy 1 of the (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies.]

11. Occupation of the proposed dwellings shall not take place until the visibility splays set out in the approved plan, Proposed Block Plan dated 28/07/2020 are provided. The visibility splays shall thereafter be retained for the life of the development.

[To ensure that drivers have an appropriate level of visibility when exiting the site, in the general interest of highway safety and to comply with policy 1 of the (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies.]

12. Any gates to be erected at the access point shall open inward only and be set-back no less than 5.0 metres from the highway boundary.

[To ensure that drivers can station their vehicles clear of the public highway whilst the gates are opened/closed, to comply with policy 1 of the (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies.]

13. An Electric Vehicle Charging Point shall be provided for each dwelling hereby approved and installed prior to occupation and retained in that form thereafter for the lifetime of the development.

[To promote sustainable travel, aid in the reduction of air pollution levels and help mitigate climate change, in accordance with policy 2 (Climate Change) of the Rushcliffe Local Plan Part 1: Core Strategy].

14. The dwellings hereby approved shall be designed and constructed to meet the higher Optional Technical Housing Standard for water consumption of no more than 110 litres per person per day.

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

15. The development shall be undertaken in accordance with the recommendations as set out in the submitted FRA dated July 2020 including provision for finished floor levels set out in accordance with Arcelle drawing number 1945/C01 within the FRA and surface water attenuation methods and flood risk mitigation measures of construction.

[To ensure that the properties are adequately protected against any potential flood risk in accordance with the aims of Policy 18 of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

16. In the event that the planning permission is not implemented within 1 year of the date of the planning permission being granted a further protected species survey shall be carried out and submitted to the

Borough Council. Any mitigation measures required shall be implemented in accordance with the approved details to the satisfaction of the Borough Council.

[To ensure the survey reflects the situation pertaining at the time and to comply with policy 38 (Non-designated biodiversity assets and the wider ecological network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

17. The approved boundary treatments as shown on Block Plan drawing dated the 23/09/2020 shall be implemented prior to the dwellings they serve being occupied and shall be retained in this form thereafter. There shall be no alternative means of enclosure erected without the prior permission of the Borough Council as Local Planning Authority.

[To ensure the provision of an appropriate landscape setting to the development and flood risk considerations in accordance with policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and policies 1 (Development Requirements) and 28 (Conserving and Enhancing Heritage Assets) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

18. The method of construction and surfacing of the driveways and parking areas shall ensure that the areas are permeable, details of which shall be submitted for the approval of the Borough Council prior to the construction of the dwellings proceeding above foundation level. The driveways and parking areas shall thereafter be constructed in accordance with the approved details prior to the occupation of the dwellings. Thereafter, the driveways and parking areas shall be maintained in accordance with the approved details.

[To reduce the risk of flooding of the site and neighbouring land and to comply with Policy 17 (Managing Flood Risk) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

Notes to Applicant

Please be advised that all applications approved on or after the 7th October 2019 may be subject to the Community Infrastructure Levy (CIL). The Borough Council considers that the approved development is CIL chargeable. Full details of the amount payable, the process and timescales for payment, and any potential exemptions/relief that may be applicable will be set out in a Liability Notice to be issued following this decision. Further information about CIL can be found on the Borough Council's website at <https://www.rushcliffe.gov.uk/planningandgrowth/cil/>

The proposal makes it necessary to undertake works within the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Customer Services on telephone 0300 500 80 80 to arrange for these works to be carried out.

Condition 14 requires the new dwellings to meet the higher 'Optional Technical Housing Standard' for water consumption of no more than 110 litres per person

per day. The developer must inform their chosen Building Control Body of this requirement as a condition of their planning permission.

Guidance of this process and the associated requirements can be found in Approved Document G under requirement G2, with the requirements laid out under regulations 36 and 37 of the Building regulations 2010.

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.

You are reminded of your duties under the Wildlife and Countryside Act 1981 and the need to follow the recommendations as set out within the Ecology Report supporting this application.

20/01772/OUT – Outline planning permission with matters reserved for the erection of a dormer bungalow – The Paddock, 12 Main Street, Kinoulton, Nottinghamshire, NG12 3AE

Updates

In accordance with the Council's public speaking protocol for planning committee Councillor T Combellack (Ward Councillor) addressed the Committee.

DECISION

PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. Application for approval of reserved matters must be made not later than three years beginning with the date of this permission and the development must be begun not later than the expiration of two years from the final approval of reserved matters, or in the case of approval of reserved matters on different dates, the final approval of the last such matter to be approved.

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

2. The development hereby permitted shall only be carried out in accordance with detailed plans and particulars relating to the following items and the development shall not be commenced until these details have been submitted to and approved in writing by the Borough Council:
 - The means of access;
 - The siting, design and external appearance of the proposed building;
 - The finishes for the hard surfaced areas of the site;
 - Sections and cross sections of the site showing the relationship of

- the proposed development to adjoining land and premises;
- The finished ground levels for the site and floor levels of the dwellings relative to existing levels and adjoining land; and
- The means of enclosure to be erected on the site.

[To ensure the development will be satisfactory and in the interests of visual amenity and to comply with Policy 1 (Sustainable Development) of the Local Plan Part 2: Land and Planning Policies.]

3. This permission shall relate to the erection of no more than one dwelling.

[To clarify the extent of this permission and to prevent the overdevelopment of the plot in compliance with Policy 1 of the Local Plan Part 2].

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

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

5. The development hereby permitted shall not be commenced until a scheme for the provision of electric vehicle charging points shall be submitted to and approved by the Borough Council. The scheme shall provide details of the provision of electric vehicle charging points to serve the development on site. Thereafter, the use shall not commence until such time as the site has been serviced with the appropriate electric vehicle charging infrastructure, in accordance with the agreed scheme and the apparatus shall be retained for the lifetime of the development.

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

Notes to Applicant

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

Please be advised that all applications approved on or after the 7th October 2019 may be subject to the Community Infrastructure Levy (CIL). The Borough Council considers that the approved development is CIL chargeable, and the amount payable will be calculated following approval of any subsequent Reserved Matters application. Further information about CIL can be found on the Borough Council's website at <https://www.rushcliffe.gov.uk/planningandgrowth/cil/>

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

Condition 4 requires the new dwellings to meet the higher 'Optional Technical Housing Standard' for water consumption of no more than 110 litres per person per day. The developer must inform their chosen Building Control Body of this requirement as a condition of their planning permission.

With regard to works affecting the highway you are advised that Nottinghamshire County Council are the Highway Authority and it is suggested that you contact the Highways Area Office by telephoning 08449 808080 for further information.

This permission does not authorize the relocation of the garage for 12 Main Street and the construction of a new access as indicated on the submitted plans.

14 **Planning Appeals**

The report of the Executive Manager - Communities was submitted and noted.

The meeting closed at 10.05 pm.

CHAIRMAN