

# 13/02329/OUT

**Applicant** William Davis Limited

**Location** Land Off Shelford Road (Shelford Road Farm) Shelford Road  
Radcliffe On Trent Nottinghamshire

**Proposal** Outline application for development of up to 400 dwellings, a primary school, health centre and associated infrastructure including highway and pedestrian access, open space and structural landscaping

**Ward** Radcliffe On Trent

## THE SITE AND SURROUNDINGS

1. The application site is located on the eastern side of Radcliffe on Trent. Shelford Road delineates the site northern boundary with existing residential beyond, except for an individual dwelling to the south of Shelford Road that is not included within the site and a field which is land associated with Grooms Cottage. The rear gardens of existing properties along Clumber Drive lie to the west of the western site boundary with the stream running through the southern part of the site and the railway line bordering the southern boundary of the site. Beyond the railway line, sports pitches and residential development is present which are accessed from the A52. Agricultural land lies to the east of the site. An area of land immediately adjacent to the north west of the site incorporates two residential properties Grooms Cottage and the Hunting Stables.
2. The site area is approximately 19.63 hectares and largely comprises agricultural land subdivided into regular shaped fields that gently slope down to a stream to the south. However, the northern part of the site also contains a number of agricultural buildings and a farmhouse that previously formed Shelford Road Farm.
3. The site lies within the Nottingham and Derby Green Belt.

## DETAILS OF THE PROPOSAL

4. The application seeks outline planning permission, with all matters reserved except access, for residential development providing up to 400 dwellings, with a serviced site for a primary school and health centre (if required) and associated infrastructure including highway and pedestrian access, open space and structural landscaping, notably along the southern and eastern boundaries. The former Shelford Road Farm buildings are proposed to be demolished as part of the application.
5. The application is accompanied by:
  - Site location plan

- Development Framework Plan
  - Planning Statement with S106 Heads of Terms
  - Consultation statement
  - Design and Access Statement
  - Transport Assessment
  - Travel Plan
  - Flood Risk Assessment and Drainage Strategy
  - Landscape and Visual Appraisal including figures
  - Extended Phase 1 Survey Report and Bat Report
  - Existing Tree Report
  - Noise and Vibration Assessment
  - Soil Resources, Agricultural Use and Quality of Land
  - Archaeological Desk Based Assessment
  - Archaeological Trial Trench Evaluation
6. Since the submission of the application additional information has been submitted in respect of Transport Assessments, Ecological surveys, Revised Travel Plan, Roundabout/access design, planning and green belt statement, and Archaeology.
  7. The application proposes that 30% of the dwellings would be affordable homes.
  8. Vehicular, pedestrian and cycle access to the proposed development would be via a new roundabout junction with Shelford Road to the north. The existing access drive to the site would be closed to vehicular movement but retained for pedestrian and cycle movements.
  9. Development parameters have been established and the development would comprise a mixture of traditional house sizes and types (ranging from 1 to 5 bedrooms) including semi-detached and detached style properties. It is proposed that the dwellings would be predominantly 2 storey although some single storey might be appropriate. The design and access statement also suggests that the occasional 2.5 storey dwelling would be incorporated as feature buildings to aid legibility (these would not be along the western boundary of the site adjacent to the existing residential properties or the eastern site boundary which will form the countryside edge). The net density for the residential development is proposed to be approximately 30 dph with variations within the site to allow for a lower density rural edge.
  10. Development along the eastern site boundary is proposed to be at a lower density and informally arranged to create a soft settlement edge where houses face out to the countryside. A landscape buffer (minimum of 10m in depth) is proposed along this boundary incorporating retained hedgerows and proposed tree planting. Green fingers would extend westwards from this buffer to permeate the development.
  11. Provision would be made for 5.12ha of public open space including a children's play space and allotments with significant improvement in terms of biodiversity, sustainable drainage systems, recreational facilities and strategic planting. An area of open space, including equipped children's play and parkland, would be located in the centre of the development. Public open space would also be provided to the south of the built development. This

would incorporate the drainage features and allotments. The existing hedgerow corridor would be retained within a central north – south corridor providing a pedestrian/cycle way link to Shelford Road.

12. In acknowledgement of the sites location in the Green Belt the planning statement includes an analysis of the suggested degree of actual harm that would arise from the proposed development. This assessment has taken account of the Borough Councils Green Belt Review Methodology and draws on the findings of the Landscape and Visual Appraisal that accompanies the application. This is considered further in this report.
13. The application also sets out what are considered to be the Very Special Circumstances necessary to justify inappropriate development in the Green Belt. These are set out in the Planning Statement and are summarised below:-
  - a. Development Plan Policy Support – Clear extant and emerging Development Plan policy support for:
    1. Radcliffe on Trent as a Key Settlement and a focus for growth
    2. The residential development of greenbelt land there
    3. The removal of that land from the designated green belt
    4. The identification for the land to the east of the village including the application site as a broad housing location
    5. The identification of the application site itself as a preferred housing site
  - b. Housing Need - national housing crisis and a pressing need for new housing in the Borough, and consequently the Rushcliffe Core Strategy (CS) establishes a significant housing requirement that is likely to increase further as a result of delays in the delivery of strategic development sites.
  - c. Housing Land Supply - there is an acute housing land supply shortage in the Borough and Radcliffe specifically. The proposed development of up to 400 new dwellings on the application site would make a valuable contribution towards remedying the shortfall
  - d. Affordable housing provision - there is a significant need for affordable housing, both across the Borough and in Radcliffe specifically. The development proposal will provide up to 120 new affordable homes to contribute to meeting that need
  - e. Sustainable Settlement in urgent need of growth - important population and service centre in the Borough and is recognised as an entirely appropriate and sustainable focus for growth. Growth needs to happen to address socio economic issues that arise from the village's aging and declining population. Radcliffe is a key settlement in the Borough and has been identified as a sustainable settlement where growth can be accommodated and the CS proposes a minimum of 400 dwellings should be delivered in the settlement. Therefore, the development proposals would entirely accord with the development strategy and housing objectives contained within the CS.

- f. Provision of education and health facilities for Radcliffe - the proposed development would also facilitate the provision of a new primary school and health centre to meet the needs of the development's residents and address existing capacity issues within the settlement. It would also support the other important community services and facilities in the settlement such as the secondary school.
  - g. Wider community benefit - enhancements to the local highways and pedestrian facilities improving connections to the village centre, local amenity and pedestrian safety. The existing bus service and facilities would also be significantly enhanced. New public open space would be provided and improvements to the village's sports facilities would be facilitated.
  - h. Economic benefit - the proposed development would support new jobs, create economic growth and result in expenditure to enhance the viability and vitality of the local retail and leisure services within it that depend on consumer spending to sustain and grow and to generate local employment opportunities. It would also provide monies to RBC and NCC through the New Homes Bonus.
  - i. Environmental Enhancement – the site is unconstrained with few environmental features of any interest. Provision of substantial green and blue infrastructure will ensure that the overall environmental quality of the site would be enhanced.
  - j. Inevitable need to release Green Belt at Radcliffe - it is widely recognised that substantial Green Belt releases will be required to meet the housing needs of the Borough, indeed the RCS implies that most new housing will have to be delivered on sites that are currently located in the Green Belt, including at Radcliffe on Trent. The application site has the distinct advantage of being able to accommodate the 400 dwellings required together with primary school, health centre and public open space on a single site.
14. The applicant concludes that individually these matters are very significant and taken together they clearly outweigh the harm by way of inappropriateness and the limited 'other' harm that would result from the development. It is concluded that the 'very special circumstances' required by the NPPF in order to approve inappropriate development in the Green Belt exist in this instance and that the proposals accord with Green Belt policy.
15. The additional information submitted states that the site has recently been identified by RBC as a preferred site to be removed from the Green Belt and allocated for residential development in the Rushcliffe Local Plan Part 2 - Land and Planning Policies (LAPP). That reflects the provisions of the recently made Radcliffe Neighbourhood Plan that identifies the site as part of a " Direction of Growth" to the village
16. The information confirms that the site including land required for the access is owned by the applicants who consider themselves to be without funding or capacity constraints and are ready to develop the site as soon as possible. The site is therefore available now for immediate development.

17. They anticipate that an average of 90 dwelling per annum would be delivered comprising 70 market house completions and 20 affordable house completions.
18. The LAPP Preferred housing site highlights that the additional development proposed in the village would help to ensure the delivery of essential community infrastructure. The application proposes the reservation of land for the provision of a new primary school and health centre to meet the needs of the development's residents and address existing capacity and qualitative issues within the village.
19. The revised Development Framework proposes a revised location for a potential health centre close to the Shelford Road frontage and enhanced bus service. Provision has also been made to allow an area of land to be safeguarded for a potential pedestrian/cycle footbridge over the railway line.
20. The development would bring direct and indirect employment benefits and create economic growth resulting in expenditure to the settlement and local area.
21. They consider that the application site is therefore available, suitable and the proposed development is deliverable and would make a significant contribution to meeting the identified market and affordable housing needs within the plan period.

## **SITE HISTORY**

22. There is no planning history which is relevant to the determination of this application.

## **REPRESENTATIONS**

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

23. In response to initial consultation to original application one Ward Councillor (Cllr J Smith) objected to the application on the following grounds:
  - a. Does not object in principal to the application nor to the fact this is proposed on a greenfield site in the Green Belt – would hope that the applicant will look again at their suggested method of entry to and from the estate. Some of the houses on Shelford Road have long and narrow drives, some of them very close to or indeed onto the roundabout. Concern over highway safety.
  - b. Volume of traffic that an estate of this size would generate is a matter of enormous concern to the residents of this side of Radcliffe and indeed to the village as a whole. The provision of a primary school and a doctor's surgery are both welcomed but both will generate even more traffic.
  - c. Acknowledges that asking any developer to provide a new road and bridge to allow direct access to the A52 would make the cost of housing there prohibitively expensive – when taking into account

Bingham, Newton and Cotgrave along with other sites in Radcliffe it is considered that a radical solution is required and one for which public funding is required.

- d. The infrastructure needs to be sorted out first or the A52 will be permanently grid locked.
24. Following the receipt of the additional and revised plans the following comments have been received:
  25. One Ward Councillor (Cllr Upton) does not object to this outline planning application, as although the site is in the Green Belt, it is promoted by the Radcliffe on Trent Neighbourhood Plan and the Borough Council's Draft Local Plan Part 2 "preferred housing sites"; and Radcliffe is identified as a "sustainable key settlement". He does make the following comments:
  26. *"I do have strong reservations about the proposed health centre and primary school on this site. This is contrary to the Neighbourhood Plan, and I would prefer financial contributions to be made so that these facilities can be kept in the village centre. I also have concerns about increased traffic on Shelford Road, and I suggest that a new eastern link road from Shelford Road to the A52 would take traffic out of the village centre and could provide a route for construction traffic and a second access to the development. I would also like some developer financial contribution for improvements to Radcliffe Railway Station car park to encourage commuters and for a pedestrian footbridge over the railway from the development to say the Bingham Road Playing Fields."*
  27. One Ward Councillor (Cllr Clarke) does not object to this application in principle as it is part of the Local Plan Part 2 allocation and there is a need to fulfil the Boroughs 5 year land supply. However, his comment is qualified, i.e. he does not object providing the following issues are addressed and dealt with:
    - a. Traffic issues are not adequately addressed – concern over rat running down Shelford Road from this and other development in Newton and East Bridgford and further afield. He considers that a relief road is required to take all of this traffic away from Shelford road to the east of the village crossing the railway and joining the A52 in the vicinity of the St James Park junction
    - b. A second access point into the development is provided either from Shelford Road or from a new relief road. If an incident occurs at the one access point everyone is then trapped in the development. The proposed new roundabout should be relocated further outside the village envelope away from existing houses to ameliorate the noise from traffic negotiating the roundabout.
    - c. This development is not the right location for a new health centre especially for those without cars. Instead there should be a developer contribution allocated to support the redevelopment of the existing health centre to cater for the increased demand of the whole village. This would allow the allocated space in the new development to be allocated for other use.

- d. Protection of existing dwellings neighbouring the proposed development be enhanced to ensure adequate landscaping/screening.
- e. A developer contribution to support the enhancement of the station car park to encourage greater use of railway services.
- f. Whilst primary school capacity is addressed, secondary school provision also needs to be addressed.

### **Adjacent Ward Councillors**

- 28. At the time of the original application one adjacent Ward Councillor (Cllr D V Smith) objected on the grounds of building on greenbelt. Traffic on Shelford Road. School split from other schools. Health centre too far from centre of village with road needed to A52.
- 29. One adjacent Ward Councillor (Cllr Lawrence) commented on the additional and revised information, that he cannot support the use of Greenbelt farmland in such a way but neither can he produce any other grounds for objection.

### **Town/Parish Council**

- 30. Radcliffe on Trent Parish Council objected to the application at the time of the original submission. This was stated to be a unanimous decision based on the loss of the green belt and the inadequate provision for extra traffic on Shelford Road.
- 31. In response to the re-consultation exercise, the Parish Council have stated that they do not oppose the planning application in principle but do object to the application in its current form for the following reasons:
  - 1. *“The location of siting 400 homes on one site:- Neighbourhood Plan 10.5 and justification 5.25 (5) states that “residential development sites should be designed to deliver development on a number of sites so that the direct impacts of development are spread across the village”, and goes on to state 5.25(5) locating all 400 new houses on one site would be detrimental to local character and amenity (e.g. effects upon landscape and traffic).*
  - 2. *Volume of traffic on Shelford Road, Main Road and through the village; the developers have stated that they do not consider a new road link from Shelford Road to the A52 to be a reasonable requirement (Doc A 4.1.11). There is the potential of an additional 800 cars per day at peak times from this development alone.*
  - 3. *Location of the Health Centre and School; Neighbourhood Plan Policy 12 Housing Mix and Density. The developers have stated that a key consideration of the NP is to ensure that the walkability of the village is maintained. The Health Centre will not be easily accessed by residents from the Harlequin and other outlining areas who do not have access to transport. The siting of the Health Centre on this development is*

also against Policy 1 which is aimed to encourage the Village Centre first.

4. *Lack of provision of Affordable Housing and Bungalows for the Elderly and Housing Mix. Neighbourhood Plan Policy 12 Housing Mix and Density. The developers have stated that the mix of dwellings has yet to be decided but will include 30% of the dwellings as affordable homes. They have also stated that there will not be this proportion during stage 1 so what guarantee do we have that they simply change their minds (Doc A 4.1.20). Cannot find any reference to the building of bungalows within the developer's documents. The Design and Access statement makes frequent references to the predominance of two storey semi detached dwellings with the occasional 2.5 storey.*
5. *Only 1 proposed access point through the site; the Development could take approx. 8 years with construction traffic and residential traffic through the site, including access to the proposed Health Centre and the School. This would be unsafe and unworkable.*
6. *No mitigation for neighbouring occupiers; The application shows no consideration to the residential properties that would now have to directly face the large roundabout and also offers no assurance of privacy (hedge/tree) screening being in place or that existing properties will not be overlooked by the new development.*
7. *Services; the Parish Council would require confirmation from the utilities companies that adequate provision would be made for the new development. In particular, assurance that the current sewage system could cope or that it would be upgraded."*

### **Adjacent Parish Council**

32. At the time of the original submission (Shelford and Newton Parish Council made the following comments:
  - a. While the council do not object to the development of the site in principle, they are very seriously concerned with the question of traffic, and fear the danger that exists now on Manor Lane at Shelford and the top road leading from Radcliffe on Trent to Newton. The council would wish to strongly object to any decision that would result in more traffic being directed through Shelford Village or Newton Village.
  - b. They acknowledge that the traffic would have to get to the site on Shelford Road if permission is given but would also wish to express severe concerns if what is commonly known as Top Road from Radcliffe to Newton was in fact the recognised route, particularly on the stretch of that road which runs along the Shelford Tops. Vehicles often leave the road along there and turn into the ditch. If heavy vehicles were using this road in large numbers during the construction period it would be yet another major hazard being created. If the development is approved it would create a significantly large increase in traffic along Shelford Road and this too would be an ongoing concern, the council being very aware already of the major hazards that exist along the Top Road. To add further traffic to it can only add

to those hazards. It is felt there is some doubt as to whether resources would be made available to equip and staff the proposed medical centre and primary school.

33. As Shelford and Newton now have separate Parish Councils, they have been individually notified of the additional and revised information and the following comments have been received:
34. Shelford Parish Council object to the application on the following grounds:
  - a) They note that there is no direct access from this development to the A52. This means that all westbound traffic emanating from this estate will have to go through Radcliffe on Trent thus creating more congestion in the middle of this already busy village. All east bound traffic from the development will have to go along Shelford Top Road and through the dangerous junction with Oatfield Lane. From there traffic will either go along the unsuitable Oatfield Road to join the A52 if Grantham or Leicester bound or through Newton or Shelford if accessing the A6097 or A46 to Newark
  - b) While traffic calming is planned for Newton, this may not necessarily reduce vehicle usage through the village and it will certainly increase it through Shelford where no traffic calming is planned. The A6097 is already severely congested between East Bridgford and Lowdham at peak times so any unnecessary traffic on this stretch of road is to be avoided.
35. Newton Parish Council do not object

### **Statutory and Other Consultees**

36. Nottinghamshire County Council (Planning) - comments on the original application are summarised as follows; they consider that the applicant has demonstrated 'very special circumstances' as Radcliffe on Trent is identified as a 'key settlement' in the RBC emerging Local Plan. In addition, the proposed development would not result in unrestricted sprawl or encroachment and would not adversely affect the setting and special character of a historic town or negatively impact upon the landscape, the proposal therefore, accords with paragraph 80 of the NPPF in relation to development within the Green Belt.
37. Highways – RBC will need to establish a contribution strategy to deliver this supporting transport infrastructure and the Community Infrastructure Levy (CIL) is being considered as a possible funding mechanism.
38. Landscape and Visual Impact - the impact of the proposed development in landscape character and visual terms have been suitably assessed in the Landscape and Visual Appraisal. The mitigation measures recommended have been translated to some degree in the proposals given in the Design and Access Statement, however, the Development Framework Plan should be reconsidered to allow these measures to be implemented more robustly and more in line with the acknowledged landscape actions. In particular this applies to the creation of copses along the eastern margin of the site and the generosity of the green corridors running westwards into the site. No

objections are raised providing the issues relating to site layout and structural landscape and design are reconsidered.

39. Ecology – it is noted that no bat activity survey has been carried out. They note that the proposals do not directly affect any designated nature conservation sites and aside from bats no evidence of or potential for protected species was identified at the site. Clarification is requested in relation to bats and the applicant is requested to submit a reasoned statement demonstrating how the three tests under the Conservation and Habitats and Species Regulations 2010 have been met. Concerns are raised in relation to vegetation clearance, retention of trees and hedgerows, lighting schemes, the design of site drainage, nesting designs, landscaping schemes and the management plan for the site can be addressed using planning conditions.
40. Further information has been submitted in relation to the Three Tests set out above and they note that the first tests are planning considerations and the Council will need to consider this. The third test relates to favourable conservation status and the County Ecologist is satisfied that due to the nature of the roosts involved and the mitigation measures proposed the favourable conservation status of the bat species concerned can be maintained.
41. Archaeology – the proposed development site has been subject of a program of archaeological evaluation. This commenced with an initial desk based assessment followed by a subsequent scheme of geophysical survey and targeted trial trenching. The geophysical survey identified an extensive complex of archaeological features within the western half of the site along with evidence for contemporary agricultural field divisions. Historic ridge and furrow earthworks were also identified elsewhere within the site.
42. The trial trenching revealed evidence of a Late Iron Age or Early Romano – British settlement within the west of the site along with medieval or post medieval ridge and furrow throughout the rest of the proposed site. Whilst the majority of the excavated archaeological features identified in the trenches corresponded with geophysical anomalies, occasional features did not suggesting that further unidentified archaeology deposits may be present within the site. Due to the archaeological interest of this site as well as the nature and extent of the proposed development, it is recommended that if planning permission is to be granted, this should be conditioned to secure an archaeological scheme of treatment of the site.
43. Heritage - Notes that the Design and Access Statement makes virtually no reference to the existing farm buildings on the site. These buildings appear to date in part at least to the 19<sup>th</sup> century and on proper examination there may be evidence of earlier buildings. The farmhouse has not been identified on the County Historic Environment Record (HER), and the applicants should demonstrate they have assessed the heritage significance of these buildings for themselves. In the absence of this assessment of the historic buildings on site, the application does not fulfil the requirements of paragraph 128 of the NPPF.
44. Libraries – the proposed development would add 960 persons to the existing library's catchment area population and a contribution of £15,486 is sought

for additional stock.

45. The Nottinghamshire County Council - have been re-consulted on the additional and revised information submitted and their comments have been summarised as follows:
46. In relation to the mineral Local Plan there are no minerals safeguarding and consultation areas covering or in close proximity to the site. There are no current or permitted minerals sites close to the application site therefore, no objections to the proposal from a minerals perspective
47. In terms of the Waste Core Strategy there are no existing waste sites within the vicinity of the site whereby the proposed development could cause an issue in terms of safeguarding existing waste management facilities. As set out in the Waste Core Strategy the development should be designed, constructed and implemented to minimise the creation of waste, maximise the use of recycled materials and assist the collection, separation, sorting, recycling and recovery of waste arising from the development. It would be useful for the application to be supported by a waste audit.
48. Attention is drawn to the memorandum of understanding between RBC, Highways England and NCC regarding improvements required to the A52 and A606 for which financial contributions should be taken from development in Rushcliffe. The revised Transport Assessment acknowledges that a financial contribution will be sought by Highways England.
49. In relation to Ecology, NCC has commented on this application several times and note that an updated Ecological Appraisal has been submitted and advise that consultation with RBCs internal advisor is sought. Previous requests and recommendations on site enhancements remain valid
50. Having reviewed the bus stop contribution, Transport Facilities are happy with the sum of £30,000. They support the plans for relocating the bus stop mentioned within the Transport Update note.
51. They advise that the County Council's S106 Officer will advise on contributions to be sought. Information has been received requesting education contributions.
52. Nottinghamshire County Council (Education) state that they have no alternative but to request both primary and secondary education contributions from any proposed housing development on land at Shelford Road, Radcliffe on Trent as there is no capacity at primary or secondary school level to accommodate additional housing growth. A proposed development of 400 dwellings would yield an additional 84 primary and 64 secondary places.
53. The number of housing developments proposed in the Radcliffe on Trent area delivers 192 primary places therefore NCC will require 1.1 hectares of land and building costs of £4,000,000 index linked to deliver an additional 210 school places, education in this area is of a very high standard and is highly inclusive; discussions will need to take place with the current schools in the village to deliver the right education solution for the village to ensure standards are not compromised. Therefore, NCC would like to keep their options open on the question of how 210 additional school places will be

delivered on the 1.1 hectare site. This will all be master planned and the costs apportioned equally across the developments by colleagues in NCC planning and RBC planning. A 1.1 hectare site for school provision has been designated on the Shelford Road development and NCC can confirm that this is an acceptable location for additional school provision to serve the new developments in the village. With regard to secondary education they request a contribution of £1,104,640 (64 x £17,260) to provide secondary provision to accommodate the additional pupils projected to arise from the proposed development.

54. Nottinghamshire County Council as Highway Authority – comment that when the application was first submitted, no objections were raised in principle to the development but they required further information to be submitted on a number of issues and amendments to be made to the residential travel plan. An Addendum Transport Assessment and Revised Residential Travel Plan was submitted and then re-consulted upon. The final comments of the County Council are summarised below:
55. The roundabout design is currently going through the technical approval process which has led to some minor revisions on the plan. The approved layout of the Section 278 General Arrangement is Rev F and this plan should form part of the application.
56. The following planning obligations have been proposed by the developer, and are agreed with Nottinghamshire County Council:
57. Bus service contributions - A financial contribution of £405,000 is proposed to be made towards the provision of improved bus services along Shelford Road to serve the proposed development.
58. Also, a financial contribution of £30,000 (index linked) is proposed to be made towards improvements to the two closest bus stops to the site to provide enhanced public transport infrastructure for residents of the proposed development.
59. The Highway Authority has spoken to the County Councils Passenger Transport department, who are aware of, and are in agreement with the proposed amounts. The above contributions should be secured through a Section 106 Agreement.
60. Traffic calming contributions - A financial contribution of £260,000 is proposed to be made towards the provision of a traffic management/traffic calming scheme along Shelford Road. The Highway Authority considers that this sum is acceptable. Notwithstanding this, it should be noted that a detailed scheme will need to be drawn up by the County Council. The design of the implemented scheme is likely to differ from that which is proposed as part of the Transport Assessment, but the contribution would be used for Traffic Management measures on Shelford Road to reduce speeds and facilitate non-vehicular movements.
61. A financial contribution of £27,000 towards provision of a traffic calming scheme along Main Street in Newton. The Highway Authority considers that this sum is acceptable.

62. Pedestrian Infrastructure Improvements - The existing zebra crossing of Main Road to the east of the Main Road/Shelford Road mini-roundabout junction is proposed to be upgraded to a signal controlled crossing. The Highway Authority considers that this is not required anymore as works have recently been carried out in the vicinity which make the proposed works no longer necessary.
63. A new pedestrian crossing facility (zebra or pelican) is proposed to be provided on Bingham Road in the vicinity of the Bingham Road/New Road junction. The County Councils preferred location is still on Bingham Road, but closer to the school. The form and location of the crossing facility will be agreed with NCC as part of a S278 Agreement for the improvement.
64. A £10,000 financial contribution, to be secured through a S106 Agreement, is to be provided towards improvements to the Trent Valley Way footpath. The Highway Authority considers that this sum is acceptable.
65. Subject to the planning obligations and mitigation works as outlined above, the Highway Authority has no objections to the proposal subject to conditions relating to the travel plan implementation, provision of the roundabout, details of new roads, surfacing and drainage of drives and parking areas, scheme for the re-siting of speed limit signs has been implemented and wheel washing facilities installed.
66. Highways England (Previously Highways Agency) – a holding direction was initially placed on the application. This has subsequently withdrawn and the following is the comments relating to the current position of Highways England.
67. With a number of development plans for the South Nottingham area, the Rushcliffe Local Plan Part 1: Core Strategy indicates that, in order to address the impacts of future development in Rushcliffe, a package of junction improvements is required on the A52 and that developers should contribute towards the delivery of these improvements. Highways England has agreed with Rushcliffe Borough Council and Nottinghamshire County Council a process for securing these developer contributions which is set out in the *A52/A606 Improvement Package Developer Contribution Strategy Memorandum of Understanding, September 2015*.
68. As part of the contribution strategy, for the proposed development of 400 dwellings a sum of £1,069 on a cost-per-dwelling basis has been identified by Highways England in consultation with Rushcliffe Borough Council, amounting to a contribution of £427,939 for this application. This should be secured by way of a condition requiring an appropriate agreement under S278 of the highways Act 1980 to facilitate improvements to A52 junctions in accordance with the provisions of the *A52/A606 Improvement Package Developer Contributions Strategy Memorandum of Understanding, September 2015*.
69. Network Rail - has no objection in principle to the development but certain issues should be taken into consideration which are summarised as follows:
  - a. Given the size and proximity of the development in relation to the railway it is considered that there may be significant impacts on Radcliffe Railway

Station. It is, therefore, appropriate that a contribution is sought from the developer towards station facility improvements

- b. Technical matters need consideration to ensure the safe operation of the rail network. There is a need to consider drainage and they ask that all surface and foul water drainage from the development area be directed away from Network Rails retained land and structures into suitable drainage systems, and boundary fencing, method statements, soundproofing, lighting and landscaping need to be considered.
70. Sport England - comment on requirement for open space and recreation provision and maintenance of a minimum of on-site public open space, together with financial contributions to off-site sport provision, as follows:
- 0.66ha of formal and informal amenity open space & future maintenance;
  - 0.23ha of equipped children's play space & future maintenance;
  - 0.37ha of allotments & future maintenance;
  - A financial contribution to the equivalent of 1.63ha of sports pitch provision (est. £171,476 @ £10.52 per m<sup>2</sup>)
  - A financial contribution of £127,229 to off-site swimming pool provision;
  - A financial contribution of £164,267 to off-site sports hall provision.
71. However, the available evidence has moved on since 2013. The council has a revised Leisure Facilities Strategy and now has a detailed Playing Pitch Strategy (PPS), both these documents may alter the above position and understanding on which they were based. In addition the PPS has, as part of it, a pitch demand calculator which can be used to update the off-site contribution to sports pitch provision.
72. Environment Agency - no objection to the application subject to finished floor levels condition. They initially commented regarding surface water but confirm that these comments are now superseded by comments from the County Council as Lead Local Flood Risk Authority.
73. Nottinghamshire County Council as Lead Local Flood Risk Authority - advise that the following comments supersede all previous comments on surface water provided by the Environment Agency (due to a change in responsibility in relation to certain flooding issues).
74. Drainage from the site should be via a sustainable drainage system. The hierarchy of drainage options should be infiltration, discharge to watercourse and finally discharge to sewer subject to the approval of the statutory utility. If infiltration is not to be used on the site, justification should be provided including the results of infiltration tests.
75. For greenfield areas, the maximum discharge should be the greenfield run-off rate ( $Q_{bar}$ ) from the area.
76. The site drainage system should cater for all rainfall events up to a 100 year + 30% climate change allowance level of severity. The underground drainage system should be designed not to surcharge in a 1 year storm, not to flood in a 30 year storm and for all flooding to remain within the site boundary without

flooding new buildings for the 100year + 30% climate change event. The drainage system should be modelled for all event durations from 15 minutes to 24 hours to determine where flooding might occur on the site. The site levels should be designed to direct this to the attenuation system and away from the site boundaries. All design calculations and simulations must include plot drainage to provide an accurate understanding of flood risk.

77. Consideration must be given to exceedance flows and flow paths to ensure both new properties and areas adjacent to and downstream of the development are neither put at risk or at an increased risk of flooding.
78. Any proposals to use SUDS must include details showing how these will be maintained to ensure their effectiveness for the lifetime of the development and how their design complies with all relevant CIRIA standards and guidelines.
79. No construction should start until a detailed surface water design and strategy is submitted to and approved by the LPA in conjunction with the LLFA.
80. Severn Trent Water – no objection subject to condition requiring details of disposal of surface water and foul sewage.
81. Trent Valley Internal Drainage Board - state that the site is outside of the Drainage Board district and catchment and no comments are made.
82. Rushcliffe Clinical Commissioning Group (NHS) - confirm that developer contribution is required as per the formula. They anticipate, therefore, a total contribution from this development would be £368,000 (based on all 2 bedroom dwellings).
83. They ask that the Borough Council consider the impact of proposed residential developments in the area as a whole rather than on an individual basis. They support the possibility of reserving a site for a potential new health centre within development in the village. The need for this is demonstrated in the under capacity of the existing building. For information for a NHS care facility a good guide is 85sqm per 1,000 registered patients. The current building is 500sqm, the Surgery has a current list size of 8,400 which should receive health services from a building in the region of 714sqm. The existing building is already 30% undersized.
84. The current GP complement is 4.5FTE GP Partners which means that this practise currently has the right complement of GPs operating in a building that is significantly too small. 'Hot desking' consulting/treatment rooms takes place in order to manage the current workload. This is far from ideal when delivering good quality care. It is clear that the building is already over capacity and that any further increase in list size will not be able to be accommodated within the existing premise
85. The Health Centre Radcliffe on Trent - acknowledges the feedback resulting from the health centre's consultation and has attempted to make some provision for health care and education due to the increased demand on these services that their development will produce should it be realised. The proposed site would enable development of a purpose built modern health

centre but its location may be problematic for their patients, particularly those who are less mobile and those without transport. The existing bus service will not be sufficient to transport patients to the health centre enabling them to attend appointments there. In the absence of an improved bus service, the location of the health centre and school on the site may result in an increase in traffic along Shelford Road. The Health Centre has been re-consulted on the revised location for the reserved site but has not made formal comments.

86. Natural England - advises that, in relation to Statutory Nature Conservation Sites, they raise no objection as the proposal is unlikely to affect any statutorily protected sites or landscapes. In relation to protected species, standing advice should be applied. Consideration should be given to biodiversity and landscape enhancements.
87. Nottinghamshire Wildlife Trust - confirm that their observations are limited to the potential ecological impacts of any potential development on this site and they are not commenting on wider policy issues (in terms of green belt policy) on this occasion. In the event that the authority is minded to approve this application, they strongly recommend conditions to secure the conclusions and recommendations as set out in the ecological survey reports.
88. They welcome that the development contains Green Infrastructure (GI) Provision and trust that this complies with local and national requirements and guidance in terms of its design and extent. In the event of approval they would like to see the GI (including the proposed attenuation ponds) being managed to maximise potential for wildlife and they recommend a condition is used to secure a biodiversity strategy and a habitat management plan. The Local Planning Authority should establish who would be responsible for managing the Green Infrastructure in the long term.
89. South Nottinghamshire Academy - Headteacher - commented in relation to the additional information as this development falls within their catchment area. They ask if there is any support that will be made available to them to ensure that everyone within their catchment who wishes to attend SNA is able to do so?
90. Nottingham Campaign to Protect Rural England - comments are summarised as follows:
  - a. Application premature as RBC do not have an adopted plan and the review of the Green Belt has yet to be carried out.
  - b. The site is in the Green Belt, developing it would encroach into the countryside and affect the historic core of Radcliffe on Trent due to the additional traffic which would be channelled from the new development.
  - c. The offer to provide affordable housing should be ensured.
  - d. The provision of suitable housing for older people should be a priority in Radcliffe - applicant design concept only includes single storey houses as a possibility.
  - e. Only one access into the site, will result in significant traffic through Radcliffe on Trent and out onto A52 causing congestion and lowering the quality of life in Rushcliffe.
  - f. Proposed bus route round the new development is likely to be unattractive to operators for operational reasons.

- g. Possible service enhancements to Radcliffe on Trent railway station has not been taken into account by the applicant.
  - h. Claim of walking to railway station, bus stops and centre of Radcliffe is overestimated – due to lack of permeability on three sides of the development it would take longer than 30m to walk from the south east of the development to the centre of Radcliffe.
91. Nottinghamshire Campaign for Better Transport – originally commented that, for development in Rushcliffe there is the problem of the River Trent. Housing is proposed to the south of the river yet employment will mainly be north of the river, as will much shopping activity. The Trent crossings are critical, therefore, in considering any development in Rushcliffe.
92. They consider that the planning application cannot be considered in isolation – potential gridlock on the river crossings results from all new developments not just one. This application is premature without any answers to how the road network will cope at the river crossings. Detailed comment is also provided on the Transport Assessment.
93. They consider that if the council is minded to grant planning permission, they believe that this can only be on the basis of no extra traffic uses on Shelford Road. This would necessitate a new road to the north east of Radcliffe linking Shelford Road and the A52 to the east of Radcliffe. Additionally there should be a quality pedestrian/cycle route from the route from the south of the new development through the existing Clumber Drive estate and crossing the railway to the village centre.
94. Rail resource should not be ignored if development is to proceed through Rushcliffe.
95. In response to the re-consultation the following comments have been received:
- a. Conflicts with national planning policy in that it does not manage development to make the fullest possible use of public transport, walking and cycling and reduce pollution as required in paragraph 17. Instead it makes access to employment and the City of Nottingham more convenient for those using their cars.
  - b. It will increase CO2 emissions due to an increase in car traffic and therefore does not fulfil the environmental role planning has to move to a low carbon economy as required by paragraphs 7 and 17.
  - c. Development does not meet Local Plan policies 1/2/14. The development is almost totally based on highway enhancements and the assumption the majority of citizens will drive. This conflicts with many policies including air quality, climate change, health and environmental protection.
  - d. Concerned that the bus service data is out of date and not fit for purpose. Current villager service is under threat and concern is raised that there may be no bus service to enhance.
  - e. Rail should be being promoted and the much underused Nottingham -

Grantham railway line and the station at Radcliffe not far from the development is completely ignored.

- f. No consideration given to the impact on roads to the west of Radcliffe Centre - there appears to be an assumption that traffic would prefer to travel via New Road and Cropwell Road to the A52. They question this and much traffic joins the A52 at the RSPCA junction.
  - g. Concerned that commuters are using residential streets as informal park and ride sites – pushing more traffic onto the A52 will only exacerbate the situation.
96. Nottingham Branch National Federation of the Blind in the UK - consider that the proposal requires significant improvement to the infrastructure in terms of public transport provision, road safety and traffic calming measures.
  97. RBC Planning Policy - comment that; *“In line with planning law, decisions should be taken in accordance with the Rushcliffe Development Plan unless material considerations indicate otherwise. The relevant statutory policies that form part of the Development Plan for Rushcliffe consist of the adopted Local Plan Part 1: Core Strategy, five saved policies of the Rushcliffe Borough Local Plan 1996 and the Radcliffe on Trent Neighbourhood Plan. The publication version Local Plan Part 2 (LPP2): Land and Planning Policies is also a material consideration, although the policies within this document do not currently carry as much weight as those that are adopted as they are yet to be subject to an examination. Local Plan Part 2 was submitted for examination on 10 August 2018.*
  98. *Other material considerations include the revised National Planning Policy Framework (NPPF), the National Planning Practice Guidance (the Guidance) and the Rushcliffe Borough Non Statutory Replacement Local Plan (NSRLP) (2006).*
  99. *The site is currently located within the Green Belt. Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.*
  100. *It is considered that the following matters may be pertinent when assessing whether very special circumstances exist in assessing the planning balance of the proposal:*
    - *The principle of greenfield development at Radcliffe on Trent has been established upon the adoption of Local Plan Part 1, Rushcliffe Core Strategy. Policy 3 (spatial strategy) establishes Radcliffe on Trent as a key settlement, and that provision will be made for a minimum of 400 dwellings through Part 2 of its local plan.*
    - *Policy 4 establishes the need to review the green belt. Policy 4 part 5 identifies the need to review inset boundaries in order to accommodate development requirements until 2028.*
    - *The site is proposed for allocation within policy 5.3 of the publication draft LAPP, and the application complies with the criteria contained within the policy, including the safeguarding of a site for a school and*

*health centre in the case that existing facilities cannot be expanded. At the present time there are identified issues of capacity at existing facilities and no known solutions to expand existing facilities given potential land constraints. No other sites were identified in the preparation of part 2 publication local plan. It is considered that such provision is essential to delivering the proposed housing allocations at Radcliffe on Trent.*

- *The proposed allocation is supported by evidence produced by, or on behalf of the Borough Council.*
  - *The site is available now, has a housebuilder involved and can provide for a mix of market and affordable housing.*
  - *The appeal decision at Asher Lane, Ruddington establishes the principle of granting planning permission for residential development on a green belt site where there is a minimum target set for a key settlement and where there are no technical constraints.*
  - *The granting of planning permission would potentially enable to contribute towards the Borough Councils 5 year land supply sooner than anticipated.*
101. *Having regards to the above, and subject to other material planning considerations, I consider that there are enough grounds which amount to very special circumstances in respect of this particular planning application. I therefore do not have a planning policy objection to the proposal.”*
102. Rushcliffe Borough Councils Landscape Officer - comments as follows; *“As previously noted the topography of the site means it isn’t particularly prominent from Shelford Road and residential development to the south limit views from the A52.*
103. *The Landscape and Visual Analysis of Potential Development Sites states the following about this site:*
- *The landscape value in the study area is low overall, but the generally well maintained landscape quality, the representativeness of the study area with regards to the LCA and the rural edge contributed by the site within the study area all add value. In terms of susceptibility to change, development of the site would result in the creation of an extension of the settlement, with potential for increased density but overall a low landscape susceptibility. The landscape sensitivity is also low. In visual terms, the site forms part of the rural setting to the settlement but has little other visual value. In terms of visual susceptibility, the site forms the rural setting for both residential and transport receptors and has a medium visibility, resulting in a medium susceptibility. The visual sensitivity is overall low.*
104. *I would agree with this assessment. Where the development will be visible to road users there is already existing dwellings alongside, such as the housing to the north of Shelford Road and at Hudson Way and Harlequin either side of the A52.*

105. *Whilst there will be an extension to the urban edge of the village the site layout allows for buffer planting along the eastern boundary and I note in the Supplementary Planning and Green Belt Statement that the buffer along the eastern boundary will be a minimum of 10m in width which should ensure sufficient space for meaningful planting. The detailed design will need to ensure there is sufficient space for the proposed tree planting along the east/west roads within the site to ensure they can mature and help break up the rooflines of the site. The proposed children's play area and the retention of the hedgerow within the site should help break up the mass of housing and there seems potential for tree planting to be incorporated alongside the main north/south hedgerow within the site.*
106. *The retention of the hedgerows within the site is positive and we will need to condition protection measures in accordance with BS5937. According to the ecological appraisal there are 2 trees which could be affected by the development, a fallen crack willow and a Walnut to the south east of the farm buildings, neither is prominent and given the proposed buffer planting the removal of these trees is acceptable and their loss will be mitigated. Native tree planting should be used for the periphery of the site, but a greater range of trees species is acceptable within the site and alongside existing dwellings.*
107. *The reserved matters application will need to include a detailed landscape scheme and we will need to ensure that provision is made for the maintenance of the open space and the allotments."*
108. Rushcliffe Borough Council's Design, Conservation and Archaeology Officer - questions whether the layout will reflect the local distinctiveness of the area taking into account the streets cut perpendicular to topography. It is appreciated, however, that the layout and design are a reserved matter.
109. He is supportive of the concept of dividing the scheme into different character zones where materials and design form take their precedent from different areas of the existing settlement.
110. He is also supportive of the idea of scattering a number of "feature buildings" at key locations within the site to add interest and act as navigational landmarks within the development.
111. He considers that thought appears to have been given to integrating elements of the scheme so as to provide passive surveillance of public footpaths and play areas. He supports the intention to reflect local streets which have been identified as having avenues of trees.
112. He is unconvinced that the access traffic island will in itself create a 'gateway' to Radcliffe. This will be a significant element of highway infrastructure.
113. Retention of hedgerows will allow for green corridors to exist within the site as well as promoting biodiversity and allowing for the previous field divisions within the site to be appreciated.
114. In relation to Archaeology, a Geophysical survey of the site was undertaken in connection with the 2013 Outline application received for land south of Shelford Road. The survey highlights areas of archaeological activity and was followed by a scheme of archaeological trial excavation across the site to

investigate the identified features.

115. Following this exercise an area of complex archaeology was identified at the western part of the site, appearing to represent overlaying archaeology of at least two distinct periods of occupation. The geophysical survey reflected the results of trial excavation and the results of the trial excavations suggested that further excavation of this part of the site would be necessary to develop a thorough understanding of the archaeology and its significance. There is a limit to how much understanding of a complex area of archaeology can be developed by limited trial trenching and in this case the opening of a large area is considered a necessary step.
116. A written scheme of investigation has been prepared which includes for building recording of the standing farm buildings on the site and also for a strip, map and sample exercise in the area of complex archaeology at the northern part of the eastern region of the site. The methodology involves stripping topsoil down to known archaeological horizons established in the trial excavations over a large area to reveal archaeological features such as pitch, ditches etc. These features are mapped and then sampled to try and develop an understanding of their purpose, ages and any inter-relationships. This is considered the most reasonable way of establishing a good understanding of the complex archaeology in this area of the site and of securing a record of that archaeology.
117. He is satisfied that the works advocated within the Written Statement of Investigation will be sufficient to facilitate a good understanding and robust record of archaeology within the site.
118. Conditions have been agreed to cover the works required. It is noted that works detailed in the Written Scheme of Investigation have already commenced and as such it is likely that this work will be well advanced if not completed, by the time of the committee meeting. It is his understanding that at this stage the area has been stripped and work commenced on mapping features ahead of sampling.
119. Rushcliffe Borough Council Environmental Health – in respect of noise from Road and Rail sources, the submitted report is satisfactory and suggests that the development is suitable subject to additional precautions and measures to mitigate noise to certain dwellings. Conditions are recommended.
120. Contaminated Land – part of the proposed development is on the Councils prioritized list of potentially contaminated land sites specifically the farm buildings and surrounding yards. A condition is therefore required to ensure a detailed investigation report is submitted.
121. Informative suggested regarding demolition and construction work and a condition requiring a method statement detailing techniques for the control of noise, dust and vibration during demolition and construction submitted and approved.
122. In relation to the proposed school and health centre, details will be required of external plant and equipment, security/floodlighting and extract ventilation for kitchen.

123. Rushcliffe Borough Council's community Development Manager – advises that the Rushcliffe Borough Councils Leisure Facilities Strategy 2017-2027 requires 0.25 hectares of equipped children's play area per 1000 population. Therefore, on site provision of 0.23 hectares is required. He considers that the children's play area is well located to be of benefit to the proposed new primary school. There is no other alternative play provision available locally. The facility should be designed primarily to target 0-12yrs as elsewhere within Radcliffe there is a large teenage skate park facility. The Borough Council would expect the facilities to be maintained by a management company to be established by the developer with evidence of an appropriate funding mechanism.
124. The Rushcliffe Borough Council Leisure Facilities Strategy 2017-2027 and associated Strategic Assessments of provision for sports halls and swimming pools identifies the need for modernised facilities which would serve Radcliffe on Trent. The Sport England Facility Calculator run on 27/04/2018 provides the following commuted sums - Sports Halls £134,555 and Swimming Pools £147,564. The sports hall contribution would be directed towards improving the quality of provision in either Radcliffe or potentially Bingham. The swimming pool contribution would go towards a replacement for Bingham Leisure Centre.
125. The plans do not show any on site provision of sports pitches, as such a commuted sum would be requested. The Rushcliffe Playing Pitch Strategy 2017 identifies a current shortfall of pitch provision that this development would worsen. The Sport England Playing Pitch Demand Calculator (with Rushcliffe specific data) provides the following commuted sum for offsite provision - £150,841.
126. The Leisure Facilities Strategy standard for the provision of allotments is 0.4 HA per 1000 population. There are two allotment sites within Radcliffe on Trent providing a total of 1.7HA of land. Both have waiting lists of approximately 50% of the total number of plots available. Based on the 2011 census data of 8205 residents a total of 3.28HA of provision would be expected. This shows a deficit of 1.58 HA with existing provision. The existing supply cannot accommodate the residential growth. Provision of a minimum of 0.37Ha of allotment provision is required. The site will require perimeter fencing and planting, haulage way, water supply and car parking.
127. Rushcliffe Borough Council Recycling Officer – general comments are provided in relation to details of access for refuse vehicles, level of provision for different types of properties and collection points. A request that access roads are designed so a recycling vehicle does not come into contact with likely school traffic for those who wish to drop children by vehicle
128. Rushcliffe Borough Council Environmental Sustainability Officer – confirms that the ecological appraisal dated October 2017 is in date and appears to have been completed according to best practise. Protected and priority species found on the site include Bats and wild birds, including barn owls, badgers are likely to use the site but no setts were identified and swallows have previously made use of the site. The site includes agricultural pasture and arable fields, hedgerows, buildings, running water, dry ditch, ephemeral vegetation and tall ruderals.

129. Recommendations (including recommendations provided by the supplied reports) which should be subject to conditions on any permission:

- Bat and Barn Owl mitigation plans should be developed, agreed and implemented (the consultant ecologist recommends this should include a purposes built barn owl tower with bat loft, this could also be designed to provide opportunities for swallow).
- An update badger survey should be carried out immediately prior to commencement of works and its recommendations implemented.
- An update barn owl survey should be carried out 6-12 months prior to development works and mitigation to be constructed six months prior to demolition of existing roost/nest site, further survey prior to the commencement of development works should also be carried out.
- The semi improved neutral grassland should be retained and brought into appropriate management if possible, alternatively this should be recreated elsewhere on site.
- A landscape and ecological management plan should be agreed with the LPA and the means to implement this in perpetuity.
- Survey work to determine the success of the mitigation features and identify any alterations, should be carried out for a minimum of 5 years. A schedule of such work should be agreed with the LPA and reports submitted to the LPA annually.
- All workers/contractors should be made aware of the potential of protected/priority species being found on site and care should be taken during works to avoid harm (including during any tree works), if protected species are found then all work should cease and an ecologist should be consulted immediately. The walnut tree should be felled in sections and any further tree removal should be preceded by further bat assessments.
- All work impacting on buildings or vegetation used by nesting birds should avoid the active bird nesting season, if this is not possible a search of the impacted areas should be carried out by a suitably competent person for nests immediately prior to the commencement of works. If any nests are found work should not commence until a suitably qualified ecologist has been consulted.
- The use of external lighting (during construction and post construction) should be appropriate to avoid adverse impacts on bat populations, see [http://www.bats.org.uk/pages/bats\\_and\\_lighting.html](http://www.bats.org.uk/pages/bats_and_lighting.html) for advice and a wildlife sensitive lighting scheme should be developed and implemented. No night work should be carried out.
- 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.

- Existing trees/hedges should be retained and hedgerows gapped up if necessary. If removal of trees is necessary, they should be replaced with new native trees (preferably of local provenance). Where possible new trees/hedges should be planted with native species (preferably of local provenance). 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.
  - It is additionally recommended that consideration is given to bird nest boxes/bricks (including swift bricks) and hedgehog boxes and hedgehog pathways being incorporated into the native/wildlife friendly planting within any landscaping work and the provision of ponds/SUDS.
  - Consideration should be given to energy efficiency, water sustainability, management of waste during and post construction and the use of recycled materials and sustainable building methods and sustainable transportation.
130. Rushcliffe Borough Council Strategic Housing Officer – advises that 30% affordable housing is required, therefore, up to 120 units with 70 rent (23 social rent and 47 affordable rent) and 50 intermediate. The breakdown of affordable housing is as follows; Social rent 5 x 1 bed flats; 2 x 2 bed flats; 5 x 2 bed houses; 4 x 3 bed houses; 2 x 4 bed houses; 2 x 1 bed bungalow; and 3 x 2 bed bung. Affordable rent; 9 x 1 bed flats; 4 x 2 bed flats; 10 x 2 bed houses; 10 x 3 bed houses; 3 x 4 bed houses; 5 x 1 bed bungalow; and 6 x 2 bed bung. Intermediate; 4 x 2 bed bung; 23 x 2 bed houses; and 23 x 3 bed houses.
131. The affordable units should be ‘pepper potted’ in small groups across the site. The flats should be no higher than two storeys with each unit having its own entrance. The bungalows (for elderly needs) should also be clustered together. The bungalows should also be located close to main access roads, preferably close to public transport corridors, to ensure that the elderly residents have good access to services and facilities to ensure they do not become isolated.
132. The intermediate dwellings should be sold at 50% or less of the open market value to ensure that they are affordable having regard to local incomes and prices. The dwellings should be provided through a Registered Provider or through another appropriate mechanism which ensures that the dwellings remain affordable.
133. The provision of 30% affordable housing on this site will assist the Borough Council in meeting its strategic aims to address housing need in the Borough whilst reducing the number of households in temporary accommodation by increasing the supply of permanent affordable housing.
134. Radcliffe Community Group – a detailed letter of objection together with notes from a Community group meeting supporting this objection was received when the application was first submitted. The summary of the letter is set out

below.

135. *“In short the Radcliffe Community Group object to this development on a multitude of ground. Namely that the Shelford Road site is an inappropriate location within the village, as a result of its lack of access to the A52, and the resulting need for all of the additional traffic created to travel through the village.*
136. *We object to it on the ground of its designation as greenbelt land and the lack of very special circumstances being demonstrated for its development.*
137. *We object on the grounds of the proposals destruction of local ecology, wildlife and potential archaeological interest.*
138. *We object on the grounds of the existing drainage facilities capacity to cope with the current flow and the lack of provision for its enhancement. Simply adding to the existing overloaded facility is just not feasible.*
139. *We object to the proposal for the lack of additional parking provision within the village to service the additional 600 cars and we object to the additional danger caused to pedestrians down Shelford Road with the increased negative impact of an additional 600 cars.*
140. *We object to its approval on the grounds of lacking transport infrastructure for the surrounding A52 and the negative impact upon the commuting corridor which is already heavily congested.”*

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

141. The application has been widely publicised in the local community by way of letters, site and press notices. 147 letters of representation or comment were received on the submission of the original application which can be summarised into the following comments:-
  - a. General objection to building on Green Belt.
  - b. Loss of village life and community appeal.
  - c. Loss of some grade B agricultural land.
  - d. Concern over cumulative impact with Nottingham Road Scheme.
  - e. Special circumstances do not outweigh the harm to the green belt.
  - f. Prematurity – in advance of the green belt review.
  - g. Other sites are available to meet need.

### **Transportation and Movement comments**

- h. Unacceptable increased traffic on Shelford Road and Main Road.
- i. Require a pedestrian access track across the train track to Bingham Road.

- j. Require a vehicular access across to the A52.
- k. Improvements to Oatfield Road required.
- l. Dualling of the A52 needs to be considered.
- m. Concern over existing capacity of roads.
- n. Concern over impact on Newton – construction traffic and general traffic.
- o. Suggest they need two access points for the development.
- p. Lack of trains stopping at Radcliffe station to support commuting and travel other than by road.
- q. Further congestion on A52 – cost in time and extra fuel of accessing.
- r. Safety of children using local roads and accessing schools.
- s. Use of Shelford Road as rat run, usage has already increased with Newton development.

#### Social Infrastructure

- t. Pleased to see provision is being made for health centre and primary school.
- u. No mention of shops.
- v. Not enough general facilities.
- w. Parking within the village is impossible at peak times.
- x. School, dentist and doctors surgery are at capacity.
- y. Anxiety over policing and the reduction of police presence in Radcliffe on Trent with the closure of the police station.
- z. Query over future maintenance/responsibility of SUDs.
- aa. Relocating health centre will isolate many people. Not the right location.
- bb. Inclusion of a primary school and health centre is a bribe.

#### Other matters raised

- cc. Negative impact upon the local environment and ecology.
- dd. Loss of light to properties on Clumber Drive.
- ee. Worry about ponds on the site.

- ff. Devaluation of properties in the area.
  - gg. Other infrastructure .
  - hh. Sewerage treatment plant is already working at full capacity.
  - ii. Drainage problems exist and this will exacerbate.
  - jj. Housing needs to be delivered by a New Town.
142. An on line petition containing 166 signatures was also submitted following the original consultation. The petition was made on the grounds of:
- a. Object to the identification of RoT Green Belt land as a suitable place to build when existing brownfield has not been used.
  - b. The increased pressure of an already heavily congested A52 and the additional impact that the approved plans for 1000 homes in Bingham and 500 homes in Newton would have.
  - c. These homes are not yet built so the impact is not yet known.
  - d. The increased traffic through the village as a rat run as a result of the proposed roundabout at the top end of Shelford Road instead of the suggested link road to the A52.
  - e. Pressure on the village centre with a lack of adequate parking.
  - f. Concerns over the already stretched capacities of RoT Infant and Junior School and the influx of new homes.
  - g. Anxieties over policing and reduction in police presence in RoT.
  - h. Concern over the drastic decrease in property values for those Radcliffe residents who will be immediately impacted by the proposed developments.
  - i. Concern over the need to put traffic calming in place as Shelford Road is the only available route for children walking to and from the schools and parks in the village.
143. A further petition with 25 signatures was submitted opposing the application on the following grounds:
- a. Impact on infrastructure.
  - b. Environmental impact.
  - c. Loss of greenbelt land.
  - d. Impact on amenities.
  - e. Increased traffic, safety concerns, need for increased transport

facilities and parking issues.

144. Two letters have been received stating that they do not object to the application.
145. A letter of support has been submitted from Planning Consultants acting on behalf of the owner of Grooms Cottage, who control land between the application site and existing residential development, who state that the SHLAA confirms the suitability of this land for residential development. They also state that they are committed to working with the Council, local community, developer interest and other stakeholders to achieve optimum solutions. They consider that the current proposals would not prejudice the ability of his client's adjacent land to be developed.
146. Neighbouring properties and those interested parties that made representations on the original submission have been re-consulted on the additional and revised information submitted. 57 letters have been received whose comments can be summarised as follows:
  - a. Loss of views.
  - b. Concern over dust dirt and noise from construction.
  - c. Traffic concerns – village will be in gridlock.
  - d. Reliance on car – increasing congestion and pressure for parking in village.
  - e. Secondary school not big enough.
  - f. Should preserve green space for future generation.
  - g. Concern over only one access – problems for emergency vehicles.
  - h. Concreting over green spaces is not a sustainable way forward.
  - i. Access to the site should be from A52 over railway line.
  - j. Additional medical, dentist and schools required.
  - k. Village needs protection and developer should provide what is promised.
  - l. Infrastructure should be provided before housing commences.
  - m. Concern over location of roundabout.
  - n. Council should negotiate leisure funding, cycle provision, cycle storage, free transport to the village, country park, tree planting, school bus services.
  - o. Query over construction traffic routing.
  - p. Contrary to the neighbourhood plan in both location of health centre

and location strategy. Site of proposed health centre is impractical .

- q. Bus service is under threat – site is inadequately serviced by public transport.
- r. Need commercial development on the site – jobs required and potential for convenience shop.
- s. Query over maintenance of landscaping and buffer area.
- t. Concerns over content of the transport update note.
- u. Improvement needed to Valley Road and Shelford Road junction.
- v. Detrimental impact on business working from home.

## **PLANNING POLICY**

- 147. The Development Plan for Rushcliffe consists of the 5 saved policies of the Rushcliffe Borough Local Plan (1996) and the adopted Rushcliffe Local Plan Part 1: Core Strategy (December 2014). The Radcliffe-on-Trent Neighbourhood Plan was adopted in October 2017 and now forms part of the development plan for Rushcliffe. The publication version Local Plan Part 2 (LPP2): Land and Planning Policies is also a material consideration, although the policies within this document do not currently carry as much weight as those that are adopted as they are yet to be subject to an examination. Local Plan Part 2 was submitted for examination on 10 August 2018.
- 148. Other material considerations include the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG) and the Rushcliffe Borough Non-Statutory Replacement Local Plan (2006) and the recent appeal decision at Asher Lane Ruddington ref: 1/03123/OUT for outline planning permission for 175 dwellings which is located within the Green Belt and which was granted permission on 23<sup>rd</sup> May 2018.

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

- 149. The National Planning Policy Framework (NPPF) (updated in 2018) 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.
- 150. The presumption in favour of sustainable development is detailed in Paragraph 11. For decision making this means; *'c) approving development proposals that accord with an up-to-date development plan without delay; or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting planning permission unless; i. the application of policies in this Framework that protect areas or assets of particular importance provides a*

*clear reason for refusing the development proposed (and designated as Green Belt); or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.'*

151. Paragraph 67 requires Local Authorities to identify a supply of specific, deliverable housing sites for years one to five of the plan period (with an appropriate buffer) and developable site or broad locations for growth for years 6-10, and where possible, for years 11-15 of the plan.
152. Paragraph 108 states that *"In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; b) safe and suitable access to the site can be achieved for all users; and c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.'* Paragraph 109 goes on to state that; *'Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'*
153. Paragraph 133 states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
154. Paragraph 143 states that, *"Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances."*
155. Paragraph 144 advises that, *"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."*
156. Paragraph 145 makes clear that the construction of new buildings in the Green Belt is inappropriate development and lists the exceptions.

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

157. Saved Rushcliffe Borough Local Plan 1996 Policy ENV15 states that; 'A Green Belt is proposed as defined on the proposals map'. This plan defines the extent of the current Nottinghamshire – Derby Green Belt.
158. The Rushcliffe Local Plan Part 1: Core Strategy was formally adopted in December 2014. It sets out the overarching spatial vision for the development of the Borough to 2028.
159. The following policies in 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 4 - Nottingham – Derby Green Belt;
- Policy 5 - Employment Provision and Economic development;
- Policy 8 - Housing Size Mix and Choice;
- Policy 10 - Design and Enhancing Local Identity;
- Policy 11 - Historic Environment;
- Policy 12 -Local Services and Healthy Lifestyles;
- Policy 13 - Culture Tourism and Sport;
- Policy 14 - Managing Travel Demand;
- Policy 15 - Transport Infrastructure Priorities;
- Policy 16 - Green Infrastructure, Landscape, Parks and Open Space;
- Policy 17 – Biodiversity;
- Policy 18 – Infrastructure; and
- Policy 19 - Developer Contributions

160. Policy 3 outlines the distribution of development in the Borough during the plan period. It ensures the sustainable development of Rushcliffe will be achieved through a strategy that promotes urban concentrations by directing the majority of development towards the built up area of Nottingham and the Key Settlements identified for growth of Bingham, Cotgrave, East Leake, Keyworth, Radcliffe on Trent and Ruddington.

161. Policy 4 (Nottingham – Derby Green Belt) establishes the principles of the Green Belt in the Borough. It states that the principle of the Nottingham Derby Green Belt within Rushcliffe will be retained and it will only be altered where it is demonstrated that exceptional circumstances exist. The settlement of Radcliffe on Trent shall remain inset from the Green Belt. Policy 3 acknowledges that exceptional circumstances exist to review the boundaries of the Green Belt in Rushcliffe to enable the level of development that needs to be delivered.

162. Other than Rushcliffe Borough Local Plan 1996 Policy ENV15, which establishes the Nottingham and Derby Green Belt, none of the saved policies of the Rushcliffe Local Plan are relevant to this application.

163. The Radcliffe-on-Trent Neighbourhood Plan was adopted in October 2017 and now forms part of the development plan for Rushcliffe. Many of the policies within the document have implications in the consideration of this application to ensure that the development satisfies the vision for the future of the village but of particular reference are:

- Policy 1 Village Centre First;
- Policy 5 (local Leisure provision);
- Policy 7 (Pedestrian Focused Development);
- Policy 8 (Public Transport);
- Policy 9 (Radcliffe on Trent Railway Station);
- Policy 10 (New residential development – locational strategy);
- Policy 12 (Housing Mix and Density);
- Policy 14 (Design and Layout); and
- Policy 15 ( Local Architectural Styles).

164. The Rushcliffe Borough Non-Statutory Replacement Local Plan (RBNSRLP) is a material consideration. Whilst not part of the Development Plan, the Borough Council has adopted the RBNSRLP for development management purposes in the determination of planning applications and Policy GP2 (Design and Amenity) is used frequently. Bearing in mind the nature of the application and the presence of detailed design and amenity policies, it is not considered necessary to consider these policies within this application.
165. The emerging Local Plan Part 2 has undergone its necessary preparation including the identification of preferred housing sites and extensive consultation and is supported by various evidence based documents including a Green Belt review which is of particular relevance to Radcliffe on Trent bearing in mind this is an inset village. This has now been submitted for examination. Some weight should therefore be given to this emerging policy document in particular site specific policy 5.3 which relates a proposed housing allocation – Land off Shelford Road Radcliffe on Trent.
166. Consideration should also be given to other Borough Council Strategies including the Sustainable Community Strategy, Leisure Strategy, Nature Conservation Strategy and the Borough Councils Corporate Priorities.
167. Planning (Listed Buildings and Conservation Areas Act) 1990 - Local planning authorities shall have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. Special attention should be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. Considerable importance and weight should be attached to any harm to these heritage assets or their setting. The courts have held that this creates a negative presumption (capable of being rebutted) against the grant of planning permission where harm will be caused and that the balancing exercise must begin with this negative weight/presumption even where the presumption in favour of sustainable development is engaged under the Framework. Section 66 of the Act, requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
168. Conservation of Habitat and Species Regulations 2017, and the Wildlife and Countryside Act (as amended) 1981 - These regulations/legislation contain certain prohibitions against activities affecting European Protected Species, such as bats. These include prohibitions against the deliberate capturing, killing or disturbance and against the damage or destruction of a breeding site or resting place of such an animal. The Habitats Directive and Regulations provides for the derogation from these prohibitions in certain circumstances. Natural England is the body primarily responsible for enforcing these prohibitions and is responsible for a separate licensing regime that allows what would otherwise be an unlawful act to be carried out lawfully.
169. The Council as local planning authority is obliged in considering whether to grant planning permission to have regard to the requirements of the Habitats Directive and Habitats Regulations in so far as they may be affected by the grant of permission. Where the prohibitions in the Regulations will be

offended (for example where European Protected Species will be disturbed by the development) then the Council is obliged to consider the likelihood of a licence being subsequently issued by Natural England and the “three tests” under the Regulations being satisfied. Natural England will grant a licence where the following three tests are met:

1. There are “imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment”
2. there is no satisfactory alternative; and
3. the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

170. The Supreme Court has clarified that it could not see why planning permission should not ordinarily be granted unless it is concluded that the proposed development is unlikely to be issued a license by Natural England. The fact that Natural England is not objecting to the application is not determinative of this issue as Natural England has referred to its generic Standing Advice for protected species.

171. Natural Environment and Rural Communities Act 2006 at Section 40 states that ‘every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity’. Section 40(3) of the same Act also states that ‘conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat.’

172. Planning for Growth (Ministerial Statement 2011) emphasises the priority for planning to support sustainable economic growth except where this compromises key sustainable development principles. The range of benefits of proposals to provide more robust and viable communities should be considered and appropriate weight should be given to economic recovery.

173. The Community Infrastructure Levy Regulations 2010 (As amended) - places the Government’s policy tests on the use of planning obligations into law. It is unlawful for a planning obligation to be a reason for granting planning permission when determining a planning application for a development, or part of a development, that is capable of being charged CIL, whether or not there is a local CIL in operation, if the obligation does not meet all of the following tests:

- a. necessary to make the development acceptable in planning terms;
- b. directly related to the development; and
- c. fairly and reasonably related in scale and kind to the development.

174. Since April 2015 Regulation 123 has also come into effect, this states:

1. This regulation applies where a relevant determination is made which results in planning permission being granted for development.

2. A planning obligation may not constitute a reason for granting planning permission for the development to the extent that the obligation provides for the funding or provision of relevant infrastructure (as defined).
  3. A planning obligation (“obligation A”) may not constitute a reason for granting planning permission to the extent that:
    - a. obligation A provides for the funding or provision of an infrastructure project or type of infrastructure; and
    - b. five or more separate planning obligations that:
      - i. relate to planning permissions granted for development within the area of the charging authority; and
      - ii. which provide for the funding or provision of that project, or type of infrastructure, have been entered into before the date that obligation A was entered into.
175. Equality Act 2010 - Under S149 of the Act all public bodies are required in exercising their functions to eliminate discrimination, advance equality of opportunity and foster good relation.
176. Design Council Building for Life 12 - This assessment sets 12 criteria to measure the suitability of schemes and their locations in relation to design, layout, sustainability criteria, adaptability and effect of existing local character and reduction of crime, amongst other things.
177. Environmental Impact Assessment Regulations - The proposed development was screened under the Environmental Impact Assessment Regulations 2011 prior to the application being submitted and it was determined that any effects of the proposal would be of a local nature which would be dealt with under the normal development control process and a formal Environmental Impact Assessment was not required in this instance.

## **APPRAISAL**

178. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.
179. It is considered that the main planning considerations in the determination of this application relate to the principle of development in this location and then whether the application accords with Neighbourhood Plan Policies, together with the specific site requirements as set out in the emerging site specific policy 5.3 (Housing allocation land off Shelford Road) together with any other material planning considerations.

180. Paragraph 7 of The Framework confirms that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives which are economic, social and environmental and Paragraph 8 says that the roles performed by the planning system in this regard should not be undertaken in isolation, because they are mutually dependent. It goes on to say that, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system, which should play an active role in guiding development to sustainable solutions.

### Principle of Development

181. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 11 of the NPPF advises that there is a presumption in favour of sustainable development and for decision-making this means approving development proposals that accord with the development plan without delay. The NPPF is a material consideration in planning decisions.
182. In paragraph 15 the NPPF states that the planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings.
183. Section 5 - 'Delivering a sufficient supply of homes' states that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.
184. However, in considering this application, it has to be borne in mind that the Council does not have a 5 year housing land supply. Consequently, in accordance with footnote 7 of the NPPF, Policy 3 of the Core Strategy, which is a policy for the supply of housing, is not up to date. In such circumstances, paragraph 11 of the NPPF and the so-called 'tilted' balance is engaged.
185. Paragraph 11 explains that the presumption in favour of sustainable development requires that, where the development plan is out of date, permission is granted unless:
- The application of policies in the framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed; or
  - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
186. As the site is presently in the Green Belt, this is a specific policy identified in the NPPF that indicates development should be restricted. Residential development of this nature constitutes inappropriate development which is,

as set out in para 143 of the NPPF, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Very special circumstances must therefore be able to be clearly demonstrated to justify a support of planning permission on this site.

187. The applicant acknowledges that the proposal scheme would be inappropriate development in the Nottingham-Derby Green Belt and should not be approved except in VSCs, as per NPPF paragraph 143. The applicant has set out what he considers are the very special circumstances which are outlined above (under Details of the Proposal).
188. As set out above, at the present time the Borough Council is unable to demonstrate a five year supply of housing and as with the Asher Lane Inspector the shortfall is identified as significant and justifies considerable weight to the proposed development. Whilst this on its own is not a very special circumstance, in itself consideration needs to be given to the following matters.
189. The Rushcliffe Core Strategy identifies the need for a minimum of 13,150 new homes between 2011 and 2028 with approximately 7, 650 homes in or adjoining the main built up area of Nottingham. The adopted Core Strategy allocates strategic sites and the emerging Local Planning Part 2 Document will be used to allocate non-strategic sites. CS Policy 4 (Nottingham-Derby Green Belt) subsections 3 and 5 confirm that inset boundaries will be reviewed through the LPP2. Subsection 7 of Policy 4 states that when reviewing GB boundaries consideration will be given to a number of factors including the statutory purposes of the GB, in particular the need to maintain openness and prevent coalescence of settlements; establishing a permanent boundary which allows for development in line with the settlement hierarchy and/or to meet local needs; and retaining or creating defensible boundaries.
190. The Core Strategy identifies Radcliffe on Trent as a key settlement where housing growth is required and anticipated and sets a target of a minimum of 400 new homes that need to be built on greenfield sites within the existing Green Belt surrounding Radcliffe on Trent up to 2028. The Local Plan Part 2 is proposing site allocations in Radcliffe on Trent for around 920 dwellings (including the current application site). This application is, therefore, considered to accord with the spatial strategy as set out in the development plan. The Radcliffe on Trent Neighbourhood Plan acknowledges that the village will need to accommodate new housing growth and that it is necessary to release areas of green belt to provide for this. A broad strategy for the distribution of new dwellings across the Parish is set out in the Plan which shows the focus of new development to the east and west of the Village. The diagram produced shows this site as one of the broad locations for development. It is, therefore, considered that this proposal accords with the broad direction of growth identified within the Neighbourhood Plan. Whilst further consideration of the Neighbourhood Plan is given later in this report, the fact that the proposal is in accordance with the agreed spatial strategy of the adopted Core Strategy, allocations in the emerging Local Plan Part 2, and the broad direction of growth identified in the Neighbourhood Plan weighs in favour of the proposal.

191. One of the key issues that the Local Plan Part 2 is required to do is to identify enough land as suitable for housing development in order to help meet Rushcliffe's housing target of a minimum of 13,150 new homes between 2011 and 2028. The evidence supporting this work suggests that it is necessary to deliver new housing above these minimum targets in order to ensure that enough housing is available to meet both the Boroughs short and longer term housing targets. Consideration has, therefore, been given to increase the number of houses within the key settlements and identifying other settlements which could accommodate some level of housing growth above that expected by infill development. Radcliffe on Trent is a key settlement where increased housing provision is considered appropriate and justified and supported by substantial evidence.
192. With regard to Radcliffe on Trent a critical issue influencing new housing numbers in this settlement relates to primary school capacity constraints identified by the Local Education Authority with an apparent lack of scope to expand existing school premises. It would appear at the present time that to accommodate housing growth at Radcliffe on Trent, a new primary school will need to be provided alongside any new housing development. To generate the pupil numbers required to sustain a new primary school and to also generate sufficient developer contributions to cover the costs of a new school will require the delivery of upwards of 1,000 new homes. However, in balancing sustainability, Green Belt, settlement capacity, flood risk, the availability of suitable sites for development and other relevant planning considerations, six sites are proposed to be allocated for housing development which would deliver around 920 new homes. The site, subject to this application, is one of the sites identified as a preferred housing site in the emerging Local Plan Part 2 (LPP2) document. This weighs in favour of the proposal.
193. Whilst Part 2 of the Plan has not yet been adopted, and as such full weight is unable to be given to this plan, it has gone through extensive examination and scrutiny as part of the identification of preferred sites documents and this site scores low in the green belt review that has been undertaken. To address the Core Strategy Spatial Strategy, green belt release at Radcliffe on Trent is inevitable and the Neighbourhood Plan also identifies development in this broad location. These are both adopted Development Plan documents. The Council's assessment of the site is that it has one of the lowest GB values of all the GB land assessed on the edge Radcliffe on Trent. The Inspector at the Asher Land Inquiry acknowledged that the latest Rushcliffe Green Belt Review is a comprehensive document that scores each possible GB site against the five purposes of the GB contained in NPPF paragraph 80. It does not itself determine whether or not land should remain within the GB but is a technical document that will be used to aid decisions on where the GB may be amended to accommodate future development requirements. The Inspector used this document in the consideration of that appeal and, therefore, it is considered appropriate that weight can be attached to this document in the consideration of this application. The conclusions of this review document weigh in favour of this development.
194. CS Policy 4 (Nottingham-Derby Green Belt) subsections 3 and 5 confirm that inset boundaries will be reviewed through the LPP2. Subsection 7 of the Policy states that when reviewing GB boundaries consideration will be given

to a number of considerations including the statutory purposes of the GB, in particular the need to maintain openness and prevent coalescence of settlements; establishing a permanent boundary which allows for development in line with the settlement hierarchy and/or to meet local needs; and retaining or creating defensible boundaries.

195. Whilst it is considered that significant weight cannot be attached to the LPP2 because it has not yet been examined, as set out above the Core Strategy Spatial Strategy acknowledges Green Belt release at Radcliffe on Trent is inevitable and the evidence base supporting the Core Strategy and LPP2 and the Councils reasons for its preferred allocation sites at Radcliffe on Trent are issues that are relevant to this application and to which considerable weight can be attached. This approach was a view expressed again by the Inspector for Asher Lane. The Core Strategy Policy 3 and 4 and the evidence base supporting the proposed green belt review and proposed allocation of the site in Local Plan Part 2, together with the Neighbourhood Plan proposing this as site as a direction of growth, again weigh in favour of the development.

### Emerging Local Plan Part 2 policy 5.3

196. As set out above, whilst the LP Part 2 document has not yet been examined by an Inspector, it does carry some weight in the determination of this application and, therefore, consideration is given to the policy within this report that sets out the specific site requirements for this site under policy 5.3, which proposes this site as an allocation for around 400 homes. The policy sets out that any development will be subject to the following requirements:
- a. A serviced site(s) within the north of the allocation should be provided for a new one form entry primary school and medical centre;
  - b. Appropriate financial contributions towards education and health capacity improvements to support development;
  - c. Land within the south of the site should be safeguarded for a future pedestrian and cycling bridge across the railway line;
  - d. Development should complement and not prejudice the delivery of the neighbouring site which is allocated within Policy 5.2( Grooms Cottage);
  - e. Sensitive boundary treatments should protect the amenity of existing neighbouring properties; and
  - f. It should be consistent with other relevant policies in the Local Plan.
197. Policy 5.3(a and b) - Significant consideration of community facilities and the potential interrelationship with existing provision both within the existing local village has taken place including extensive discussion with consultees to understand existing capacity of facilities and their capability or otherwise to accommodate the new development.
198. Emerging LPP2 policy 5.3 (a) *requires a serviced site(s) within the north of the allocation should be provided for a new one form entry primary school and medical centre.*

199. In relation to school provision it is acknowledged that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Accordingly, paragraph 94 of the NPPF states that *'local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education'*, giving great weight to the need to create and expand or alter schools. The County Council as the Education Authority has been involved in the application and the work being undertaken on the LPP2 and it has been established that there is insufficient capacity to accommodate the increase in pupils likely to be generated by the growth expected in the village. Whilst work is still being undertaken by the County Council in relation to long term primary school provision within Radcliffe, at the present time it is considered necessary to require a site to be reserved for a potential one form entry primary school.
200. The applicant has suggested that the site remains available for five years to allow the County Council as the Education Authority to finalise their future plans for primary education within Radcliffe on Trent. Funding is also proposed to allow for this site to provide an appropriate proportion of contribution towards new or expanded educational facilities. The figures will be different depending on the nature of the final requirements for provision and are set out in the accompanying S106 Heads of Terms table.
201. Secondary pupils generated by the development would be accommodated by South Nottinghamshire Academy which is located within the village and evidence provided by the County Council suggests that there is no capacity to accept more children without expansion. A financial contribution is sought to allow this expansion and discussions have taken place in relation to the phasing of contributions. It is considered that this provision is compliant with CIL Regulation 122 in order to mitigate the impact of the proposed development in terms of education provision.
202. With regard to health provision, the development falls within the Rushcliffe Clinical Commissioning Group (CCG) area, who calculate that the new development would result in an increased patient population of around 920 people. Discussions have been undertaken with the CCG team and it has been concluded that no capacity exists for patients to be accommodated within the existing doctor surgery in Radcliffe on Trent. Whilst ongoing, work is being undertaken to review the potential for a surgery to remain within the village centre, this is somewhat complicated by the land constraints that affect the current site. It is, therefore, necessary for the site to allow for the potential delivery of a doctors surgery on site. Discussions with the CCG have taken place to establish the size of the site required to be safeguarded.
203. The applicant has facilitated the opportunity of a site within this development and discussions have taken place to achieve a potential site in the most appropriate location. Revised plans now show this located to front onto Shelford Road to assist with accessibility to the existing community and bus services. Access to this site and its associated car parking would be by way of the internal roads serving the housing development. The applicant has also agreed to pay a financial contribution appropriate to the size of the development towards the provision of a new surgery should it be considered necessary. Other contributions will be sought from other sites proposed to

come forward in Part 2 to assist in the provision of a new facility or improvements to existing facilities. It is proposed that this is secured by way of planning conditions and a financial contribution towards the facility by way of a S106 contribution. It is considered that this provision is compliant with CIL Regulation 122 in order to mitigate the impact of the proposed development in terms of health care provision.

204. To conclude, the applicant has agreed to the S106 Heads of Terms which includes gifting of the sites if they are needed and appropriate financial contributions. Furthermore, that the provision of those facilities on the site (if they can't be provided in the village centre) will facilitate the delivery of the other development around the village which in itself is considered to be a key benefit.
205. Emerging LPP2 acknowledges that if increased demand generated by this site or the wider housing expansion proposed in Radcliffe on Trent can be met without requiring a new school or medical centre, the land required under policy 5.3(a) can be developed (subject to planning permission) for other uses. Financial contributions would still be sought to enable expansion or new facilities on alternative sites. The proposed S106 allows for such alternative provision. No other sites are presently identified by the LEA or the CCG to accommodate the proposed increase in residents in Radcliffe on Trent and, therefore, safeguarding of land to enable the provision of essential community services to come forward in a timely fashion weighs in favour of the scheme.
206. Emerging LPPS policy 5.3 (c) - requires *that land within the south of the site should be safeguarded for a future pedestrian and cycling bridge across the railway line.* The emerging LPP2 suggests that the development of this site offers an opportunity to link this area of Radcliffe on Trent with areas of the village on the opposite side of the railway line which are only accessible via a detour through the centre of the village. Whilst a development of this size is unable to financially provide for the construction of such a cycle/pedestrian bridge, and such a piece of infrastructure is not considered to be necessary or justified to make this application acceptable, a revised development framework plan has been submitted which shows an area in the south eastern corner of the site safeguarded for such a potential future connection with land proposed to be allocated in LPP2 known as 'Land north of Grantham Road' allocation site Policy 5.4. This land is able to be safeguarded through a Section 106 agreement. Policy 7 of the Neighbourhood Plan identifies the need for opportunities to improve or enhance the network of pedestrian links including the potential for routes to the east of the village linking across the railway line. The provision of this area for a potential future link weighs in favour of the scheme.
207. Emerging LPP2 policy 5.3 (d) requires - *The development should complement and not prejudice the delivery of the neighbouring site which is allocated within Policy 5.2.* The site identified in the emerging LPP2 under policy 5.2, which is known as Grooms Cottage, has recently undertaken public consultation and a planning application is expected to be submitted shortly. The application scheme proposals have been designed to take account of the future development of the adjacent potential allocation site to ensure that the two developments would be complementary. Indeed, it is considered that development on that site would be facilitated by the early

delivery of the application site allowing the provision of the supporting community infrastructure. Cycle and pedestrian connections have been identified on the Development Framework Plan to highlight where potential access points through the developments could be provided to facilitate easy access to facilities. It is not considered necessary to require this site to provide vehicular connections through to the neighbouring site as adequate access is available to Shelford Road from the Grooms Cottage site itself. Drainage considerations will need to be considered by both developers to ensure a scheme which satisfies Severn Trent's requirements and this can be secured by way of planning conditions.

208. Emerging LPP2 policy 5.3 (e) requires - *that sensitive boundary treatments should protect the amenity of existing neighbouring properties.* At an outline stage it is impossible to fully assess the impact this development will have on specific properties, until individual dwellings locations and the associated separation distances and window locations are known. Nevertheless, and notwithstanding the commentary above, it is considered that this site can accommodate the quantum of development suggested without significantly adversely impacting the amenity of neighbouring properties. The illustrative framework plan shows a landscape buffer to the properties to Clumber Drive to the western boundary and consideration will be given at reserved matters stage to the boundary treatments to existing neighbouring properties.
209. It is therefore considered that, in relation to the specific site requirements set out in the Emerging Local Plan policy 5.3, this application accords with this policy and therefore this weighs in favour of the proposal.

#### Radcliffe on Trent Neighbourhood Plan.

210. The neighbourhood plan forms part of the development plan and, therefore, careful consideration is given to the policies within it. Reference has been made above to the policies considered most relevant to the consideration of this outline application. The vision of the Neighbourhood Plan is that; *'Radcliffe on Trent aspires to be a vibrant and sustainable village with a pedestrian – focused approach to land use planning whilst continually endeavouring to protect its strong sense of rural identity and community cohesion and enhance its rich and distinctive architectural, social and historical assets.'*
211. Eight key objectives have been developed to assist with the delivery of the policies and strategies that form the plan and are summarised as follows:
- a. Village centre - promoting the village centre.
  - b. Public Realm - delivering a more pedestrian friendly village centre and improving pedestrian and cycle routes and high quality safe and well designed streets and spaces as part of new developments.
  - c. Transport and Services – prioritising sustainable modes of transport with particular focus on improving bus and rail provision and promoting good access for all to public services and facilities.
  - d. Leisure – to significantly improve the sports and leisure facilities for all residents.
  - e. Housing – to ensure that a balanced supply of housing is achieved focussing on improving choices for different age groups whilst

- promoting sustainable location of new houses and setting high standards of eco design and energy efficiency.
- f. Employment – to ensure that the existing businesses within the parish are supported.
  - g. Design and Heritage – to protect and enhance heritage and architecture assets whilst promoting high quality design in all new development contributing to the village sense of place and identity
  - h. Environment – to protect and enhance the rural setting and local biodiversity of the village and promote a network of green spaces and wildlife corridors connecting the village, the River Trent and the countryside.
212. The Neighbourhood Plan includes a spatial framework which whilst not allocating specific housing sites indicates the broad locations where housing may be considered acceptable in meeting the need identified in the Part 1. A key consideration is to ensure walkability of the village is maintained and it proposes the majority of the release to the east and west allowing gaps in the settlement boundary to be ‘infilled’, preserving the separation between settlements to the east and west. As set out above it is considered that the site accords with the broad strategic direction of growth to the east of the village.
213. The village framework and Policy 1 (Village Centre First) is based around the centre of the village and the neighbourhood plan seeks to maintain this as the focus of community, commercial and retail uses. Concern has been raised that this application proposes the relocation of the health facilities and provision of a primary school, however, the proposal purely safeguards a site for the provision of such facilities if all other attempts to identify suitable alternative sites/methods to address the need are not successful. No retail or commercial uses are proposed on the site directing new occupiers to the village centre for shopping and other services. It is considered that the site will assist in the continued vitality and viability of the village centre.
214. Policy 5 relates to local leisure provision with the Neighbourhood Plan identifying a priority for the improvement of the village’s formal sports facilities for all ages. The policy acknowledges that it may be appropriate to secure financial contributions in lieu of provision on site. The neighbourhood plan within this policy supports the provision of small scale children’s play and ancillary open space as an integral part of the new developments.
215. In relation to this proposed development the total quantity of open space provided by the proposal satisfies that identified to be required by the Community Services Manager. The development framework plan shows the provision of a Local Equipped area for play located in a logical and efficient matter which will allow for a variety of play equipment for children. An area of open space is provided to the south of the site. The Neighbourhood Plan supports in Policy 5 the provision of small scale play and ancillary open space as an integral part of new developments. Maintenance of these areas will be secured through a S106 Agreement and provided by way of a management company or other nominated body.
216. The site is not of sufficient size to enable the provision of sports pitches on the site and financial contributions are sought to mitigate impact of the development on sports pitches, sports hall and swimming pool provision. This

requirement is compliant with CIL Regulation 122 in order to mitigate the impact of the proposed development in relation to sport provision. It provides accessible opportunities for outdoor play, sport and leisure and this is a benefit of the scheme. Allotment provision is also allowed for and is proposed to be located within the south eastern corner of the site.

217. It is acknowledged that the Radcliffe on Trent Neighbourhood Plan identifies the priority for the improvements of the Villages formal sports facilities for all ages and where appropriate financial contributions may be sought from developers in lieu of on-site provision. Discussion will take place with the Parish Council with regard to the allocation of any S106 contributions sought in relation indoor sports provision. It is, therefore, considered that this application accords with the general principles of this Neighbourhood Plan policy.
218. Policy 7 relates to Pedestrian Focused Development and requires that all residential schemes should provide a clear hierarchy of new streets and spaces promoting a pedestrian first approach to design. Schemes should also be designed to enable provision or improvement of off road routes between the site and surrounding open spaces, encouraging in particular routes to the east of the village linking across the railway. Certain keys routes are identified including the Trent Valley Way for potential protection and enhancement which may benefit from developer or other contributions.
219. In relation to this development, the illustrative framework provides for a hierarchy of road structure and includes the provision of cycle and pedestrian routes which will be considered further at reserved matters stage. The proposal also allows for traffic calming/management measures on Shelford Road and pedestrian crossing on Bingham Road to encourage and aid pedestrian movements. As set out above, the proposal allows for the safeguarding of an area of land in the south eastern corner to potentially facilitate a future pedestrian/cycle link across the railway line. A financial contribution is also being provided to enable improvements to the Trent Valley Way. It is, therefore, considered that the proposal accords with the main aims of Policy 7.
220. The Neighbourhood Plan, through Policy 8 (Public Transport), seeks to encourage improvements to the Parish transport network making key services and facilities more accessible without the use of a car. It states that all new housing developments should be located wherever appropriate to take maximum benefit of public transport and existing services and facilities. The proposed development makes provision which is considered appropriate for a potential bus route within the site. Financial contributions have also been sought and agreed for improvements to the existing bus services and bus stops in the vicinity of the site. The development framework now proposed includes the potential site for the medical centre to be located adjacent to Shelford Road to improve accessibility for the bus and walking network. The site would potentially incorporate a primary school thus making easy access for primary school children to access these facilities. A Travel Plan has also been submitted which includes initiatives to promote public transport.
221. Policy 9 (Radcliffe on Trent Railway Station) - The village benefits from a railway station and its improvement and enhancement is seen as a key

priority for the village to help promote the village's role within the growth corridor identified by the Borough Council. Identified areas for improvement include car parking, waiting and information facilities. Such improvements are also encouraged by Network Rail. Bearing in mind the level of housing being proposed and the potential increase in use from new residents of this development, if planning permission is granted negotiations have been undertaken to secure a financial contribution to help deliver improvements to the station. The applicant has agreed to the provision of £10,000 to help improve cycle facilities including a new cycle shelter with cycle parking stands and installation costs. A contribution towards improved car parking facilities could not be justified from this development as they could not be considered to be directly related to the proposal. For example the development should encourage the use of sustainable modes of transport not encourage new residents to drive to the station to use the railway network. The additional residents generated by development on this site will help maintain and enhance the viability of the railway network.

222. Policy 10 (New residential development - locational strategy) - sets out a criteria based approach to the delivery of a minimum of 400 dwellings on greenfield sites outside the existing built up area of the village. 10 criteria are presented including sites should be located directly adjacent to the existing settlement edge, be located where the centre of the site is accessible by walking cycling and public transport, avoiding areas at risk of flooding, provision of logical and defensible settlement boundary, provision of appropriate open space, housing mix and density, design, access requirements. This policy also requires that development is designed to deliver mix and density as set out in Policy 12.
223. Careful consideration has been given to the various criteria within this policy. In relation to neighbourhood plan policies it is considered that this outline application is in general accordance with the overall vision, objectives and policies and that subsequent reserved matters applications will be able to be determined having reference to these policies. It is acknowledged that, at the time of preparation of the Neighbourhood Plan, the numbers of residential dwellings envisaged by the Parish Council was lower (although the number identified was as a minimum of 400) and the plan sought to avoid a single site of 400 dwellings requiring the development to be on a number of sites so that the direct impacts of development are spread across the village. The emerging Part 2 has determined that the amount of land proposed to be allocated in this key sustainable settlement will result in the delivery of new housing above these minimum targets and the sites that have been identified are across the village. Should the LPP2 be adopted this will take precedence over the Neighbourhood Plan. The spatial strategy indicates that housing to the east and west of the village being preferred and, therefore, as set out above the development is considered to be in general accordance with the locational strategy.
224. Policy 12 (housing mix and density) - should be applied to residential schemes in excess of 10 dwellings. This seeks ( subject to viability, deliverability and location of development) 25% 1 and 2 bed properties for older persons either as retirement apartments or as bungalows, 30% 2 bedroom homes, 25% 3 bedroom homes and 20% 4 bedroom homes. The policy recognises that the eventual mix will be defined by its proximity to public transport routes, local shops and facilities and the location within the

settlement. The policy states that the design and layout of schemes should ensure that, where possible, the above mix is achieved. A planning condition is suggested to ensure that any reserved matters scheme satisfies this policy. This policy also requires 30% affordable housing to be achieved on the site and the applicant has confirmed his intention to provide this level of provision.

225. Policy 14 and 15 relates to issues of design, layout and architectural styles and require planning applications to demonstrate how the design of the new development will make a positive contribution towards the identity and character of the village and sets out criteria for consideration. As set out elsewhere in the report, the information supporting the application in the Development Framework Plan and Design and Access Statement will ensure later subsequent reserved matters application satisfy this general design and layout criteria. Conditions are proposed to secure consideration to Building for Life 12 guidance is given at Reserved matters stage.
226. Whilst it is accepted that the Plans desire is to ensure that the village centre remains the focus of main community, commercial and retail uses and the potential location/relocation of the medical centre and the provision of a new primary school to an alternative out of centre site is somewhat at odds to this desire, it should be noted that the site 'offers' the potential for a new medical site and primary school to be provided and reserves sites of sufficient size to accommodate this. Ongoing work by the relevant organisations and providers will need to be finalised and this development allows flexibility in the approach to the delivery of such critical infrastructure to allow for the anticipated future growth and prosperity of the village. Regardless of the outcome of this issue, it is considered that the impacts of the development would be addressed through appropriate financial contributions, whether the facilities are provided on or off site.
227. It is, therefore, considered that the proposal is in general accordance with the various policies in the Neighbourhood Plan and reserved matters applications can ensure the provision of appropriate details to secure compliance with the more detailed aspects of the Plan. This weighs in favour of the development.

## Other Material Planning Considerations

### Highway Implications

228. In considering applications, Policy 1 (Development Requirements) of the Core Strategy requires that a suitable means of access can be provided to the development without detriment to the amenity of adjacent properties or highway safety and the provision of parking is in accordance with advice provided by the Highways Authority. Means of access to the site is a matter that is not reserved for subsequent approval and needs to be considered at this stage.
229. The application is supported by a Transport Assessment (TA), supplementary reports to address consultee requirements, a Travel Plan and the details of the roundabout proposed to provide access to the site. The application has been assessed by the relevant technical consultees in relation to its potential impact on both the local and strategic road network and the design of the roundabout is presently going through the final stages of its technical approval. In addition, the proposal has looked at walking, cycling and bus

proposals and Travel Plan measures to encourage alternative modes of transport to the private car. Whilst concerns have been raised by Parish Councils and other interested parties in relation to highway safety issues, it is considered that, with the submission of the additional technical and other supporting information, a robust assessment of the application on highway grounds has been undertaken, and with the imposition of suitable conditions and S278 agreements to both secure financial contributions to assist in the proposed upgrading of the strategic road network and the provision of localised highway improvements, there are no highway safety reasons to refuse the planning application. In particular, the NPPF makes it clear in para 109 that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

230. Comments have been raised by interested parties with regard to concern that the development only has one entry and exit which is the via the proposed roundabout. The County Council has confirmed that this is an acceptable access arrangement for this development and do not require an additional means of access. The access road into the development is of such a width to assist access and egress into the site in the unlikely event of an accident. Whilst it is acknowledged that there is a local desire for a new road to be facilitated over the railway line to provide direct access to the A52, there is no highway safety or policy requirement for this to be achieved and a development of this scale would not be able to support financially such a proposal. The impact of housing growth in the area on the wider highway network, including river crossings, has been considered as part of the background studies which support the emerging Part 2 local Plan.
231. Consideration has also been given to the impact of the access arrangements on the amenity of nearby residents and the visual amenity of the area. Whilst it is acknowledged that the current access arrangements onto Shelford Road from some of the existing properties would change, as would the existing entrance to the village from a visual perspective, the provision of a roundabout will assist in reducing vehicle speeds in the area and no highway concerns are raised by the County Council. The roundabout would act as a gateway feature to the village.

### Design and Amenity

232. It should be acknowledged that this application is for outline planning permission with appearance, landscaping, layout and scale reserved for subsequent approval. It is considered the application has demonstrated that the proposed development can achieve high quality design and, therefore, is in accordance with the Framework and the vision of Radcliffe on Trent Neighbourhood Plan. Careful consideration of layout and design will be given at the Reserved Matters application stage. It is considered that the proposed development can be designed to ensure that it would not result in any material overbearing, overlooking or overshadowing impact on neighbouring residential amenity due to the scale of the properties and their relationship with neighbouring dwellings. It is, therefore, considered that the indicative development framework details and the information within the Design and Access Statement (at pages 20,21 and 28) relating to development and design principles would ensure that the amenity of neighbouring properties is not unduly and unacceptably affected. Thus it is considered that the

applications accord with Policy 10 of the Core Strategy, Neighbourhood Plan policies and emerging Policy 5.3, and the updated NPPF which acknowledges at Section 12 (Achieving well designed places) that good design is a key aspect of sustainable development, and that acceptable standards of amenity will be maintained and achieved.

### Air Quality

233. The NPPF (Section 15) confirms that planning decisions should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual Sites in local areas. The site is not located within an Air Quality Management Area but to assist in meeting national and local objectives it is recommended that provision of electric charging points is secured by way of condition.
234. The National Planning Practice Guidance (NPPG) contains guidance on air quality. It requires local planning authorities to consider whether development would expose people to existing sources of air pollutants, and/or give rise to potentially significant impact (such as dust) during construction for nearby sensitive locations. A construction management plan is proposed to be required by condition to help minimise construction nuisance from dust.

### Noise

235. The NPPF (Section 15) advises that planning decisions should also ensure that new development is appropriate for its location, taking into account the likely effects of pollution on health, living conditions and the natural environment. In doing so they should; *“Mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life.”*
236. The principal noise sources associated with the development post construction are anticipated to be related to road traffic and the proximity of the railway line. Some noise could also be generated by the recreational uses on the site. The illustrative masterplan proposes the residential development to be set apart from the railway line by a wide buffer of public open space, which could effectively provide a noise mitigation barrier to the intermittent noise generated by trains.
237. A noise impact assessment established the noise environment at the development site and considered the potential noise impacts associated with the proposed development on the surrounding area. No objections are raised from the Borough Council or City Council Environmental Health Officers. It is considered that noise matters at construction stage can be adequately considered by way of the Construction Management Plan. However, in the absence of a detailed layout, noise will need to be considered at the reserved matters stage in order to inform the detailed design of these proposals and a mitigation strategy if required. Reserved matters applications will also enable adequate assessment of set back and layout including plot orientation, internal room layouts, bunding/buffer requirements and building methods to minimise noise impact.

## Contamination

238. The NPPF (Section 15) requires that decisions should ensure that a site is suitable for its proposed use taking into account ground conditions and any risks arising from natural hazards or former activities. Part of the site is included on the Councils prioritized list of potentially contaminated land sites, specifically the farm buildings and surrounding yards. No objections have been received from our Environmental Health Officers to the principle of residential development on the site and they are satisfied that any potential contamination can be dealt with appropriately by way of a planning condition and it is not necessary for this to be undertaken prior to the application being determined. A condition is, therefore, recommended to ensure a detailed investigation report is submitted. The condition would ensure that any contamination is identified and if necessary mitigation measures identified and undertaken to ensure that the site is suitable for its proposed use. This is not an unusual circumstance and it is not considered that this prevents residential development on the site, and will ensure compliance with the requirements of emerging Policy 14 (Environmental Protection) of the Local Plan Part 2 Land and Planning Policies and with para 178 of the NPPF.

## Landscaping

239. The application is supported by a Landscape and Visual Impact Assessment and a comprehensive tree survey has been undertaken to assess the trees present on the site and this has informed the parameters plan and emerging masterplan. A landscape led approach to place making has been taken with multi-functional green spaces which have been designed to ensure the retention and enhancement of key landscape features. The proposal incorporates the provision of 5.12 ha of public open space including a central area of open space. Hedgerows around and within the site are proposed to be retained and reinforced wherever possible to provide structure for the development and help integrate into the landscape. The development would require the removal of a hedgerow along Shelford Road to facilitate the site access but new hedgerow provision is proposed.

240. The development proposals provide an opportunity for a significant increase in tree cover across the site, in particular to the north, south and eastern extents in the form of a substantial woodland belt. Trees are an integral part of the wider redevelopment of this site, and as outlined above are important elements within the larger landscaping plans. Generally the majority of trees being removed are of lower grade quality trees. Once all the proposed landscaping works and tree planting has been carried out the quality of tree cover across the site would be enhanced.

## Ecology

241. In relation to Ecological considerations an ecological appraisal of the site has taken place and this has been updated by additional reports in 2017 which assess the likely significant effects of the project on the ecology and nature conservation of the site and its surroundings. It describes the methods used to assess the likely effects, and presents the baseline conditions currently existing at the site and the value of the component features. Detailed surveys have been undertaken to confirm the presence of species protected under the Wildlife and Countryside Act 1981(as amended), The protection of

Badgers Act 1992 and the Conservation of Habitats and Species Regulations 2010(as amended), together with faunal surveys. The reports have been considered by Natural England, Nottinghamshire Wildlife Trust, Environment Agency and the Borough Councils Sustainability Officer. No objection has been raised with the information submitted and it is considered to be robust in its methodology and outcomes.

242. The Ecological report has concluded that, over the period of survey, the majority of the habitats identified within the survey area were considered to be of low ecological value. No significant populations of protected species were confirmed within the site although bat roosts have been identified.
243. Green infrastructure has been designed from the outset to surround and subdivide the proposed development area with existing hedgerows maintained and enhanced wherever possible. Recommendations in the ecological report include the provision of improved neutral grassland and a purpose built barn owl tower with bat loft.
244. Core Strategy policy EN1 requires development to contribute towards the conservation, enhancement or restoration of biodiversity and ecological networks throughout the landscape. The NPPF (Section 15) advises that the planning system should contribute to and enhance the natural and local environment by: minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Under Section 40 of the Natural Environment and Rural Communities Act (2006), every local authority has a statutory duty, in exercising its functions, to have regard, so far as it is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. Whilst the application is in outline only the Ecological Mitigation recommendations within the ecological reports provide for ecological enhancement on the site, particularly around the open space area to the south of the site and its ongoing management are considered to be able to be achieved by way of the reserved matters applications and secured by planning condition.
245. The applicant has undertaken a comprehensive range of ecological surveys and proposed mitigation measures, which after careful consideration and review are considered appropriate in the context of the Framework and CS Policy 17 (Biodiversity). As set out above, ecological information has been carefully assessed by the Ecologists in various organisations and no objections to the proposals are raised. It will be important that the mitigation measures are fully implemented and these will be secured by attaching appropriate planning conditions, should planning permission be granted.
246. To ensure that the proposed development is undertaken in a way that will minimise adverse impacts on biodiversity and secure future long-term management to retain biodiversity and deliver biodiversity gain, a range of mitigation measures would be required and secured by the imposition of suitable planning conditions. The proposal would, therefore, accord with the aims of Paragraph 174 of the Framework and the provisions of Policy 17 of the Core Strategy.

247. As there will potentially be a need for a license (with regards to bats and barn owls) from Natural England under the Conservation of Habitat and Species Regulations 2010, Rushcliffe Borough Council are obliged under the Habitat Regulations, to consider whether a license is likely to be issued and the 3 tests under the Regulations (set out earlier in this Report) are satisfied. Information has been submitted to allow the tests to be undertaken. With regard to the first two tests it is considered that the provision of market and affordable housing are an overriding public interest and that Radcliffe on Trent is identified as a key settlement to take a substantial level of growth. The site has been identified as a preferred option in the emerging local plan where ecological issues were considered and this site, along with other sites, are required to come forward to provide the level of housing needed for the Borough. This information was also considered by the County Council's Ecologist who has confirmed that the proposed mitigation process is expected to result in these licenses being issued.

## Waste

248. The National Planning Policy for Waste advises that, when determining planning applications for non-waste development, local planning authorities should to the extent appropriate to their responsibilities, ensure that:

- The likely impact of proposed, non-waste related developments on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy (prevention - preparing for reuse - recycling, other recovery – disposal) and/or the efficient operation of such facilities.
- New non waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and in less developed areas with the local landscape. This includes providing adequate storage facilities at residential premises for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service. The handling of waste arising from the construction and operation of development maximises reuse/ recovery opportunities and minimises off-site disposal.

249. The National Planning Guidance follows this advice and suggests that proposals that are likely to generate significant volumes of waste through the development or operational phases it will be useful to include a waste audit as part of the application. This audit should demonstrate that, in both construction and operational phases of a proposed development, waste will be minimised as far as possible and that such waste as is generated will be managed in an appropriate manner in accordance with the Waste Hierarchy. Bearing in mind the relatively small number of properties proposed to be delivered on this site, it is not considered that a waste audit is essential on this site to ensure consideration of the waste hierarchy is achieved. It is considered that waste matters can be adequately considered by way of planning conditions as set out below.

250. Consideration has been given to waste matters in the application and it would be normal practice for the construction management plan to include a requirement for a scheme for recycling/disposal of waste resulting from site clearance and construction works. On a development on this size it is not considered necessary for the site to achieve appropriate provision to allow for the recycling of waste for items which are not covered by our kerbside collection service, e.g. glass and textiles. Reserved matters applications would ensure that adequate provision for storage facilities at residential premises are achieved by ensuring that there is sufficient and discrete provision for bins. The road layout would ensure that adequate provision for servicing of the development is achieved.
251. Before granting planning permission the local planning authority will need to be satisfied that the impacts of non-waste development on existing waste management facilities are acceptable and do not prejudice the implementation of the Waste Hierarchy. It is noted that the County Council as the Waste Authority are satisfied that there are no existing waste sites within the vicinity of the site whereby the proposed development could cause an issue in terms of safeguarding existing waste management facilities.
252. Taking into account the above comments and suggested conditions, it is considered that waste management is adequately considered alongside other spatial planning concerns, and reserved matters application will be able to ensure the design and layout of new residential properties complements sustainable waste management, including the provision of appropriate storage and segregation facilities to facilitate collection of waste.

### Economic Impact

253. The application provides information on the potential economic benefits of the scheme and it is suggested that a development provides direct and indirect employment benefits supporting new jobs and creating economic growth resulting in expenditure to the significant benefit of the settlement and local area, supporting local retail and leisure services. In line with policy 5 (7) of the Core Strategy, during the construction phase of the development the Council will work with the developer to implement and deliver employment and training opportunities for local residents and a planning condition is recommended to achieve this. Taking into account the above it is, therefore, considered that the application satisfies the requirements of Policy 5 of the Core Strategy and satisfies the aims of the NPPF in relation to the economic role of planning, and the corporate priority of supporting economic growth to ensure a sustainable, prosperous and thriving local economy. Such matters are given significant weight in the determination of applications and appeals by the Secretary of State.

### Health and Well Being

254. The NPPF, Policy 12 of the Core Strategy (Local Services and Healthy Lifestyles), Rushcliffe's Sustainable Community Strategy and Nottinghamshire Health and Wellbeing Strategy both support the promotion of healthy communities through the creation of safe and accessible environments; high quality public spaces, recreational space/sports facilities, community facilities and public rights of way. Consideration also needs to be given to access to community facilities and services as lack of these can lead

to people being isolated and suffering from mental health conditions therefore adversely affecting their health and wellbeing.

255. The provision of open and green space including an equipped area of play is proposed as part of the development which would support these policy ambitions, as well the development's proximity to existing countryside and links to the Trent Valley Way and National Cycle Routes. Additionally, the inclusion of pedestrian and cycle ways throughout the development would support access to the health care and community facilities, whether on or off site. Improvements to existing bus services will also support the ability of less mobile members of the population to visit community facilities as required and to access the facilities within Radcliffe Village Centre. A contribution towards improving cycle facilities within the station is also proposed to encourage cycle trips to access sustainable modes of transport.
256. In accordance with the Planning & Health and Engagement Protocol between local planning authorities & health partners in Nottinghamshire 2017, the application has been assessed using the Rapid Health Impact Assessment Matrix and it is considered that this development is likely to have a largely positive health impact and no specific issues have been raised that need addressing at this stage. Any reserved matters applications will be assessed against this matrix and Building for Life Criteria.

#### Equality considerations

257. Concern has been raised by the local branch of the National Federation of the Blind in relation to the potential impact of the development on people living in the vicinity of the site who have such severe visual impairment to benefit from the use of a guide dog and other people including the elderly and people with disabilities that could be affected by in particular the increased use of Shelford Road. Under S149 of the Equality Act 2010 a duty exists which require decision makers 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, race, religion, sexual orientation, disability and pregnancy. Particular reference is made by the Blind Federation in relation to the need for improvements to public transport provision, road safety and traffic calming measures. Consideration has been given to the safety of all users of the highway network and no objections have been received by the County Council as the Highways Authority.
258. Should members be minded to support the grant of planning permission, S106 contributions would be sought to improve bus services and provide funding for the design and delivery of a traffic calming scheme for Shelford Road. The County Council have confirmed that the traffic calming scheme would need to be submitted for technical approval following any planning permission. The assessment would ensure that the traffic calming scheme would be designed so as not to have any negative implications on the safety of pedestrians, cyclists and vehicles, including the elderly and those who are visually impaired. The design would be subject to a safety audit prior to, and following construction to ensure that it would be providing a positive contribution to the safety of all road users.

## Loss of Agricultural Land

259. The development comprises approximately 18 Hectares of agricultural land, including 12 HA of grade 2 land and approximately 6HA of subgrade 3a in the Agricultural Land Classification. This pattern is typical around Radcliffe on Trent. Soil profiles would be restored within those areas of the site that are covered by open spaces and gardens but the land use itself would no longer be classed as agricultural.
260. Paragraph 170 of the NPPF identifies that the economic and other benefits of the best and most versatile agricultural land (BMVAL) should be taken into account. Significantly, development of agricultural land, where demonstrated to be necessary, should utilise areas of poorer quality land in preference to that of higher quality. The land is BMVAL and the resultant loss of BMVAL is a matter that weighs against the scheme. BMVAL is a finite resource and the NPPF makes it clear that the economic and other benefits of such land must be weighed in the balance. The economic and social benefits of development at Radcliffe on Trent are clearly set out in the Core Strategy. The loss of BMVAL would, at worst, be modest, taking into account the general quality of agricultural land across the country, the NPPF does not prohibit its loss and that a loss of less than 20 Ha does not trigger consultation on this basis with Natural England. Nonetheless, it would be a dis-benefit of the proposal that must be weighed into the overall balance of the decision although, in these circumstances as growth is envisaged in the Core Strategy at Radcliffe on Trent to deliver the required housing provision which would necessitate the loss of agricultural land, it should only be afforded limited weight. A requirement in relation to topsoil handling, stripping, stockpiling and reuse is proposed to be included in the suggested condition relating to the Construction Method Statement.

## Archaeology and other non designated historic assets

261. In relation to undesignated heritage assets, buried archaeological assets will potentially be permanently damaged or destroyed during the construction phase. Initial investigation has been undertaken and a Written Statement of Investigation has been submitted. Planning conditions are recommended to require further evaluation by geophysical investigation, analysis and publication to determine the presence, extent, character and condition of potential or known buried remains to be carried out prior to the commencement of development in the identified area of interest. There will be moderate beneficial effect arising from the archaeological investigation and interpretation works that will be carried out for below ground remains on site. Historic England was satisfied that the impacts could be adequately assessed by the Borough Council's Archaeological advisor and accordingly no objections have been raised by the Statutory bodies.
262. Some of the existing farm buildings on the site, which are proposed to be demolished, are of some historic interest dating back to 1832, with some original features remaining and, therefore, could be considered as non-statutory designated assets. In accordance with Para 197 of the NPPF the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly affect non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and

the significance of the heritage asset. Whilst the demolition of the buildings are proposed, this needs to be balanced against the public benefits of the provision of much needed market and affordable housing. It should be noted that the buildings do not benefit from any formal designated listed status and, therefore, demolition could be undertaken through the prior approval process where only the method of demolition could be considered, not the desire or otherwise to retain them. The Written Statement of Investigation submitted allows for the undertaking and submission of a historic building survey to record all surviving evidence for the original use and subsequent historical form and function of the group of buildings.

## Drainage

263. Section 14 of the NPPF relates to 'Meeting the challenge of climate change, flooding and coastal change' and advises that Major development should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems should:
- a. Take account of advice from the lead local flood authority;
  - b. Have appropriate proposed minimum operational standards;
  - c. Have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
  - d. Where possible, provide multifunctional benefits.
264. A site specific Flood Risk Assessment and Drainage Strategy has been submitted with the application. Whilst the site is within Flood Zone 1 (lowest risk of flooding) on the Environment Agency Flood Zone Maps, their surface water flooding maps indicates flood risk associated with the stream course at the south of the site and a localised flood risk at the location of the existing farm buildings. It is proposed that surface water runoff from the proposed development will be drained from the proposed impermeable areas utilising, where possible, SuDS techniques. These features will be employed to slow the speed of runoff and improve water quality. The Drainage strategy proposes features such as permeable paved private drives/parking courts and filter strips/drains. The preliminary attenuation strategy indicates two linked attenuation ponds to balance all surface water from the impermeable development areas back to green field runoff rates. The watercourse is an asset to the site in its present form and it is intended that the development proposals will enhance the ecological value of this watercourse by developing the woodland buffer and landscaping.
265. It is acknowledged that local authorities and developers should seek opportunities to reduce the overall level of flood risk in the area and beyond. This can be achieved, for instance, through the layout and form of development, including green infrastructure and the appropriate use of sustainable drainage system. Effectively managing run off also has a role to play in preventing pollutants entering waterbodies and in doing so supporting the aims of the Water Framework directive. The proposed surface water discharge rate will be limited to reduce fluvial flooding problems adjacent to or downstream of the site for the proposed lifetime of the development. The investigations carried out as part of this flood risk assessment and flood risk

management measures proposed have demonstrated that the development will be safe, without increasing flood risk elsewhere and will where possible reduce risk of flooding to others. The information submitted with this application has been carefully considered by the appropriate statutory bodies who are satisfied that the principles set out in the drainage strategy can be implemented by way of a detailed design scheme to be achieved by planning condition.

266. With regard to foul water, as the site is green field in its predevelopment state there is no current discharge of foul water from the site. It is, therefore, proposed that the development will be drained under gravity to an adoptable pumping station at the south of the site. From here it is proposed to be pumped to the existing foul sewerage system in Shelford Road. No objections have been raised by Severn Trent in relation to this proposal. It is acknowledged that Section 94 of the Water Industry Act 1991 imposes a continuing duty on all sewerage undertakers to provide, maintain and where necessary improve its systems for collecting and treating foul and wastewater drainage so as to effectually drain its areas and effectually deal with the contents of its sewers. The planning authority must also take into account that the developer has the absolute right to connect to the public sewerage system under section 106 of the Water Industry Act. Any improvements considered necessary to improve existing capacity at the pumping station or Sewage Treatment Works will be undertaken by Severn Trent under their separate legal obligations.

#### S106 Planning obligations

267. Planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms. Planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind. These tests are set out as statutory tests in the Community Infrastructure Levy Regulations 2010 and as policy tests in the National Planning Policy Framework. This report has a S106 table attached which sets out the contributions being sought by infrastructure providers or equivalent and the Borough Council's considered position on this. Where possible the triggers and potential phasing for the contribution are also set out within the table. The applicants have agreed the Heads of Terms that have been put to them and a draft S106 Agreement has been received by the Borough Council.
268. The contributions requested have been challenged with the infrastructure providers and additional information provided where necessary to justify the level or type of contribution being sought. Legislation and guidance state that planning obligations should not be sought where they are clearly not necessary to make the development acceptable in planning terms and this has been taken into account in the preparation of the S106 Heads of Terms Table. Where possible the triggers for the provision of the contribution or the community facility have been set out but this is likely to be subject to further consideration. In relation to the S106 contributions sought, consideration has been given to the potential pooling of contributions.

## Conclusion

269. The site is located within Radcliffe on Trent, one of the Borough Council's identified key rural sustainable settlements identified for growth, where a minimum of 400 houses is proposed in the Core Strategy. The Core Strategy has been designed and found to be sound on the basis that it would achieve a sustainable distribution of development across Rushcliffe. As Radcliffe on Trent is an inset Green Belt village, it was always envisaged that such development would necessitate development in the current Green Belt with the identification of sites to be formulated through Part 2 of the Local Plan. As set out above, Part 2 is well advanced with all the necessary supporting studies, consultation and preferred options explored and has been submitted for examination. To ensure the Borough Council is able to meet its housing delivery requirements the number of homes that Radcliffe on Trent is now proposed to deliver has been increased to around 920 new homes. This site is identified as a preferred site and is recommended to be allocated in Part 2. The delivery of this site would result in socio – economic benefits from the delivery of market and affordable housing in accordance with the Core Strategy, Neighbourhood plan and emerging Part 2 Local Plan Policy. This as set out above, weighs in favour of the development.
270. It is, therefore, considered that the proposed development on the application site would entirely accord with the spatial strategy and housing objectives in the extant and emerging Development Plan, including Neighbourhood Plan. Furthermore, the evidence base that underpins the Development Plan also highlights the sustainability of the settlement, its suitability for growth, and indeed, the need for more substantive development there as demonstrated by the suggested increase in housing numbers in the emerging Local Plan Part 2. This, as set out above, weighs in favour of the development.
271. For the reasons set out above the proposed development would comply with relevant policies in the development plan including the Neighbourhood Plan, and the emerging Local Plan Part 2 and the NPPF. There is harm to the Green Belt by reason of inappropriateness, loss of openness and incursion into the countryside and such harm must be given substantial weight as per NPPF paragraph 143. However, other considerations as identified in the report above and summarised below comprise the very special circumstances necessary to outweigh such harm. In undertaking the balancing to determine whether Very Special Circumstances exist, the benefits must clearly outweigh the policy harm by way of inappropriateness and any other actual harm. For the reasons set out in this report it is concluded that this requirement is satisfied.
272. The proposed development would deliver a substantial amount of new housing including affordable housing in an area which has a significant under supply of deliverable housing sites and a severe need for additional affordable housing as confirmed by the recent appeal decision at Asher Lane, Ruddington, which is located in the Green Belt and further appeal decision at East Leake at Lantern Lane. The delivery of this site would help the Borough Council to defend other parts of the Borough in less sustainable locations from predatory applications for housing development. This weighs in favour of the development.

273. The site also has the benefit of it being able to potentially provide sites for a new primary school and a medical centre to enable the continued growth of one of the Borough Councils key settlements as envisaged by the Core Strategy and emerging Local Plan Part 2. The site is considered to be deliverable with a developer owning the site and keen to accelerate housing delivery on the site assisting in improving our five year housing supply. The early delivery of this site and the availability of the primary and medical centre site for new community facilities would also help to encourage other sites within Radcliffe on Trent to come forward. An area of land is proposed to be safeguarded where a potential cycle and pedestrian connection across the railway line could potentially be achieved in the future, improving access and connectivity within the village. The proposal is also considered to accord with the Neighbourhood Plan policies on the direction of growth and reserved matters applications can ensure that design, mix and density within this Neighbourhood Plan can be satisfied along with general material planning considerations in relation to amenity of neighbouring properties, ecology and highway safety. This weighs in favour of the development.
274. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. For these reasons, not only would the scheme accord with the development plan as a whole, but the balance of material considerations also weighs in its favour. Consequently it is recommended that the Planning Committee support the resolution to grant planning permission, subject to the signing of a S106 agreement. As the proposed development is a major application located within the Green Belt and it constitutes inappropriate development under the Town and Country Planning (Consultation) England Direction 2009 it is necessary to refer the application to the National Planning Casework Unit to allow the opportunity to consider whether to call in the application under Section 77 of the Town and Country Planning Act.
275. This application has been subject to a Planning Performance Agreement and had the benefit of pre-application advice. Discussions have taken place in an attempt to resolve issues raised by interested parties, which has resulted in the submission of additional information. Negotiations have been undertaken in relation to securing appropriate levels of S106 contributions to mitigate impacts of the proposal. This has ultimately resulted in a favourable recommendation to the Planning Committee.

## **RECOMMENDATION**

It is **RECOMMENDED** that in accordance with the Town and Country Planning (Consultation) Direction 2009, the application be referred to the National Planning Casework Unit and that, subject to the application not being called in for determination by the Secretary of State for Communities and Local Government, the Executive Manager for Communities be authorised to grant planning permission subject to:

- a) the prior signing of a section 106 agreement as set out in the Heads of Terms table attached to this report; and
- b) the following conditions:

1. Application of the approval of Reserved Matters for Phase 1 (which will include a minimum of 100 dwellings) shall be made to the Borough Council before the expiration of 9 months from the date of this outline permission. The development hereby approved shall be begun before the expiration of two years from the date of approval of the first reserved matters

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

2. No development shall take place within any phase of the development (other than for the access to Shelford Road approved under condition 6) without the details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") for that phase being submitted to and approved in writing by the local planning authority and the development shall be carried out as approved.

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

3. Application for approval of reserved matters shall be generally in accordance with the parameters set in the Radcliffe Development Framework Plan DE\_085\_003 REV E and design principles and scale and density as set out in Para 5.3 - 5.7 of the Design and Access Statement.

[In order to establish the parameters and design principles of the development in the interests of amenity and to accord Policy 10 ( Design and Enhancing Local Identity of the Local Plan Part 1 Rushcliffe Core Strategy and with emerging Local Plan Part 2 policy 5.3.)

4. No development shall be carried out until a Phasing Plan including details of phasing for the approved development has been submitted to and approved in writing by the local planning authority. The phasing plan shall include details of:

- the timing of the provision of infrastructure to serve the proposed development (including road improvements and drainage facilities) in relation to the provision of any new residential units;
- the timing of biodiversity, SUDS and landscaping features; and
- the timing of the provision of on-site recreation/open play space provision in relation to the provision of any new residential units.

The development shall be carried out in accordance with the approved phasing plan unless otherwise agreed in writing by the local planning authority.

[To ensure the proposed development is constructed in such a way to ensure that any new units provided are adequately served by infrastructure and recreation facilities and to promote biodiversity on the site. This is a pre-commencement condition to enable consideration to be given in a coordinated manner to all the key components of the scheme]

5. Prior to works commencing on the approved access arrangement as shown on drawing no. 12568/100/S100 there shall be submitted to and approved by the Borough:
  - a) Details of the means of protection of existing hedgerows and trees whilst construction works are being undertaken;
  - b) A construction method statement as required by Condition 16 for the access phase of the development.

The approved means of protection shall be implemented prior to works commencing and retained whilst construction work in relation to the roundabout is taking place and the approved construction method statement shall be adhered to whilst works are taking place.

[In the interests of visual and residential amenity, biodiversity and highway safety]

6. No development shall commence on any part of the application site unless or until a suitable access arrangement as shown on the drawing entitled 'Section 278 Roundabout, Series 100 - General Arrangement', drawing no. 12568/100/S100, revision F (or amended by revised drawings approved in connection with the S278 Agreement and agreed by the Borough Council) has been provided to the satisfaction of the Local Planning Authority.

[To ensure an adequate form of development in the interests of highway safety]

7. No dwelling shall be occupied until an appropriate agreement under Section 278 of the Highways Act 1980 has been entered into with Highways England to facilitate improvements to A52 junctions in accordance with the provisions of the A52/A606 Improvement Package Developer Contributions Strategy Memorandum of Understanding, September 2015.

[To ensure that the A52 trunk road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980, in the interests of road safety.]

8. No dwelling shall be occupied until an appropriate agreement under Section 278 of the Highways Act 1980 has been entered into with Nottinghamshire County Council to facilitate the provision of a new pedestrian crossing facility (zebra or pelican) to be provided on Bingham Road in the vicinity of the Bingham Road/ New Road junction.

[To ensure improvements to the local road network in the interests of road safety]

9. No development shall take place within each phase of the development (other than for the access to Shelford Road approved under condition 6) until the an appropriate agreement under S278 has been entered into with Nottinghamshire County Council for the construction of the roads and associated works within that phase of the site. No dwelling in that phase shall be occupied until the roads necessary to serve that property have been constructed to base level.

[To ensure a satisfactory development and in the interests of road safety]

10. No dwelling shall be occupied until the driveway and parking areas associated with that plot have been surfaced in a bound material as approved under condition 12. The surfaced drives and parking areas shall then be maintained in such bound material for the life of the development.

[To reduce the possibility of deleterious material being deposited on the public highways in the interest of highway safety]

11. The residential part of the development shall comprise no more than 400 dwellings.

[To clarify the extent of the development and in the interests of highway safety.]

12. No development shall take place within any phase of the development (other than for the access to Shelford Road approved under condition 6) until details of the following have been submitted and approved for that phase of the development:

- i. A detailed layout plan of the phase in context with the whole site;
- ii. The siting, design and external appearance of the proposed buildings;
- iii. details of finished ground and floor levels in relation to an existing datum point, existing site levels and adjoining land
- iv. Cycle and bin storage facilities;
- v. Sections and cross sections of the site showing the relationship of the proposed development to adjoining land and premises;
- vi. The means of enclosure to be erected on the site;
- vii. The finishes for the hard-surfaced areas of the site;
- viii. The layout and marking of car parking, servicing and maneuvering areas;
- ix. Plans, sections and cross sections of any roads or access/service roads or pedestrian routes within the application site, and this shall include details of drainage, surfacing and lighting; and
- x. The means of access within the site.
- xi. Details of the means of foul and surface water drainage.
- xii. The number and location of the affordable dwellings to be provided together with the mix of dwellings in terms of number of bedrooms and proportion of houses and flats and tenure.
- xiii. Details of how renewable/ energy efficiency, climate change proofing has been incorporated into the phased to include for the provision of electric charging points and measures to conserve and recycle water..
- xiv. A statement providing an explanation as to how the design of the development has had regard to the Design and Access Statement submitted with the application together with Policy 14 ( Design and Layout) and Policy 15 ( Local Architectural Styles) of the Radcliffe on Trent Neighbourhood Plan and include an assessment the development against the Building for Life Standards and will allow the .
- xv. Details of on site play and recreation space/facilities to serve the proposed development. Details to be submitted shall include landscaping, planting and equipment to be provided on the proposed amenity spaces.
- xvi. In relation to the school / health centre noise levels from any externally

mounted plant or equipment together with any internally mounted equipment which vents externally, details of any security lighting/floodlighting and extraction ventilation systems for kitchen areas.

The development shall thereafter be implemented in accordance with the approved details.

[To ensure a satisfactory development in accordance with the aims of Policy 10 of the Rushcliffe Local Plan Part 1: Core Strategy, and Policy 14 and 15 of the Radcliffe on Trent Neighbourhood Plan.]

13. Prior to construction of the buildings hereby permitted reaching damp proof course level in each phase, details of the facing and roofing materials to be used on all external elevations within that phase shall be submitted to and approved in writing by the Local Planning Authority, and the development shall only be undertaken in accordance with the materials so approved.

[To ensure a satisfactory development in accordance with the aims of Policy 10 of the Rushcliffe Local Plan Part 1: Core Strategy, and Policy 14 and 15 of the Radcliffe on Trent Neighbourhood Plan.]

14. No development shall take place within any phase of the development (other than for the access to Shelford Road approved under condition 6) without the details of the landscaping scheme for that phase, to include those details specified below, have been submitted to and agreed in writing by the Borough Council:

- (a) the treatment proposed for all ground surfaces, including hard areas;
- (b) full details of tree planting;
- (c) planting schedules, noting the species, sizes, numbers and densities of plants. Measure to provide habitat enhancements should be adopted including the use of native fruiting species within landscaping and retention and gapping up hedgerows, new hedgerows, retention of mature trees and the use of bat and bird boxes / tubes.
- (d) finished levels or contours;
- (e) all existing trees, hedges and other landscape features, indicating clearly those to be removed; and,
- (f) details of all boundary treatments including height, design, location, materials and finish.
- (g) details of the means of protection of existing hedgerows and trees whilst construction works are being undertaken.

The approved landscape scheme shall be carried out in the first tree planting season following the substantial completion of each phase of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

[To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area in accordance with the aims of Policy 16 (Green Infrastructure, landscape, Parks and Open Space)

of the Local Plan Part 1 Rushcliffe Core Strategy.]

15. No development shall take place within any phase of the development (other than for the access to Shelford Road approved under condition 6) until the existing trees and/or hedges which are to be retained have been protected in accordance with the measures approved under condition 14, and that protection shall be retained for the duration of the construction period. No materials, machinery or vehicles shall be stored or temporary buildings erected within the perimeter of the fence, nor shall any excavation work be undertaken within the confines of the fence without the written approval of the Local Planning Authority. No changes of ground level shall be made within the protected area without the written approval of the Local Planning Authority

[To ensure protection during construction works of trees, hedges and hedgerows which are to be retained on or near the site in order to ensure that the character and amenity of the area are not impaired.]

16. No development shall take place within any phase of the development (other than for the access to Shelford Road approved under condition 6) until the details of a Construction Method Statement for that phase being submitted to, and approved in writing by the Local Planning Authority. The Statement shall provide for:

- i. Access and parking of vehicles of site operatives and visitors
- ii. Loading and unloading of plant and materials
- iii. Storage of plant and materials used on constructing the development
- iv. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. Wheel washing facilities
- vi. Measures to control the emission of noise, dust and dirt during construction
- vii. A scheme for recycling/disposing of waste resulting from construction works
- viii. Hours of operation
- ix. A scheme to treat and remove suspended solids from surface water run-off during construction.
- x. Statement of Risk in relation to the railway line
- xi. An earthworks strategy to provide for the management and protection of soils.

The approved Statement shall be adhered to throughout the construction period.

[In order to minimise the amount of mud, soil and other materials originating from the site being deposited on the highway; to prevent inadequate parking, turning and maneuvering for vehicles; inadequate materials storage and to ensure adequate recycling of materials in the interests of highway safety, visual amenity and environmental management and railway protection.]

17. No development shall take place within any phase of the development (other than for the access to Shelford Road approved under condition 6) until a detailed surface water design and strategy for the whole of the site is

submitted to and approved by the LPA. This should include the following considerations:-

- a. Drainage from the site should be via a sustainable drainage system. The hierarchy of drainage options should be infiltration, discharge to watercourse and finally discharge to sewer subject to the approval of the statutory utility. If infiltration is not to be used on the site, justification should be provided including the results of infiltration tests. For greenfield areas, the maximum discharge should be the greenfield run-off rate ( $Q_{bar}$ ) from the area or be in accordance with the approved Flood Risk Assessment (ref BSP 12568/FRA/DS/REV A.)
- b. The site drainage system should cater for all rainfall events upto a 100year + 30% climate change allowance level of severity. The underground drainage system should be designed not to surcharge in a 1 year storm, not to flood in a 30 year storm and for all flooding to remain within the site boundary without flooding new buildings for the 100year + 30% cc event. The drainage system should be modelled for all event durations from 15 minutes to 24 hours to determine where flooding might occur on the site. The site levels should be designed to direct this to the attenuation system and away from the site boundaries.
- c. Consideration must be given to exceedance flows and flow paths to ensure both new properties and areas adjacent to and downstream of the development are neither put at risk or at an increased risk of flooding.
- d. Any proposals to use SUDS must include details showing how these will be maintained to ensure their effectiveness for the lifetime of the development and how their design complies with all relevant CIRIA standards and guidelines.
- e. Provision to prevent the unregulated discharge of surface water from the driveways and parking areas to the public highway. The provision to prevent the unregulated discharge of surface water shall then be retained for the lifetime of the development.

The approved drainage strategy shall therefore be implemented in accordance with these details and those approved under condition 12 part xi for each phase of the development.

[To ensure the proper drainage of the site and to accord with the aims of Policy 2 (Climate Change) of the Local Plan Part 1 Rushcliffe Core Strategy.]

18. Finished floor levels are set no lower than 60mm above the climate change flood level at the adjacent modelled watercourse level or set no lower than 34m above Ordnance Datum ( AOD) whichever level is higher.

[To reduce the risk of flooding to the proposed development and future users to accord with the aims of Polic2 (Climate Change) of the Local Plan Part 1 Rushcliffe Core Strategy.]

19. The residential development shall not be occupied or be brought into use until

the owner has appointed and thereafter continue to employ or engage a travel plan coordinator who shall be responsible for the implementation delivery monitoring and promotion of the sustainable transport initiatives set out in the Travel Plan (TP) (WYG - RT79137- 05 dated 11.4.14) and whose details shall be provided and continue to be provided thereafter to the Local Planning Authority (LPA).

[To promote sustainable travel in accordance with the aims of Policy 14 of Local Plan Part 1 Rushcliffe Core Strategy]

20. The TP Coordinator associated with the residential development shall submit reports to and update the TRICS database in accordance with the Standard Assessment Methodology (SAM) or similar to be approved and to the LPA in accordance with the TP monitoring periods to be agreed. The monitoring reports submitted to the LPA shall summarise the data collected over the monitoring period, and propose revised initiatives and measures where travel plan targets are not being met including implementation dates to be approved in writing by the Local Planning Authority.

[To promote sustainable travel in accordance with the aims of Policy 14 of Local Plan Part 1 Rushcliffe Core Strategy]

21. The TP for the residential development shall be implemented in accordance with the approved timetable and be updated consistent with future travel initiatives including implementation dates to the satisfaction of the Local Planning Authority.

[To promote sustainable travel in accordance with the aims of Policy 14 of Local Plan Part 1 Rushcliffe Core Strategy]

22. The school and medical centre shall not be occupied until the respective owner or occupiers TP Coordinator has produced or procured a full travel plan that sets out final targets with respect the number of vehicles using the site and the adoption of measures to reduce single occupancy car travel to be approved by the LPA. The TP shall be implemented in accordance with the approved timetable and be updated consistent with future travel initiatives including implementation dates to the satisfaction of the Local Planning Authority

[To promote sustainable travel in accordance with the aims of Policy 14 of Local Plan Part 1 Rushcliffe Core Strategy]

23. No development shall take place within any phase of the development (other than for the access to Shelford Road approved under condition 6 until a Employment and Skills Strategy for the construction phase of the approved development shall be produced in consultation with the Economic Growth team and submitted to and approved in writing by the Borough Council. This strategy will be based on the relevant Citb framework and will provide opportunities for people in the locality to include employment, apprenticeships and training, and curriculum support in schools and colleges. The strategy will be implemented by the developer throughout the duration of the construction in accordance with the approved details and in partnership with relevant stakeholders.

[In order to promote local employment opportunities in accordance with Policies 1 and 5 and 24 of the Rushcliffe Local Plan Part 1: Core Strategy]

24. No demolition of buildings at Shelford Road Farm, as highlighted in orange on the plan provided as Figure 2 of the Written Scheme of Investigation produced by Lanpro Services and dated April 2018, shall be undertaken until such time as the recording has been undertaken in accordance with the details provided at paragraphs 7.3-7.11 of the Written Scheme of Investigation and a copy of the report as detailed in paragraph 7.12 has been formally submitted to, and agreed in writing by, the Borough Council to demonstrate that the recording exercise has been completed as specified.

[To ensure that items of a non-designated historic interest in accordance with para 199 of the NPPF].

25. No development shall take place within 10 metres of the area shown in yellow on the plan provided as Figure 2 of the Written Scheme of Investigation produced by Lanpro Services and dated April 2018 until such time as the strip map and sample archaeological investigation exercise detailed within the Written Scheme of Investigation has been undertaken in accordance with the details and methodology set out within therein

[To ensure that items of archaeological interest are recorded in accordance with para 199 of the NPPF].

26. No dwellings shall be occupied within the area shown in yellow on the plan provided as Figure 2 of the Written Scheme of Investigation produced by Lanpro Services and dated April 2018 until the Updated Project Design (UPD) has been completed and agreed by the Borough Council, as detailed at paragraph 9.4 of the Written Scheme of Investigation, and provision has been made for analysis, publication and dissemination of results and archive deposition has been secured.

[To ensure that items of archaeological interest are recorded in accordance with para 199 of the NPPF].

27. The development shall be carried out in accordance with the precautionary recommendations detailed in the Ecological Appraisal (WYG) dated September 2017 section 6 including the following:

- The submission of bat and barn owl mitigation plans should be developed, submitted to and agreed by the Borough Council prior to works commencing on site including site clearance or demolition (this may include an updated barn owl survey if considered necessary and the provision of a purpose built barn owl tower with bat loft prior to the demolition of the buildings on site) and these plans should be implemented in accordance with the agreed programme of mitigation.
- An updated badger survey should be carried out immediately prior to commencement of works in each phase (including construction of the access into the site) and its recommendations implemented prior to works commencing.

[To ensure that the proposed development contributes to the conservation

and enhancement of biodiversity within the site and for the wider area in accordance with paragraphs 174-175 of the NPPF and Policy 17 of the Local Plan Part 1: Rushcliffe Core Strategy.]

28. In the event that the planning permission is not implemented within 2 years of the date of the planning permission being granted a further protected species survey shall be carried out and submitted to the Local Planning Authority. Any mitigation measures required shall be implemented in accordance with the approved details to the satisfaction of the Local Planning Authority

[To ensure that the proposed development contributes to the conservation and enhancement of biodiversity within the site and for the wider area in accordance with paragraphs 174-175 of the NPPF and Policy 17 of the Local Plan Part 1: Rushcliffe Core Strategy.]

29. Before any work is carried out to any of the trees on the Site, a survey shall be carried out and submitted to the Local Planning Authority to establish the existence of nesting birds. In the event of evidence of nesting birds being found, no works to the trees shall be carried out between the beginning of March and the end of September.

[To ensure that the proposed development contributes to the conservation and enhancement of biodiversity within the site and for the wider area in accordance with paragraphs 174-175 of the NPPF and Policy 17 of the Local Plan Part 1: Rushcliffe Core Strategy.]

30. No development shall take place within any phase of the development (other than for the access to Shelford Road approved under condition 6) until a biodiversity management plan shall be submitted to and approved in writing by the local Planning Authority and should take into account the recommendations of the Ecological Appraisal (Oct 2017) . The plan will detail the formal management agreement, aftercare and monitoring of the retained and newly created habitats on the site and shall their ongoing maintenance cover a 25 year period. The plan shall be carried out as approved unless otherwise agreed in writing by the Local Planning Authority

[To ensure that the proposed development contributes to the conservation and enhancement of biodiversity within the site and for the wider area in accordance with paragraphs 174-175 of the NPPF and Policy 17 of the Local Plan Part 1: Rushcliffe Core Strategy]

31. The mix of market housing within the site shall comply with the housing mix set out in Radcliffe on Trent Neighbourhood Plan Policy 12 'Housing Mix and Density' unless otherwise agreed.

[In the interest of providing a diversity of house types within the Radcliffe Housing market and to ensure the application accords with the Radcliffe on Trent Neighbourhood Plan.]

32. Prior to the occupation of each dwelling submitted as part of the planning application each dwelling shall be provided with ducting to enable the connection to high speed fibre optic Broadband.

[To assist in reducing travel demand by enabling working from home

initiatives in accordance with the aims of Policy 24 of the Rushcliffe Local Part 1 - Core Strategy].

33. No development shall take place within any phase of the development (other than for the access to Shelford Road approved under condition 6) until a scheme to demonstrate that the internal noise levels within the residential units will conform to the guideline values for indoor ambient noise levels identified by BS 8233 2014 - Guidance on Sound Insulation and Noise Reduction for Buildings, shall be submitted to and approved in writing by the Local Planning Authority. The work specified in the approved scheme shall then be carried out in accordance with the approved details and be retained thereafter.

[To ensure that acceptable noise levels within the development and its curtilage are not exceeded]

34. No development shall take place within any phase of the development (other than for the access to Shelford Road approved under condition 6) until a Detailed Ground Investigation Report is submitted to and agreed by the Borough Council. In those cases where the Detailed Investigation report confirms contamination exists a remediation report and validation statement will also be required and the development shall be carried out in accordance with the approved details. The detailed assessment should also include ground gas monitoring because of the possible presence of made ground and also possible migration from off site sources.

[Part of the proposed development is on the Councils prioritized list of potentially contaminated land sites, specifically the farm buildings and surrounding yards therefore this condition will ensure that the site is suitable for its proposed use taking into account of ground conditions and any risks arising from potential contamination in accordance Policy 14 (Environmental Protection) of the Local Plan Part 2 Land and Planning Policies and with para 178 of the NPPF.]

35. The reserved matters application that includes the area of land immediately adjacent to the railway to the south of the site shall include details of an area of land to be safeguarded for a potential future pedestrian and cycling bridge designed to take into account disability design requirements across the railway line in a location generally in accordance with the illustrative framework plan DE-085-003 Rev E. This area of land shall thereafter be retained in perpetuity for such purposes.

[To allow for the potential of a pedestrian and cycle route across the railway land in accordance with the aims of Policy 5.3 of the Emerging Local Plan Part 2 : Land and Planning Policies]

## **Notes to Applicant**

This permission is subject to a S106 agreement.

In relation to Condition 16 requiring soil management details you are advised to refer to DEFRA Construction Code of Practice for the sustainable use of soils on Construction sites

You are advised to ensure disturbance to neighbours is kept to a minimum during construction by restricting working hours to Monday to Friday 7.00am to 7.00pm, Saturday 8.00am to 5.00pm and by not working on Sundays or Bank Holidays. If you intend to work outside these hours you are requested to contact the Environmental Health Officer on 0115 9148322

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring

In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact Nottinghamshire County Council Highway Development Control (email: [hdc.south@nottscc.gov.uk](mailto:hdc.south@nottscc.gov.uk)) for details.

The applicant should note that notwithstanding any planning permission, if any highway forming part of the development is to be adopted by the Highways Authority, the new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks.

The submitted protected species survey has confirmed that there is evidence of bats and barn owls and no work should, therefore, be undertaken until a licence has been obtained from Natural England

It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site.

All correspondence with the Highway Authority should be addressed to:-  
NCC Highways (Development Control, Floor 3)  
Nottinghamshire County Council  
County Hall  
Loughborough Road  
West Bridgford  
Nottingham, NG2 7QP

The Borough Council and Nottinghamshire County Council are keen to encourage the provision of superfast broadband within all new developments. With regard to the condition relating to broadband, it is recommended that, prior to development commencing on site, you discuss the installation of this with providers such as Virgin and Openreach Contact details: Openreach: Nicholas Flint 01442208100 [nick.flint@openreach.co.uk](mailto:nick.flint@openreach.co.uk) Virgin: Daniel Murray 07813920812 [daniel.murray@virginmedia.co.uk](mailto:daniel.murray@virginmedia.co.uk)

Your attention is drawn to the attached letter from Network Rail

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.

The Borough Council is charging developers for the first time provision of wheeled refuse containers for household and recycling wastes. Only containers supplied by Rushcliffe Borough Council will be emptied, refuse containers will need to be provided prior to the occupation of any dwellings. Please contact the Borough Council (Tel: 0115 981 9911) and ask for the Recycling Officer to arrange for payment and delivery of the bins

Swifts are now on the Amber List of Conservation Concern. One reason for this is that their nest sites are being destroyed. The provision of new nest sites is urgently required and if you feel you can help by providing a nest box or similar in your development, the following website gives advice on how this can be done :

<http://swift-conservation.org/Nestboxes%26Attraction.htm>

Advice and information locally can be obtained by emailing :

[carol.w.collins@talk21.com](mailto:carol.w.collins@talk21.com)

The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.