

18/00946/FUL

Applicant Mr Mark Willmott

Location Trentside Club 32 Wilford Lane West Bridgford Nottinghamshire NG2 7RL

Proposal Demolition of former Trentside Social Club building and construction of residential apartment development with 34 units.

Ward Compton Acres

THE SITE AND SURROUNDINGS

1. The application site comprises the former Trentside Social Club, a three storey red brick Victorian villa, which is currently vacant, on a rectangular site measuring approximately 0.37 hectares. The building is located to the northern part of the site, with areas of hard standing to the southern part providing vehicular access off Wilford Lane and areas of car parking. There are a number of mature trees within the site, particularly along the southern and eastern boundaries. A mature hedge, approximately 4m in height, runs along the eastern boundary. A wall and fence approximately 3.5m high runs along the western boundary of the site.
2. The site is located to the north of Wilford Lane in West Bridgford, which is one of the main routes into the city centre. To the north of the site is the River Trent (the access to three riverside moorings are within the application site). To the east of the site are the Rivermead Flats, comprising of 2 blocks of seven storey flats constructed circa 1960. To the west of the site is Poppy Close, a recently constructed residential development comprising of 9 three storey houses.
3. The site is located within Flood Zone 3 on the Environment Agency's Flood Zone Map. There are a number of protected trees within the site. This site is approximately 250 metres from the boundary of an air quality management area (Rushcliffe AQMA1).

DETAILS OF THE PROPOSAL

4. The application seeks full planning permission to demolish the former Trentside Social Club buildings and construct 34 apartments (10 one bedroom apartments, 23 two bedroom apartments and 1 three bedroom duplex apartment). These apartments would be within two separate blocks, 21 apartments within a 2 - 6 storey block to the northern (riverside) part of the site, and 13 apartments within a 2 - 4 storey block to the southern (road side) part of the site. Vehicular access to the site would be towards the eastern end of the southern boundary, with 43 car parking spaces located in the centre of the site extending up to the eastern and western boundaries.
5. During the course of the application amended plans were submitted raising the finished ground floor level (there was no increase in the height of the building), deleting a section from the south eastern corner of the northern

block, increasing the number of car parking spaces from 37 to 43, providing car ports to some of the car parking spaces (no.'s 30-38) under the tree canopies, increasing the height of the balcony screens nearest to Wilford Lane; together with amendments to the Flood Risk Assessment and the submission of a Noise Report and Flood Evacuation Plan.

SITE HISTORY

6. The site has a long planning history associated with its previous use as a social club.
7. In 2008 planning permission was granted on the site for a car wash business. Later in 2013, planning permission was granted to use part of the site for the storage of a maximum of 12 cars offered for sale. Two further applications in 2015 to increase the number of cars offered for sale from 12 to 30 and 20 respectively were subsequently refused.
8. In 2014, planning permission to change the use of first floor function rooms to 2 self-contained apartments was refused on the grounds of noise and disturbance (from the Social Club). A further application for the same form of development was subsequently approved in 2015 with a condition restricting the occupation of the apartments to persons connected with the operation of the Social Club.

REPRESENTATIONS

Ward Councillor(s)

9. One Ward Councillor (Cllr Wheeler) comments that the McCarthy and Stone Developments have overloaded this stretch of Wilford Lane. What are needed here are family properties (including affordable homes). RBC needs to take an overview of developments along this section of Wilford Lane. The proposed height of the apartments will have a considerable impact on properties in Poppy Close. Rivermead was developed a long time ago and the height of these apartments should not be used to support the proposed 34 units. Property owners who bought in Poppy Close would have expected a re-development within Trentside Club at some point in the future, but what they face, under these proposals, are units which will impact on natural light, overbearing and inadequate parking provisions (which could see an overspill into Poppy Close). The proposals need a rethink. He hopes the developers will sit down with RBC and come up with an amended scheme which could be welcomed by the community.
10. One Ward Councillor (Cllr Phillips) is concerned about the number of apartments being proposed for this site (34) and the height of the development. 37 parking spaces for 34 apartments is totally inadequate and so parking will become a big issue and likely to spill onto Wilford lane, Poppy Close and Rivermead. There is a turning circle planned on the development and this will become an overspill car park as it can't and won't be policed, this will result in vehicles having to reverse onto Wilford Lane which is a major safety concern. A development more in line with the properties on Poppy Close would be more in keeping with what is required here and not more high-rise apartments. He objects to this application.

Statutory and Other Consultees

The Environment Agency originally objected due to the proposed ground floor levels and the absence of a Flood Evacuation Plan. Following the submission of revised plans showing the ground floor finished floor level raised by 190mm to 25.46m AOD, revisions to the Flood Risk Assessment Report and the submission of a Flood Evacuation Plan, they raise no objections, subject to a condition requiring development to be carried out in accordance with the approved flood risk assessment in order to reduce the risk of flooding to the proposed development and future occupants.

11. The Canal and River Trust is only Navigation Authority for this part of the River Trent, and does not own the riverbed or any adjoining land. They note that the application drawings indicate that no works are proposed to the existing moorings on the river adjacent to the site. The Trust therefore has no comments to make on this application.
12. Sport England advise that if the proposal involves the provision of additional housing it will generate additional demand for sport. If existing sports facilities do not absorb the additional demand, then new and/or improved sports facilities should be secured and delivered in accordance with policies for social infrastructure and priorities set out in the Council's Playing Pitch Strategy.
13. Rushcliffe NHS - No response.
14. Nottinghamshire County Council as Highway Authority observe that the access driveway into the site will be re-profiled at a gradient of 1:20 to accommodate the root system of adjacent trees. Such provision will result in the driveway falling towards the public highway and so remedial measures will need to be put in place to prevent surface water from being discharged to the public highway. An increase in the total number of car parking spaces from 37 to 43 would allow each flat to have an allocated space plus visitor parking spaces which are considered sufficient to serve the site. A visibility splay of 2.4m x 43m has been annotated at the access which does not encroach into third party land. Therefore, they raise no objection on highway grounds and recommend a number of conditions.
15. Nottinghamshire County Council - Education advise the proposed development is situated within the primary catchment area of West Bridgford Infant and West Bridgford Junior Schools and the secondary catchment area of The West Bridgford School. Although there is no guarantee that all families in the proposed new housing would apply for places in these schools, it is very likely that this will be the case, especially if families are unable to travel far to a school. There is currently no capacity to accept more children. Nottinghamshire County Council therefore have no alternative but to request both primary and secondary education contributions from any proposed housing development on land at the Trentside Club. A proposed development of 34 dwellings would yield an additional 7 primary and 5 secondary places. Based on their standard formulaic approach, they would therefore wish to seek an education contribution of £80,185 (7 x £11,455) to provide primary and £86,300 (5 x £17,260) to provide secondary provision to accommodate the additional pupils projected to arise from the proposed

development. However, they highlight that both primary and secondary provision in the West Bridgford area is under extreme pressure and if a new building is required then the cost per place would be calculated at build costs. For primary this would be estimated at £19,048 per primary place and £21,488 for secondary places. Using these figures the contribution would increase to $7 \times £19,048 = £133,336$ and $5 \times £21,488 = £107,440$.

16. Nottinghamshire County Council - Flood Risk Management raise no objections to the surface water drainage proposals for the site.
17. RBC Housing - Policy 8 (Housing Size, Mix and Choice) requires 30% affordable housing, which would equate to a need for 10 affordable units. With regard to tenure, Core Strategy paragraph 3.8.9 states that, ordinarily 42% should be intermediate housing, 39% should be affordable rent and 19% should be social rent. This would result in 4 units for intermediate housing, 4 units for affordable rent and 2 units for social rent. A mix of one and two bedroom flats split across the tenures is considered appropriate. Typically, they would request that the intermediate units and rented units were provided in separate blocks, each with their own entrance. Given the design of the scheme, it is understood this may not be feasible. They would therefore be prepared to be flexible on the suggested mix and tenure and negotiate with the applicant on this issue. The dwellings should be provided through a Registered Provider or through another appropriate mechanism which ensures that the dwellings remain affordable.
18. RBC Leisure - Due to the scale of this development there will be no requirement for a leisure contribution for either indoor or outdoor leisure.
19. RBC Conservation and Design Officer confirms the site is not within a conservation area and is remote from any listed buildings or other designated heritage assets. There is no archaeological element to the submission, however, there is a geotechnical report which confirms that the northern portion of the site, including the location of the existing building, is essentially directly onto river silts such that prior to the construction of the river embankments the land was likely marsh or submerged. In addition to the disturbance of the existing buildings he would suggest that there is no great prospect of encountering intact and in-situ archaeological material on this part of the site. The location of Block B, would be geologically different but has also been disturbed by the creation of hardstanding areas for car parking. Given the shallow depth of the river silts it is likely that even relatively shallow ground disturbance will have affected archaeological potential. He therefore suggests that archaeological conditions would not be justified on this site.
20. In terms of design the proposals appear to have been heavily influenced by amenity considerations in relation to the neighbouring property and the divergent heights of buildings bounding the site to east and west. Whilst the result is a highly articulated form with plenty of character and visual interest, it is also a very stilted response to constraints which results in a form and character which has little direct relationship to other buildings within the vicinity. If the materials and detailing sought to emphasise rather than ignore the articulation of the blocks, this could help to lift the overall character of the scheme and improve its design. Unfortunately, neither the original plans nor

the revised plans apply a use of materials which seeks to make a feature out of the elevational articulation.

21. From the roadside site frontage, the site is reasonably well screened by a number of existing trees, albeit their height is not consistent, and in several cases their canopies begin far above eye level meaning that even when in leaf they do not present a visual barrier which prevents visibility into the site. The site sits within the context of existing large block buildings to the east of 7 stories and smaller blocks of more modern residential buildings of 2.5/3 storeys to the west. As such the scale of the buildings proposed would not be out of context, and the proposed materials would be broadly comparable with the palette of materials used on the smaller residential blocks on the site to the east being a mix of timber cladding, small elements of render, and brick work (in two colours) to the ground and top floors (in the main). The 3D models appear to convey the proposed colour scheme, certainly the colours are very different to the more muted contrasts of the elevation drawings, but the over-reliance on muted greys and the relatively limited contrast between the various proposed materials could result in a visually monotonous scheme where the similar colours of materials diminish the degree to which the materials provide contrast and visual interest.
22. RBC Environmental Health - Land Contamination - The submitted Phase 1 report and site investigation report (by GeoDyne) indicate that there are no historical uses of the site that may lead to it being classified as contaminated land, however, there is made ground present that could be a source of ground gas and other contaminants. Further investigation is recommended by the consultant. It is considered unlikely that this site could be classified as contaminated land as defined in Part IIA of the Environmental Protection Act 1990, there is therefore no objection to the granting of planning consent on this ground subject to conditions.
23. Noise - The applicant did not initially demonstrate that they have considered paragraph 123 of the NPFF in their design proposals. The application did not include an assessment of the impacts of traffic noise from Wilford Lane on the site. It had not been demonstrated that the noise environment on the site is suitable for residential use and the design has not been informed by acoustic considerations. In particular, the shared and private amenity space (including balconies) at the frontage of the site may be exposed to unacceptably high traffic noise levels. The EHO advised that the applicant should provide an assessment of the noise environment at the site and use this information to inform the design of the development to ensure that any adverse noise impacts on health and quality of life of the future occupants are mitigated and reduced to a minimum. The use of closed windows for noise mitigation should be avoided where practicable, and where closed windows are required, it should be demonstrated that an alternative means of ventilation is available to avoid overheating.
24. Following the submission of a noise report and further consultations with Environmental Health they commented that the report states that the noise levels in the private amenity spaces on the facades facing Wilford Lane can be reduced to an acceptable standard by providing glazed enclosures to the terraces and balconies. The locations and options for the form of the proposed enclosures are indicated in the report (Figures 6 & 7). The provision of these acoustic barriers may also enable acceptable internal

noise levels to be met in the living rooms and ground floor bedrooms with windows open for ventilation but this would need further investigation. The 1st, 2nd and 3rd floor bedroom windows on these facades would not benefit from the provision of the acoustic barriers and would still be reliant on closed windows and upgraded glazing to achieve an acceptable internal noise level. These bedrooms may therefore be susceptible to overheating, particularly as some of them are on a south facing façade. Overheating and ventilation has been discussed in general terms in the report but detailed assessment and design needs to be carried out by a specialist. There are no environmental health objections to the granting of planning permission subject to recommended conditions.

25. Air Quality - This site is approximately 250 metres from the boundary of an air quality management area (Rushcliffe AQMA1). Whilst this will not directly impact on this proposal the applicant should be encouraged to take the opportunity to provide the necessary infrastructure and to install electric vehicle charging points in the development to minimise the impact on the AQMA and air quality generally. Individual residents would find it very difficult to install a charging point post completion as there are no private parking spaces. The provision of charging points may need to be factored in to the capacity of the new electricity sub-station. The applicant may also wish to consider the forthcoming proposals for a Clean Air Zone in Nottingham which is likely to give preferential access to electric and other low emissions vehicles. It is noted that the proposal does not include cycle storage facilities.
26. Lighting - The application does not include an external lighting scheme. This should be conditioned.
27. RBC Landscape Officer raises no objections, subject to conditions requiring the following details; an arboricultural method statement; construction of access road, parking areas and parking shelters; cross section of raised walkway containing services; and a landscape plan.
28. RBC Sustainability Officer (Ecology) noted that the Protected Species Survey Report identified the presence of Bats but found no evidence of a roost, removal of the building will have a negligible impact on bats. The site consists of buildings, hardstanding and trees. This development is unlikely to impact the conservation status of a European Protected species. He recommends conditions relating to potential for protected and priority species; mitigation bat and bird boxes; use of external lighting; reinforcement of hedges.
29. RBC Emergency Planning Officer is happy with the flood management and evacuation plan. Given the flood risk to this property the document is appropriate and proportionate.
30. RBC Recycling Officer provided a copy of the Rushcliffe Waste Management Advice for Planner and Developers.

Local Residents and the General Public

31. 17 representations objecting to the proposal have been received from local residents raising the following point;

Decision Making

- a. The application should be considered at Committee.

Housing

- b. There have been a number of apartments allowed nearby recently, demand in the area is for family homes.

Flood Risk

- c. The Flood Risk Assessment does not comply with the NPPF.
- d. Drainage concerns.

Highway Safety

- e. Impact on the safety of Wilford Lane taking into account cumulative impacts of other permitted developments.
- f. There should be a separate entrance and egress; insufficient parking.
- g. Traffic calming measures required along this section of Wilford Lane.
- h. The parking data which dictated the number of car parking spaces may not be correct or take account of local factors resulting in overflow car parking and inadequate car parking for the number of future residents. Additional cars would be displaced onto surrounding streets.
- i. Safety issue for car accessing/egressing the site onto Wilford Lane.
- j. Speed limits are not enforced on Wilford Lane.
- k. Increased hazard to pedestrians including school children.

Noise

- l. Increase in noise from additional traffic.
- m. Noise and disturbance to residents on Poppy Close.

Design/Appearance

- n. Proposed building is unimaginative, uncreative, unattractive, generic and style less with no character; the design will look tired and dated in less than a decade.
- o. Scale of building out of character with area.
- p. Development should be restricted to four storeys.
- q. The external appearance of the property is unclear.

- r. Density of development is too high.
- s. Visual impact upon the south bank of the River Trent from a seven storey block of flats.
- t. Out of keeping with recent developments along Wilford Lane.

Amenity

- u. Overbearing, overlooking and privacy issues.
- v. Block sun and daylight and reducing open aspect.
- w. Too close to dwellings on Poppy Close and flats at Rivermead.
- x. Car lights shining into windows.
- y. Insufficient amenity space.

Other Issues

- z. Increased strain on health facilities.
 - aa. Impact/loss on protected trees and future pressure for their removal.
 - bb. Neighbouring property has a BT connection to a telegraph pole on the application site.
 - cc. Potential impacts of construction foundations on neighbouring properties.
 - dd. The proposed electricity sub-station is close to existing properties and would pose an environmental health risk.
 - ee. Loss of heritage.
 - ff. A sympathetic renovation and extension of the existing building would be far more sympathetic.
 - gg. Air pollution.
 - hh. Vibrations from piling could impact on neighbouring properties.
 - ii. Loss of views.
 - jj. Damage to neighbouring property during construction.
32. 3 representations supporting the proposal have been received from local residents raising the following points:
- a. Very well thought out and well-designed scheme.
 - b. Proposed development forms a balanced link between the seven storeys of Rivermead and the three storeys of Poppy Close.

- c. Enhance the street scene.
- d. Provide much needed new homes.
- e. The site has a river frontage and only building a few homes would not make best use of the site.
- f. Improve the appearance of the site which is used to dump refuse.
- g. Wilford Lane is only busy during the morning and evening rush hour. Any increase in traffic is likely to be on match days and at peak times which has always been the case.
- h. Not everybody wants to buy family homes (170 of which are being built further along Wilford Lane).
- i. The site is unsightly and has caused issues to residents when the property was used as a car sales pitch, resulting in old cars being dumped on local streets.
- j. The proposal would bring much needed housing to the Borough on a brownfield site as opposed to a Green Belt site.

PLANNING POLICY

- 33. 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).
- 34. Other material considerations include the National Planning Policy Framework 2018 (NPPF), the National Planning Practice Guidance (NPPG) and the Rushcliffe Borough Non-Statutory Replacement Local Plan (2006).
- 35. Any decision should therefore be taken in accordance with the Core Strategy, the NPPF and NPPG, policies contained within the Rushcliffe Borough Non-Statutory Replacement Local Plan where they are consistent with or amplify the aims and objectives of the Framework, together with any other material planning considerations.

Relevant National Planning Policies and Guidance

- 36. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England. It carries a presumption in favour of sustainable development by aiming to achieve economic, social and environmental objectives.
- 37. 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; 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.”

38. Paragraph 68 with regard to housing states that; *“Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:*
- a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved;*
 - b) use tools such as area-wide design assessments and Local Development Orders to help bring small and medium sized sites forward;*
 - c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes; and*
 - d) work with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes.”*
39. Paragraph 109 states that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*
40. In terms of making effective use of land, paragraph 117 states; *“Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.”* Paragraph 123 goes on to state that; *“Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.”*
41. In terms of Design, paragraph 127 states; *“Planning policies and decisions should ensure that developments:*
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and*

- other public space) and support local facilities and transport networks; and
- f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*”
41. Paragraph 130 goes onto state that; *“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.”*
42. In terms of Flood Risk, paragraph 155 states that; *“Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.”* Paragraph 163 goes onto state that; *“When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:*
- a) *within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;*
 - b) *the development is appropriately flood resistant and resilient;*
 - c) *it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;*
 - d) *any residual risk can be safely managed; and*
 - e) *safe access and escape routes are included where appropriate, as part of an agreed emergency plan.”*
43. With regards to Ecology, paragraph 175 states that; *“opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.”*
44. In terms of Pollution (including Noise), paragraph 180 states that; *“Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:*
- a) *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;*

- b) *identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and*
- c) *limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”*

Relevant Local Planning Policies and Guidance

- 45. The Rushcliffe Local Plan Part 1: Core Strategy December 2014, sets out the overarching spatial vision for the development of the Borough to 2028.
- 46. Policy 3 (Spatial Strategy) of the Core Strategy sets out the spatial strategy for sustainable development in Rushcliffe and establishes a hierarchy for housing development across the Borough. It identifies West Bridgford (being within the main built up area of Nottingham) at the top of the settlement hierarchy for housing growth. The Plan seeks to provide a minimum of 13,150 homes in the Borough by 2028, with approximately 7,650 of these being located either in or adjoining the main built up area of Nottingham.
- 47. Policy 8 (Housing Size, Mix and Choice) with regard to affordable housing states that new residential developments should provide for a proportion of affordable housing on sites of 5 dwellings or more or on 0.2 hectares or more. The proportion of affordable housing sought in West Bridgford is 30%.
- 48. Policy 10 (Design and Enhancing Local Identity) states that all new development should be designed to make; a positive contribution to the public realm and sense of place; create an attractive, safe, inclusive and healthy environment; reinforce local characteristics; be adaptable to meet evolving demands and the effects of climate change; and reflect the need to reduce the dominance of motor vehicles.
- 49. Policy 14 (Managing Travel Demand) states that the need to travel, especially by private car, will be reduced by securing new developments of appropriate scale in the most accessible locations following the Spatial Strategy in Policy 3, in combination with the delivery of sustainable transport networks to serve these developments. The priority for new development is selecting sites already, or which can be made, accessible by walking, cycling, and public transport. Where accessibility deficiencies do exist these will need to be fully addressed. In all cases it will be required that severe impacts, which could compromise the effective operation of the local highway network and its ability to provide sustainable transport solutions or support economic development, should be avoided.
- 50. Policy 17 (Biodiversity) the biodiversity of Rushcliffe will be increased over the Core Strategy period by, inter alia; c) seeking to ensure new development provides new biodiversity features, and improves existing biodiversity features wherever appropriate.
- 51. Policy 19 (Developer Contributions) states that all new development will be expected to; meet the reasonable cost of new infrastructure required as a consequence of the proposal; where appropriate, contribute to the delivery of necessary infrastructure to enable the cumulative impacts of development to be managed, including identified transport infrastructure requirements; and provide for the future maintenance of facilities provided as a result of the

development.

52. The Rushcliffe Local Plan Part 2: Land and Planning Policies, has been submitted for examination. This application site is not one of the proposed housing sites. It is classed as a windfall brownfield site.
53. The Rushcliffe Non-Statutory Replacement Local Plan has been used in decision making since 2006 and despite the Core Strategy having been adopted its policies are still a material consideration in the determination of any planning application, providing they have not been superseded by the NPPF or the policies contained within Rushcliffe Local Plan Part 1: Core Strategy. The following policies are considered relevant.
54. Policy GP2 (Design and Amenity Criteria) states that planning permission for new development will be granted provided that (amongst other things) there is no significant adverse effect on amenity; a suitable means of access can be provided to the development without detriment to highway safety; sufficient space is provided within the site to accommodate the proposal together with ancillary amenity and circulation space; the density, design and layout of the proposals are sympathetic to the character and appearance of the surrounding area; and noise attenuation is achieved.
55. Policy EN12 (Habitat Protection) states that where a proposal would affect habitats it must be accompanied by a survey. Planning permission will not be granted unless the application includes mitigation measures, keeps disturbance to a minimum and provides adequate alternative habitats.
56. Policy EN22 (Pollution) states that new housing sensitive to pollution will not be permitted close to an existing source of potential pollution unless the impact that the source of pollution would have upon the development can be mitigated.
57. Policy WET2 (Flooding) states; *“Development will not be permitted in areas where a risk of flooding or problems of surface water disposal exist unless:*
 - a) *the location is essential for a particular development and there are no alternative locations in a lower risk area; or*
 - b) *the proposal is in an existing developed area and can be adequately protected against potential flood risk and includes compensatory measures; and*
 - c) *it can be demonstrated that the proposal would have no adverse effects on the management of flood risk; and*
 - d) *adequate provision is made for access to watercourses for maintenance purposes; and*
 - e) *suitable on or off-site measures are included to deal with any increase in surface water run-off.”*

APPRAISAL

Principle of Housing Development

58. The application site is unallocated for development in the Core Strategy or in the emerging Local Plan Part 2. The Council does not currently have a five year housing land supply. The site is located in West Bridgford, within the

main built up area of Nottingham, which is identified in Policy 3 of the Local Plan as being at the top of the settlement hierarchy in terms of achieving sustainable housing development through a policy of urban concentration and regeneration. The application site is classed as a brownfield site (previously developed) in a highly sustainable location, surrounded by residential properties, close to local amenities and, therefore, the development of the site for residential purposes is considered to be acceptable in principle.

Design/Impact on Street Scene/Materials

59. In terms of the scale of the proposed development, the heights of the two blocks would be limited to two and three storeys to the west of the site adjacent to Poppy Close, and would be stepped up to 4 storeys (Block B to the front of the site adjacent to Wilford Lane) and 6 storeys (Block A to the rear of the site adjacent to the river frontage) towards Rivermead to the east. This approach respects the scale of development on either side of the site and would bridge the existing gap within the street scene, providing a visual link between the three storey housing development on Poppy Close and the seven storey Rivermead flats. Sufficient space would be maintained to the front of the site to retain the existing trees which would provide some immediate screening of the development from Wilford Lane. From the north, on the opposite side of the River Trent, Block A would appear in keeping with the scale of development along this part of the river.
60. In terms of materials, the Design and Access Statement details that brick would be the primary external walling material with a blue black Staffordshire engineering brick to the base level and stained timber weather boarding to the upper levels. A condition is proposed requiring the submission of material samples for approval, in consultation with the Borough Council's Conservation and Design Officer, in order to ensure high quality materials are used which would lift the overall appearance of the proposed buildings.

Flood Risk

61. The site is located within Flood Zone 3 (associated with the River Trent) and is, therefore, at a high risk of flooding (1 in 100 or greater annual probability of river flooding). Sequentially, the site is located within West Bridgford, a highly sustainable location which has been identified for housing growth. The majority of West Bridgford is located within Flood Zones 2 and 3 and therefore there are no sequentially preferable sites within the urban area of Rushcliffe which could accommodate the level of housing proposed on this site. Even if there were sequentially preferable sites in terms of flood risk, given that the Council currently only has 2.43 years supply of housing land, all unallocated sites in West Bridgford would be needed in order to meet its windfall housing target for the area.
62. Whilst the site is classed as being within Flood Zone 3, this does not take account of existing flood defences. The application site is protected by concrete flood defences and, therefore, flood risk to the site is limited to that associated with a failure of these defences or overtopping, when the river levels exceed the flood defence design standard. As a result, the site is at risk from flooding in a 1:100+30% and 1:100+50% event, but not during a 1:100+20% event. Following consultation with the Environment Agency, the

proposed plans were revised in order to raise the internal ground floor levels to 25.46m AOD, which would be 300mm above the 1:100+30% breach level (this does not result in any increase in the overall height of the buildings and the increase would be absorbed internally by reducing the floor to ceiling height on each floor). In addition to this, some flood resilience measures are proposed to ensure that services to the building are not interrupted and the costs of any repairs are kept to a minimum. Access to the flood defences for maintenance would be provided by way of an 8m wide maintenance strip, between the proposed building and northern boundary, and 4m wide access between the proposed building and eastern boundary.

63. The submitted plans include a raised escape route along the south western elevation of Block B (Wilford Lane block) which connects all three circulation areas and would provide a safe means of egress from the apartments on to Wilford Lane, in the event of a flood. Furthermore, a Flood Evacuation Plan has been submitted which details what action residents should take in the event of a flood. The Council's Emergency Planning Officer has confirmed that this plan is appropriate and proportionate for the scale of development proposed. A condition is proposed requiring the Flood Evacuation Plan to be given to all future residents of the site.
64. For the reasons outlined above, the Environment Agency raise no objections to the proposal subject to conditioning the finished floor levels, flood resilience measures, access to EA flood defences and a raised escape route.
65. In terms of drainage, the application was accompanied by a Sustainable Drainage Strategy Report which set out details of a sustainable drainage system to ensure that surface water run-off rates are at an acceptable level and that surface water is appropriately filtered to prevent pollution of the water environment. Following consultation with NCC Flood Risk Management team, no objections to the surface water drainage proposals for the site are raised. A condition is proposed which would require a detailed scheme for a sustainable urban drainage strategy to be submitted for approval.

Viability/Infrastructure

66. The scale of residential development proposed would normally be expected to provide 10 units of affordable housing on site and financial contributions towards primary and secondary school education, and health facilities, which would be secured via a S106 agreement. A Viability Report was submitted to support the application, outlining the costs of developing the site. This report was independently reviewed and verified by a third party on behalf of the Borough Council. The independent assessor concluded that there is a high level of viability pressure on the scheme and, therefore, the full infrastructure provision could not be met. However, it is considered the site could provide a financial contribution of £136,500 and still remain viable. The developers have agreed to enter into a S106 agreement to make such a financial contribution. In terms of determining how this contribution should be used, one of the Council's corporate priorities is the provision of affordable housing in the Borough. The County Council have suggested the scheme would generate additional primary and secondary school places and that such places are not currently available within the catchment schools. Whilst families could occupy the proposed apartments (there would be no

restrictions on the occupation of the units) it is not envisaged that these (mainly one and two bedroom 'riverside' apartments) would be likely to attract families, but rather young professionals and those who are retired. It is, therefore, anticipated that child occupation levels would be low. With regards to health infrastructure, no comments have been submitted from NHS Rushcliffe in response to this application with regard to patient capacity at the recently constructed Health Centre on Wilford Lane. For these reasons it is proposed that 100% of the £136,500 financial contribution should go towards providing off site affordable housing within the Borough.

Impact on Residential Amenity of Existing Residents

67. Objections have been received from residents of both the Rivermead flats to the east and Poppy Close to the west. In terms of the Rivermead flats, a seven storey block runs parallel with the eastern boundary of the application site, located 7m from the shared boundary. Some flats within the north eastern section of this Rivermead block have all their habitable room windows within the western elevation, facing the application site. During the course of the application, the footprint of Block A was reduced to remove the south eastern corner of the building, which increased the separation distances between the proposed Block A and the existing Rivermead flats to 16m. Whilst the proposed Block A would be six storeys in height, it would be commensurate in height and scale as the seven storey Rivermead flats. Whilst there is no doubt that the proposed development will change the outlook and views of residents within the Rivermead flats, given the separation distances between the two blocks, together with their juxtaposition and orientation, it is not considered that the proposal would result in significant harm through overshadowing, loss of light or appear so overbearing so as to justify a refusal on such grounds.
68. In terms of the impacts upon residents on Poppy Close, Block A (to the rear of the site) would be located 2.5m from the side elevation of 6-9 Poppy Close. The first western section of Block A has been designed to be part two, part three storey with a flat roof, resulting in its highest part being approximately 3m lower than the roof ridge of 6 Poppy Close. From west to east Block A increases in storeys from three, through four and five, and then to six, away from the boundary with Poppy Close. As a result of this approach to the scale and design of Block A, it is not considered that it would appear overly dominant or overbearing when viewed from Poppy Close in the context of the Rivermead flats beyond. There are balconies proposed in the rear northern elevation of Block A, however these would be set back in relation to 6 Poppy Close and adjacent to a blank side elevation, therefore, they would not result in unacceptable levels of overlooking or loss of amenity. The side elevation of Block A, facing Poppy Close, would contain a small number of narrow windows serving as secondary windows to habitable rooms. In order to prevent unacceptable levels of overlooking or feelings of being overlooked, a condition is recommended which would require these windows to be non opening and fitted with obscure glazing (to a height of 1700mm above internal floor levels) for the life of the development. Subject to this condition, it is considered that Block A would not harm the living conditions of those residing in Poppy Close.
69. Block B (to the front of the site adjacent Wilford Lane) would be located 4m from the blank side elevation of 1 Poppy Close. In terms of scale, this block

would be two storeys in height adjacent to the boundary with properties on Poppy Close with a flat roof, resulting in it being approximately 4.5m lower than the roof ridge of 1 Poppy Close. From west to east Block B increases in storeys from two, to three, to four storeys, away from the boundary with Poppy Close. Again, as a result of this approach to the scale and design of Block B, it is not considered that it would appear overly dominant or overbearing when viewed from Poppy Close, in the context of the Rivermead flats beyond. There are balconies proposed in the front (southern) elevation facing Wilford Lane and the side eastern elevation (facing onto the site). Whilst a first floor balcony would be located to the front of Block B adjacent to 1 Poppy Close, given the height of the proposed balcony screen and the very oblique angle of view which would be possible, the balcony would not result in unacceptable levels of overlooking on the private rear garden area of this neighbouring property.

70. The balconies to the eastern elevation of Block B would be 18m from the side elevation of Rivermead, which is considered a sufficient distance so as not to result in unacceptable levels of mutual overlooking. The side elevation of Block B, facing Poppy Close, would also contain a small number of narrow windows serving as secondary windows to habitable rooms. In order to prevent unacceptable levels of overlooking or feelings of being overlooked, a condition is recommended which would require these windows to be non opening and fitted with obscure glazing (to a height of 1700mm above internal floor levels) for the life of the development. Subject to this condition, Block B would not harm the living conditions of those residing in Poppy Close.
71. The rear elevation of 2 Poppy Close and the side elevation of 5 Poppy Close would face the proposed car parking and circulation areas. Given that these areas would be set 2m from the shared boundary, and the properties would continue to be screened from the site by a brick wall with close boarded fence above, it is not considered that the proposal would harm the living conditions of occupiers of these properties.

Impact on Residential Amenity of Future Occupiers

72. Following consultation with the Borough Council's Environmental Health Officer, concerns were raised regarding the impact of road noise from Wilford Lane on the living conditions of future occupiers of Block B, particularly on the proposed terraces and balconies. A revised Noise Assessment Report was subsequently carried out and submitted to the Borough Council. This concludes that, subject to the fitting of acoustic screens to the terraces and balconies on the south and east elevations of Block B, the noise levels in all private terraces and balconies on the development would be at or below the upper limit of BS8233. Environmental Health Officers have confirmed that they raise no objections to the proposal on noise grounds, subject to conditions relating to acoustic windows, glazed noise barriers to terraces and the balconies, assessment of potential overheating of habitable rooms and measures to mitigate any significant risk of overheating.
73. In terms of air quality the site is located outside of, but approximately 250m from the boundary of an air quality management area to the east along Wilford Lane. Whilst this will not directly impact on the proposed development, the Environmental Health Officer suggests that the applicant

should be encouraged to install electric vehicle charging points. He also acknowledges that residents would find it difficult to install charging points following completion of the development. Following discussions with the applicant's agent, agreement has been reached on the inclusion of a condition on any planning permission which would require the submission of a scheme for the provision of infrastructure and charging points within the development. It is considered that such scheme should include installation of a number of charging points and the required infrastructure/ducting prior to the surfacing of the access, car park and turning areas which would facilitate easier installation of further charging points, should there be a demand for these from individual residents.

74. With regard to contamination, a Phase 1 desk study was submitted with the application which indicates that there are no historical uses of the site that may lead to it being classified as contaminated land. The Phase 2 report states that, whilst no obvious visual or olfactory evidence of significant soil contamination was identified during the course of the intrusive investigations, although further testing of samples should be carried out. This can be secured by way of a condition.

Impact on Highway Safety

75. The site would be served by a single vehicular entrance and exit point off Wilford Lane, to the east of the southern boundary, with a visibility splay of 2.4m x 43m. The access would have a width of 6 metres for the first 10 metres, measured from the edge of the carriageway on Wilford Lane, narrowing to 4.8 metres and then widening again where the access would be flanked by parking bays either side. The width of the access would be such that it would permit two cars to pass, particularly at the point of egress on to the public highway.
76. During the course of the application the number of car parking spaces has been increased from 37 to 43, which would provide each unit with an allocated car parking space, plus visitor parking. Despite the objections raised with regard to the capacity on Wilford Lane and the level of car parking provision, following consultation with NCC Highways, they raise no objections to the proposal on highway safety grounds.
77. The proposal includes adequate turning within the site for emergency and service vehicles. In terms of waste, there are two refuse storage areas within the site and a condition could be attached to any approval requiring a scheme, detailing how waste will be collected from the site, to be submitted for approval to the Borough Council.
78. In terms of cycle provision there are 14 cycle stands proposed within the site.

Impact on Trees

79. The site has been laid out to respect and retain the tree belts along the southern and eastern boundaries of the site, although the access road and some car parking spaces are proposed under their canopies. Car ports are proposed to the car parking spaces located underneath the tree canopies in order to protect cars from leaf and sap drop, thereby reducing the likelihood of future pressure to prune or fell the trees.

80. Following consultation with the Borough Council's Landscape Officer, he raises no objections to the proposal subject to conditions requiring an arboricultural method statement, construction of access road, parking areas and parking shelters, cross section of raised walkway containing services and a landscape plan.

Impact on Protected Species

81. Ecological Reports have been submitted in support of the application. The surveys recorded a low to moderate amount of bat activity at the site, including commuting and foraging behaviour, particularly along the river frontage to the north of the site. The surveys found no evidence of roosting behaviour and no bat roosts were identified. The report sets out a number of mitigation and enhancement measures including the provision of bat roosts and bat boxes. Following consultation with the Council's Ecologist, no objections are raised subject to conditions securing the provision of bat roosts and boxes.

Planning Balance

82. The proposal would bring a vacant brownfield site in a key sustainable location back into use, remove an unattractive and unneighbourly site, and provide some much needed housing in the Borough which would contribute towards the Council's Housing Land Supply, and provide a financial contribution towards the provision of additional affordable housing in the Borough. Technical issues relating to highway safety, flood risk, noise, contamination and ecology can all be mitigated through the imposition of conditions. Whilst the development would not provide contributions towards education or health, as hi-lighted above, no evidence has been submitted by Rushcliffe NHS to suggest that the nearby health centre is at capacity, and the number of school places this type of development would generate is expected to be low. On balance, therefore, it is not considered that there are any adverse impacts of granting planning permission which would outweigh the benefits, when assessed against the policies contained within the NPPF (2018) taken as a whole. As a result the proposal is considered to constitute sustainable development having regard to economic, social and environmental objectives.
83. The proposal was subject of lengthy pre-application discussions with the agent, and advice was provided on the acceptability of the original proposals. During the course of the application, further negotiations have taken place having regard to flood risk, noise, car parking, and the impacts upon neighbouring residential properties. Such negotiations have resulted in a more acceptable scheme and the recommendation to grant planning permission.

RECOMMENDATION

It is RECOMMENDED that the Executive Manager – Communities is authorised to grant planning permission subject to the prior signing of a Section 106 agreement and the following condition(s)

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; site plan as proposed MRP/1603/PPSD/10 revision D amended 08.11.2018; context elevations as proposed MRP/1603/PPSD/13 revision C amended 08.11.2018; Block A (riverside block) floor plans and roof plan as proposed MRP/1603/PPSD/11 revision B amended 21.06.2018; Block B (Wilford Lane Block) floor plans and roof plan as proposed MRP/1603/PPSD/12 revision B amended 08.11.2018; building elevations as proposed MRP/1603/PPSD/14 revision C amended 08.11.2018.

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

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

[To ensure the appearance of the development is satisfactory and to comply with 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 Local Plan Part 1: Rushcliffe Core Strategy.]

4. No development, including demolition and site clearance, shall commence on site until a full arboricultural method statement has been submitted to and approved in writing by the Borough Council. The statement shall include the following details:

- a) Any pruning required to facilitate access.
- b) Site management including tree protection measures in accordance with BS5837.
- c) Prohibition
- d) Demolition
- e) Construction
- f) Services
- g) Monitoring and Supervision

The development shall be carried out in accordance with the approved arboricultural method statement.

[To ensure protection of trees 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 due to the need to ensure that the site can be developed without harming trees throughout the construction phase.]

5. The access road and raised walkway hereby approved as shown on the site plan as proposed MRP/1603/PPSD/10 revision D amended 08.11.2018 and the context elevations as proposed MRP/1603/PPSD/13 revision C amended 08.11.2018, shall not be constructed until the following details have been provided;

- a) full details of the construction of the new access road, parking spaces and parking shelters.
- b) A cross section and construction details showing the service routing contained within the raised walkway between Block B and Wilford Lane.

The development shall be carried out in accordance with the approved details.

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

6. The development hereby permitted shall not be constructed above damp proof course level until a detailed landscaping scheme for the site has been submitted to and approved in writing by the Borough Council. The landscaping scheme shall be carried out in the first planting season following the occupation of the first apartment 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, 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].

7. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) Revision B, 07/06/2018, Lumax Consulting Civil and Environmental Engineers, and the following mitigation measures detailed within the FRA:

- a. Finished floor levels are set no lower than 25.46m above Ordnance Datum (AOD).
- b. Flood resilience measures are implemented as described in the FRA.
- c. Access for the Environment Agency to the flood defences on the River Trent is provided as described in the FRA; with a 4m wide access route to flood defences and an 8 metre easement between the flood defences and the building.
- d. A raised escape route between the properties and Wilford Lane as described on page 20 of the FRA.

[In order 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]

8. No part of the development shall be brought into use until the site access is 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 retained for the life 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]

9. No part of the development shall be brought into use until the parking and turning areas are provided in accordance with drawing MRP/1603/PPSD/10 Revision C. The parking and turning areas shall not be used for any purpose other than the parking and turning of vehicles and shall be retained as such thereafter.

[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]

10. No gates shall be erected at the access points to the development from the public highway.

[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]

11. The development hereby approved shall be carried out in accordance with the Noise Assess report (Ref: 12528.01.v2, November 2018), and full design details for the proposed noise mitigation scheme shall be submitted for approval in writing prior to the buildings hereby approved being constructed above damp proof course level. The submission shall include full details of:

- a. The type and location of acoustic windows to be installed.
- b. The glazed noise barriers to be installed to the ground floor terrace and the balconies.
- c. An assessment of the potential for overheating (due to solar gain, etc.) for all habitable rooms that rely on closed windows to achieve the required internal noise levels.
- d. Detailed proposals for the measures to be put in place to mitigate any significant risk of overheating occurring in any habitable rooms that rely on closed windows to achieve the required internal noise levels. The details shall include an assessment of the internal and external noise levels caused by the operation of any mechanical ventilation system that is relied upon to mitigate overheating.
- e. Calculations shall be submitted as necessary to validate the design.

The approved noise mitigation scheme shall be implemented in full and maintained to the approved specification for the life of the approved use of the building.

[To ensure a suitable standard of living conditions is provided and maintained for future residents, and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

12. The development hereby approved shall be carried out in accordance with

the mitigation measures as set out at 5.2 of the Enviroscope Consulting Bat Emergence and Re-entry Survey Report dated October 2017.

[To comply with the requirements of the Wildlife and Countryside Act 1981 and Policy EN12 (Habitat Protection) of the Rushcliffe Borough Non Statutory Replacement Local Plan.]

13. No unit shall be occupied until a scheme detailing the provision of a minimum of two permanent bat roosting features and 4 bat boxes, and a timetable for their installation, has been submitted to and approved in writing by the Borough Council. The approved scheme shall be installed in accordance with the approved timetable and shall thereafter be retained and maintained.

[To ensure that adequate compensatory measures are carried out and to comply with policies GP2 (Design & Amenity Criteria) and EN12 (Habitat Protection) of the Rushcliffe Borough Non Statutory Replacement Local Plan.]

14. A copy of the Flood Management and Evacuation Plan by Lumax dated June 2018 shall be issued to every future resident of each residential unit on the site.

[In order to protect future residents in the event of flooding and to comply with Policy WET2 (Flooding) of the Rushcliffe Borough Non Statutory Replacement Local Plan

15. The development hereby approved shall not be brought into use until a scheme detailing the disposal of household waste from the site has been submitted to and approved in writing by the Borough Council. The approved scheme shall be operated throughout the life of the development unless otherwise approved in writing.

[To ensure that household waste is collected in a safe manner, in the interests of amenity and highway safety and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

16. No development, including demolition and site clearance, shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The statement shall provide f

- a) the means of access for construction, delivery and workers traffic;
- b) parking provision for construction traffic, site operatives and visitors;
- c) the loading and unloading of materials;
- d) the storage of plant and materials;
- e) the protection of trees; and
- f) hours of operation

[This is a pre-commencement condition due to the need to ensure that the site can be developed in a safe manner and protect the trees within the site throughout the construction phase, to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan and Policy 10 of the Rushcliffe Core Strategy.]

17. The new substation, pump room and bin stores as shown on Site Plan As Proposed MRP/1603/PPSD/10 Revision D amended on 08.11.2018, shall not be erected until details of their external design and appearance have been submitted to and approved in writing by the Borough Council. The new substation, pump room and bin stores shall only be constructed in accordance with the approved details.

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

18. No development shall take place until a surface water drainage scheme has been submitted to and approved in writing by the Borough Council. The development hereby approved shall be constructed in accordance with the approved surface water drainage scheme, which shall thereafter be retained and maintained for the life of the development.

[This is a pre-commencement condition to ensure that adequate surface water drainage facilities are secured before development commences to prevent the increased risk of flooding downstream and contamination of the water environment, in accordance with Policy WET2 (Flooding) of the Rushcliffe Borough Non-Statutory Replacement Local Plan and guidance contained within the NPPF].

19. All the windows in the western elevation of Block A and Block B shall be permanently fixed shut and fitted with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent to a height of 1700mm above internal floor levels. Thereafter, the windows shall be retained to this specification unless otherwise agreed in writing by the Borough Council. 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 & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan and Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy.]

20. No development shall commence until a Detailed Contaminated Land Investigation Report and Remediation Report has been submitted to and approved in writing by the Borough Council. The development hereby approved shall be carried out in accordance with the approved Remediation Report. No unit shall be occupied until a Validation Statement, confirming the approved remediation works have been completed, has been submitted to the Borough Council.

[To ensure 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 and Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy. This is a pre-commencement condition as any remediation may involve work that needs to be carried out before work starts on site]

21. Prior to the surfacing of the site access, parking and turning areas within the site, a scheme for the provision of electric vehicle charging points and the necessary infrastructure to facilitate the installation of further electric vehicle charging points within the development, shall be submitted to and approved in writing by the Borough Council. The development shall not be brought into use until the approved scheme has been implemented. The electric vehicle infrastructure and charging points shall be retained and maintained thereafter.

[To facilitate the provision of electric vehicle charging points to minimise the impact on the nearby AQMA and air quality generally, in accordance with Policy 2 (Climate Change) of the Local Plan Part 1: Rushcliffe Core Strategy]

Notes to Applicant

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.

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.

In order to prevent nuisance to neighbours, you are advised to agree with the Borough Council's Head of Environmental Health, a method statement detailing techniques for the control of noise, dust and vibration during demolition and construction.

If any works are required within the public highway to facilitate a smooth transition between the footway and access, then the applicant will need to contact licences@viaem.co.uk to ensure they are properly licensed, for which there will be a fee.

This Authority is charging for the discharge of conditions in accordance with revised fee regulations which came into force on 6 April 2008. Application forms to discharge conditions can be found on the Rushcliffe Borough Council website.

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.

The use of external lighting (during construction and post construction) should be appropriate to avoid adverse impacts on bat populations, take account of Bat Conservation Trust guidance and a wildlife sensitive lighting scheme should be developed and implemented, especially retaining a dark corridor adjacent to the

river. No night work should be carried out.

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.

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.

This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the top of the bank of the River Trent, designated a 'main river', or within eight metres of the flood defence wall. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

It is recommended that the occupants of the development sign up to receive Environment Agency flood warnings by phone, email or text message which is a free service <https://www.gov.uk/sign-up-for-flood-warnings>.

Attention is drawn to condition 21 requiring the provision infrastructure and to install electric vehicle charging points in the development to minimise the impact on the AQMA and air quality generally. Individual residents would find it very difficult to install a charging point post completion as there are no private parking spaces. The provision of charging points may need to be factored in to the capacity of the new electricity sub-station. The scheme shall make provision for the installation of a number of charging points prior to the occupation of any flats within the development and the ability to install further charging points in response to demand from residents of the development.