

20/02586/REM

Applicant Charalambos George

Location Site Of Former Cotgrave Colliery Stragglethorpe Road Stragglethorpe Nottinghamshire

Proposal Application for matters reserved under application ref 10/00559/OUT for the approval of the access, appearance, landscaping, layout and scale for the erection of a new footbridge over the Grantham Canal

Ward Cotgrave

THE SITE AND SURROUNDINGS

Details of the application can be found [here](#)

1. Outline planning permission was granted for the redevelopment of the former Colliery site under planning reference 10/00599/OUT. This permission established the principle for a mixed use scheme for residential development of upto 470 Dwellings and employment units with B1, B2 and B8 uses (equal quantum). 13/1973/REM was granted for the residential element of the site with further revisions and updates subsequently approved. The whole site has been taken out of the Green Belt following the adoption of the Rushcliffe Core Strategy, to accommodate the strategic allocation in policy 23. The area proposed for the location of the bridge was identified and included within the outline planning permission and also subsequent applications in addition to condition requirements and the associated s.106 legal agreement.
2. The site, subject of this application, is located at the southern most part of the former colliery site within the Country Park. It is adjacent to the completed housing development and its southern play area. The site crosses the Grantham Canal and includes land on the southern side of the waterway just north east of housing allocation Policy 2.1 Housing Allocation – Land rear of Mill Lane/The Old Park, Cotgrave in the LPP2.

DETAILS OF THE PROPOSAL

3. The application provides details of the proposed bridge crossing that would link the north and southern sections of Country Park that is divided by the Grantham Canal.
4. Since the granting of the outline application Nottinghamshire County Council (NCC) secured a vehicular crossing bridge which is located north of the application bridge. This NCC bridge used existing buttress features, adjacent to Cotgrave Lock 7, to enable the canal to be capable of being navigable in the future but also enabled access between the two sides of the Country Park that can be used by vehicles and all pedestrians. This access had previously been provided by a flat haul bridge, that was located nearby, that was contractually required to be removed.

5. The bridge as part of the current application was required to be a pedestrian / cycle bridge. It has been designed without earth or masonry abutments in line with Canal and River Trust recommendations and standards being of a steel and timber structure for reasons of vandalism, antisocial behaviour, durability, structural integrity whilst taking into account its countryside setting.
6. The applicant has advised that 'Our aim is to deliver a functional bridge to improve pedestrian access and connectivity between the Former Cotgrave Colliery redevelopment (Hollygate Park) and Cotgrave Country Park which has a natural appearance that blends in with both the Country Park and setting of the Grantham Canal.
7. During the design process, all relevant material considerations have been evaluated, key amongst them being the minimisation of ecological loss and environmental impact to the country park and, at the same time, usability and deliverability of the intended bridge. We recognise a balance has to be struck, often against local aspirations and expectations, on the one hand, and physical and legal constraints and operational requirements, on the other. Our intended approach should be seen in the (established) context of the nearby (existing) connectivity to the Country Park and wider areas in Cotgrave at both ends of the development for all users through current facilities. In this sense, our proposal should be seen as 'complementary' and 'enhancing' - as part of a holistic approach – rather than a radical solution, in itself, starting with a 'blank canvas'. We do not have the latter nor should our very latest proposal be treated as such.
8. We have also considered all of the comments from Consultees and Stakeholders including Cotgrave Town Council, Nottinghamshire County Council – Environment Directorate and the Canal & River Trust. Mindful of their respective positions, we've discussed our latest proposals with them including, most recently, Cotgrave Town Council on 08 February. Consensus has been reached with the majority of Consultees and Stakeholders over concerns, operational requirements and proposed mitigation. However, Cotgrave Town Council remain concerned over aspects of the (bridge) design and its usability by sections of the population which, regrettably, we cannot address given the engineering, environmental, land and legal constraints within which we are having to operate in order to deliver the intended structure at this particular location.
9. Further ecological surveys may well be required prior to the commencement of works which could be conditioned as part of the Reserved Matters Approval. Further investigation of ground conditions may well be required on site after detailed planning approval is obtained to facilitate the final Technical Approval of the bridge with the Canal & River Trust.
10. The Legal Deed with Nottinghamshire County Council covering actions, covenants and enabling provisions is progressing and will shortly be issued for engrossment following most recent amendments. The Legal Agreement and Lease with the Canal & Rivers Trust embracing obligations and operational requirements has been drafted but not yet completed.'

SITE HISTORY

11. The site has a long and varied planning history that includes FUL, Variation

and NMA applications that can be seen online however the most pertinent applications for this current application are considered to be:

12. 10/0559/OUT Redevelopment of site for upto 470 dwellings; employment uses (B1, B2 & B8); open space; landscaping; footbridge crossing the canal; associated works including roads, cycleways, footpaths and car parking (revised scheme).
13. 13/001973/REM Residential development of 450 dwellings with associated infrastructure, public open space and access (reserved matters associated with outline permission 10/00559/OUT).

REPRESENTATIONS

There have been three rounds of consultation on the application. In order to set the scene the responses of each round has been summarised below:

Original submission:

Ward Councillor(s)

14. Former ward Councillor - Cllr L Healy - Did not object. However, the whole point was to give a safe and secure route for the residents of "Hollygate Park" to the local schools, shops etc, in the knowledge that children do not have to walk down the main road, which despite having a 30mph speed limit plus a "Vehicle Activated Speed Sign" has little effect on the speed of the traffic along this stretch of the road. The design is not very user friendly bearing in mind Mums/Dads with buggies/pushchairs etc and our less able bodied residents, wheelchair users, etc and those who do not like using stairs. This proposal does not satisfy the requirement/legislation around "Accessibility For All". It needs to be a ramp. This bridge will be in place for perpetuity, so it is important we get it right, and ensure it serves ALL the people.
15. Cllr Butler – Did not object. However, as others have observed, I cannot see how people with pushchairs/wheelchairs etc will be able to use the bridge. It might simply be rather unclear drawings etc, but could I/we have some confirmation and information regarding access for these users.

Town/Parish Council

16. Cotgrave Town Council - Although Council does not have any objection to the building of the bridge, it does however have objections to the style of the bridge, as it is not in keeping with the surrounding area and the fact that it is not disability compliant. Wheelchair users and parents with pushchairs will not have access to the bridge. Council were surprised that the design was not similar that of Browns Bridge.

Statutory and Other Consultees

17. Environment Agency (EA) - 'While the proposed bridge is located within flood zone 3 the watercourse that it will cross is a canal. If this were a main river then the applicant would need to apply for a flood risk activity permit to ensure that the bridge including soffits are set sufficiently high enough to prevent flood risk to third parties. The Grantham Canal falls within the remit of

the Canals and Rivers Trust (CRT) and therefore the applicant should enquire whether a permit/consent is required for these works .We have no further comment to make with regards to the application for the approval of reserved matters.'

18. Canal and River Trust (CRT) – have commented that the bridge design is simple and functional in appearance and not dissimilar to the overall appearance of the existing footbridge over the canal by Lock 7 (Br. 14A), some 300m north of the application site, albeit in steel rather than timber. The bridge design incorporates an elevated bridge deck which achieves adequate clearance underneath it to facilitate boat movements should this section of the canal be restored to navigable status in the future. However, it is disappointing that the proposed bridge requires a stepped rather than ramped access, as this will limit accessibility for many potential users. Unless there are practical reasons which would preclude a more accessible design, the Local Planning Authority may wish to consider whether a more DDA compliant design should be sought.
19. That some tree and vegetation removal is required to facilitate construction and installation of the bridge and measures to protect nearby vegetation and trees that are to be retained should be secured via a suitably worded planning condition. Replacement planting of suitable native trees should be considered in the vicinity to compensate for the loss of habitat arising from tree removal at the bridge site and again, provision of such planting could be secured via a planning condition.
20. That it may be appropriate to secure submission of a Construction Environmental Management Plan (CEMP) via a planning condition to ensure that these and other potential impacts on local wildlife during construction operations can be appropriately managed and mitigated.
21. That the original outline planning permission to redevelop the former Cotgrave Colliery site included a requirement to construct a pedestrian/cycle bridge over the Grantham Canal. Various discussions have subsequently taken place over this element of the development, which will also require the consent of the Canal & River Trust as owners of the canal. At present no agreement has yet been concluded to allow construction of the bridge over Trust property.
22. That all aspects of the bridge design and means of construction will have to be agreed by the Trusts engineers and notwithstanding any comments contained in this response, the Applicant will still need to obtain Trust consent for the bridge.
23. Pedals – have commented that 'It is essential that this new bridge is built with proper access ramps to facilitate access by pedal cyclists, wheelchairs, pushchairs etc., as part of a longer coherent traffic-free route serving both the new housing and existing housing east of the canal. Just to provide steps is completely unacceptable.'
24. Ramblers Association – Fully support the application

The Nottinghamshire County Council

25. Lead Local Flood Authority (LLFA) - 'As the bridge relates to the Grantham Canal the CRT will have interest in this, from our point of view there are no surface water implication elements.'
26. Green Spaces (Manager of Cotgrave Country Park) – has advised that:
- a) What is proposed doesn't present any issues to us from a site management perspective.
 - b) We do have concerns about how the design of the bridge limits who can use it. However, we appreciate that to achieve a DDA compliant ramp with a 1 in 20 gradient would require 60m+ of ramp on either side of the span (either as a single length or achieved by the ramp doubling back on itself one or more times), making it a considerably more substantial structure, and also requiring a much larger footprint, which would be difficult to accommodate without much greater losses of trees and woodland.
 - c) It is queried whether the bridge could be made more usable for cyclists at least by installing a wheeling channel to allow bikes to be pushed up and down the steps on either side.
 - d) There is a lack of detail in terms of the path design and construction, including the need to pipe existing drainage features under the path. The path surfacing material should match that used elsewhere in the Country Park.
 - e) Maintenance of the path, including repairs of the surface and the management of path-side grass and encroaching vegetation does not appear to be covered in the Footbridge Maintenance Plan.
 - f) A short section of fencing be installed immediately to the west of the bridge,
 - g) No details are provided covering the construction and installation/assembly of the bridge, including duration, access, protection of the public etc.
 - h) Regarding ecology they advised that:
 - i) One tree with bat roosting potential (identified as T1 in the Ecological Appraisal, and T7 in the Arboricultural Assessment) is earmarked for removal to accommodate the bridge; to ensure legal compliance, a precautionary endoscope survey should be completed by a licenced ecologist immediately prior to felling - this should be conditioned.
 - j) A standard condition should be used to control vegetation clearance during the bird nesting season, which runs from March to August inclusive.
 - k) A precautionary approach should be adopted in relation to reptiles and conditioned accordingly, whereby any logpiles or wood chippings to be removed should be fingertip searched by an ecologist during clearance works; tussocky grass should be directionally strimmed under the supervision of an ecologist prior to clearance. Any reptiles encountered should be allowed to disperse naturally.
 - l) If development has not commenced within 12months (i.e. by August 2021), a condition should require the resurvey of the affected area for the possible presence of otter and water vole.

The Rushcliffe Borough Council

27. Sustainability Officer - Notes that 'the applicant has supplied an Ecological Appraisal report with surveys completed in December 2019, April and July 2020, which are within the optimal time period.
28. The development provides opportunities for ecological enhancement. The favourable conservation status of Protected Species is unlikely to be impacted by this development.' Conditions are recommended.
29. Environmental Health - Have no objections to the proposal however I would recommend that the conditions are attached regarding contamination and noise dust a management statement.

Local Residents and the General Public

30. 14 letters of representation was received raising the following matters:
 - a) Support the bridge
 - b) Encourage visitors to park on the estate roads
 - c) Should be inclusive and give access to all – wheelchairs, pushchairs, cyclists etc like the bridge further into the park
 - d) the submission states that the footbridge will be going through 'rough ground' when actually it should be listed as 'dense foliage' or even woods
 - e) not in keeping with the surrounding landmarks such as the other bridge
 - f) the location is not suitable, destroying vital habitat and reducing biodiversity.
 - g) A more suitable site would be closer to the current bridge.
 - h) Planning condition 49 for the development that this submission relates to stipulates a "new pedestrian/cycle bridge"
 - i) an application was previously submitted to discharge condition 49 (17/00934/DISCON) in relation to the construction of the pedestrian/cycle bridge. This application is currently pending and includes sketch drawings that propose a bridge with both ramp and step access.
 - j) It is not in keeping with the environmental position. It is not even aesthetically pleasing. The two bridges already in the park at locks 6 & 7 are much more in keeping with the natural setting
 - k) there are two crossing points of the canal very near to the proposed site of the bridge which both provide easy access to the estate, is this bridge really necessary
 - l) a kit bridge of the type proposed is not in keeping with the setting of a heritage asset nor compliant with the Disability Discrimination Act design criteria , health and safety and equality legislation.

Based on the revised/ additional documentation a second consultation was undertaken: June 2022

31. Former Ward Councillor - Cllr L Healy - Did not object. But referred back to previous comments.
32. Cllr Butler - Objected on the grounds of design/aesthetic appearance.

33. 'Originally I raised concerns about lack of DDA access and matters, but I now understand and appreciate the physical restraints/lack of enough space to provide ramp access. On reflection I question the need/use of the bridge. A few yards further along the canal there is already a bridge which allows (country park maintenance) vehicle access, and also is useable by wheelchairs, prams, buggies, bicycles etc.
34. Then on the otherside of the proposed bridge, nearby is Hollygate Lane itself, which provides vehicular and pedestrian access (on wide footpath) between Hollygate Park and Cotgrave. This route is already well used by residents and others.
35. I realise that the requirement for "a bridge" was part of the original planning conditions for Hollygate Park, but given the length of time since Hollygate Park was completed and receiving the application, pedestrian usage and movement/pattern would suggest to me that other improvements to the immediate area as a result of Hollygate Park being developed, would be more beneficial and relevant.'

Town/Parish Council

36. Cotgrave Town Council - Council objects as the bridge still does not have any access for disabled people. Is this bridge being constructed in the correct location if it cannot be disability complaint, pushchairs/cycles etc.

Statutory and Other Consultees

37. Canal and Rivers Trust
Note that the bridge design does not appear to have changed and the revised information only relates to the provision of a Design Statement and CEMP. Note points regarding challenges of producing a DDA compliant design in this location and acknowledge that a ramped access would not be easy to successfully incorporate here. We further note that there are two other bridge crossings nearby which do provide level access.
38. Grantham Canal Society
 - a) The minimum clearance to the bridge structure, including any projecting brackets and bolting, should be 2.0 metres above the water level measured from the letterbox opening on adjoining lock. Please can you ensure that this clearance is incorporated into any conditions
 - b) The Canal is described on the plans as redundant but it is in fact under restoration and we should be grateful if you could amend the annotation accordingly ; this is why we ask for the clearance to enable craft to pass below the proposed bridge.

The Nottinghamshire County Council

39. NCC Park Manager – has commented that 'As highlighted previously, the design of the bridge prevents use by pushchairs/buggies and mobility scooters. However, it is appreciated that to achieve a DDA compliant ramp with a 1 in 20 gradient would require 60m+ of ramp on either side of the span (either as a single length or achieved by the ramp doubling back on itself one or more times), making it a considerably more substantial structure, and also

requiring a much larger footprint, which would be difficult to accommodate without much greater losses of trees and woodland. It is noted, however, that the previous request to install a bike wheeling channel has now been accommodated in the design, which is welcomed.

40. It appears to remain the case that there is a lack of detail in terms of the new linking path location, path design and construction, including the need to pipe existing drainage features under the path. The path surfacing material should match that used elsewhere in the Country Park. This additional information is considered essential at this stage.
41. It was previously requested that a short section of fencing be installed as part of these works immediately to the west of the bridge, where the existing path crosses over 'The Rill', to protect users from the drop (note that this is outside the red line boundary), again this matter has not been addressed.
42. A CEMP (May 2022) has now been submitted. This refers to a separate Construction Phase Health and Safety Plan; the status of the latter is not clear, but if not already produced then the submission of such a document must be conditioned, as interactions between the constructions works and members of the public using what is the busiest part of the site are a key concern. It should be noted also that the details relating to parking, compounds, working hours etc. have not yet been agreed with the landowner (Nottinghamshire County Council). Additionally, the recommendations made in the Ecological Appraisal should be incorporated into the CEMP.
43. Maintenance - As highlighted previously, the Footbridge Maintenance Plan needs to consider maintenance of the new linking sections of path, including repairs of the surface and the management of pathside grass. It is noted that the previous (2017) version of the Footbridge Maintenance Plan has been resubmitted, and it is necessary for this to be updated to include path maintenance.
44. Ecology - It is noted that your Ecology and Sustainability Officer has commented on ecological impacts.'

The Rushcliffe Borough Council

45. Sustainability Officer - As previous comments
46. Environmental Health Officer - On review, the supporting Construction Method Statement from is acceptable and should ensure that noise and dust from the construction of the bridge is appropriately controlled and managed by best practicable means.

Local Residents and the General Public

47. 6 representations have been received
 - a) It has no suitable disabled or pram/pushchair access.
 - b) Design statement 3.3 states to meet DDA must have 60m ramp on either side. This is used in part for justifying design decision to make bridge stepped access only. As the inferred argument continues in 5.1 there is ramp access provided by a bridge further away. Presumably

this pre-existing bridge meets the DDA requirements outlined in 3.3? If not then the original point of the new bridge (namely disabled access) remains? In which case this design proposal fails to meet. If this is the case, I cannot see the benefit in spending money to create infrastructure which does not meet the needs of the community.

- c) Cycling Gutters in particular are of little use for disabled or frail cyclist, nonstandard cycles or those with child seats. The proposed alternative routes for cycling suggested in 5.1 are not in alignment with uk gov advice regarding being direct. As noted in 5.2 the added journey distance of half a kilometre is likely to discourage its use. I would suggest the time of 1min 22 secs is a significant underestimation when considering children or elderly cycling this route.
- d) 5.2 and 5.3 states low commuter traffic is likely however it fails to account that the country park represents a nearly entire traffic free route for children to access their school (via bluebell spinney exiting at East acres it involves 1 road crossing to get to the precinct). Whilst stating that hollygate lane road surface is suitable for cycling on (a curious statement in itself that a road surface is suitable for a bicycle) it fails to appreciate the unsavoury and unsuitable nature of children trying to use this road to cycle to school. It is unlikely the current proposal would result in reduced car use for travelling to Cotgrave from Hollygate park. Again this would not be in line with the City's climate emergency aims.
- e) No detail of the impact of construction, and how this will impact park users or wildlife in terms of haulage roads, crane mats, compounds etc which have no details shown.
- f) The most ugly canal bridge I have seen, and is clearly an attempt by the developer to cut corners and costs. This steel structure would suit an industrial estate but it clearly does not fit into the local country park environment where neighbouring bridges are wooden or of brick construction. This would be an eyesore and detract from the country park rather than being an asset.
- g) The bridge will shorten the journey time, avoid the risks and make the journey less stressful and more attractive.
- h) Carrying shopping from the centre of Cotgrave or the precinct to Hollygate Park is a long tiring walk, the new bridge will save at least 20 minutes. The position in the park of the current bridge actually lengthens the journey hence people prefer to use Hollygate Lane. Google maps shows the difference to be an extra half mile. The total distance with the new bridge is about 1km, without the bridge it is approx 1.75 km. I have timed the walk and for people like myself, visiting family, who are not able to walk at a brisk pace, a journey using the current bridge and walking through the woods from Mill Lane adds half an hour.

Revised plans and documents received February 2023

Ward Councillor(s)

48. Ward Councillor - Cllr Chewings - objects to the proposal on two points:

a) Lack of Provision for Disabled Access

It is concerning that the applicant refers to the DDA, which was rescinded and replaced by the Equality Act 2010 on 1st October 2010. This calls into

question the applicant's understanding of the relevant legislation. Neither the DDA nor the Equality Act stipulates specific gradients for ramps.

However, guidance and regulations do exist:

1. Building Regulations: Ramping for dwellings should be between 1 in 12 and 1 in 20.
2. Inclusive Mobility: Recommends a gradient of 1 in 20, with 1 in 12 as the maximum acceptable.
3. Highway Structures & Bridges Design CD 353: Specifies a maximum gradient of 1 in 20, with allowances for special circumstances, to a maximum of 1 in 12.

The applicant's assertion that a 60m ramp would be required for disability access is incorrect. Based on the above guidelines, a 3m high bridge could require a ramping length of 36m, not 60m as stated.

Furthermore, under s.149 of the Equality Act 2010, Rushcliffe Borough Council has a Public Sector Equality Duty to eliminate discrimination and advance equality of opportunity. Given the applicant's failure to adequately explore all options for disabled access, can the Council approve this application?

49. b) Aesthetic Incompatibility with Local Heritage / Out of keeping of the Local Area

The proposed bridge, a combination of wood and exposed steel girders, is incongruent with the local heritage and appearance. The site is at the entrance to Cotgrave Country Park and crosses the Grantham Canal, which dates back to 1797. The industrial appearance of the steel girders would be detrimental to the character of both the canal and the park. The applicant's own Design Statement, specifically images 1 and 2 on page 6, shows what a traditional bridge crossing should look like. The most recent footbridge over the canal was constructed with a wood-facing structure, in harmony with the site's tranquil nature. The proposed design is in stark contrast to this and would be an eyesore.'

50. The Ward Councillor - Cllr Butler - I will withdraw my objection and remain neutral.

Town/Parish Council

51. Cotgrave Town Council – Council objects as follows:-

- a) The design does not have any disabled access and is not inclusive for all users
- b) The design of the bridge is not in keeping of the locality. It is of an industrial style and not country park
- c) Council wishes it to be noted that they have considerable concerns of who will have the ownership and responsibilities for the bridge once built.

Statutory and Other Consultees

52. Environment Agency – 'referred to the Canals and Rivers Trust (CRT) as this is their asset. However we feel it would be best to go ahead and request an FRA from the applicant. We have been in discussion with our internal data

team regarding our flood modelling in the area, the flood risk team have stated that we do not normally see canals with their own floodplain and suspect that the risk posed to the canal is as a result of other watercourses backing up. Regrettably, this is unclear since we don't hold any detailed flood modelling for canals and ordinary watercourses. We reviewed the consultee documents but we have not seen any flood risk matters that have been brought up for us to look at by the CRT. We also cannot confirm whether flood risk will be considered by the CRT through their consents/permits or whether they hold any modelled data for the canal.

The flood risk and data teams have respectively advised that the applicant will therefore need to assess the flood risk posed to the site, and either demonstrate how the bridge will not increase risk to third parties/impact the function of the floodplain, or challenge the flood zone 3 designation by carrying out their own basic modelling.'

53. CRT – As per previous comments.

The Nottinghamshire County Council

54. NCC Park Manager – Our previous comments (sent 20th June 2020) have been partially addressed, however:

- it is noted that a previous consultation response from the Grantham Canal Society (dated 21st June 2022) refers to a figure of 2m above water level. It is important to establish which figure is correct, as this affects both the overall mass of the structure potentially also whether access for all can be achieved - as a reduction in height of 1m would obviously reduce the length of ramping that would be required to accommodate a bridge accessible to wheelchairs, pushchairs etc..
- The Arboricultural Assessment recommends that replacement planting is carried out to mitigate for the loss of trees; the production of a tree replacement plan should therefore be made a condition of any permission granted.
- The path which will link the bridge to the existing path network within the country park is annotated as a 'gravel' path which is probably not suitable (e.g. for cyclists) It should be crushed limestone.
- The Footbridge Maintenance Plan fails to mention maintenance of the new linking sections of path.
- It remains the case that the CEMP refers to a Construction Phase Health and Safety Plan (and a Traffic Management Plan).

55. NCC LLFA – no comments to make.

The Rushcliffe Borough Council

56. Environmental Health Officer - On review, the supporting Construction Method Statement dated May 2022 is acceptable and should ensure that noise and dust from the construction of the bridge is appropriately controlled and managed by best practicable means.

57. Sustainability Officer - There appears to be no material changes impacting on ecology since my last comment, therefore my email of 17 June 2022 remains pertinent and I make no further comment.

58. Landscape Officer - No objection. 'I would agree that a detailed landscape plan and details of any compound should be specified by condition. The tree protection proposed in the arb report is correct in principle, but I would want to see a site plan detailing where any protective fencing and/or ground protection will be installed and this will need to take into account compounds and site access and well as the site where the bridge and path are proposed.

I note 1 class 'B' tree is to be removed to enable the bridge and that some lower quality vegetation will need to be cleared, given the benefits the bridge will bring I don't object to the relatively modest clearance work required to achieve this.'

59. 2 representations were received:

- a) I note in the updated design and access statement that a ramp is deemed unachievable due to it needing to be 60m long. This does not however consider: - Provision is made in both building regulations and precedents set in documents such as "CD 353 design criteria for highway footbridges" that a 1:15 or even 1:12 gradient is acceptable when a 1:20 is unachievable. - a consulted response from the Grantham Canal Society identifies the minimum clearance being 2m. If this can be negotiated / agreed with the river trust it will significantly reduce the ramp length. With a clearance of 2m and a ramp gradient of 1:12 the ramp length could potentially be reduced to less than half the referenced 60m.
- b) I thought that it was a legal requirement that new built public access structures should make provision for this unable to negotiate steps. How do the Rushcliffe and the Builder propose to meet my access needs when I wish to use the bridge to visit friends in the new estate?

Full comments can be found [here](#)

PLANNING POLICY

60. The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: Core Strategy (LPP1) and the Local Plan Part 2: Land and Planning Policies (LPP2). Other material considerations include the 2021 National Planning Policy Framework (NPPF), and the National Planning Practice Guidance (the Guidance).
61. The full text of the Council's policies are available on the Council's website at: [Rushcliffe - Planning Policy](#)

Relevant National Planning Policies and Guidance

62. The National Planning Policy Framework (NPPF) includes a presumption in favour of sustainable development. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development. There are three dimensions to sustainable development, economic, social, and environmental.

63. The relevant sections of the NPPF are:

- Section 2. Achieving sustainable development
- Section 8. Promoting healthy and safe communities
- Section 9. Promoting sustainable transport
- Section 12. Achieving well-designed places
- Section 14. Meeting the challenge of climate change, flooding and coastal change
- Section 15. Conserving and enhancing the natural environment
- Section 16. Conserving and enhancing the historic environment

Full details of the NPPF can be found [here](#).

Relevant Local Planning Policies and Guidance

64. The following policies of the Rushcliffe Local Plan Part 1: Core Strategy are relevant:

- Policy 1 - (Presumption in favour of sustainable development)
- Policy 2 - (Climate change)
- Policy 3 - (Spatial strategy)
- Policy 5 - (Employment provision and economic development)
- Policy 7 - (Regeneration)
- Policy 10 – (Design and enhancing local identity)
- Policy 14 – (Managing travel demand)
- Policy 16 – (Green infrastructure, landscape, parks and open space)
- Policy 17 – (Biodiversity)
- Policy 23 – (Strategic Allocation at Former Cotgrave Colliery)

65. The following policies are considered relevant in the local plan part 2:

- Policy 1 Development Requirements
- Policy 2.1 Housing Allocation – Land rear of Mill Lane/The Old Park, Cotgrave which is an allocation for around 180 homes. Criterion c) requires that green infrastructure should maintain and improve pedestrian linkages to the Country Park and Grantham Canal, including the safeguarding of the proposed pedestrian and cycle bridge across the canal;
- Policy 15 Employment Development
- Policy 17 Managing Flood Risk
- Policy 18 Surface Water Management
- Policy 19 Development affecting Watercourses
- Policy 31 Sustainable Tourism and Leisure
- Policy 34 Green Infrastructure and Open Space Assets
- Policy 35 Green Infrastructure Network and Urban Fringe
- Policy 36 Designated Nature Conservation 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

66. The full text of the policies in the LPP1 and LPP2, together with the supporting text, and the Residential Design Guide can be found in the Local Plan documents on the Council's website at:

[Planning Policy - Rushcliffe Borough Council](#)

APPRAISAL

Principle of development

67. The principle of development was established by the granting of outline planning permission 10/00559/OUT and also by Policy 23 (Strategic allocation at former Cotgrave Colliery) of the Local Plan Part 1 (LPP1) - Core Strategy which states that development will be subject to the following requirements;

Transportation [...]

'Improvements to walking, cycling and public transport links through and beyond the site, including a designated bus service, linkages to Cotgrave Country Park and the provision of a footbridge over the Grantham Canal;'

68. In addition, Policy 7 of LPP1 focussed regeneration as Cotgrave through the following proposals:

Former Cotgrave Colliery will be redeveloped as a mixed use neighbourhood to incorporate new residential and business communities. There should be improved accessibility with the town. Any redevelopment of the Colliery must take into account local nature conservation features and demonstrate how it will contribute to the wider regeneration of the town, including the regeneration of the Cotgrave Local Centre. The scope for limited physical development to link the Colliery site and the town will be explored, where this would assist connectivity and accessibility between new and existing neighbourhoods.

69. It is considered that the proposal generally accords with the outline permission and Policy requirements.

Design and Amenity

70. Policy 10 of the LPP1 seeks to ensure that all new development be designed to make

- a) a positive contribution to the public realm and sense of place;
- b) create an attractive, safe, inclusive and healthy environment;
- c) reinforce valued local characteristics;
- d) be adaptable to meet evolving demands and the effects of climate change; and
- e) reflect the need to reduce the dominance of motor vehicles.

71. Policy 1 of the LPP2 seeks, in amongst other criteria, to ensure that development does not significantly adversely affect residential amenity or the surrounding area and that the scale, density, height, massing, design, layout and materials of the proposal is sympathetic to the character and

appearance of the neighbouring buildings and the surrounding area whilst ensuring that there is no significant adverse effects on important wildlife interests or landscape character.

72. The proposed location of the bridge has been long established through the planning history and overarching planning policy in LPP1. The design of the bridge has been revised during the course of the assessment of this application and since a previous application for the discharge of condition details.
73. The agent has confirmed that there is a requirement for the bridge to clear three metres above the towpath. The prospect of a lower clearance bridge, that has been raised in representations, has been raised by them with the Canals and Rivers Trust (CRT) but the CRT stipulates an operational requirement of 3m clearance above the tow path in delivering the bridge.
74. The design proposed will have a lesser impact on the ecology and landscape in the vicinity than a fully DDA compliant bridge and would not have a significant impact on residential amenity of the nearby development(s).
75. It is considered that the design and materials proposed are acceptable and appropriate for this context.

Access

76. Para 104. of the NPPF advises that

‘Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

 - a) the potential impacts of development on transport networks can be addressed;
 - b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
 - c) opportunities to promote walking, cycling and public transport use are identified and pursued.’
77. Under S149 of the Equality Act 2010 a duty exists which requires public authorities, in the exercise of their functions, to give specific, careful consideration as to the potential implications of any equalities impact on those with protected characteristics. The protected characteristics to which the act applies include age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
78. Discussions have taken place regarding making the bridge DDA compliant, however this is hampered by the height clearance required over the canal to protect its ability to be navigable in the future. In order to achieve the height clearance required by the landowner – the CRT (and without which it is unlikely they would consent to it being built) whilst being DDA compliant a greater length of ramp would be required and the removal of more vegetation resulting in associated ecological impacts.

79. In having regard to the Equality Act 2010 it is noted that alternative access routes are now available, both within the country park and along Hollygate Lane that are DDA compliant. Although these routes are not as direct, when balanced against the ecological impacts of a DDA compliant bridge in this location it is considered that this design is acceptable. It should also be noted that once the residential development on the allocated housing site north of Hollygate Lane has been built out there are likely to be additional linking routes available.
80. The application is also considered to be the most appropriate in terms of design (and incorporates a bike wheeling channel) whilst ensuring that clearance of the canal is achieved which is controlled by the CRT.
81. The applicant has advised in their submission that 'The Disability Discrimination Act requires a 'level access' to be gradients not exceeding 1 in 20. The Canal and River Trust also have a minimum requirement of 3m for head height over the channel for safe use by boaters. This therefore requires means that 60m long ramps would be required both sides of the channel to get users up and over the canal. Canal and River Trust will not allow level access swing bridges to be installed due to their high maintenance and repair requirement. Similar canal restoration schemes have therefore opted for a more heritage style of bridge with a stepped approach. The bridge's primary purpose is to offer another access point between the Cotgrave Colliery residential development, Cotgrave Country Park and Cotgrave Town Centre. There are two existing points of level access across the canal between the development and the Country Park. These are at the Canal bridge/culvert on Hollygate Lane (348m to the east) and the Canal Lock (328m to the South West of the development). With the approach to the crossing being stepped, cyclists will need to dismount and use a ramped trough as shown in Figure 2. This will also improve safety over cyclist and pedestrians crossing the bridge as cyclists will be dismounted and therefore travelling at low speed.'
82. In applicant has provided a response to Cllr Chewings comments which are summarised below (full details of the response can be found [here](#)):
- a) 'It is not accepted the ramps either side could be significantly shorter bearing in mind all relevant considerations (including (documented) constraints) surrounding this particular Reserved Matters Submission.
 - b) The Building Regulations Approved Document Part M: access to and use of buildings and is therefore not directly applicable. However, for the footbridge, the ramps would still need to be 57m long based on this design guidance.
 - c) (Department for Transport -) Inclusive Mobility. It is unlikely any wheelchair user will be able to ascend either a 37m or 60m ramp. In any event, the provision of a ramp is not achievable/deliverable reflecting all relevant material planning considerations (including (documented) constraints) surrounding this particular Reserved Matters Submission.
 - d) Highway Structures & Bridges Design CD 353: it is therefore unlikely any wheelchair user will be able to get up a 36m or 60m length ramp.
 - e) It is suggested the bridge is "incongruent with the local heritage and appearance". The proposed bridge has a timber deck and timber parapets (barriers) which is almost identical construction to the

existing bridge 325m North. The proposed bridge also has black painted steel supports; black and white are the typical colours of all canal infrastructure including locks (also immediately upstream). The Canal and River Trust's requirement to have 3m clearance over the water and suitable clearance for cyclists using the towpath has dictated the type of bridge construction (i.e steel) to minimise footprint and loss of ecological habitat in the Country Park. The steel structure provides suitable longevity to minimise works in the Country Park *and* is suitably robust to the Canal and River Trust's requirements.

- f) The structure submitted for approval under Reserved Matters considers not only operational requirements and land and planning constraints but also aesthetic/appearance and heritage considerations within the overall context of design and (local) character and surroundings.'

83. NCC as Park Manager have queried footpath links, surfacing materials and maintenance of this linking features and the agent has confirmed that the maintenance of the new linking sections sought can be done by BDW as part of the scheme, secured via Planning Condition.

Ecology

84. The Council has a statutory duty to have regard to conserving biodiversity in line with the Wildlife and Countryside Act 1981 (as amended) when assessing the impact of a proposal. In addition Section 15 - Conserving and enhancing the natural environment of the NPPF applies and, at local level, regard has to be had to Policy 17 (– (Biodiversity) of the LPP1 and 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of LPP2. Ecological reports have been submitted and the relevant technical officers have advised that they have no objections accordingly it is considered that the Council's duty has been had and that relevant conditions are proposed regarding further survey work and the implementation of the recommendations contained within the ecological reports.

Landscape

85. Policy 16 (Green infrastructure, landscape, parks and open space) of LPP1 requires, in amongst other things, that existing and potential Green Infrastructure corridors and assets are protected and enhanced.
86. Priority for the location of new or enhanced strategic Green Infrastructure will be given to locations for major residential development identified in Policy 3 (Spatial strategy). This includes the Strategic River Corridors of the Trent and Soar rivers, the Grantham canal corridor, and Urban Fringe areas. Policy 16 goes on to state that:

"links to and between the Green Infrastructure network will be promoted to increase access, especially in areas of identified deficit, for recreational and non-motorised commuting purposes, and to allow for the migration of species;" and

"Landscape Character is protected, conserved or enhanced where appropriate (...)"

87. Policy 34 (Green Infrastructure and Open Space Assets) of the LPP2 requires specified Green Infrastructure assets to be protected from development which adversely affects their green infrastructure function (or their contribution to a wider network) unless the need for the asset is proven to no longer exist and the benefits of development, in that location, outweigh the adverse effects on the asset.
88. This includes (amongst other things) the Grantham Canal, Nature Conservation Sites, Geological Sites and Priority Habitats; Parks, Recreation Grounds and Country Parks; Rights of Way. Where development protects, enhances, or widens their Green Infrastructure importance, this will be supported, provided it does not adversely affect their primary functions.
89. Policy 35 (Green Infrastructure Network and Urban Fringe) of LPP2 states that
- “Proposals within Strategic Green Corridors or Local Green Corridors, as identified within Appendix D, should ensure the primary functions of the network are maintained and enhanced. Opportunities to create additional Green Infrastructure assets which enlarge the network, improve its connectivity and/or widen the function of the corridor should be taken where appropriate, provided they do not conflict with the primary functions”
- “Developments within the urban fringe (on the edge of the main urban area) must, where possible and appropriate, incorporate accessible infrastructure that provides recreational opportunities, wildlife benefits and enables pedestrian and cycle access to the wider countryside.”
90. Policy 37 (Trees and Woodland) of LPP2 seeks the avoidance and mitigation of adverse impacts on mature tree(s) or, if removal of the tree(s) is justified, it should be replaced. Any replacement must follow the principle of the ‘right tree in the right place’. It goes on to state;
- “Planning permission will not be granted for development which would adversely affect an area of ancient, semi-natural woodland or an ancient or veteran tree, unless the need for, and public benefits of, the development in that location clearly outweigh the loss.”
91. The bridge will require the removal of vegetation and trees within the vicinity of the route. This involves the permissions of the landowner (NCC and CRT) outside of the planning remit. The design of the bridge is such that the minimal amount of tree / vegetation removal will occur to achieve the connectivity envisaged in the site allocation and conditions are proposed to protect those trees that are to be retained and that replacement planting to be undertaken. It is therefore considered that the proposal complies with the above policies and Section 15 of the NPPF - Conserving and enhancing the natural environment.

Contamination

92. The former Colliery and adjacent land that is now country park has the potential to be contaminated. Section 15 of the NPPF - Conserving and enhancing the natural environment of the NPPF (para 183- 188) and Policy 40 of the LPP2 relates to pollution and contamination. The outline

permission , and subsequent permissions, are subject to conditions requiring the submission of reports. It is therefore considered that this reserved matters application does not require the imposition of a further condition in this regard as it is covered by existing conditions and the agent has confirmed that this is they understand that further submissions regarding this will need to be submitted.

Flood risk

93. Section 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF and local plan policies 17, 18 and 19 are relevant to the consideration of the application. The comments from the EA during the period of consultation are noted. As this is a reserved matters application it is not considered that an FRA is required for the proposal. Matters have been addressed in the previous outline submission and relevant discharge of conditions. It is also noted NCC as the LLFA, the CRT have not objected to the proposal on the basis of flood risk.

Other matters

Health impacts

94. The NPPF at para 92 advises that 'Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:
- a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;
 - b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and
 - c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.'
95. Policy 39 of the LPP2 advises that 'Where applicable, development proposals should promote, support and enhance health by:
- providing the right mix of quality homes to meet people's needs and in locations that promote walking and cycling;
 - a) providing employment developments in locations that are accessible by cycling and walking;
 - b) supporting the provision and access to healthcare services;
 - c) retaining and enhancing accessible Green Infrastructure;
 - d) alleviating risks from unhealthy and polluted environments such as air, noise and water pollution and land contamination;
 - e) designing homes that reflect the changes that occur over a lifetime, meet the needs of those with disabilities and reduce the fear of crime; and
 - f) supporting and enhancing community cohesion.'

96. It is considered that the provision of this bridge will add a further route through the site providing a further access.
97. Point 7 of policy 31 of LPP2 seeks to 'support the restoration of the Grantham Canal, including the proposed link between the Grantham Canal and River Trent which is safeguarded for this purpose and identified in the Policies Map. Development which would prevent the future implementation of this link will not be supported.'
98. The proposal has been designed so as to support the aspirations of the restoration of the canal. The design, maintenance and management of the bridge will also have to go through the CRT assessment and separate approval process thus further ensuring this goal is protected.

Contracts

99. Notwithstanding the determination of this application regarding the design of the bridge it is understood that consent from the landowners will be required and that the details of the design and management/ maintenance will need formal approval of the Canal and River Trust. As a result a condition is proposed to ensure that the bridge is implemented within 12 months of all relevant approvals from the landowners.

Conclusion

100. Having assessed the development proposal against the policies set out in the development plan for Rushcliffe and considering the material matters discussed above, it is considered the proposal would be in accordance with the relevant local and national policies. Therefore, it is recommended that this reserved matters application be granted subject to conditions.
101. In assessing this application, officers have worked with the applicant in a positive and proactive manner. Officers have negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.

RECOMMENDATION

It is RECOMMENDED that planning permission be granted subject to the following condition(s)

1. The bridge shall be constructed in accordance with the following approved plans/ docs received 24 February 2023:
 - Design Statement - May 2022
 - Arboricultural Statement - Aug 2020
 - 4712-01 - GENERAL ARRANGEMENT
 - 4712-02 - GENERAL ARRANGEMENT BRIDGE
 - 4712-03 - GENERAL ARRANGEMENT STAIRS
 - H5333-800 REV B BRIDGE GENERAL ARRANGEMENT.
 - H5333-801 REV B BRIDGE GENERAL ARRANGEMENT TEMPORARY WORKS

- H6238 - INDICATIVE DITCH CROSSING EAST OF FOOTBRIDGE
- H6238ABP01 - BRIDGE APP BOUNDARY 1-500
- H6238GC - GENERAL ARRANGEMENT - COLOURED
- H6238PBL02 PROPOSED BRIDGE LOCATION PLAN FULL SITE.
- Arboricultural Assessment - August 2020

[For the avoidance of doubt having regard to policy 10 of the Rushcliffe Local Plan Part 1: Core Strategy and policy 1 of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

2. The bridge hereby approved shall be commenced within 12 months of obtaining all relevant permissions/ consents/ discharges from the Local Planning Authority and land owner(s). Details of the respective permissions/ consents from the land owners shall be provided to the LPA within 30 days of receipt.

[For the avoidance of doubt having regard to Policy 10 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)].

3. The submitted Arboricultural Assessment recommends that replacement planting is carried out to mitigate for the loss of trees. A tree replacement/ landscaping plan shall be submitted prior to the commencement of development for the written approval of the Borough Council and the development shall be undertaken in accordance with the approved details.

[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]

4. Construction details of the path that will link the bridge to the existing path network within the country park shall be submitted to the Borough Council for written approval prior to the commencement of development (bridge). The path should reflect those within the Country Park which are compacted limestone. The development shall be undertaken in accordance with the approved details.

[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]

5. A section of fencing shall be installed, in accordance with details previously submitted and approved in writing by the Borough Council, as part of the works immediately to the west of the bridge, where the existing path crosses over 'The Rill', to protect users from the drop.

[To ensure adequate protection of users of the bridge 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)].

6. Notwithstanding the submitted CEMP (May 2022), no development shall take place until a revised Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by, the local planning authority. The approved CEMP shall be adhered to throughout the construction period. The CEMP shall set the overall strategies for and include a Construction Phase Health and Safety Plan and a Traffic Management Plan:

- compounds
- 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 bridge;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- wheel and vehicle body washing facilities;
- protection of the public whilst works are carried out;
- the means of access and routing strategy for construction traffic;
- a strategy to control timings of deliveries;
- the storage of fuel and chemicals;
- measures to control the emission of noise, dust and vibration during construction
- the control of temporary lighting;
- measures for the protection of retained trees, hedgerows and watercourses;
- details of pre-commencement surveys and mitigation measures for ecological sensitive areas (which should detail procedures/timings of works to avoid impacts on protected species and retained habitats);
- Pre-construction ecological surveys and mitigation measures including details of procedures/ timing of works to avoid impacts on protected species and retained habitats including reasonable avoidance measures (RAMs) utilising good practice;
- Appropriate controls for the storage of hazardous materials and fuel storage and filling areas

[To protect the amenities of nearby residential properties, the Country park users and in the interests of highway safety for the duration of the construction of the development hereby permitted 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) and Chapter 12 of the National Planning Policy Framework].

7. Prior to the removal of the Tree identified as T1 in the Ecological Appraisal, and T7 in the Arboricultural Assessment a precautionary endoscope survey should be completed by a licenced ecologist immediately prior to felling.

[To ensure the survey reflects the situation pertaining at the time and to comply with policies 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)].

8. The development shall be undertaken in full compliance with the recommendations contained within section 4 of the Ecological Appraisal by FPCR dated April 2022 and received in respect of habitats, Fauna, GCN, Bats, Badgers, Reptiles, Birds and Water Vole and Otter. This includes that prior to the commencement of development an updated ecological survey be undertaken covering the development site and an area 30m from the development site boundary. This survey shall include, habitats, Fauna, GCN, Bats badger Reptiles, Birds and otter and water vole. The details of the updated survey shall be submitted to the Borough Council for written approval and the development shall be undertaken in accordance with the recommendations of the approved updated survey.

[To ensure the survey reflects the situation pertaining at the time and to comply with policies¹⁷ (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)].

9. Notwithstanding the submitted Footbridge Maintenance Plan prior to development commencing an updated version shall be submitted to the Borough Council for written approval. The document shall consider maintenance of the new linking sections of path, including repairs of the surface and the maintenance and management of pathside grass and encroaching vegetation. The management and maintenance shall be undertaken by the management company for the Hollygate Park development, approved under 10/00559/OUT, unless alternative arrangements have been agreed in writing by the CRT at which time details shall be provided for approval of the Borough Council. The development shall be undertaken in accordance with the revised Footbridge Maintenance Plan.

[To ensure that the approved bridge is implemented and maintained throughout the lifetime of the development having regard to Policy 10 (Design and Enhancing Local Identify) and 23 (Strategic Allocation at Former Cotgrave Colliery) 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)].

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 consent of NCC as landowner and CRT as Landowner will be required before any site clearance and construction of the bridge can take place.

All aspects of the bridge design and means of construction will have to be agreed by the Canal and River Trusts engineers. The applicant is reminded that they still need to obtain the Trusts consent for the bridge. Any vegetation on Canal & River Trust land should not be removed without the prior consent of the Trust. It will remain necessary for detailed arrangements relating to future ownership, management and maintenance to be formally agreed with the Trust as part of any agreement to permit construction of the Bridge and the Applicant should contact the Trusts Estates Team to discuss these matters further and to secure the necessary agreement/consents.

The use of any external lighting (during construction and post construction) should be appropriate to avoid adverse impacts on bat populations, see <https://www.bats.org.uk/news/2018/09/new-guidance-onbats-and-lighting> for advice and a wildlife sensitive lighting scheme should be developed and implemented if required.

Permanent artificial bat boxes / bricks and wild bird nests should be installed on retained trees. New wildlife habitats should be created where appropriate, including wildflower rich neutral grassland, hedgerows, trees and woodland, wetlands and ponds.

Any existing hedgerow / trees should be retained and enhanced, any hedge / trees removed should be replaced. Any boundary habitats should be retained and enhanced.

Where possible new trees / hedges should be planted with native species (preferably of local provenance and including fruiting species). See <https://www.rushcliffe.gov.uk/conservation/treeshedgesandlandscaping/landscapingandtreeplanting/plantingonnewdevelopments/> for advice including the planting guides (but exclude Ash (*Fraxinus excelsior*)).

Good practise construction methods should be adopted including:

Advising all workers of the potential for protected species. If protected species are found during works, work should cease until a suitable qualified ecologist has been consulted.

- No works, fires or storage of materials or vehicle movements should be carried out in or immediately adjacent to ecological mitigation areas or sensitive areas (including ditches).
- All work impacting on vegetation or buildings used by nesting birds should avoid the active bird nesting season, if this is not possible a search of the impacted areas should be carried out by a suitably competent person for nests immediately prior to the commencement of works. If any nests are found work should not commence until a suitably qualified ecologist has been consulted.
- Best practice should be followed during building work to ensure trenches dug during works activities that are left open overnight should be left with a sloping end or ramp to allow animal that may fall in to escape. Also, any pipes over 200mm in diameter should be capped off at night to prevent animals entering. Materials such as netting and cutting tools should not be left in the works area where they might entangle or injure animals. No stockpiles of vegetation, soil or rubble should be left overnight and if they are left then they should be dismantled by hand prior to removal. Night working should be avoided.
- Root protection zones should be established around retained trees / hedgerows so that storage of materials and vehicles, the movement of vehicles and works

are not carried out within these zones. - Pollution prevention measures should be adopted

- Nesting birds and bats, their roosts and their access to these roosts are protected under the Wildlife and Countryside Act 1981. Should birds be nesting in the trees concerned it is recommended that felling/surgery should be carried out between September and January for further advice contact Nottinghamshire Wildlife Trust on 0115 9588248. If bats are present you should contact Natural England on 0300 060 3900.

The applicant is reminded of the conditions contained within planning permission 10/00559/OUT and 13/01973/REM and subsequent permissions and Non material Amendment permissions that there are conditions the details of which will need to be submitted for discharge in respect of the bridge hereby approved such as contaminated land.