

22/00570/CTY

Applicant David Marsh

Location 53 Evans Road, East Leake, Nottinghamshire, LE12 6AS

Proposal Erection of a Primary School for 1.5 Forms of Entry, plus 26 place Nursery with associated Car Parking. Associated areas of soft play, hard play, grass playing field with landscaping works. Erection of 2.4m high security fencing and gates to perimeter and sprinkler tank. Provision of bound surface and lit cycle and footpath on route of public footpath East Leake FP5.

Ward Leake

THE SITE AND SURROUNDINGS

1. The site is located towards the south-eastern edge of the village of East Leake. The site comprises two arable fields, separated by a belt of woodland, that are located to the north of existing residential development sites being built out by David Wilson Homes and to the east of the Persimmon housing development that is accessed off Kirk Ley Road. Access is proposed off Sheepwash Way within the Persimmon Development.
2. The site layout plan provided with this application shows the overall context with the adjacent residential sites to its immediate south and east. The submitted plans detail the proposed location for the vehicular connection (through the David Wilson Homes development) as well as pedestrian/cycle links through to the Persimmon development.

DETAILS OF THE PROPOSAL

3. This is a County Matter application where Rushcliffe Borough Council is a Consultee. The County Council is the determining authority for this proposal and, whilst considering the application they are also the applicant in this instance. The land is, however currently owned by private entities.
4. There is an educational requirement for a new primary school at East Leake from September 2022. This is to be satisfied by the permanent provision of a new School in which outline planning permission has already been granted. It is anticipated that the proposed school would be operational from September 2023 and in the interim, the school place demand will be met with a 120 Place Temporary School Learning Village in which planning permission has already been granted.
5. The current scheme proposes the erection of a primary school for 1.5 forms with associated car parking. The scheme also proposes areas of soft play, hard play, grass playing field with landscaping works, the erection of 2.4m high security fencing and gates to perimeter and sprinkler tank along with the provision of bound surface and lit shared pedestrian and cycle path on route of Public Footpath East Leake Footpath 5 (FP5). Public access from the

footpath will be determined by the householder build out rates and subsequent availability of safe access.

6. The school would be built with capacity for 315 primary pupils and a 26 place nursery to satisfy projected demand for primary school places in East Leake. The school building would be over two storeys. It was previously advised by Officers that a single storey option would have too large a footprint given its size and constraints.
7. Pedestrian and vehicular access to the school would be from the new roads being constructed to serve the David Wilson Homes housing development, accessed off Rempstone Road. A separate pedestrian/cycle route from the Persimmon housing site connecting Sheepwash Way to Footpath 5 (which runs along the western boundary of the site) is also proposed.
8. The school building would be located towards the southern edge of the site with a formal hard play area to the south and hard and soft play areas located to the northern edge of the site.
9. The application description also includes fencing details which would include a 2.4m fence around the play areas to the north. The proposed fence around the hard play area to the south would comprise a 3m high security fence around the play area to the south. A sprinkler tank would be enclosed by a 3.5m high fence and a 2m high fence would enclose the bin store.
10. The school building itself would be located towards the southern edge of the site with car parking to the frontage facing towards the recently approved David Wilson Homes development that is currently under construction to the south of the site. Revised elevational plans which accompany the submission show the building would be two storeys in height with a maximum height of 9.32m. At ground floor level, the proposed building would measure a maximum of 66m in length (reducing to 47m at first floor level) and would have a maximum width of 23m (reducing to 18.5m at first floor level).
11. The materiality of the proposed building has been derived from the character of the adjacent residential area which would be made up of brickwork with rendered areas to add character to the appearance of the building.
12. The proposed site plan indicates that there would be 30 vehicle parking spaces which would include 2 disabled spaces. A secure cycle store would also be provided to the west which would accommodate 30 cycle spaces. There would be 2no electric vehicle charging points.

SITE HISTORY

13. The site forms part of a wider area which has an extensive planning history, the most relevant of which is listed below:
14. Application reference 14/01927/VAR, the Persimmon Homes Scheme for the adjacent Persimmon Housing Development was approved at appeal in December 2015.
15. Application reference 16/01881/OUT for planning permission for the wider surrounding site including 235 dwellings, primary school, infrastructure, green

space, associated surface water attenuation and landscaping was approved at appeal in November 2017.

16. Application reference 19/01770/REM - application for approval of access, appearance, landscaping, layout and scale of outline permission 16/01881/OUT for the erection of 235 dwellings - approved January 2020.
17. Application reference 20/02300/REM - application for approval of access, appearance, landscaping, layout and scale of outline permission 16/01881/OUT for the erection of 235 dwellings (partial re-plan of approved application ref 19/01770/REM) – approved December 2020.
18. Application reference 20/00888/FUL - erection of an additional 51 dwellings with associated access, parking and landscaping (as an extension to application ref 20/02300/REM) – approved July 2021.
19. Application reference 21/03223/FUL – application for the erection of 47 dwellings with associated access, parking and landscaping (this application proposes an additional 47 dwellings on the site (instead of the approved additional 51 dwellings)
20. A Section 106 agreement for (planning reference 16/01881/OUT) was entered into in November 2017. Contained within that agreement was the requirement for the provision of school land.
21. The Section 106 agreement signed as part of the adjacent Persimmon Homes scheme (planning reference 14/01927/VAR) allowed for vehicular and pedestrian access to serve the school site. However, for robustness, the full traffic impacts associated with any new school were also assessed as though access is proposed to be achieved via the new Rempstone Road access junction (planning reference 16/01881/OUT). In any event, pedestrian/cycle access to the school (and the development as a whole) could be achieved via the Persimmon development.
22. Application reference 21/01029/CTY - erection of a Primary School for up to 2-forms of entry (in phases), plus 26 place nursery with associated car parking. Associated areas of soft play, hard play, grass playing field with landscaping works. Erection of 2m high security and lit 3m shared pedestrian and cycle path on route of Public Footpath, East Leake FP5. Bound surface and lit path and bridge between Sheepwash Way was not objected to by the Planning Committee in June 2021. The County Council as the determining authority subsequently resolved to grant planning permission.
23. Application reference 21/02694/CTY - Erection of 120 Place Temporary School Learning Village Accommodation with temporary lit access road and permanent lit access path. Associated areas of soft play, canopies, car parking and surface water balancing pond. The County Council, as the determining authority subsequently resolved to grant planning permission.

REPRESENTATIONS

Ward Councillor(s)

24. One Ward Councillor (Cllr Thomas) supports the proposal but comments that the strip of land in third party ownership is somewhat awkward and the requirement for security fences between the school and playing fields will have an oppressive impact on the children's environment and could create operational difficulties. Cllr Thomas also questions whether the foot/cycle path would be surfaced where it crosses the strip, why the application is for 1.5 form intake whereas the outline consent was for up to 2 form entry, whether there is a fence along the public footpath, if the security fencing could incorporate hedgehog holes and if 2no. electric charging points is sufficient. Other comments relate to the lack of a gathering area for parents/guardians, whether the footpath would be used for emergency vehicles, lack of pick up/collection points, future catchment areas and whether provision is made for solar panels.

Town/Parish Council

25. East Leake Parish Council has no objections to make but provides the following comments:
- a. A condition should be put in place for rights of access across the third-party land.
 - b. The application is for 1.5 form intake whereas the outline was for up to 2 form entry (in phases). What is the reason for this change? This is significant not just because of where future extra classrooms could be placed but also because of the sizing of areas such as the school hall, corridors and stairs it is very difficult to increase these later.
 - c. No areas for parents waiting to pick up children next to the pedestrian access
 - d. No provision for parents travelling by car to drop-off and pick up children at front gate
 - e. Electric charging points for staff should be provided.
 - f. Hedgehog gates should be put into security fences to allow access across the area.
 - g. Initial planning statement showed solar PV panels but noted not shown on the full application, these should be added to possibly generate and sell back energy.
 - h. No grey water recycling/harvesting provision.
 - i. No provision for solar hot water heating could this be investigated

Statutory and Other Consultees

26. Rushcliffe's Environmental Sustainability Officer noted that a Preliminary Ecological Assessment, Great Crested Newt survey result letter and Reptile Report have been carried out according to good practice and are in date.
27. A single grass snake was identified on three separate visits, however, it is considered likely that this was an individual grass snake, and therefore translocation is considered disproportionate.
28. A biodiversity net gain (BNG) assessment with a demonstrated gain should be provided as recommended by CIRIA (2019) Biodiversity Net Gain – Principles

and Guidance for UK construction and developments, with the gains implemented and maintained in the long term and agreed by the County Planning Authority which should be supported with a Landscape and Ecological Management Plan (LEMP).

29. They advise that the development provides opportunities for ecological enhancement and that the favourable conservation status of protected species is unlikely to be impacted by this development.
30. Rushcliffe Borough Council's Environmental Health Officer does not object to the proposal subject to conditions being attached to any grant of permission.

PLANNING POLICY

Relevant National Planning Policies and Guidance

31. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England. It carries a presumption in favour of sustainable development and makes clear that applications must be determined in accordance with the development plan unless material considerations indicate otherwise (Paragraph 11). Paragraph 12 states, "*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.*" Paragraph 14 states that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the Policies in the NPPF taken as a whole.
32. Paragraph 17 sets out 12 core planning principles that it says should underpin plan making and decision taking. These include that planning should; be genuinely plan-led, proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs, to seek to secure high quality design and a good standard of amenity, support the transition to a low carbon future in a changing climate, taking full account of flood risk, contribute to conserving and enhancing the natural environment, promote mixed use developments and to actively manage patterns of growth.
33. The sections of the NPPF that have relevance to the determination of this application include; 4. Promoting sustainable transport; 7. Requiring good design; 8. Promoting healthy communities; 10. Meeting the challenge of climate change, flooding and coastal change; and 11. Conserving and enhancing the natural environment.

A copy of the National Planning Policy Framework 2021 can be found [here](#)
A copy of the Planning Practice Guidance can be found [here](#)

Relevant Local Planning Policies and Guidance

34. The Rushcliffe Local Plan Part 1: Core Strategy (LPP1) was formally adopted in December 2014. It sets out the overarching spatial vision for the development of the Borough to 2028.

35. The following other policies in the LPP1 are relevant:

- Policy 1 - Presumption in Favour of Sustainable Development;
- Policy 2 - Climate Change;
- Policy 3 - Spatial Strategy;
- Policy 10 - Design and Enhancing Local Identity;
- Policy 12 - Local Services and Healthy Lifestyles;
- 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; and
- Policy 19 - Developer Contributions

A copy of The Rushcliffe Local Plan Part 1: Core Strategy (LPP1) can be found [here](#)

36. The Local Plan Part 2: Land and Planning Policies (LLP2) was adopted in October 2019 and the following policies in LPP2 are also considered material to the consideration of this application:

- Policy 1 Development Requirements
- Policy 18 Surface Water Management
- Policy 19 Development affecting Watercourses
- Policy 20 Managing Water Quality
- Policy 29 Development affecting Archaeological Sites
- Policy 37 Trees and Woodlands
- Policy 38 Non-designated Biodiversity Assets and the wider Ecological network
- Policy 39 Health Impacts of Development
- Policy 40 Pollution and Land Contamination
- Policy 43 Planning Obligations Threshold

A copy of the Local Plan Part 2: Land and Planning Policies (LLP2) can be found [here](#)

APPRAISAL

Principle of Development

37. An extant outline planning permission exists for the erection of a school building through the grant of outline planning permission 16/01881/OUT - *Outline application for up to 235 dwellings, primary school, infrastructure, green space, associated surface water attenuation & landscaping*. As part of the two adjoining residential developments currently being constructed by Persimmon Homes and David Wilson Homes, Section 106 agreements have been entered into which relate to this land and the provision of the primary school.

38. The Section 106 agreement for the Persimmon development (application ref 14/01927/VAR) defined the “education contribution” as a financial sum for the first 175 dwellings from that development towards improvements at Brookside

Primary School in the village, and a separate, larger amount for every dwelling over and above 176 dwellings towards the provision of “*The School*” which is defined separately in the S106 agreement along with definitions of “*The School Land*”, the “*School Land Purpose*” and the “*School Land Undertaking*”. The S106 also includes an entire schedule (the fifth schedule) which sets out the school land transfer provisions.

39. Similar to the above, the S106 agreement for the David Wilson Homes Development (application ref 16/01881/OUT) included financial contributions towards the provision of “...*primary education or primary education facilities in or within the vicinity of East Leake...*” It should also be noted that the description of development for application ref 16/01881/OUT also included reference to a primary school with the location shown indicatively on the plans within the submission.
40. Furthermore, the County Council have previously approved outline permission for a new school on the site and the Borough Council resolved not to object (via application ref 21/01029/CTY).
41. For these reasons, the principle of a school facility in this location is already established, and therefore acceptable.

Design and impact upon neighbouring amenity

42. Policy 10 of the LPP1 requires that all new development should, amongst other things, make a positive contribution to the public realm and sense of place and should have regard to the local context and reinforce local characteristics. Specifically, with regard to design, the policy requires that development be assessed in terms of its massing, scale and proportion; and in terms the proposed materials, architectural style and detailing. Policy 1 of the LPP2 broadly echoes policy 10.
43. Chapter 12 of the Framework is concerned with achieving well-designed places. Specifically, it requires that development should function well and add to the overall quality of the area, not just in the short term but over the lifetime of the development. Development should also be visually attractive as a result of good architecture, layout and landscaping, and should be sympathetic to local character and history and maintain a strong sense of place. Importantly, permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
44. The proposed school building would be located towards the southern edge of the site with car parking to the frontage facing towards the approved David Wilson Homes development currently under construction to the south of the site.
45. Revised elevational plans show the main building would be two storeys high with a maximum ridge height of 9.32m and with a single storey element to the east measuring 3.6m high. At ground floor level, the proposed building would measure a maximum of 66m in length (reducing to 47m at first floor level) and would have a maximum width of 23m (reducing to 18.5m at first floor level). The materiality of the proposed building has been derived from the character

of the adjacent residential area which would be made up of brickwork with rendered areas to add character to the building.

46. The main school entrance would be from the south and a separate pedestrian access would be provided off the PROW to the west. The proposed building would be sited circa 36m to the nearest residential dwelling to the west and circa 38m to the nearest residential dwelling to the south.
47. Consideration should be given to the use of environmental credentials such as provision for solar panels, grey water harvesting etc to promote sustainable development.
48. In the context of its surrounds, alongside an approved development, the overall height and footprint of the building together with the degree of separation from the existing housing, the proposal is considered to be acceptable.
49. The Ward Councillors and the Parish Council's comments regarding design aspects of the submission are noted, however, the Borough Council are only a consultee on this application and therefore the determining authority (Nottinghamshire County Council) would need to seek the technical expertise of the relevant consultees prior to determining the application.

Highway Safety and Parking

50. The proposed site is intended to be served by a vehicular access off Rempstone Road that would also serve the 286 dwellings approved and currently under construction by David Wilson Homes. A separate non-vehicular access is proposed via a connecting footpath/cycle link between Sheepwash Way in the neighbouring Persimmon development to the west and Footpath 5 which is located on a north-south axis alongside the western boundary of the application site. The vehicular access arrangements were assessed under application references 16/01880/OUT, 20/02300/REM and 20/00888/FUL and it is understood that they have now gained Section 38 technical approval from the Highway Authority (Nottinghamshire County Council).
51. A pedestrian link between Sheepwash Way and Footpath 5 was also a condition of the grant of permission for application ref 16/01880/OUT that was granted on appeal. Details of the proposed link have recently been discharged (i.e. details have been submitted and agreed to be acceptable) under application ref 20/00887/DISCON in June 2020. The principle of the 'link' is therefore already established and accepted in this location and is partially installed.
52. The County Council are responsible for both the highway network at a local level as the Highway Authority as well as the footpath network through their Rights of Way Team. As the determining authority the County Council will therefore have to consider the impacts on the traffic generation and as a result of the proposed footpath improvements in the determination of the application.
53. The Ward Councillors and Parish Council comments/concerns regarding the levels of parking provision, cycle storage, electric vehicle charging points, pick up/drop off points are all noted, however, the Borough Council are only a consultee on this application and therefore the determining authority

(Nottinghamshire County Council) would need to seek the technical expertise of the relevant consultees prior to determining the application. It is noted the Highway Authority do not object to the proposal subject to appropriate conditions and that provision for 2 EVCP is considered appropriate as it was a requirement of the outline planning permission.

54. The adopted Rushcliffe Local Plan Part 1: Core Strategy advocates the reduction in car dependency and promotes the use of sustainable transport modes as a primary method of transport. The proposed improvements to the pedestrian and cycle links to and from the school are therefore welcomed and whilst there are no details of the proposed other sustainable transport elements commented on by the Ward Councillors and Parish Council, subject to the County Council, as Highway Authority, being satisfied with the details submitted, the application would accord with the requirements of Policy 10 of the LPP1 and Policy 1 of the LPP2.

Flood Risk and Contamination

55. Rushcliffe Borough Council notes the submission of a Flood Risk Assessment and Drainage Strategy to accompany the proposed development. It notes that foul drainage would be dealt with via a pumped connection into the existing system on Sheepwash Way and that surface water drainage would be discharged into the adjacent watercourse, via an attenuation pond. The northern edge of the site is located within flood zones 2 and 3 although the built form located within flood zone 1. Details of the drainage strategy have already been accepted under application ref 20/00886/DISCON.
56. The technical guidance to the NPPF states that developments of a more vulnerable category such as the proposed educational use are appropriate within flood zone 1, without the application of the Sequential Test. However, as none of the built part of the site is shown within flood zone 3, the proposal would not need to be covered by the Sequential Test. Nevertheless, it is acknowledged that the parts of the development classed as more vulnerable being proposed are indicated to be located within flood zone 1 only, the proposed development site can be seen as sequentially preferable.
57. As part of a major development site, consultation with the Lead Local Flood Authority has taken place with respect to the residential development that already benefits from planning permission. Nottinghamshire County Council are themselves the Lead Local Flood Authority and, therefore, officers advise that their views and advice in respect of the proposed Sustainable Drainage Systems should be sought.
58. The Borough Council's Environmental Health Officer has advised that they do not object to the proposal, subject to a number of conditions being imposed to the grant of any planning permission. Those requested conditions include restricting the use of the school facilities and the requirement for a noise management plan/assessment plan.
59. Other conditions requested by the Environmental Health Officer relate to testing for any stone or soils imported to the site; the submission of a construction management plan (CMP); controls on the hours of construction and deliveries to the site, details of any lighting to be installed on site and the noise levels for the proposed air source heat pump. All conditions suggested

by the Borough Council's Environmental Health Officer were included within the OUT consent.

Ecology

60. The application has been accompanied by a Great Crested Newt survey result letter, reptile report and a Preliminary Ecological Assessment Report (PEAR) which has been updated from that originally undertaken as part of the Outline application. Whilst the Borough Council's Environmental Sustainability Officer does not object to the proposal, it is noted in the submitted Preliminary Ecology Appraisal that some habitats of ecological value would be lost to facilitate the proposed development and that recommendations have been put forward to enhance biodiversity, however, it is suggested that a biodiversity net gain should be demonstrated.

Archaeology

61. The submission correctly states that an archaeological desktop survey was previously provided as part of the discharge of conditions for Planning Application Reference 19/02832/DISCON in 2019 as conditioned on permission reference 16/01880/OUT. This written scheme of investigation indicated an assessment and trench to the South of the site approximately where the school building is proposed to be located. The Borough Council are a consultee on this application and therefore the determining authority (Nottinghamshire County Council) would need to seek the technical expertise of the relevant consultees prior to determining the application.

Conclusion

62. The principle of a school in this location is already established, acceptable and required in order to serve the needs of the wider residential development(s), nevertheless, the County Council have submitted a full application.
63. The design and scale of the proposed building being two storeys up to 9.32m high (reduced from up to 12m approved under the outline consent) with a Gross Internal Area of approximately 1860sqm (reduced from up to 2235sqm approved under the outline consent) are considered to be acceptable. However, the recommendations as set out in the supporting documents along with the technical input of the Highway Authority, the Lead Local Flood Authority and Archaeological Team are recommended to be sought.
64. The Borough Council also advises the County Council to consider the implications of the Traffic Regulation Orders in the event that such controls are not secured through the democratic process. Further consideration should be given to the impact of the construction of the development upon the biodiversity habitat of the surrounding area as well as an ecological enhancement scheme being secured as part of the development.

RECOMMENDATION

It is RECOMMENDED that the County Council be informed that the Borough Council does not object to the proposal subject to the following condition(s) (along with any other conditions that the County Council consider appropriate):

1. The development hereby permitted may not be begun until a Biodiversity Gain Plan (BGP) has been submitted to and agreed in writing by the County Planning Authority, the development shall be carried out in accordance with the approved BGP.

[As required by Paragraph 13 of Part 2 of Schedule 7A of the Town and Country Planning Act 1990 (as amended by the Environment Act 2020.)]

2. The development hereby approved shall not commence until the recommendations listed in the Preliminary Ecological Assessment Report (PEAR) have been undertaken and relevant reports containing any mitigation measures have been submitted to the County Planning Authority. Thereafter the development shall be carried out in accordance with the recommendations contained within the details and retained as such for the lifetime of the development

[To ensure the development contributes to the enhancement of biodiversity on the site having regard to Policy 17 (Biodiversity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019); Chapter 15 (Conserving and enhancing the natural environment) of the National Planning Policy Framework 2021.]

3. The hard and soft landscaping shown on the submitted drawings must be carried out and completed in accordance with those approved details not later than the first planting season (October - March) following either the substantial completion of the development hereby permitted or it being first brought into use, whichever is sooner. If within a period of 5 years from the date of planting, any tree or shrub planted as part of the approved landscaping scheme is removed, uprooted, destroyed, dies or becomes diseased or damaged then another tree or shrub of the same species and size as that originally planted must be planted in the same place during the next planting season following its removal.

[To ensure the development creates a visually attractive environment and to safeguard against significant adverse effects on the landscape character of the area having regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapter 12 (Achieving Well-designed Places) of the National Planning Policy Framework 2021.]

4. The development hereby permitted must not commence and no preparatory operations in connection with the development hereby permitted (including demolition, site clearance works, fires, soil moving, temporary access construction and/or widening, or any operations involving the use of motorised vehicles or construction machinery) shall take place on the site until a detailed Arboricultural Method Statement (AMS) prepared in accordance with BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations', has been submitted to and approved in writing by the County Planning Authority and all protective fencing has been erected as required by the AMS. The AMS must include full details of the following:

- a. The timing and phasing of any arboricultural works in relation to the

- approved development;
- b. Detailed tree felling and pruning specification in accordance with BS3998:2010 Recommendations for Tree Works;
 - c. Details of a Tree Protection Scheme in accordance with BS5837:2012 which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site which are to be retained or which are the subject of any Tree Preservation Order;
 - d. Details of any construction works required within the root protection area as defined by BS5837:2012 or otherwise protected in the Tree Protection Scheme;
 - e. Details of the location of any underground services and methods of installation which make provision for protection and the long-term retention of the trees on the site. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, no services shall be dug or laid into the ground other than in accordance with the approved details;
 - f. Details of any changes in ground level, including existing and proposed spot levels, required within the root protection area as defined by BS5837:2012 or otherwise protected in the approved Tree Protection Scheme;
 - g. Details of the arrangements for the implementation, supervision and monitoring of works required to comply with the AMS.

[To ensure the adequate protection of the existing trees and hedgerows on the site during the construction of the development having regard to regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policies 37 (Trees and Woodlands) and 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapter 15 (Conserving and Enhancing the Natural Environment) of the National Planning Policy Framework 2021.]

5. Any aggregate (other than virgin quarry stone), topsoil (natural or manufactured), or subsoil that is to be imported onto the site must be assessed for chemical or other potential contaminants in accordance with a written scheme of investigation which shall be submitted to and approved in writing by the County planning authority prior to the material being bought onto the site. Only material that has been tested in accordance with the approved investigation scheme shall be imported onto the site.

[To ensure that any unexpected contamination that is encountered is appropriately remediated so that the site is suitable for the approved development without resulting any unacceptable risk to the health of any construction workers, future users of the site, occupiers of nearby land or the wider environment having regard to Policy 1 (Presumption in Favour of Sustainable Development) of the Rushcliffe Local Plan Part 1: Core Strategy (2014), Policies 39 (Health Impacts of Development) and 40 (Pollution and Land Contamination) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Paragraphs 178 and 177 of the National Planning Policy Framework 2021.]

