

**24/02130/FUL**

**Applicant** Anchor

**Location** Land Fronting Rose Way And Melton Road Melton Road Edwalton Nottinghamshire

**Proposal** Development of 80 age-restricted apartments (Use Class C3) including associated parking and landscaping

**Ward** Edwalton

## THE SITE AND SURROUNDINGS

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

1. The application site is located to the west of Melton Road and to the south of Rose Way, falling within the strategic allocation at Melton Road as defined under Policy 20 of the Local Plan Part 1: Rushcliffe Core Strategy. Planning permission was granted under 23/01218/REM for the construction of a local retail store and a 77-apartment residential accommodation building (falling within use Class C2). The permission has been implemented, and construction has commenced on the residential accommodation building.
2. Access to the site is to be taken from an existing roundabout junction to the west. There is a car showroom to the south and an attenuation area immediately to the north of Rose Way, beyond which are recently constructed residential properties, along with a residential development on the eastern side of Melton Road. Planning permission for a retail unit on land to the west of the application site was granted as part of 23/01218/REM.

## DETAILS OF THE PROPOSAL

3. The application seeks the development of 80 age-restricted apartments including associated parking and landscaping, falling within Use Class C3 (residential). This represents a change from the approved scheme which comprised extra care residential accommodation falling under use class C2. It is proposed that all 80 units would be affordable housing.
4. Internal changes are proposed to the approved building comprising a reduction in communal space and an internal reconfiguration to provide 3 additional apartments. Associated with this, minor revisions to the fenestration of the ground floor of the building are proposed including an additional window on the north west elevation, the repositioning of a window on the south west elevation.
5. The number of parking spaces are to be increased from 46 to 48.

## SITE HISTORY

6. 14/00001/FUL- Erection of Local Centre comprising a foodstore (class A1) and 4 No. units for Class A1, A2, A3, A5 and/or D1 use, together with car parking and associated infrastructure and landscaping. Approved in 2014.
7. 20/00089/HYBRID- Hybrid planning application comprising an application for full planning permission for the development of a car showroom and service centre (revised plans) with associated infrastructure, plant, car and cycle parking and landscaping, and an application for outline planning permission (with all matters reserved except for access) for a local centre comprising: 4 flexible A1, A2, A3, A4, A5, D1, D2 or Veterinary Practice units; and; C2 residential accommodation featuring supported care. Approved in 2020.
8. 21/01032/VAR- Variation of condition 2 from planning permission 20/00089/HYBRID to allow relocation of main building further north, small increase in size of the main building, internal reconfigurations, minor external alterations to the building and a revision the parking layout (Amended Description). Approved in 2022.
9. 23/01218/REM- Application for matters reserved under application ref 21/01032/VAR for approval of appearance, landscaping, layout and scale for local retail store and 77 apartment C2 residential accommodation. Approved in 2023.

## **REPRESENTATIONS**

### **Ward Councillor(s)**

10. One Ward Councillor (Cllr Parekh) objects to the application for the material reason of a lack of parking spaces. They are not satisfied that the Transport Technical Note accurately captures the issues and it compares the site with other Anchor developments which is not a fair comparison. The TTN has offered no solutions to the lack of parking and minimum statutory spaces required.

### **Statutory and Other Consultees**

11. National Highways- no objection
12. NHS Nottinghamshire Integrated Care Board request Section 106 contributions towards primary healthcare as detailed in their consultee response.
13. The Environment Agency does not wish to make formal comments.
14. The Highway Authority (Nottinghamshire County Council) submitted comments on 24 February 2025 in objection to the application, however if the applicant submits further details then they may reconsider this. In summary they consider the proposed 48 parking spaces to represent a substantial under-provision which does not appear justified based on the submitted information. The previously approved use is not considered comparable as the nature of car use/ trips, car ownership and parking requirements would be significantly different. The sustainable location does not preclude car ownership and there are no on-street parking restrictions in the vicinity. The TRICs trip rate data does not adequately support the under-provision.

Reference to parking provision at other Anchor developments does not include evidence to validate this. Cycle parking provision is poor and the details do not include a Travel Plan. Concern that the proposal as presented could give rise to significant displaced parking around the vicinity resulting in potential access and amenity issues for residents.

15. The Highway Authority provided further comments on 28 May following the receipt of a Transport Technical Note in order to address and justify the parking ratios. In summary they expect the parking ratios for the site to be higher than the other Anchor Independent Living sites in Nottingham. The site does benefit from a frequent bus service and the retail park offers a number of facilities that could be easily accessed by residents, lessening the need for vehicle ownership. Based on the additional information provided, the Highway Authority considers the level of off-street parking to be satisfactory to serve the development. They are satisfied with the proposed level of bike storage as use is likely to be low, and they do not wish to see a Residential Travel Plan due to likely low car ownership. The Highway Authority does not object subject to the conditions set out in their consultee response.
16. Nottinghamshire County Council Archaeology - no comments or recommendations
17. Nottinghamshire County Council Planning Policy have provided comments detailing how the application relates to their minerals and waste policies and providing details of requested planning contributions.
18. Rights of Way (Via on behalf of Nottinghamshire County Council) seeks clarification of the treatment of the footpath and if a diversion of the footpath is proposed then a formal application for a diversion would be required. Informatives are detailed in the consultee response.
19. Nottinghamshire Police Designing Out Crime Officer- no objection, recommend it achieves Secured By Design accreditation.
20. The Borough Council's Environmental Health Officer's comments are summarised as follows:
  - a. Potential sound impacts: Confirmation sought that the findings of the previous noise report still apply, documentation submitted under previous application should be resubmitted. Noise Impact Assessment does not consider external amenity, this should be considered given the C3 residential use.
  - b. Air Quality: in general agreement with findings of the air quality report, with reference to dust it is noted that building work has commenced and main clearance and earth moving may have been completed.
  - c. External lighting: A condition is recommended requiring a lighting assessment for external lighting as detailed in the consultee response.
  - d. Construction Method Statement: recommend this is secured by way of a condition.
21. The Borough Council's Strategic Housing Officer comments are summarised as follows: The Housing Needs Update recognises that there is a growing aging population within Rushcliffe. Support for the proposal as part of a wider strategy to provide innovative and diverse models to meet the needs of an aging population. The model would have limited impact on meeting the needs

of eligible applicants requiring social rented accommodation through the Local Authority Allocations Scheme, however it would free up homes in the private market as people look towards this type of accommodation.

22. The Borough Council's Environmental Sustainability Officer considers the development to be unlikely to impact on the conservation status of protected species. The submitted BNG metric appears to have been completed in accordance with good practice.

### **Local Residents and the General Public**

23. Representations have been received from 73 neighbours/ members of public in objection to the application with comments summarised as follows:
- a. Insufficient parking, impact on roads within estate/ congestion/ highway safety
  - b. Parking demand higher for a C3 use than C2 care facility/ over 55's more likely to own cars
  - c. Impact on public services
  - d. Excessive scale and density
  - e. Lack of adequate green space
  - f. Ecological impact of loss of green space/ habitats
  - g. Design out of character
  - h. Not the provision of the community centre/ focal point that was envisaged
24. Representations have been received from 2 neighbours/ members of public neither objecting to or supporting the application with comments concerning the under provision of parking and congestion.
25. Representations have been received from 1 neighbour/ member of public in support of the application commenting that people need affordable housing.
26. The full comments received from all consultees can be found [here](#).

### **PLANNING POLICY**

27. 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 National Planning Policy Framework (NPPF) (2024) and the National Planning Practice Guidance (the Guidance).

### **Relevant National Planning Policies and Guidance**

28. The relevant sections of the NPPF are:
- Paragraph 11c)
  - Chapter 2 Achieving sustainable development
  - Chapter 6 Building a strong, competitive economy
  - Chapter 7 Ensuring the vitality of town centres
  - Chapter 8 Promoting healthy and safe communities
  - Chapter 9 Promoting sustainable transport
  - Chapter 11 Making effective use of land
  - Chapter 12 Achieving well- designed places

- Chapter 14 Meeting the challenge of climate change, flooding and coastal change
  - Chapter 15 Conserving and enhancing the natural environment
29. A copy of the National Planning Policy Framework 2024 can be found [here](#).
30. A copy of the Planning Practice Guidance can be found [here](#).

### **Relevant Local Planning Policies and Guidance**

31. The relevant policies from the LPP1 are:
- Policy 1 Presumption in Favour of Sustainable Development
  - Policy 2 Climate Change
  - Policy 3 Spatial Strategy
  - Policy 10 Design and Enhancing Local Identity
  - Policy 14 Managing Travel Demand
  - Policy 17 Biodiversity
  - Policy 18 Infrastructure
  - Policy 19 Developer Contributions
  - Policy 20 Strategic Allocation at Melton Road Edwalton
32. The relevant policies from the LPP2 are:
- Policy 1 Development Requirements
  - Policy 14 Specialist Residential Accommodation
  - Policy 15 Employment Development
  - Policy 18 Surface Water Management
  - Policy 27 Main Town Centre Uses Outside District Centres or Local Centres
  - Policy 38 Non- Designated Biodiversity Assets and the Wider Ecological Network
  - Policy 39 Health Impacts of Development
  - Policy 40 Pollution and Land Contamination
  - Policy 41 Air Quality
33. The policies in the Core Strategy and Local Plan Part 2 are available in full along with any supporting text [here](#).

### **APPRAISAL**

34. Planning permission for a 77-bed care home was granted as part of reserved matters application 23/01218/REM and this permission has been implemented. The reserved matters application also included a retail unit, however this is separate to the current application which only relates to the apartment building and its associated access, parking and landscaping.
35. The approved development comprises extra care apartments falling under use class C2. The current application proposes a change in the use class to C3 to provide residential accommodation that would be age-restricted to over 55's. Three additional apartments are proposed.
36. Following the approval of 23/01218/REM the applicant states in the submitted Planning Statement that the anticipated demand, support and funding for extra care at the site may not be available and therefore on that basis, the decision

has been taken to repurpose the development that is under construction as age-restricted affordable housing falling within Class C3. It is considered that the provision of C3 use in this location for this building is acceptable given that permission has already been granted for C2 use and they both comprise similar uses for residential purposes, subject to other matters considered below.

37. There would be no change to the overall scale and external layout of the building from that approved under 23/01218/REM. Internal alterations are proposed to the ground floor to provide additional apartments resulting in minor fenestration changes to the ground floor. Notwithstanding this the overall design of the building would remain as per the previous approval which is now at an advanced stage of construction.
38. It is not considered that the changes proposed would result in a materially greater impact on the closest residential properties than the implemented scheme in terms of overbearing, overshadowing or privacy.
39. Changes are proposed to the parking layout to provide two additional spaces. These two additional spaces would be sited within the central courtyard parking area with minimal change to the landscaping scheme submitted under 25/00374/DISCON, comprising a slight repositioning of the tree adjacent to parking bay no. 38 compared to that shown on the approved layout

#### Highways and parking

40. The main consideration is the level of parking provision having regard to the likely differing parking demands generated by a C3 use class compared to the approved C2 use. The revised proposal does not include a care element, nor would any be staff employed at the site, both aspects of which generate parking demand. At the same time, the level of car ownership would be expected to be higher for a C3 use, which in this case comprises age-restricted accommodation.
41. One Ward Councillor objects to the application due to a shortfall in parking spaces in the context of the proposed change from use Class C2 care home to C3 residential and several representations from members of public have also cited concerns regarding a shortfall in parking spaces and potential impacts on the highway network.
42. The Highway Authority in their initial consultation response noted that the proposed 48 parking spaces would represent a significant under-provision for 80 apartments when considering the standards set out in the Nottinghamshire Highway Design Guide. The applicant subsequently provided a Transport Technical Note which included data on parking demand from comparable Anchor Independent Living Schemes in Nottingham and Nottinghamshire.
43. The proposed scheme would provide a parking space-to-apartment ratio of 48:80, equating to 60% whereas the average standard operational parking ratio at the other Anchor schemes referred to in the report equates to around 30%. The report concludes that on average 29% of residents at existing Anchor schemes own a car, suggesting that the proposed development could generate a demand for around 23 resident vehicles.

44. Following review of the Transport Technical Note, the Highway Authority accept that the ratio of parking spaces versus the number of residential units is higher than the average demand within the other Anchor schemes referred to, although they also note that the site is in a more remote location compared to the other sites referred to and therefore they would expect the parking ratios to be provided to be higher.
45. The site is in a sustainable location on a frequent bus route to West Bridgford and Nottingham. There are various retail facilities and services provided in walking distance at Landmere Lane. These factors should lessen the need for vehicle ownership.
46. In summary, having regard to the parking ratios of the other Anchor schemes within the Transport Technical Note and taking into account the sustainable location of the site, the Highway Authority considers that the proposed level of off- street parking provision would be satisfactory to serve the development.

#### Conditions

47. Several of the conditions from the previous outline and reserved matters applications have either been discharged or are in the process of being discharged. The current submission is a separate standalone full application and therefore this information has been provided once again under the current application.
48. Whilst most of the information submitted is sufficient to negate the need for conditions to be discharged again, Environmental Health note that the revised C3 use would be more likely to give rise to the use of external areas and the submitted Noise Impact Assessment does not fully consider external amenity. Therefore further details of noise mitigation measures for external areas would be sought by way of a condition should planning permission be granted.
49. With reference to lighting, the Environmental Sustainability Officer is satisfied with the information provided under application 24/01260/DISCON pursuant to condition 14 of 23/01218/REM and this information, including a lighting specification and lux plot, has been resubmitted under the current application.
50. Public footpath FP5 runs partly within the application site. Condition 19 of 21/01032/VAR requires details of the design and specification of the footpath to be submitted to and approved in writing by the Borough Council. NCC Rights of Way have sought clarification regarding the treatment of the footpath and note some discrepancies in its alignment as indicated on the various submitted plans. As such, final details of the footpath shall be secured by way of a condition on the current application should planning permission be granted.
51. Condition 23 of 23/01218/REM required the provision of a secure external cycle store or an internal cycle store to be provided for staff of the care home. The current application instead seeks the provision of cycle hoops. The Highway Authority are satisfied with this arrangement on the basis that bike usage is likely to be low with the age-restricted C3 use now proposed. A revised condition is therefore proposed to this effect.
52. With reference to landscaping, the Design and Landscape Officer is satisfied with the information provided under application 25/00374/DISCON pursuant to

condition 8 of 23/01218/REM. In addition to details of soft landscaping, the condition required the submission of details of hard surfacing, means of enclosure and seating, all of which have been provided under the current application.

## Contributions

53. The application proposes that all 80 apartments are to be socially rented affordable housing, age restricted to over 55, to be secured by way of a Section 106 planning obligation. Having regard to the change in use class to C3, additional planning contributions are sought including towards healthcare and allotment provision, details of which shall be secured via a S106 for which the draft Heads of Terms is enclosed with this report.

## Biodiversity Net Gain

54. With reference to Biodiversity Net Gain, Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless: (a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan. This application requires the submission and approval of a Biodiversity Gain Plan before development is begun in the event of the grant of planning permission. The submitted Biodiversity Net Gain assessment demonstrates a 0.36 unit (167.19%) gain in area habitats and 0.42 hedgerow unit gain which meets the policy requirements.

## Conclusion

55. The proposed development would include limited physical alterations to the scheme approved under planning reference 23/01218/REM, with some internal changes proposed and some minor changes to the fenestration. No concerns are therefore raised in respect of the impact of the proposal on the character of the surrounding area or on the amenity of neighbouring residents.
56. The proposed use of the site for C3 properties, would result in a shortfall in parking provision when compared to the Nottinghamshire County Council Highway Design Guide. However, the proposal is for age-restricted units and evidence has been provided by the applicant to show how the proposed parking levels would compare to other schemes they have developed. Whilst it is noted that the application site is located further from a local centre when compared to some of these other schemes, the site is well served by public transport, and there are local amenities in close proximity which could be accessed on foot, factors which would lessen the need for car ownership. Given these circumstances the Highway Authority does not object to the application. As such it is considered that reasonable justification for the shortfall in parking has been provided and that the proposal would not result in unacceptable impacts on highway safety, or the amenity of nearby residents as a result of increased parking around the site.
57. For the reasons set out above it is considered that the development accords with the general national and local planning policies considered above and accordingly the approval of planning permission is recommended.



## RECOMMENDATION

It is RECOMMENDED that planning permission be granted subject to Section 106 and 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 received on 17 December 2024:

- Site Location Plan
- 0202-A3-C04 Proposed Roof Plan
- 0201-A3-C06 Typical Floor Plates
- 0220-A3-C03 Proposed Elevations Sheet 01
- 0220-A3-C04 Proposed Elevations Sheet 02
- 0222-A3-C04 Proposed Elevations Sheet 03
- 0223-A3-C01 Typical Bay Study
- 0224-A3-C02 Typical Building Section
- 0920-A3-C03 Site Sections
- 02001-C6 Drainage Layout
- PW.1786.L.1001.Rev D Landscaping Masterplan
- 02001-C4 External Works Levels

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

3. The materials specified on drawing 0223-P03- Typical Bay Study shall be used for the external walls, roof, windows, balconies, facia and soffit goods, rainwater goods, windows and doors hereby approved comprising the following:

- Base brick: Forterra Westcroft Multi
- Upper brick: Forterra Autumn Glow
- The brick feature panels shall comprise a Flemish bond pattern in the above brick mix with 10mm projecting brick headers
- Roof tile: Russell Galloway slate grey
- Fascia and Soffit Goods: Ral 7038 Agate Grey Upvc
- Windows & Doors: Ral 7038 Agate Grey Upvc Flush Casement Upvc
- Rainwater Goods, Balconies (Structures and Railings), and Copings: Ral 7038 Agate Grey Aluminium
- Fibre cement cladding detailing: Swiss Pearl Carrat 12mm thick

The balcony enclosures shall be installed with the details shown on the following plans received on 10th July 2025:

- 3421 P03- Typical Balcony Details- Sheet 1
- 3422 P03- Typical Balcony Details- Sheet 2
- 0223-P03- Typical Bay Study

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

4. The residential accommodation shall be constructed in accordance with the ground floor Finished Floor Levels shown on drawing 02021 Rev C4- External Works Levels received on 17 December 2025.

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

5. The landscaping scheme encompassing the location, number, size and species of any new trees/shrubs to be planted; details of retaining walls; details of means of enclosure; and details of seating shall be carried out in accordance with the following drawings/ documents:

- 1001 Rev D- Landscape Masterplan

received on 17 December 2024; and

- PW.1786- Hard Landscape Specification
- PW.1786.A.101- Surface and Edging: Access Road and Parking Bays
- PW.1786.A.102- Surface and Edging: Entrance and Exit Threshold
- PW.1786.A.103- Surface and Edging: Pull-in Zone and Footpath
- PW.1786.A.104- Surface and Edging: Resin Bound Gravel Footpaths
- PW.1786.A.105- Surface and Edging: Tarmac Footpath Surface
- PW.1786.A.106- Surface and Edging: Communal Terraces
- PW.1786.A.107- Surface and Edging: Private Patios
- PW.1786.A.108- Boundary Treatments: Timber Fence and Maintenance Gate
- PW.1786.A.109- Boundary Treatments: Metal Railing and Gates
- PW.1786.A.110- Boundary Treatments: Trellis Dividing Screen
- PW.1786.A.111 Rev A- Boundary Treatments: Timber Knee Rail
- PW.1786.A.112- Free-standing Structures: Timber Seats
- PW.1786.A.114 Rev A- Free-standing Structures: EV Chargers for Parking Bays Along Central Soft Landscape Strip
- PW.1786.A.115 Rev A- Free-standing Structures: EV Charger for Disabled Parking Bays.
- PW.1786.A.116- Tree Pits: Tree Planting in Soft Landscape
- PW.1786.A.117- Tree Pits: Boxhead Tree Planting in Planters
- PW.1786.L.104 Rev C - Kerbs and Edging Plan
- PW.1786.L.105 Rev C - Tree and Hedge Planting Plan
- PW.1786.L.106 Rev E - Ornamental and Shrub Planting Plan
- PW.1786.L.107 Rev C - Bulb and Grass Mixes Planting Plan

received on 10 June 2025

Any retaining walls, means of enclosure or seating shall be built/ installed in accordance with the details as approved prior to occupation and thereafter retained to the agreed specification. The soft landscaping shall be implemented within the first tree planting season following the substantial completion of the apartment building and any trees or plants which within a period of 5 years from the completion of the development of the respective plots die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The approved hard landscape scheme shall be implemented prior to the first

occupation of the apartment building. The space shall be managed in accordance with the approved maintenance/ management scheme thereafter.

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

6. Notwithstanding the RBA Acoustics Noise Impact Assessment reports (Ref: 12520.RP01.EBF.4 Rev 4 dated 18th May 2023; and Ref:12520.RP02.EBF.2 Rev 4; dated 9th December 2024) no part of the development hereby permitted shall be occupied until an updated Noise Impact Assessment (NIA) has been submitted to and approved in writing by the Local Planning Authority. The NIA must be prepared by a suitably qualified acoustician and as a minimum must include the following:
  - confirmation that the findings of the 2023 report Ref: 12520.RP01.EBF.4 Rev 4 remain valid having regard to any changes in the locality
  - An assessment of noise impacts on external amenity areas and any mitigation measures.

The development hereby permitted must be carried out and completed in accordance with the approved NIA and any mitigation measures proposed must be fully implemented prior to the development being occupied or first bought into use.

[To protect the amenities of the future occupiers and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

7. The gated access to the residential accommodation building shall be provided in accordance with drawings PW.1786.A.109- Boundary Treatments: Metal Railing and Gates; and 1001 Rev D- Landscape Masterplan prior to the first occupation of the building. Thereafter the gated access shall be retained and made available to use for the lifetime of the development.

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

8. No part of the residential accommodation building shall be brought into use until such time that the access arrangements from the roundabout junction along with internal roads, parking, turning, serving areas and internal road markings (including the zebra crossing) have been provided in accordance with drawing 1001 Rev D- Landscape Masterplan. The parking, turning and servicing areas shall not be used for any purpose other than parking, turning, loading and unloading of vehicles, and shall thereafter be retained for the lifetime of the development.

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

9. Prior to the residential accommodation building being brought into use, EV charging points for the respective buildings shall be installed in the locations shown on drawing 1001 Rev D- Landscape Masterplan in accordance with BSI PAS 1899:2022 Electric vehicles - Accessible charging - Specification.

Thereafter the EV charging points shall be maintained and made available for use for the lifetime of the development.

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

10. The external lighting shall be installed in accordance with drawing 023.AHG EX02 Rev P2 (Proposed External Lighting) and the document LS16027-1-1 received on 10 June 2025 and thereafter maintained to the agreed specification.

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

11. The hard surfaced areas of the site shall be surfaced in the materials as specified on drawing 1001 Rev D- Landscape Masterplan and thereafter the hard surfaced areas shall be maintained to the agreed specification.

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

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

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

13. The substation and its means of enclosure shall be carried out in accordance with the details as shown on drawing 02050- Rev P1 (Substation Retaining Wall Plans and Details) and DR-A-0904 Rev C01 (Boundary Treatments Plan) received on 10 June 2025. The means of enclosure shall be implemented prior to the development being brought into use.

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

14. Prior to the installation of any externally mounted plant or equipment, together with any internally mounted equipment which vents externally, details of this shall be submitted to and approved in writing by the Borough Council, and the plant/equipment shall be installed in accordance with the approved scheme, and retained in good working order to the satisfaction of the Borough Council.

[To protect the amenities of nearby residents and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

15. No part of the development hereby permitted shall be brought into use until cycle parking has been provided in accordance with drawing 1001 Rev D- (Landscape Masterplan) and A113 Rev A (Free-standing structures: cycle

stands). The approved cycle parking provision shall thereafter be retained for the life of the development

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

16. If any unexpected, visibly contaminated or odorous material or tanks or structures of any sort are encountered during development, remediation proposals shall be submitted to and approved in writing by the Borough Council, before further work is undertaken in the affected area and works shall proceed only in accordance with the agreed remediation proposals.

[To make sure the site, when developed is free from contamination, in the interests of public health and safety and to comply with Policy 40 (Health Impacts of Development) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

17. Prior to first occupation of the development hereby approved—details of the design and specification of the public footpath (FP5), within the application site, which extends adjacent to the sites access, shall be submitted to and approved in writing by the Local Planning Authority. The footpath so agreed shall then be constructed in accordance with the approved details before first use of the outline phase of the development hereby approved.

[To ensure that this public facility is constructed to a suitable specification for its intended use and to promote pedestrian and cycling to and from this site and the wider area. This is to comply with Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

18. The installed surface and foul drainage provision shall be maintained in perpetuity in accordance with the details within the Drainage Strategy Rev P3 (Perega- May 2023).

[To ensure that surface water and foul water is adequately dealt with as part of the development to comply with Policies 17 (Managing Flood Risk), 18 (Surface Water Management) and 19 (Development Affecting Watercourses) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

19. The development hereby permitted shall be carried out in accordance with the Biodiversity Management Plan (Reference ER-6669–02B) received on 10 June 2025.

[In order to ensure that the development renders a net gain to biodiversity in accordance with Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

20. The development hereby permitted shall be carried out in accordance with the Environmental Aspect & Impact Action Plan (Ref: VG-FM-SHE-029 Version A1.0; Rev: 01/04/2023), and the document 'Dust and Noise Response' received on 10 June 2025.

[To protect the amenities of neighbouring residents and in the interests of highway safety to comply with Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies. This condition needs to be discharged before work commences on site to ensure that the agreed measures are implemented throughout the construction phase of the authorised development].

21. Prior to the development hereby approved being brought into use, a 30 year (or as amended by sub-paragraph (4) of paragraph 9 of Schedule 7A of the Town and Country Planning Act 1990) Habitat Maintenance and Monitoring Plan (HMMP) shall be submitted to and approved in writing by the Local Planning Authority in order to secure Biodiversity Net Gain. The HMMP shall include:

- how the habitat will be maintained
- who is responsible for creating or enhancing the habitats
- who is responsible for maintenance, management and monitoring

All maintenance and monitoring shall be carried out in accordance with the details provided.

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

#### **Note-**

The application was not the subject of pre-application discussions. The scheme however is considered acceptable and no discussions or negotiations with the applicant or agent were considered necessary.

#### **IMPORTANT - Biodiversity Gain Condition**

The development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan, or
- (c) the development is exempt from the biodiversity gain condition

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

Further information about the BNG status of this application and how to comply with this statutory condition are set out below within the notes.

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**

Please be advised that all applications approved on or after the 7th October 2019 may be subject to the Community Infrastructure Levy (CIL). Full details of the amount payable, the process and timescales for payment, and any potential exemptions/relief

that may be applicable will be set out in a Liability Notice to be issued following this decision. Further information about CIL can be found on the Borough Council's website at <https://www.rushcliffe.gov.uk/planningandgrowth/cil/>

### Biodiversity Net Gain Condition

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: Submit a biodiversity gain plan - GOV.UK ([www.gov.uk](http://www.gov.uk))

### Statutory exemptions and transitional arrangements

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at <https://www.gov.uk/guidance/biodiversity-net-gain>.

### Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

### Effect of Section 73(2D) of the 1990 Act

Under Section 73(2D) of the Town and Country Planning Act 1990 (as amended) where -

- (a) a biodiversity gain plan was approved in relation to the previous planning permission ("the earlier biodiversity gain plan"), and
- (b) the conditions subject to which the planning permission is granted:
  - (i) do not affect the post-development value of the onsite habitat as specified in the earlier biodiversity gain plan, and
  - (ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat within the meaning of regulations made under paragraph 18 of Schedule 7A, do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier biodiversity gain plan.
- The earlier biodiversity gain plan is regarded as approved for the purposes of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended) in relation to the planning permission.

All demolition and construction work shall be restricted to the following times, to cause the minimum amount of disturbance to nearby premises:

Monday - Friday 0700 - 1900 hours Saturday 0800 - 1700 hours

## Sunday/Bank Holidays No work activity

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

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