

**MINUTES  
OF THE MEETING OF THE  
PLANNING COMMITTEE  
THURSDAY, 10 AUGUST 2023**

Held at 6.00 pm in the Council Chamber, Rushcliffe Arena, Rugby Road, West  
Bridgford

**PRESENT:**

Councillors R Butler (Chair), T Wells (Vice-Chair), A Brown, S Calvert,  
J Chaplain, E Georgiou, S Mallender, H Parekh, R Walker, P Matthews and  
L Way

**ALSO IN ATTENDANCE:**

72 Members of the Public

**OFFICERS IN ATTENDANCE:**

P Cook	Deputy Planning Officer
G Sharman	Team Manager Area Planning (Central)
J Mountain	Area Planning Officer
A Walker	Solicitor
T Coop	Democratic Services Officer

**APOLOGIES:**

Councillors A Edyvean and C Thomas

**9 Declarations of Interest**

Councillor Calvert stated that, while he had no declaration of interest to make, he wished it to be noted that he had declined to take up an invitation to visit the site made by a Parish Councillor as it was his understanding that the advice was that site visits should be conducted by officers and not Ward or Parish Councillors.

**10 Minutes of the Meeting held on 6 July 2023**

The minutes of the meeting held on 6 July 2023 were approved as a true record and were signed by the Chairman.

**11 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.

**22/1989/FUL - Erection of Roadside Service Area (RSA), including a single storey RSA building, four island petrol filling station forecourt and canopy, Electric Vehicle (EV) charging bays, HGV fuelling facilities, canopy and parking, a drive thru/coffee unit and associated development, including car parking, circulation space and new access from the A606,**

## **on-site and perimeter landscaping, drainage infrastructure including attenuation ponds and swales and boundary treatment - Land at Junction of A606 Widmerpool and Fosse Way Hickling Pastures**

### **Updates**

Additional representations had been received after the agenda was published and these were circulated to the committee before the meeting.

In accordance with the Council's Public Speaking Protocol for Planning Committee, Mr G Welton (Applicant Agent), Mr I Rowe (Objector) and Councillor T Combellack (Ward Councillor) addressed the Committee.

### **Comments**

Members of the Committee expressed concern about the increase in traffic and the impact this would have on cyclists and pedestrians, also the lack of a regular bus service for employees working at the service station. Members of the committee were also concerned about surface water management and the impact of extra water flowing to the Fairham brook. It was proposed that two additional conditions be added one relating to the need for a travel plan and the second for a surface water management plan which included a review of the efficiency of the surface water drainage system every 5 years. The Committee also requested an informative, liaison group be set up with local residents.

### **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:

- Soft landscaping plan Dwg No. (96)001 Rev J
- Tree protection plan Dwg No. P2622 Rev 03
- Proposed block plan Dwg No. 201232-4-F
- Proposed site layout sheet 1 Dwg No. 201232-5-E
- Proposed site layout sheet 2 Dwg No. 201232-6-E
- Proposed site layout sheet 3 Dwg No. 201232-7D
- Proposed site elevations Dwg No. 201232-8-G
- Proposed site elevations sheet 2 Dwg No. 201232-9-I
- Proposed building layout and elevations coffee shop Dwg No. 201232-10-B
- Proposed building layout and elevations RSA Dwg No. 201232-11-H
- Tracking layout Dwg No. 201232-12-E

- Ancillary detail Dwg No. 201232-13C
- EVC ancillary detail Dwg No. 201232-14A
- Auto canopy layout Dwg No. 201232-15
- HGV canopy layout Dwg No. 201232-16
- Materials schedule Dwg No. 201232-MS1
- Lighting layout Dwg No. DM161.1
- Lighting layout Dwg No. DM161.2V3
- Proposed sections Dwg No. 201232-Sketch-02
- Site sections Dwg No. 201232-17-B
- General arrangement plan option 2 Dwg No. 0002 Rev P8
- Potential future mezzanine expansion Dwg No. 291232-18-A

[For the avoidance of doubt and to comply with Policy 1 (Presumption in Favour of Sustainable Development) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land & Planning Policies].

3. The tree and hedge protection measures contained within the approved tree protection plans (P2622 Rev 03) shall be carried out prior to the commencement of development and retained until such time as development is complete.

[To ensure that the work is carried out to satisfactory standard to minimise any adverse impact on the health of the tree having regard to policy 37 of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).]

4. The exterior of the development hereby permitted must be constructed using only the materials specified in the submitted materials schedule received 1/3/23. If any alternative materials are proposed to be used, then prior to the development advancing beyond damp proof course level, the details of all alternative external materials must be submitted to and approved in writing by the Borough Council. Thereafter the development must be carried out in accordance with the approved, alternative materials.

[To ensure the appearance of the development is satisfactory having regard to policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and policy 1 of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).]

5. Development shall only be undertaken in accordance with the approved lighting plan (Lighting layout Hickling services DM161.1) unless otherwise agreed in writing with the Local Planning Authority

[In the interests of amenity and to ensure a satisfactory finish to the development and to accord with policy 1 of the LPP2]

6. No part of the development hereby approved 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 in consultation with the Lead Local Flood Authority.

The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall provide:

- Evidence to demonstrate the viability (e.g Condition, Capacity and positive onward connection) of any receiving watercourse to accept and convey all surface water from the site.
- 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 to demonstrate the ponds would maintain a baseline water level.
- A management plan and strategy to monitor and review the efficiency of the implemented drainage regime on a 5 yearly basis from the date of 1st operation and for the lifetime of the development. Should any deficiency in operation be identified, a scheme of remediation shall be submitted to and approved in writing by the LPA and implemented thereafter as approved.

[A detailed surface water management plan is required to be submitted prior to commencement to ensure that the development is in accordance with NPPF and local planning policies. It should be ensured that all major developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.]

7. No part of the development hereby approved shall commence until a detailed foul 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 in consultation with the Lead Local Flood Authority and Environment Agency. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:

- Evidence to demonstrate the viability (e.g Condition, Capacity and positive onward connection) of any receiving watercourse to accept and convey all foul water from the site.

[A detailed foul water management plan is required prior to commencement to ensure that the development is in accordance with NPPF and local planning policies and to ensure that the proposal does not increase the risk of flooding off-site.]

8. Prior to the commencement of development a construction ecological management plan (CEMP) shall be submitted to and agreed with the local planning authority. This plan should take into account any pre-start survey requirements or results including an updated badger survey, and build upon the recommendations contained within the submitted ecology reports. The development shall thereafter only proceed in accordance with the approved CEMP.

[To ensure adequate consideration of the impact on protected species has been undertaken in accordance with Policy 38 of the Rushcliffe Local Plan Part 2. This is required to be submitted prior to commencement to ensure species are protected early in the process.]

9. No development shall take place, including any engineering operations, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- the parking of vehicles of site operatives and visitors
  - loading and unloading of plant and materials
  - storage of plant and materials used in constructing the development
  - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  - wheel washing facilities
  - measures to control the emission of dust and dirt during construction
  - a scheme for recycling/disposing of waste resulting from demolition and construction works.
  - The routing of deliveries and construction vehicles to site and any temporary access points.
  - Interim drainage strategy to control surface water run-off and pollution whilst construction phases are undertaken.
  - include reference to the mitigation measures required to address potential dust emissions as detailed in the air quality assessment undertaken by SLR consulting dated September 2022.
  - Details of any temporary site lighting.

[In the interest of highway safety, and to minimise disruption to users of the public highway and protect the amenity of residents and to accord with policy 10 of the LPP1. This is required to be submitted prior to commencement to ensure effects of construction are mitigated at an early stage ]

10. No part of the development hereby permitted shall take place until the full details of the new access junction and proposed road layout of the A606 Melton Road have been submitted to and approved in writing by the Local Planning Authority, including longitudinal and cross-sectional gradients, construction details, street lighting, Traffic Regulation Orders, drainage and outfall proposals, construction specification, provision of and diversion of utilities services and any proposed structural works.

The development shall be implemented in accordance with these details to the satisfaction of the Local Planning Authority.

[In the interest of highway safety and to accord with policy 10 of the LPP1. This information is required to be submitted prior to commencement to ensure the detailed arrangements accord with the submitted plans ]

11. Notwithstanding the hard surfacing finishes as indicated on the approved block plan (201232-4-F), prior to the installation of any external hard surfacing finishes, a revised hard surfacing plan shall first be submitted to and approved by the local planning authority. The development shall thereafter be completed only in accordance with the approved hard surface finishes, with the finishes to be fully installed in accordance with the approved plan prior to the first use of the site hereby approved commencing. The approved hard surfacing finishes shall thereafter be retained and maintained for the lifetime of the development.

[In the interests of ensuring a satisfactory finish to the site and to accord with policy 1 of the LPP2]

12. Prior to their construction, the precise design and finish of the two attenuation ponds, the two ornamental ponds and the swale on the southern boundary of the site shall be submitted to and agreed in writing with the Local Planning Authority. The ponds shall be designed to be water retaining features.

[In the interests of promoting biodiversity net gain on the site and to accord with policy 38 of the LPP2]

13. Prior to the first operation, a HGV management plan including precise details of electrical plug in points for parked refrigerated vehicles, shall be submitted to and agreed in writing with the Local Planning Authority. Any refrigerated vehicle which park on site overnight shall switch off its engine for the duration of its stay and appropriate signage shall be displayed to advise drivers of this.

[In the interests of amenity and to accord with policy 1 of the LPP2]

14. The details contained within the soft landscaping plan ( (96)001 Rev J) hereby permitted shall be carried out and completed 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 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)].

15. Prior to the 1st operation of the development hereby approved, a biodiversity management plan shall be submitted to and agreed in writing with the Local Planning Authority. The plan shall have reference to the recommendations as detailed in sections 3 (opportunities), 4 and appendix 2 and 3 of the survey by CBE Consulting dated 13/3/23. The site shall thereafter be implemented and managed in accordance with the approved management plan.

[In the interests of promoting biodiversity net gain on the site and to accord with policy 38 of the LPP2]

16. Details of waste bin storage points, including positions, size and details of any enclosures or canopies and a management plan for managing litter created by the site, shall be submitted to, and agreed in writing by, the Local Planning Authority prior to the site being first brought into use. The approved scheme shall then be implemented as agreed on site prior to the first use of the site. The approved details shall be retained thereafter and the site managed in accordance with approved management plan for the lifetime of the development unless otherwise agreed in writing by the local planning authority.

[In the interests of the amenities of the area and to ensure adequate servicing in accordance with Policy 1 of the Local Plan Part 2 and 10 of the Local Plan Part 1: Core Strategy]

17. Prior to first use of the development hereby approved a car park management plan shall be submitted to and agreed in writing with the Local Planning Authority. The site shall thereafter be managed in accordance with the approved management plan.

[In the interests of local amenity and to accord with policy 1 of the LPP2]

18. The 20 Electric vehicle charging bays as indicated on the approved block plan (201232-4-F) shall be operational at the time of the site first being brought into use and shall be maintained in a good working order for 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]

19. The Roadside Services Building shall not be first brought into use until such time as the associated car parking and re-fueling areas and HGV parking and re-fueling areas have been made available for use.

[In the interests of ensuring that the development is carried out holistically and the provision of a roadside services building without the associated car and HGV parking and re-fueling facilities would not meet any identified need and therefore would be unacceptable in an open countryside location and to accord with policy 22 of the LPP2]

20. The coffee shop hereby approved shall not be first brought into use until such time as the RSA building and all supporting infrastructure has been provided and made available for public use.

[In the interests of ensuring that the development is carried out holistically and the provision of a coffee shop facility without the RSA would be unacceptable in an open countryside location and to accord with policy 22 of the LPP2]

21. The car parking and HGV parking areas shall not be first brought into use until such time as the boundary fences to the south of the HGV parking and western edge of the site have been erected in accordance with the approved details. These features shall thereafter be retained and maintained for the lifetime of the development.

[In the interests of highway safety and pollution in accordance with policies 1 (Development requirements) and 40 (Pollution and land contamination) of the LPP2].

22. Prior to the installation of any external plant or equipment, or internal equipment which vents externally (including air conditioning, extraction/ventilation, fans etc), full details of the equipment including technical specifications and details of the external design and finish shall be submitted to and approved in writing by the Local Planning Authority. The approved equipment and plant shall only be installed and maintained strictly in accordance with the approved details.

[In the interests of visual and residential amenity and to accord with policy 1 of the LPP2]

23. If during the course of carrying out the development hereby permitted any unexpected contamination is found that has not been previously identified, it must be reported to the Local Planning Authority within 48 hours. All development on the site must cease immediately and must not recommence until a written scheme for the investigation and risk assessment of the unexpected contamination has been submitted to



and approved in writing by the Local Planning Authority. The submitted scheme 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).

b) Where remediation of the contamination is necessary no further development shall commence on the site until a Remediation Strategy (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.

[Reason: In the interests of amenity and to accord with policy 40 of the LPP2]

24. The food and retail uses within the RSA building shall only be implemented in accordance with the approved floor plans, and there shall be no sub-division or amalgamation of or between the units as identified on the approved floor plans without the express permission of the local planning authority.

[To ensure the facility continues to serve the demand for the facility as a RSA, and to ensure that the retail offering does not evolve beyond the anticipated scope of the permission to cause any retail impacts which may affect surrounding centres if a larger retail unit were to be established, in accordance with policy 27 (Main Town Centre Uses outside District Centres and Local Centres) of the LPP2].

25. The development hereby permitted must not be first brought into use until a Staff Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan must set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes and shall include arrangements for

monitoring of progress of the proposals. The approved Travel Plan shall be implemented in accordance with the timetable set out in that Plan.

[To promote sustainable travel within the Borough having regard to Policy 14 (Managing Travel Demand) of the Rushcliffe Local Plan Part 1: Core Strategy (2014).]

## NOTES TO APPLICANT

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the HA, the new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for road works. ([www.nottinghamshire.gov.uk/transport/roads/highway-design-guide](http://www.nottinghamshire.gov.uk/transport/roads/highway-design-guide))

In order to carry out the off-site works, the applicant 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 the applicant has no control. In order to undertake these works, which must comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks, the applicant will need to enter into an Agreement under Section 278 of the Act. Furthermore, any details submitted in relation to a reserved matters or discharge of condition planning application, are unlikely to be considered by the Highway Authority until technical approval of the Section 278 Agreement is issued.

Although separate to the planning regime we would advise the applicant an environmental permit is required under the Environmental Permitting (England & Wales) Regulations 2016 (as amended) for the unloading of petrol into storage, and motor vehicle refuelling, at service stations. If there are any queries regarding this requirement we would recommend the applicant contact us via: [envhealth@rushcliffe.gov.uk](mailto:envhealth@rushcliffe.gov.uk) or 0115 981 9911

External lighting on the site shall not be visible from the A46. Should lighting in winter months be visible due to a lack of intervening vegetative cover, the applicant in conjunction with the National Highways Authority shall seek to review the lighting for the site to ensure it is fit for purpose.

The applicant is reminded that this decision is for planning permission only and does not grant any express advertisement consent for advertisements the applicant might wish to display in connection with the development hereby permitted. The applicant is advised to contact the planning department at [planning@rushcliffe.gov.uk](mailto:planning@rushcliffe.gov.uk) to discuss any plans they might have to display an advertisement or advertisements on the land in the future.

The applicant is advised to seek to establish communication with neighbouring parish council(s) to seek to set up a liaison/management group to discuss and address any matters that should arise during construction and operation of the facility hereby approved.

**22/01585/FUL - Remodel of existing dwelling; construction of front and rear extensions and upward extension to create first floor accommodation. Addition of external wall insulation, render and timber/timber effect cladding to all elevations – 137 Shelford Road, Radcliffe on Trent, Nottinghamshire NG12 1AZ**

## **Updates**

In accordance with the Council's Public Speaking Protocol for Planning Committee, Mr D Smith (Applicant), Ms A Mcleod (Objector) and Councillor N Clarke (Ward Councillor) addressed the Committee.

## **Comments**

Members of the Committee expressed concern for the established tree to the front of the bungalow and asked whether a condition could be added to protect the tree during the construction work.

## **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 plan: 1173 (08) 101 Rev C.

[For the avoidance of doubt and to comply with Policy 1 (Presumption in Favour of Sustainable Development) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land & Planning Policies].

3. The development hereby permitted must not proceed above the damp proof course level until details of the type, texture and colour 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 1 (Presumption in Favour of Sustainable Development) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land & Planning Policies].

4. Prior to the commencement of any development the tree to the front of the site (SW boundary) shall be protected in accordance with the

recommendations of BS5837:2012 2012 [Trees in relation to design, demolition and construction: Recommendations]. No excavations for services, storage of materials, or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place inside the fenced off or otherwise protected. Tree protection shall remain in place for the duration of the development and shall not be removed until all equipment, machinery and surplus materials have been removed from the site.

[In the interests of protecting the tree, which is considered to positively contribute towards the character of the street and to accord with policy 37 of the LPP2].

Note:-

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

#### NOTES TO APPLICANT

The provisions of the Party Wall Act 1996 may apply in relation to the boundary with the neighbouring property. A Solicitor or Chartered Surveyor may be able to give advice as to whether the proposed work falls within the scope of this Act and the necessary measures to be taken.

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.

Please be advised that all applications approved on or after the 7th October 2019 may be subject to the Community Infrastructure Levy. Further information about CIL can be found on the Borough Council's website at <https://www.rushcliffe.gov.uk/planningandgrowth/cil/>

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

## 12 **Planning Appeals**

The Committee noted the Planning Appeals Decision report which had been circulated with the agenda.

The meeting closed at 8.21 pm.

CHAIR

DRAFT