

**MINUTES
OF THE MEETING OF THE
PLANNING COMMITTEE
THURSDAY, 8 DECEMBER 2022**

Held at 2.30 pm in the Council Chamber, Rushcliffe Arena, Rugby Road, West
Bridgford

PRESENT:

Councillors R Butler (Chairman), S Bailey, L Healy, D Mason, F Purdue-Horan,
V Price, C Thomas, J Murray, A Phillips and R Upton

OFFICERS IN ATTENDANCE:

H Knott	Service Manager - Communities
E Dodd	Principal Area Planning Officer
P Taylor	Area Planning Officer
R Sells	Solicitor
T Coop	Democratic Services Officer

APOLOGIES:

Councillors Mrs M Stockwood, N Clarke and J Walker

25 **Declarations of Interest**

There were no declarations of interest recorded.

26 **Minutes of the Meeting held on 10 November 2022**

Following the publication of the minutes of the November Planning Committee meeting, Councillors Jones and Thomas felt that the minutes relating to application 22/00809/FUL Land at Church Farm, Gotham did not represent comments of members in relation to Condition 14 and the informatives.

The Committee noted that Condition 14 had been amended to reflect what was proposed and an updated version of the minutes was published as late representation. The updated version of the minutes were approved and signed by the Chairman.

27 **Planning Applications**

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

22/01046/FUL – Demolition of existing building; Erection of 9 No. 2 storey apartments; Erection of fencing to front, side and rear; Associate landscaping and access works including raised patio and underground garage entrance – Wishing Well Day Nursery Limited c/o The Buckingham

Updates

Additional representations were received after the agenda had been published and these were circulated to the Committee before the meeting. In accordance with the Council's Public Speaking Protocol for Planning Committee, the Solicitor read out a statement from a local resident and councillor R Mallender (Ward Councillor) addressed the Committee.

Comments

Members of the Committee requested that condition 4 be amended to include the undercroft parking areas in the management responsibilities, maintenance schedules for the common/communal areas.

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 must be carried out strictly in accordance with the following approved plan(s)/drawings/documents:
 - 2990(08)001 Rev A titled 'Location Plan' dated 17/05/22
 - 2990(08)003 Rev B titled 'Proposed Block' dated 09/08/22
 - 2990(08)007 Rev B titled 'Proposed Site Plan' dated 09/08/22
 - 2990(08)008 Rev B titled 'Proposed Undercroft Parking' dated 09/08/22
 - 2990(08)009 Rev B titled 'Proposed Ground Floor Plan' dated 09/08/22
 - 2990(08)010 Rev B titled 'Proposed First Floor Plans' dated 09/08/22
 - 2990(08)011 Rev A titled 'Proposed Unit Type Plan' dated 07/05/22
 - 2990(08)012 Rev A titled 'Proposed Elevations East and West' dated 16/05/22
 - 2990(08)013 Rev A mis-titled 'Existing elevations 02' dated 16/05/22
 - 2990(08)X01 Rev C titled 'Sections X01-X03' dated 05/10/22.

[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) Local Plan Part 2: Land and Planning Policies].

3. The development hereby permitted must not proceed above the damp proof course level until samples of the materials to be used in the construction of the exterior of the development have been submitted to

and approved in writing by the Local Planning Authority. The development must only be constructed in accordance with the approved materials.

[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 Policy 1 (Development Requirements) Local Plan Part 2: Land and Planning Policies].

4. The development hereby permitted must not be occupied or first brought into use until a scheme detailing the hard and soft landscaping of the site (including the location, number, size and species of any new trees/shrubs to be planted) has been submitted to and approved in writing by the Local Planning Authority. The submission shall include details of the proposed boundary treatments for the site, including details of how any boundaries affected by the demolition/removal of the structure(s) on the site that form a boundary with a neighbouring landowner will be treated and made good. The submission shall also include details of the proposed management responsibilities, maintenance schedules for the common/communal areas, including the underground car park, and who is responsible for removal/disposal of any arisings/clippings/waste generated by their maintenance.

Thereafter the scheme must be carried out and completed in accordance with the approved details no later than during the first planting season (October - March) following either the substantial completion of the development hereby permitted, or it being brought into use, whichever is sooner.

If, within a period of 5 years of from the date of planting, any tree or shrub planted as part of the approved scheme is removed, uprooted, destroyed, dies or become 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 Policies 10 (Design and Enhancing Local Identity) and 11 (Historic Environment) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policies 1 (Development Requirements) and 28 (Conserving and Enhancing Heritage Assets) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapters 12 and 16 (Achieving Well-designed Places) of the National Planning Policy Framework (2021).]

5. The mitigation measures as stated in Sections 3.3 and Appendix 4 of the Preliminary Roost Assessment produced by The Bat Surveyor dated March 2022 shall be undertaken in accordance with the recommendations contained in that document. The bird and bat nesting boxes and bee bricks shall be installed prior to the first occupation of the dwellings hereby approved, and thereafter retained in accordance with

the recommendations for the lifetime of the development.

[To ensure that adequate compensatory measures are carried out 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.]

6. If the building(s) on the site have not been cleared by 01 August 2023, updated ecology surveys, including a bat mitigation plan, should be completed and supplied to the local planning authority prior to any development commencing. Thereafter any recommendations set out in the reports should be implemented in accordance with the approved details.

[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 (July 2021).]

7. The construction of the development hereby permitted must not proceed above damp-proof course level until a scheme for the provision of Electric Vehicle Charging Point(s) (EVCP) has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme must include details of the type, number and location of the proposed EVCP apparatus. The dwellings hereby permitted must not be first occupied until all EVCP's has been installed in accordance with the approved details. Thereafter EVCP's must be permanently retained on the site in accordance with the approved scheme throughout the lifetime of the development.

[To promote sustainable transport measures that will help lead to a reduction in carbon emissions within the Borough and help contribute towards a reduction in general air quality having regard to Policy 2 (Climate Change) of the Local Plan Part 1: Core Strategy (2014) and Policy 41 (Air Quality) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Paragraph 110 of the National Planning Policy Framework.]

8. The dwellings hereby permitted must not be occupied until the optional requirement for water efficiency (i.e.: not exceeding 110 litres per person per day) set out at Regulation 36(2)(b) of the Building Regulations 2010 (as amended) (or any equivalent regulation revoking and/or re-enacting that Statutory Instrument) has been complied with. Thereafter this water efficiency standard must be retained throughout the life of the dwelling.

[To promote a reduction in water consumption having regard to Policy 12 (Housing Standards) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).]

9. The development hereby permitted must not commence and no preparatory operations in connection with the development (including demolition, site clearance works, 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 written report of the findings of a Preliminary Risk Assessment (PRA) of the nature and extent of any contamination affecting the site, whether or not it originates from the site, has been submitted to and approved in writing by the Local Planning Authority. The PRA must be prepared by a suitably qualified 'competent person' (as defined in the National Planning Policy Framework February 2019) and must be in accordance with the Environment Agency's 'Land Contamination Risk Management' (LCRM). As a minimum the PRA must include the following:
- (i) a desktop study identifying all previous and current uses at the site and any potential contaminants associated with those uses;
 - (ii) the results of a site walkover, including the details and locations of any obvious signs of contamination at the surface;
 - (iii) the development of an initial 'conceptual site model' (CSM) which identifies and qualitatively assesses any potential source - pathway - receptor (contaminant) linkages;
 - (iv) a basic hazard assessment identifying the potential risks from any contaminants on:
 - Human health;
 - Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
 - Adjoining land;
 - Ground and surface waters;
 - Ecological systems;
 - Archaeological sites and ancient monuments.
 - (v) Recommendations for any further works that may be required to refine the CSM including any exploratory site investigation works and the sampling and analytical strategies proposed.
 - a) Where the PRA identifies potential unacceptable risks associated with the contaminant linkages present in the initial CSM, the development (excluding any demolition) hereby permitted must not commence until a written report of the findings of any exploratory Site Investigation (SI) with either a generic and/or detailed quantitative risk assessment of those findings has been submitted to and approved in writing by the Local Planning Authority.
 - b) Where the findings of the submitted SI identifies unacceptable risks to human health and/or the environment, the development (excluding any demolition) hereby permitted must not commence until a detailed Remediation Scheme (RS) has been submitted to and approved in writing by the Local Planning Authority. The submitted RS must include:
 - full details of how the contamination on the site is to be remediated and include (where appropriate) details of any options appraisal undertaken;

- the proposed remediation objectives and criteria, and;
- a verification plan.

The RS must demonstrate that as a minimum the site after remediation will not be capable of being classified as contaminated land under Part 2A of the Environmental Protection Act 1990.

- c) The development hereby permitted must not be occupied or first brought into use until the site has been remediated in accordance with the approved RS and a written Verification Report (VR) confirming that all measures outlined in the approved RS have been successfully carried out and completed has been submitted to and agreed in writing by the Local Planning Authority. The VR must include, where appropriate the results of any validation testing and copies of any necessary waste management documentation.

[To ensure that a satisfactory assessment of any land contamination and an appropriate strategy for its remediation from the site is carried out to ensure 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 183 and 184 of the National Planning Policy Framework. This is a pre-commencement condition to ensure that the site is clean and safe to develop with any necessary mitigation put in place prior to development starting on the site to protect any future occupants on the development].

10. Any 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 local planning authority prior to the material being brought 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 all soil or soil forming materials brought onto the site are free from contamination 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 183 and 184 of the National Planning Policy Framework].

11. No development shall take place on site, including demolition and site clearance, until the details of a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall provide details of the following:
- a) Access and parking of vehicles of site operatives and visitors
 - b) Loading and unloading of plant and materials
 - c) Storage of plant and materials used in constructing the development
 - d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - e) Wheel washing facilities
 - f) Measures to control the emission of noise, dust, dirt and vibration during demolition, site clearance and construction
 - g) A scheme for recycling/disposing of waste resulting from construction works
 - h) Hours of operation (including demolition, construction and deliveries)
 - i) A scheme to treat and remove suspended solids from surface water run-off during construction.
 - j) The 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.

Thereafter the works shall be carried out in accordance with the approved plan.

[In the interests of Highway safety and to minimise disruption to users of the local highway network adjacent to the development site and to ensure that the occupiers of neighbouring properties are not adversely affected by unacceptable vibration and noise pollution from the development hereby permitted, having regard to Policies 1 (Development Requirements), 39 (Health Impacts of Development) and 40 (Pollution and Contaminated Land) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019). This is a pre-commencement condition as matters need to be agreed prior to the works starting.]

12. During any ground works, site clearance, demolition or construction there shall be no burning of waste, timber or any other materials on the site.

[To protect the amenities of nearby residential properties for the duration of the demolition and construction of the development hereby permitted, having regard to having regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).]

13. Prior to the commencement of works, including any site clearance and demolition, an asbestos demolition survey be carried out, submitted to

and be approved in writing by the Local Planning Authority as there is the potential for asbestos containing materials (ACMs) to be present within the buildings/structures. This survey should determine the location, type and condition of any ACMs and include a plan for how any ACMs will be managed. Thereafter the removal of any ACMs shall be undertaken in accordance with the approved details.

It should be noted certain works relating to ACMs are notifiable. Information on asbestos is available on the Health and Safety Executive website <https://www.hse.gov.uk/asbestos/index.htm> including specific information on refurbishment/demolition surveys <https://www.hse.gov.uk/asbestos/managing/survey-refurb.htm>. Any asbestos containing materials need to be removed in an appropriate manner and disposed of in a suitably licensed facility. The exact requirements for removal and disposal will depend on the nature of the materials present.

[To protect the amenities of contractors working on the site and nearby residential properties at for the duration of the demolition and construction of the development hereby permitted, having regard to having regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019). This is a pre-commencement condition as matters need to be agreed prior to the works starting.]

14. The development hereby permitted shall be carried out in accordance with the revised Flood Risk Assessment dated May 2022, reference: 5906_Rev A, undertaken by KSA Consulting Structural & Civil Engineers and the following mitigation measures it details:
 - Finished ground floor levels shall be set no lower than 24.8 metres above Ordnance Datum (AOD).

[To ensure that the development has sufficient flood water management and is not at increased risk of flooding, and to comply with Policy 2 (Climate Change) of the Rushcliffe Local Plan Part 1: Core Strategy (2014), Policies 17 (Managing Flood Risk) and 18 (Surface Water Management) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Paragraphs 167 and 169 of the National Planning Policy Framework].

15. Prior to the commencement of works on site, including any site clearance and demolition, structural details, including the details of the material(s) to be used in the construction of the walls and ceilings for the undercroft parking area have been submitted to, and be approved in writing by, the Local Planning Authority. The details shall demonstrate that they are of a flood resilient construction and designed to withstand vehicle impact caused as a result of floating vehicles within more extreme flood events, as set out in Section 8.1 of the revised flood risk assessment dated May 2022, reference: 5906_Rev A, undertaken by KSA Consulting Structural & Civil Engineers. Thereafter the development shall be constructed in accordance with the approved

details and maintained as such for the lifetime of the development.

[To ensure that the development is designed and built to the correct standards to withstand the impacts of flood event, and to comply with Policy 2 (Climate Change) of the Rushcliffe Local Plan Part 1: Core Strategy (2014), Policies 17 (Managing Flood Risk) and 18 (Surface Water Management) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Paragraphs 167 and 169 of the National Planning Policy Framework (July 2021). This condition is pre-commencement to avoid the potentially costly and abortive works of rectifying the situation if the design of the scheme needed to be revised or altered at a later date].

16. Prior to the first occupation of the dwellings hereby approved a detailed Flood Evacuation Plan (similar to the preliminary version submitted as Appendix D of the revised flood risk assessment dated May 2022, reference: 5906_Rev B, undertaken by KSA Consulting Structural & Civil Engineers) shall be submitted to and be approved in writing by the Local Planning Authority.

The Flood Evacuation Plan shall include details of:

- How the access to the undercroft will be closed off to residents in advance of a flood event to ensure residents do not enter the undercroft area, including details of who is responsible for the maintenance and management of the procedure to ensure this occurs in accordance with reference to Section 8.1 of the submitted FRA.
- Details of the sump and pump to be installed in the undercroft parking area to drain it following flooding including details of who is responsible for the servicing/maintenance and management of this equipment in accordance with reference to Section 8.1 of the submitted FRA.
- Details of the safe exit route and the safe location for residents to head to.
- Details of how residents will be notified to sign up to flood alert systems that will alert them of flood events.
- The flood evacuation plan must not increase the burden on the emergency services, adversely affect the flood regime and the safe exit route must be in place before any occupancy of the buildings.

Thereafter all future owners and occupants of the dwellings hereby approved shall be provided with details of the flood evacuation plan including the details of the safe exit route (in accordance with the approved flood evacuation plan) upon their first occupation of the dwellings. The flood evacuation plan must not adversely affect the flood regime and the safe exit route must be in place before any occupancy of

the buildings.

[To ensure that the development has sufficient flood water management and is not at increased risk of flooding and do not increase flood risk off-site, and to comply with Policy 2 (Climate Change) of the Rushcliffe Local Plan Part 1: Core Strategy (2014), Policies 17 (Managing Flood Risk) and 18 (Surface Water Management) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Paragraphs 167 and 169 of the National Planning Policy Framework (July 2021). This condition is pre-commencement to avoid the potentially costly and abortive works of rectifying the situation if the design of the scheme needed to be revised or altered at a later date].

17. No development including any site clearance or demolition shall commence until a detailed surface water drainage scheme, based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy, has been submitted to and approved in writing by the Local Planning Authority. The scheme to be submitted shall:

- Provide a surface water management plan demonstrating how surface water flows will be managed during construction to ensure no increase in flood risk off-site.
- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term effectiveness.

Thereafter the scheme shall be implemented in accordance with the approved details prior to completion of the development and maintained as such for the lifetime of the development.

[To ensure that the development has sufficient flood water management and is not at increased risk of flooding and do not increase flood risk off-site, and to comply with Policy 2 (Climate Change) of the Rushcliffe Local Plan Part 1: Core Strategy (2014), Policies 17 (Managing Flood Risk) and 18 (Surface Water Management) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Paragraphs 167 and 169 of the National Planning Policy Framework (July 2021). This condition is pre-commencement to avoid the potentially costly and abortive works of rectifying the situation if the design of the scheme needed to be revised or altered at a later date].

18. The development shall not be occupied until the car park access has been provided in accordance with approved plan - Proposed Undercroft Parking Dwrg. No. 2990(08)008 Rev B. The access shall thereafter be retained in accordance with the approved details for the lifetime of the development.

[In the interests of highway safety to ensure adequate vehicle parking spaces are provided on the site for use in connection with the development hereby permitted having regard to Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning

Policies (2019)].

19. The development shall not be occupied until the associated car and cycle parking has been provided, surfaced in a hard bound material with the car parking bays clearly delineated in accordance with the approved details. The car and cycle parking shall thereafter be retained in this condition for the life of the development.

[To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area having regard to Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

20. The development shall not be occupied until the driveway on Rutland Road has been surfaced in a hard bound material for a minimum distance of 5m to the rear of the highway boundary and has been suitably drained to prevent the discharge of surface water to the public highway. The hard bound surfacing and drainage measures shall thereafter be retained for the life of the development.

[In the interests of highway safety and to ensure adequate vehicle parking spaces are provided on the site for use in connection with the development hereby permitted having regard to Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

21. Notwithstanding the provisions of the Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that Order) no enlargement or any other alteration shall be carried out to the dwelling(s) hereby permitted without express planning permission from the Local Planning Authority.

[To enable the Local Planning Authority to retain control over any future enlargements and/or alterations that may harm the amenities of neighbouring properties, the appearance of the dwelling or the character of the area having regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

22. Notwithstanding the provisions of the Schedule 2 Part 1 Classes B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that Order) no enlargement or other alteration to the roof dwelling(s) hereby permitted shall be carried out without express planning permission from the Local Planning Authority.

[To enable the Local Planning Authority to retain control over any future enlargements and/or alterations to the roof of the dwelling that may harm the amenities of neighbouring properties, the appearance of the

dwelling or the character of the area having regard to Policy 10 (Design and Enhancing Local Identify) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

23. Notwithstanding the provisions Schedule 2 Part 1 Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that Order) no outbuildings or other structures shall be erected within the curtilage of the dwelling(s) hereby permitted without express planning permission from the Local Planning Authority.

[To enable the Local Planning Authority to retain control over any future enlargements and/or alterations to the roof of the dwelling that may harm the amenities of neighbouring properties, the appearance of the dwelling or the character of the area having regard to Policy 10 (Design and Enhancing Local Identify) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

24. Notwithstanding the provisions of the Schedule 2 Part 1 Class G of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that Order) no chimneys, flues, soil or vent pipes (other than those expressly authorised by this permission) shall be constructed on the dwelling hereby permitted without express planning permission from the Local Planning Authority.

[To enable the Local Planning Authority to retain control over any future enlargements and/or alterations to the roof of the dwelling that may harm the amenities of neighbouring properties, the appearance of the dwelling or the character of the area having regard to Policy 10 (Design and Enhancing Local Identify) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

25. Notwithstanding the provisions of the Schedule 2 Part 1 Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that Order) no additional storeys of accommodation shall be added to the dwelling hereby permitted without express planning permission from the Local Planning Authority.

[To enable the Local Planning Authority to retain control over any future enlargements and/or alterations that may harm the amenities of neighbouring properties, the appearance of the dwelling or the character of the area having regard to Policy 10 (Design and Enhancing Local Identify) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

26. Regardless of what is shown on drawing numbers 2990(08)007 Rev B, 2990(08)008 Rev B, 2990(08)009 Rev B, and 2990(08)010 Rev B no

dwelling(s) shall be occupied until details of the proposed bin storage area(s), detailing the location, number and size of bins to be provided including details of the storage area(s) has been submitted to and been approved in writing by the local planning authority. Thereafter the bin storage area(s) shall be provided in accordance with the approved details and retained as such for the lifetime of the development.

[To ensure that adequate provision is made for the number and storage of bins required to serve the development having regard to Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

NOTES TO APPLICANT

Please be advised that all applications approved on or after the 7th of 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/>.

Although the submitted protected species survey found no evidence of bats, it points out that there is the possibility that they may be found behind pantiles etc. You are reminded that it is an offence under the Countryside and Wildlife Act 1981 to interfere with bats or their roosts and you are advised to follow the procedure as outlined in the survey report.

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.

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.

You are advised that your property falls within an area identified to be at risk of flooding in the Environment Agency's Flood Risk Maps. It is therefore recommended that the design and construction of the extension incorporates advice with regard to flood resilience and resistance techniques which is available to view on the Environment Agency's website.

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 landowner(s) must first be obtained. The responsibility for meeting any claims

for damage to such features lies with the applicant.

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 07:00 - 19:00 hours

Saturday 08:00 - 17:00 hours

Sunday and Public / Bank Holidays No work activity

For further information on the content of Contaminated Land Reports, please refer to the Council's Publication "Developing Land within Nottinghamshire - A Guide to Submitting Planning Applications for Land that may be Contaminated." This booklet is available from both Rushcliffe Borough Council's website www.rushcliffe.gov.uk (use the A-Z search for Contaminated Land) or by contacting the Neighbourhoods Service directly or use the following link.

<http://www.rushcliffe.gov.uk/media/rushcliffe/media/documents/pdf/environmentandwaste/Notts%20developers%20guide%202013.pdf>.

The buildings on the site may contain asbestos materials and these should be removed by an appropriate licensed contractor prior to demolition in order to prevent contamination and risk to human health.

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 demolition works adjacent to the public highway may need to be controlled. Please contact the Highway Management Team on 0300 500 8080 to determine whether any temporary traffic management / licenses are necessary.

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.

Best practice should be followed during building work to ensure trenches dug during works activities are left open over night, they should be left with a sloping end or ramp to allow exit for any animal that may fall in to escape. Any pipes over 200mm in diameter should be capped off at night to prevent animals entering.

All workers / contractors should be made aware of the (low) potential of protected species (bats) being found on site and care should be taken during works to avoid harm. If protected species are found during works, work should cease until a suitable qualified ecologist has been consulted.

All work impacting on 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.

The use of external lighting should be appropriate to avoid adverse impacts on bat populations, see http://www.bats.org.uk/pages/bats_and_lighting.html for advice.

Measure to provide habitat enhancements are recommended and could include installing bat and bird boxes (which can be incorporated within walls through appropriate boxes).

Ecological enhancements should be considered including planting native shrubs and trees and native wildflower grassland within any landscaping and the use of soakaway / rain gardens incorporating native species.

Consideration should be given to creating highly energy efficient properties, renewable generation, space for recycling bins and bicycle storage.

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.

The development should comply with the Site Waste Management Regulations 2008.

The individual dwellings should be designed so as to accommodate:

- a) 3 x wheeled bins within the individual curtilages.
- b) apartment blocks should have land available to accommodate bulk containers for refuse and recycling. For each type of waste the formula is number of apartments x 240/1100= number of bulk containers.

Please contact Rushcliffe Borough Council on 0115 9148396 for further information.

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 landowner 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.

28 **Planning Appeals**

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

The meeting closed at 3.49 pm.

CHAIRMAN

DRAFT