



**MINUTES
OF THE MEETING OF THE
PLANNING COMMITTEE
THURSDAY, 11 OCTOBER 2018**

Held at 6.30 pm in the Council Chamber, Rushcliffe Arena, Rugby Road, West
Bridgford

PRESENT:

Councillors R Butler (Chairman), J Stockwood (Vice-Chairman), B Buschman, M Edwards, R Hetherington (substitute for N Clarke, S Hull (substitute for R Jones), Mrs M Males, F Purdue-Horan (substitute for J Greenwood), Mrs J Smith and J Thurman

ALSO IN ATTENDANCE:

80 members of the public

OFFICERS IN ATTENDANCE:

M Elliott	Constitutional Services Team Leader
D Mitchell	Executive Manager - Communities
A Pegram	Service Manager - Communities
S Sull	Borough Solicitor
L Webb	Constitutional Services Officer

APOLOGIES:

Councillors N Clarke and J Greenwood

16 Declarations of Interest

18/00300/OUT – Land at OS Reference 456332, Asher Lane Ruddington – Councillor Edwards declared a non-pecuniary interest.

18/01772/FUL – 1 Priors Close, Bingham – Councillor Hull declared a non-pecuniary interest as the applicant was her son.

17 Minutes of the Meeting held on 13 September 2018

The Minutes of the meeting held on 13 September 2018 were confirmed as a true record and signed by the Chairman.

18 Planning Applications

The Committee considered the written report of the Executive Manager - Communities relating to the following applications, which had been circulated previously.

13/02329/OUT - 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 - Land Off Shelford Road (Shelford Road Farm), Shelford Road, Radcliffe On Trent Nottinghamshire.

Updates

Representations received from Radcliffe on Trent Health Centre, South Nottinghamshire Academy, the Campaign for Better Transport, Councillor Neil Clarke (ward member for Radcliffe on Trent), the applicant's agent, the planning officer for the case and a local resident, received after the agenda had been finalised had been circulated before the meeting.

As ward member for Radcliffe on Trent, Councillor Mrs Smith withdrew from the committee for the consideration of this item.

In accordance with the Council's Public Speaking Protocol for Planning Committee Mr Mark Rose of Define (agent for the applicant), Mr Chris Morffew (objector), Mr Martin Culshaw (Radcliffe on Trent Parish Council) and Councillor Roger Upton (ward member), addressed the meeting.

DECISION

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 DELEGATED AUTHORITY 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 technical approval under S38 has been agreed with Nottinghamshire County Council for the construction of the roads and associated works within that phase of the site. The development shall thereafter be implemented in accordance with the approved details and 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) 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 license 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 Virgin: Daniel Murray 07813920812 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

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.

Councillor Mrs Smith rejoined the committee at this point.

Councilor Edwards who had declared a non-pecuniary interest in the following item left the room at this point and did not take part in the subsequent discussion and vote.

18/00300/OUT - Outline planning application for proposed development of 175 dwellings including vehicular access (via 75 Musters Road), pedestrian links, public open space, car parking, landscaping and drainage - Land at OS Reference 456332, Asher Lane, Ruddington, Nottinghamshire.

Updates

Representations received from Councillor John Lungley (ward member for Ruddington) and three local residents had been finalised had been circulated before the meeting.

In accordance with the Council's Public Speaking Protocol for Planning Committee Michelle Foss (objector), John Lane (objector) and Councillor Martin Buckle (ward member) addressed the meeting.

Comments

Members of the committee expressed concerns regarding the impact of increased traffic movements and the noise and related disturbance that would be caused by the development. Members of the committee considered that the development would give rise to an unacceptable impact on the amenity of local residents, and not just the immediate neighbours of the development, due to increased traffic movements, and of the noise and related disturbance caused by these.

DECISION

REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASON

The proposed access arrangements to the development would give rise to unacceptable impacts on the amenities of the properties immediately adjacent to the proposed access (73 Musters Road and 1 Western Fields), and properties in the wider area fronting Musters Road and Distillery Street, by reason of noise and disturbance from increased vehicle movements and traffic generation. Therefore, the proposal is contrary to Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan and policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy. The proposal would also be contrary to paragraph 127 of the National Planning Policy Framework 2018, particularly criterion a) and f).

Councillor Edwards re-joined the meeting at this point.

18/01097/FUL - Erection of four new dwelling houses with associated access - Land South East Of 75a Wilford Lane, West Bridgford, Nottinghamshire.

Updates

A representation received from a local resident, received after the agenda had been finalised had been circulated before the meeting along with additional information on the planning history for the site that had been submitted by the case planning officer. Five additional representations that had not been included in the schedule of Late Representations were referred to by the Service Manager – Communities, who then addressed the additional points raised in these representations.

In accordance with the Council's Public Speaking Protocol for Planning Committee Mr Robert Bailey (the applicant), Mr Tim Kirby (objector) and Councillor Alan Philips (ward member) addressed the meeting.

DECISION

GRANT PLANNING PERMISSION FOR THE REASONS SET OUT IN THE REPORT SUBJECT TO THE FOLLOWING CONDITIONS.

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

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

2. The development hereby permitted shall be carried out in accordance with the plans ref.

3406 01 Revision M received on 21/9/2018
3406 07 Revision C received on 14/8/2018
3406 02 Revision D
3406 03 Revision D
3406 04 Revision B
3406 05 Revision B all received on 12/7/2018

[For the avoidance of doubt and to comply with policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

3. The development hereby permitted shall not proceed beyond damp proof course level until details of the facing and roofing materials to be used on all external elevations have been submitted to and approved in writing by the Borough Council and the development shall only be undertaken in accordance with the materials so approved.

[To ensure the appearance of the development is satisfactory and to comply with policies GP2 (Design and Amenity Criteria) and EN2 (Conservation Areas) of the Rushcliffe Borough Non-Statutory

Replacement Local Plan]

4. Within three months of the commencement of development and prior to the removal of any trees or hedgerows, a landscaping scheme, to include those details specified below, shall be submitted to and agreed in writing by the Borough Council:

- (1) the treatment proposed for all ground surfaces, including hard areas;
- (2) full details of tree planting;
- (3) planting schedules, noting the species, sizes, numbers and densities of plants;
- (4) finished levels or contours;
- (5) any structures to be erected or constructed;
- (6) functional services above and below ground; and
- (7) all existing trees, hedges and other landscape features, indicating clearly those to be removed/retained.
- (8) details of all boundary treatments

The approved landscaping scheme shall be carried out in the first tree planting season following the substantial completion 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. The boundary treatments and treatment to the ground surfaces shall be in place prior to the occupation of the dwellings.

[To make sure that a satisfactory landscaping scheme for the development is agreed and implemented in the interests of the appearance of the area and to comply with policy EN13 (Landscaping Schemes) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

5. The development shall only be carried out in accordance with details of finished ground and floor levels in relation to an existing datum point, existing site levels and adjoining land which shall be submitted to and approved in writing by the Borough Council before the development commences and the development shall only be undertaken in accordance with the details so approved.

[To ensure a satisfactory development in the interests of amenity and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non- Statutory Replacement Local Plan. This information needs to be provided prior to work commencing on site as the floor levels will influence the build from the outset of the development]

6. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) March 2018 Rev B (July 18), SCC Consulting Engineering, and the following mitigation measures detailed within the FRA:

- No habitable rooms are to be placed on the ground floor as stated within section 1 of the FRA.
- Finished habitable floor levels are set no lower than 25.9m above Ordnance Datum (AOD) as stated within section 2b of the FRA.
- Flood resilient design is incorporated in to the design of the development up to a level of 25.76mAOD as stated within section 6 of the FRA.

[To reduce the risk of flooding to the proposed development and future occupants and to comply with policy WET2 (Flooding) of the Rushcliffe Borough Non-Statutory Replacement Local Plan and the National Planning Policy Framework]

7. Prior to the commencement of development, a Detailed Contaminated Land Investigation Report is required, including a site investigation documenting the characteristics of the ground, an evaluation of all potential sources of contamination and a risk assessment, together with an updated conceptual model. Where the Detailed Investigation Report confirms that contamination exists, a remediation report and validation statement confirming the agreed remediation works have been completed, will also be required. All of these respective elements of the report will need to be submitted to and approved in writing by the Borough Council, prior to development commencing, and the development shall be carried out in accordance with the approved details.

[This is a pre-commencement condition because the necessary information was not submitted with the application and to make sure that the site, when developed is free from contamination, in the interests of public health and safety and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

Prior to the commencement of any on site works, a method statement detailing techniques for the control of noise, dust and vibration during any demolition and construction shall be submitted to and approved by the Borough Council. The works shall be carried out in accordance with the approved method statement.

If the use of a crusher is required, this should be sited as far as possible from nearby properties and be operated in accordance with its process permit.

[This is a pre-commencement condition because the necessary information was not submitted with the application and to protect the amenities of the area and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

8. Occupation of the proposed dwellings shall not take place until the site access as shown for indicative purposes only on drawing number 3406 01 Revision M and 3406 07 Revision C has been provided, and which shall be drained to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to

prevent the discharge of water to the public highway shall be retained for the life of the development.

[In the interests of highway safety; and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

9. The development shall not be brought into use until the turning area as shown on drawing 3406 01 Revision M is provided and made available for use. The turning area so provided shall be retained and be available for use thereafter and shall not be used for any other purpose.

[In the interests of Highway safety and to enable vehicles to enter and leave in a forward direction and to Comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

10. The stairwell windows in the north east elevations of plots 1, 3 and 4, and the stairwell window within the south west elevation of plot 2 of the proposed development shall be permanently obscure glazed to group 5 level of privacy and non-opening, and no additional windows shall be inserted in these elevations without the prior written approval of the Borough Council.

[To prevent overlooking and loss of privacy to neighbouring property and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

Notes to Applicant

The development makes it necessary to undertake re-surfacing works within the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at: <http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities>. Please contact licences@viaem.co.uk for further information.

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.

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

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.

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.

With the time approaching 10pm the Chairman advised that he was using his discretion to extend the meeting past 10pm, but advised that in accordance with the Council's Constitution, the meeting had to finish at 10:30pm at the very latest.

18/00019/FUL - Demolition of bungalow, erection of 5 apartments and creation of parking area - 85 Chaworth Road, West Bridgford, Nottinghamshire.

Updates

There were no updates reported.

As ward member for Lutterell, Councillor Edwards withdrew from the committee for the consideration of this item.

In accordance with the Council's Public Speaking Protocol for Planning Committee Mr Hasmukh Mistry (the applicant), Mr Colin Woodier (objector) and Councillor Martin Edwards (ward member) addressed the meeting.

DECISION

GRANT PLANNING PERMISSION FOR THE REASONS SET OUT IN THE REPORT SUBJECT TO THE FOLLOWING CONDITIONS.

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: CR-17-01 Rev C Location and Block Plan and CR-17-02 Rev B Elevations and Layout.

[For the avoidance of doubt and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

3. The development hereby permitted shall not proceed above foundation level until details of the facing and roofing materials to be used on all external elevations have been submitted to and approved in writing by the Borough Council and the development shall only take place in accordance with the materials so approved.

[To ensure the appearance of the development is satisfactory and to comply with Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

4. Prior to development progressing above damp proof course level a detailed landscaping scheme for the site shall be submitted to and approved in writing by the Borough Council. The approved scheme shall be carried out in the first tree planting season following the substantial completion of the development. 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, unless the Borough Council gives written consent to any variation.

[In the interests of amenity and to comply with policy EN13 (Landscaping Schemes) of the Rushcliffe Borough Non Statutory Replacement Local Plan.]

5. Prior to development progressing above damp proof course level details of all screen fencing/walling and means of enclosure to be erected on the site shall be submitted to and approved in writing by the Borough Council. The scheme shall include noise attenuation fencing along the boundary with no.83 Chaworth Road, as indicated on the approved plans. The development shall not be brought into use until the approved screen fencing/walling and means of enclosure have been completed, and they shall be retained thereafter for the lifetime of the development.

[In the interest of amenity and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan.]

6. Before development commences details of finished ground and floor levels in relation to an existing datum point, existing site levels and adjoining land shall be submitted to and approved in writing by the Borough Council before the development commences and the development shall only be undertaken in accordance with the details so approved.

[In the interest of amenity and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan. This is a pre-commencement condition to ensure the levels are appropriate to the character of the area as no details have been submitted]

7. Development shall not proceed beyond foundation level until such time that the following details have be submitted to and approved in writing by the Borough Council. The development shall be carried out in accordance with the approved details prior to the first occupation of any apartment hereby approved:

- a) Details of cills and lintels;
- b) Details of all fenestration including design and confirmation the windows will be set in reveal;
- c) Details of all rooflights;
- d) Details including materials and location of rainwater goods.

[To ensure the appearance of the development is satisfactory and to comply with Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

8. The proposed apartments shall not be occupied until the approved off-street parking area has been provided and the parking area shall thereafter be retained for residents parking.

[To ensure that adequate off-street parking is made to reduce the possibilities of the proposed development leading to on-street parking in the area, in the general interest of highway safety].

9. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) Rev A, 03/11/2016 compiled by Consulting Engineering, and the following mitigation measures detailed within the Flood Risk Assessment:

1. Finished floor levels are set no lower than 25.0 m above Ordnance Datum (AOD) as stated in section 2b of the FRA.
2. Flood resilient and flood repairable design be utilised in the design of the unit, as discussed in section 6a of the FRA.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

[To reduce the risk of flooding to the proposed development and future occupants and to comply with Policy WET2 (Flooding) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

10. The windows shown on Plan CR-17-02 Rev A as being obscure glazed and non-opening below 1.7 metres from the internal floor level shall be obscure glazed prior to the first occupation of any apartment to group 5 level of obscurity. The development shall not proceed beyond foundation level until such time that these details have been submitted to and approved in writing by the Borough Council. No changes shall be made to the windows without the prior written approval of the Borough Council.

[To ensure the impact of the proposal is acceptable and to comply with Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

11. Notwithstanding the approved plans, and prior to the development being brought into use a scheme detailing the location and construction of a bin store and cycle store shall be submitted to and approved in writing by the Borough Council. The approved bin and cycle store shall be implemented prior to first occupation.

[To protect the amenities of nearby residents and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

12. Occupation of the apartments shall not take place until the access driveway has been surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be drained to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be maintained for the lifetime of the development.

[In the interest of highway safety and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

13. Occupation of the apartments shall not take place until the access driveway is fronted by a dropped kerb vehicle crossing.

[In the interest of highway safety and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

14. Occupation of the proposed apartments shall not take place until a refuse collection point has been provided in accordance with details first submitted to and approved in writing by the Local Planning Authority. This shall be provided as approved prior to the first use of any apartment hereby approved and thereafter retained for the lifetime of the development.

[In the interest of highway safety and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

15. The cill level of the rooflights in the eastern roof slope of the building hereby approved, serving the bathroom and kitchen area to apartment 5, shall be no lower than 1.7 metres above the finished floor level within apartment.

[In the interests of the amenities of the neighbouring property and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

Notes to applicant

With respect to the materials condition of this planning permission, please contact the Case Officer to arrange for samples to be viewed on site, giving at

least 5 days' notice. The application for discharging this condition relating to materials, should be submitted prior to this.

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

At 10:15pm, the Chairman advised that there was now insufficient time remaining in order to consider the remaining items on the agenda and that he was closing the meeting. The Chairman advised that all outstanding business would be dealt with at an extra meeting of the Planning Committee which would be held at 6:30pm on Thursday 25 October 2018.

The meeting closed at 10.17 pm.

CHAIRMAN