



Rushcliffe
Borough Council

**MINUTES
OF THE MEETING OF THE
PLANNING COMMITTEE
THURSDAY 25 JANUARY 2018**

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

PRESENT:

Councillor R L Butler (Chairman)
Councillor J A Stockwood (Vice-Chairman)

Councillors B R Buschman, J N Clarke M J Edwards, S J Hull (substitute for S E Mallender), R M Jones, Mrs M M Males, Mrs J A Smith, Mrs M Stockwood (substitute for J E Greenwood), and J E Thurman

OFFICERS IN ATTENDANCE

P Cox	Senior Solicitor
M Dunne	Principal Area Planning Officer
M Elliott	Constitutional Service Team Leader
D Mitchell	Executive Manager - Communities
A Pegram	Service Manager – Communities
P Taylor	Strategic Sites Delivery Officer

ALSO IN ATTENDANCE

Councillors A Edyvean, F Purdue-Horan and R G Upton
30 members of the public

APOLOGIES FOR ABSENCE

Councillors J E Greenwood, S E Mallender

32. DECLARATIONS OF INTEREST

There were no declarations of interest.

33. PLANNING APPLICATIONS

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

14/01417/OUT - Outline application for the development of a sustainable urban extension comprising residential development up to a maximum of 3000 dwellings; employment development incorporating a maximum of 100,000sqm of B1, B2 & B8 floorspace; retail development (A1 to A5) up to a maximum of 2500sqm of floorspace; community buildings; leisure uses; schools; gypsy & traveller pitches; access to the site; new roads; footpaths & cycleways; green infrastructure including new community park; ancillary infrastructure & groundworks - Land East and West Of Nottingham Road, South Of Clifton.

UPDATES

Representations from four local residents, Gotham Parish Council, Oxalis Planning (the applicant's agent), Nottinghamshire County Council (as the local highways authority), Nottingham Express Transit and the case Planning Officer, received after the agenda had been circulated to members of the Committee prior to the meeting. In addition, at the meeting the Service Manager – Communities advised the Committee that the report referred to the Conservation of Habitats and Species Regulations 2010 (As Amended) which had now been superseded by regulations which came in to effect on 30 November 2017, consolidating the amendments since the 2010 regulations came in to force.

In accordance with the Council's Public Speaking Protocol for Planning Committee Mr Ben Holmes of Oxalis Planning (agent for the applicant), Mr Robert Hepwood of Clowes Developments (the applicant), Mr Martin Truman (objector), Councillor Allen Kerr of Barton-in-Fabis Parish Council, Councillor John Anderson of Gotham Parish Council and Councillor Stuart Matthews (ward councillor), addressed the meeting.

DECISION

THAT THE EXECUTIVE MANAGER – COMMUNITIES BE DELEGATED AUTHORITY TO GRANT OUTLINE PLANNING PERMISSION, SUBJECT TO THE PRIOR SIGNING OF A S106 AGREEMENT, AND THE FOLLOWING CONDITIONS:

1. The development shall commence within five years from the date of this permission or before the expiration of two years from the date of the approval of the first reserved matters whichever is the later.

[To comply with the requirements of section 92 of the Town and Country Planning Act 1990 (as amended) and to ensure the development will be satisfactory].

2. The first application for approval of reserved matters for the first phase of the development (as detailed pursuant to the phasing programme to be approved pursuant to condition 8) shall be submitted no later than three years from the date of this permission and all subsequent reserved matters applications shall be submitted by no later than 15 years from the date of this permission.

[To comply with the requirements of section 92 of the Town and Country Planning Act 1990 (as amended) and to ensure the development will be satisfactory].

3. The development hereby permitted shall only be undertaken in general accordance with the details as set out in the following: -

Parameters Plan 1667-P-1000 rev I and accompanying information (including heights) as set out in the Detailed Description of Development within the EIA

Design and Access Statement (Revised Jan 2018 – ref 1667 DAS REV 1) (which includes the amendments to the Illustrative Development Framework Plan and Parameters Plan and quantum of D1(non-residential institution and primary school provision)

Save only for minor variations where such variations do not deviate from this permission nor have any additional or materially different likely significant environmental effects to those assessed in the ES accompanying this application

[To clarify the extent of the permission and to ensure the development takes the form agreed by the authority taking into account consideration of the accompanying ES.]

4. No phase (as detailed pursuant to the phasing programme to be approved pursuant to condition 8) of the development is to commence until the following details have been approved in advance and in writing by the local planning authority.

- (a) the earthworks strategy relating to that phase of development including the management and protection of soils;
- (b) an Earthworks Specification for each phase of the development;
- (c) cutting slopes and embankment design that would accord with the approved Earthworks Specification;
- (d) the extent of any material to be temporarily stored within the site; and
- (e) any surplus material to be removed from the site for disposal or material to be imported to the site.

All earthworks must be carried out in accordance with the details as approved

[To make sure the development is in accordance with the requirements of Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy. The condition needs to be discharged before work commences on site as the information was not included in the application and it is important to agree these details in the interests of visual amenity, biodiversity and soil protection and to comply with policy 24 of the Rushcliffe Local Plan Part 1 Core Strategy.

5. No built development shall take place on any phase until details of the access, appearance, landscaping, layout, and scale ("the reserved matters") of each phase of the development have been submitted to and approved in writing by the Borough Council. The development shall

be carried out in accordance with the approved details.

[To comply with the requirements of section 92 of the Town and Country Planning Act 1990 (as amended) and to ensure the development will be satisfactory.]. The condition needs to be discharged before work commences on site as the information was not included in the application and it is important to agree these details in the interests of visual and residential amenity, and to comply with policy 24 of the Rushcliffe Local Plan Part 1 Core Strategy

- 6 The residential development hereby permitted shall not comprise more than 3,000 dwellings.

[To make sure the development takes the form agreed by the authority and thus results in a satisfactory form of development and to ensure conformity with the extent of the development assessed in the accompanying ES].

7. No more than 20HA comprising up to 100,000 sqm providing a mix of B1, B2 and B8 employment land in total shall be provided within the areas identified as Plot A, Plot M, Plot N and Plot L on Parameters Plan 1667-P-1000 rev I, and the mix shall largely be in accordance to that mix set out in the Transport Assessment or such alternative mix which gives rise to no greater traffic generation/impacts than that assessed in the transport assessment.

[To make sure the development takes the form agreed by the authority and thus results in a satisfactory form of development and to ensure conformity with the extent of the development assessed in the accompanying ES].

8. Notwithstanding the Concept Phasing Plan submitted as part of the application in the Design and Access Statement, prior to the submission of the first reserved matters application, a Site Wide Phasing Plan and Programme shall be submitted and approved in writing by the Local Planning Authority. The Phasing Plan and Programme shall include details of the proposed sequence of development across the entire site, the extent and location of individual development phases and any sub-phases including reference to the type and extent of any development envisaged in each phase or sub-phase and a description. The Phasing Plan and Programme shall also include details of the delivery of the following:

- i) Site wide earthworks Strategy
- ii) Development areas (including broad areas, range of residential unit numbers and/or floor space of non-residential uses)
- iii) Site accesses, major internal infrastructure including internal spine road, pedestrian and cycle crossings, footpaths, cycleways, bridleways.
- iv) Green Infrastructure, including informal and formal sports and recreation facilities, allotments etc.

- v) A site-wide structural landscaping scheme, in accordance the illustrative green infrastructure plan within the Design and Access Statement and the illustrative Framework Plan. This site-wide structural landscaping scheme shall include all existing and proposed structural landscaping and provide sufficient level of detail to allow effective monitoring and management of phased delivery (including implementation proposals for any part of the scheme that will be delivered early to mitigate visual impacts, and/or any part that will be implemented).

The development shall be carried out in accordance with this agreed Phasing Programme unless otherwise agreed in writing.

[To provide clarification on how the development will be delivered to assist determination of reserved matters and to ensure that necessary infrastructure provision as required by policy 24 of the Rushcliffe Borough Core Strategy and environmental mitigation is provided in time to address the impact and needs of the development.]

- 9. No development (including site clearance or site preparation), shall take place until a detailed design scheme to manage flood risk from surface water, in accordance with the principles established in the Drainage Strategy submitted as part of the Flood Risk Assessment ref: 0484FRA3 has been submitted to, and approved in writing by, the local planning authority. The scheme shall give consideration to all forms of Sustainable Drainage techniques (SuDS), and not just those techniques identified in Table 4.2 of the report. The scheme design shall ensure that there are no storage facilities located within the modelled 1 in 100-year event area of the floodplain of the Fairham Brook. The scheme shall also include a workable system to ensure that the drainage infrastructure can be adopted and maintained by an appropriate body. The scheme shall be fully implemented and subsequently maintained, 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 make sure the development is in accordance with the requirements of Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy. The condition needs to be discharged before work commences on site as the information was not included in the application and it is important to agree these details in the flood risk and to comply with policy 24 of the Rushcliffe Local Plan Part 1 Core Strategy]

- 10. No development (including site clearance or site preparation), shall take place until a Biodiversity Management Plan and its phasing and delivery for the site has been submitted to and approved in writing by the Borough Council and allow for the proposed ecological mitigation measures, as illustrated on plan 1667-P-500 F, compiled by FPCR, dated January 2015 to be implemented in accordance with the agreed details.

The initial scheme to be implemented must include as a minimum the following features:

1. The re-meandering of the Fairham Brook and the provision of a two stage channel for the full length of the development boundary;
2. The provision of wildlife ponds and scrapes which are distinct from the SuDS features to be created on site;
3. The Provision of an online fry refuge with reedbed connected to the Fairham Brook;
4. A 4 - 5 m rough grassland buffer strip adjacent to the Fairham Brook for the length of the development boundary;
5. The provision of species rich grassland as shown in the aforementioned plan;
6. The provision of wet grassland habitat as shown in the aforementioned plan;
7. SuDS lakes and ponds which maximise biodiversity benefit as shown in the aforementioned plan;
8. Wild bird seed mix plots as shown in the aforementioned plan;
9. The provision of an otter holt, pole mounted barn owl boxes and bird feeding stations;
10. A management plan for the habitats created detailing maintenance responsibilities where required;
11. Details of a welcome pack to be provided to each household which includes key messages about Attenborough Nature Reserve SSSI and other local spaces of ecological interest.

The management plan shall include provision for updated ecological surveys, measures to be taken to establish the existence of any protected species prior to site clearance, mitigation measures, ongoing management, maintenance and monitoring schedules in each phase of development. Further updates shall be submitted if the development of part of any particular phase does not commence within 24 months of approval of the details approved pursuant to this condition.

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

[This condition is necessary and needs to be discharged prior to commencement of development to ensure that the proposed ecological mitigation measures are delivered and managed in a way which contributes to the nature conservation value of the site. This is in accordance with paragraph 109 of the National Planning Policy Framework which requires the planning system must aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged and to satisfy Policy 24 of the Rushcliffe Local Plan Part 1 Core Strategy.]

11. No development (including highway infrastructure or built development), shall take place until an On-site Leisure Scheme for the site has been submitted to and approved in writing by the Borough Council. This

scheme shall include a minimum provision for allotments of 2.76HA, playing pitch provision of 87,480sqm as set out in the Rushcliffe Playing Pitch Strategy; 1.73 HA of play areas equipped, and areas identified for formal and informal open space; details of the proposed play equipment ,and identifying in which phase the provision will be made and delivered as agreed in the phasing plan approved by condition 8 and shall include proposals for the ongoing management and maintenance of the areas thereafter.

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

[To ensure an acceptable development in accordance with the aims of Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy. The condition needs to be discharged before work commences on site as the information was not included in the application and it is important to agree these details to ensure adequate provision for outdoor sport and recreation is considered in all parts of the development]

12. No development (including site clearance of site preparation) shall take place until a public transport strategy including a delivery plan and details of accompanying infrastructure which shall include the following infrastructure at each stop:- bus shelters, real time pole and displays including associated electrical connection, solar/ electrical lighting in bus shelters, raised boarding kerbs, lowered accessibility kerbs and enforceable bus stop clearways has been submitted and approved in writing by the Borough Council. Each reserved matters application including land subject to the provision of this strategy shall thereafter ensure the development is implemented in accordance with the details approved.

[To promote the use of public transport facilities and services and to

ensure compliance with Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy. This is a pre commencement condition to ensure that the promotion of sustainable travel is designed and agreed prior to reserved matters applications and their layouts being designed.]

13. No development (including site clearance or site preparation) in any phase shall take place until: i) a further archaeological evaluation has been undertaken for that phase, details of the scope of which shall have been submitted to and approved in writing by the Borough Council; and ii) The submission of the results of the evaluation in i) are submitted to the Borough Council together with details of a programme of archaeological investigation and mitigation for each phase of development based upon those results to be approved in writing.

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

[To make sure the development is in accordance with the requirements of Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy. This

condition is a pre commencement condition to ensure that any features of archaeological importance are identified and appropriate mitigation undertaken prior to works commencing on site.]

14. Prior to the submission of reserved matters application for the Employment Land as identified on Parameter Plan drawing no. 1667 – P-1000 G plots A, L, M and N, a Design Brief shall be submitted to and approved in writing by the Local Planning Authority. The Brief shall include the mix and disposition of uses, access and circulation, public realm, parking, layout, urban design principles, massing and scale. The reserved matters application/ applications for this commercial/ employment area shall be submitted in accordance with the approved Design Brief.

[To ensure consistency with the Design and Access Statement and illustrative Framework Plan and deliver a development in accordance with the aims of Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy.]

15. Before development is commenced in each phase, a Phase II contaminated Land report shall be submitted to and approved in writing by the Borough Council where the ground investigations confirm that contamination exists, a remediation report and validation statement will also be required. This shall include for a minimum of four rounds of ground gas monitoring to establish if ground gas precautions are required for the proposed development and an unexploded ordnance search. 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 on that phase of the development and the development shall be carried out in accordance with the approved details.

[To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy. The condition needs to be discharged before work commences on site as the information was not included in the application and it is important to ensure the ground conditions are acceptable]

16. No development (including site clearance, or site preparation), in each phase shall take place until a Construction Method Statement for that phase of the development has been submitted to and approved in writing by the Borough Council and shall include the:
 - a) measures for ensuring the means of exit from the site for construction traffic;
 - b) parking provision for site operatives and visitors;
 - c) the siting and means of loading / unloading and storage of plant and materials used in constructing the development;

- d) wheel washing facilities (including full details of its specification and siting);
- e) measures to control the emission of dust and dirt during construction;
- f) scheme for recycling/disposing of waste resulting from construction works;
- g) siting and appearance of contractors compounds including heights of stored materials, boundaries and lighting together with measures for the restoration of the disturbed land and noise mitigation;
- h) A scheme for temporary signage and other traffic management measures including routing and access arrangements for construction traffic;
- i) A scheme to treat and remove suspended solids from surface water run-off during construction works.

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

[In the interests of highway safety, to maximise the retention of agricultural soils on site, to protect the amenities of the area and reduce the risk of surface water pollution and to comply with Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy. This is a pre-commencement condition due to the need to establish acceptable construction methods and working arrangements before such works commence]

17. Each reserved matters application shall be accompanied by the following details:
- a) A detailed layout plan of the phase in context with the whole site.
 - b) The siting, design and external appearance of the proposed buildings.
 - c) The means of access; car parking and provision for service vehicles.
 - d) Facing, roofing and hard surfacing materials.
 - e) 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, sewerage and lighting.
 - f) The layout and marking of car parking, servicing, manoeuvring areas and cycling storage for each building.
 - g) The means of enclosure to be erected on site.
 - h) The finished ground levels for the site and floor levels of the buildings relative to existing levels and adjoining land and in relation to the ground levels or contours proposed in any adjacent landscaping scheme.
 - i) Plant and equipment and other structures.
 - j) Re cycling and bin storage facilities including an area for 3 wheeled bins for each dwelling and community bin storage for apartments and commercial areas and arrangements for maintenance and servicing.

- k) Details of the means of foul and surface water drainage together with a programme of implementation and means to ensure there is no run off to highways.
- l) The detailed design of all junctions, which shall include details of visibility splays.
- m) Drainage and rainwater run off systems including SuDS which shall accompany any road layout submission and detail maintenance/ management arrangements.
- o) The number and location of the affordable dwellings to be provided together with the mix of dwellings in terms of the number of bedrooms and the proportion of houses and flats and tenure.
- p) Detailed plans of the layout of the play areas, equipment, open space and other green infrastructure associated with that phase of development.
- q) Each reserved matters application for residential development shall be accompanied by a statement assessing the development against the Building for Life Standards. The development shall thereafter be carried out in full accordance within the approved scheme.
- r) Each reserved matters application for a non-residential use of a floor space of over 1000sqm shall be accompanied by a statement detailing how each non-residential building shall achieve a minimum of BREEAM Very Good (or the equivalent level of such national measure of sustainability for employment building design that replaces BREEAM).
- s) Details of how renewable/energy efficiency and climate change proofing has been incorporated into the phase to include for the provision of electric charging points in each house and within the commercial areas.
- t) Each reserved matters application which includes safeguarded land for the tram corridor shall include technical details to allow for the long term safeguarding of the route in general accordance with the technical note ref 364372-WTD-MCH-006 provided by NET dated 02/01/2018.
- u) Provide details of the public transport provision to serve this part of the development in accordance with the details agreed under condition 12.

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

[To make sure the development is in accordance with the requirements of Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy

18. Prior to the submission of reserved matters applications for the Neighbourhood Centre and destination central park, a Design Brief shall be submitted to and approved in writing by the Borough Council which shall largely accord with the design principles for the Neighbourhood Centre as set out in the Design and Access Statement. The Design Brief shall include the provision for a serviced site of 0.7 Acres for Health Centre, 3 HA for the Primary School, Community Hall with sports pavilion of approximately 900m² plus with parking, the mix and

disposition of uses, access and circulation, public realm, parking, site for recycling facilities, layout and urban design principles and details of the layout, landscaping and play area provision. The reserved matters application for this area and the facilities shall be submitted in accordance with the approved Design Brief and thereafter development shall be delivered in accordance with the approved details.

[To ensure consistency with the Design and Access Statement and illustrative Framework Plan and deliver a development in accordance with the aims of Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy.]

19. No more than 2,500sqm of A1 retail, A2 financial and professional services, A3, A4 or A5 (cumulative total) shall be provided on site and no individual unit shall exceed 499sqm in floor space unless otherwise agreed in writing by the Borough Council as the Local Planning Authority.

[To make sure the development is in accordance with the requirements of Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy and to ensure that the scheme delivers a neighbourhood centre appropriate to serve the development.]

20. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification), there shall be no amalgamation of the units defined for A1, A2, A3, A4, A5 or D1 uses within the local centre without the prior permission of the local planning authority.

[To ensure an appropriate mix of uses to meet local need is contained within the local centre, in the interest of sustainability and to minimise any impact on the existing district centre of Clifton.]

21. No development of a phase shall begin until reserved matters submissions on landscaping have been submitted to and approved in writing by the Borough Council for that phase. The submissions shall include full details of both hard and soft landscape works for that phase and a programme for their implementation. Hard landscaping details shall include proposed finished levels or contours, means of enclosure, surfacing materials, minor artefacts and structures (e.g. furniture, play equipment, dog bins, refuse or other storage units, signs and lighting). Soft landscaping details shall include details of the retained trees and hedgerows and their means of protection (in accordance with BS5837/2012) whilst construction takes place, proposed contours, planting plans (including woodland planting), written specifications (including cultivation and other operations associated with plant and grass establishment) and schedules of plants/trees, including species use of plants/trees, grass mix, cultivation and grass establishment of highway verges as well as measures to prevent ingress of roots into the adjacent highway construction. Only native species appropriate to the local area and of native genetic origin shall be used in areas of 'natural' planting around the boundaries of the site in habitat creation areas, and

in green corridors through the site and any trees shall be located such that they do not obscure visibility to vehicles accessing or using the adjacent highway. The works shall be carried out as approved. Any tree(s) or planting which die, are removed or become seriously damaged or diseased within 5 years of completion of the development within that phase shall be replaced in the next planting season with others of a similar size and species.

[To make sure the development is in accordance with the requirements of Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy. This is a pre-commencement condition due to the need to establish acceptable details of hard and soft landscaping to be incorporated into the layout of the scheme at design stage]

22. Development shall not begin on any phase until the existing trees and hedges in that part of the site which are to be retained have been protected in accordance with the details approved pursuant to condition 21 above. Protection shall be retained for the whole of the construction period of that phase. No materials, machinery or vehicles shall be stored, no buildings erected and no excavation works undertaken within the protected areas. No changes to ground levels shall be made within the protected areas without the prior written agreement of the Borough Council.

[To make sure the development is in accordance with the requirements of Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy. This is a pre-commencement condition due to the need to establish acceptable details of protection is agreed and in place prior to work commencing in that phase to ensure the long term health of the trees and hedges is protected.]

23. 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 secure a proportionate contribution to improvements to the A52 and A606 in order to address the impacts of the development on the capacity of the Trunk Road network in the vicinity of the application site and to comply with Policy 24 of the Rushcliffe Core Strategy.]

24. No more than 1,500 dwellings and 50,000sqm B1/B2/B8 of the development hereby permitted shall be occupied until the A453 improvement at the Crusader roundabout as shown in Lawrence Walker Ltd Drawing Figure 2 – Rev D1 (or as otherwise amended during detailed design) has been subject to a Stage 2 Road Safety Audit, Walking Cycling and Horse Riding Assessment and Review (WCHAR) and then constructed and open to traffic.

[To ensure that the A453 and A52 trunk roads continue to serve their purpose as part of a national system of routes for through traffic in

accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the road network resulting from traffic entering and emerging from the application site and in the interests of road safety.]

25. No more than 300 dwellings of the development hereby permitted shall be occupied until all three phases of the A453 improvement at the Mill Hill roundabout as shown on Lawrence Walker Ltd Drawings Figure 1 - Rev D1A, D1B and D1C (or as otherwise amended during detailed design) have been subject to Stage 2 Road Safety Audit and Walking Cycling and Horse Riding Assessment and Review (WCHAR). No more than 300 dwellings of the development shall then be occupied until the approved Phase A scheme shown on Drawing Figure 1 – Rev D1A has been constructed and opened to traffic.

[To ensure that the A453 and A52 trunk roads continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the road network resulting from traffic entering and emerging from the application site and in the interests of road safety.]

26. No more than 1,000 dwellings and 33,000sqm B1/B2/B8 shall be occupied until Phase B of the A453 improvement at the Mill Hill roundabout as shown on Lawrence Walker Ltd Drawing Figure 1 - Rev D1B (or as otherwise amended during detailed design) has been constructed and opened to traffic.

[To ensure that the A453 and A52 trunk roads continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the road network resulting from traffic entering and emerging from the application site and in the interests of road safety.]

27. No more than 2,000 dwellings and 66,000sqm B1/B2/B8 shall be occupied until Phase C of the A453 improvement at the Mill Hill roundabout as shown on Lawrence Walker Ltd Drawing Figure 1 - Rev D1C (or as otherwise amended during detailed design) has been constructed and opened to traffic.

[To ensure that the A453 and A52 trunk roads continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the road network resulting from traffic entering and emerging from the application site and in the interests of road safety.]

28. No part of the development shall commence until details of the proposed Pedestrian/Cycle infrastructure improvement works including a signage scheme and an associated delivery plan with phasing has been submitted and approved in writing by the Borough Council. The proposed routes and improvement shall be delivered in accordance with these details and shall generally accord with those shown for indicative purposes on drawing 1667-P-302 K and include the following off site works:

- i. A new cycle route connecting the NET Park and Ride with the Crusader roundabout.
- ii. A new cycle / pedestrian route on Clifton Lane connecting the existing cycle route on Farnborough Road Clifton to the existing route on Pasture Lane Ruddington.
- iii. A connection from the site to the existing cycle route on Green Street and improvements to the cycle signage between the Development Site and East Midlands Parkway Railway Station.
- iv. Signage Improvements to provide an on road cycle route to Gotham Village.

[In the interest of highway safety and to encourage sustainable means of transport in order to comply with Policy 24 of the Rushcliffe Core Strategy. This is a pre commencement condition as pedestrian and cycle infrastructure and links with the existing network are a critical element of the development and need to be considered early in the design and development process]

29. No buildings shall be occupied until the associated parking areas and manoeuvring areas associated with that building have been provided, drained and surfaced in accordance with the details that have been previously submitted to and approved by condition 17 by the Borough Council. The facilities so provided shall not be used, thereafter, for any purpose other than the parking and manoeuvring of vehicles, unless otherwise agreed in writing by the Borough Council.

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

30. No direct vehicular access from the site to Barton Lane shall be created at any time.

[To limit the potential for vehicular traffic to use the underpass under the A453 in the interests of highway safety.]

31. Prior to the occupation of any buildings on the site traffic surveys shall be undertaken at suitable locations between the Development site, Mill Hill Roundabout, the A60 Flawforth Lane junction, A52 Wheatcroft junction and Gotham Village. The exact location and timing of all surveys shall be agreed in writing with the Local Planning Authority prior to them taking place and shall be submitted to the Borough Council for information within two months of the surveys taking place.

[To establish traffic conditions prior to commencement of works and provide suitable baseline for comparison when monitoring traffic levels post occupation as required by condition 32 below]

32. Prior to the occupation of the 500th dwelling a strategy to monitor and manage traffic travelling through the site on Nottingham Road shall be submitted to and approved by the local planning authority. The strategy shall include details of the traffic management measures and their timing for delivery that will be put in place if through traffic along

Flawforth Lane between Wheatcroft Island on the A52, the new Mill Hill Roundabout and Gotham increases such that it is shown to have a severe impact when compared to the baseline figures established in condition 31 above. The traffic management measures shall thereafter be implemented by and at the applicant's expense in accordance with approved details. Monitoring shall occur on the occupation of every 400 dwellings and shall continue on this basis until such a time as the development is complete.

[To ensure that traffic follows the predicted patterns suggested in the Transport Assessment and to allow suitable mitigation measures to be introduced in the interests of highway safety implications in accordance with the aims of Policy 24 of the Rushcliffe Local Plan Part 1 Core Strategy]

33. No development shall take place until details of the safeguarded corridor for the provision of a tramway to link from the existing NET Park and Ride site through the proposed local centre and extend towards the south west corner of the site, have been submitted to and approved in writing by Borough Council. Development shall then be carried out in accordance with the approved details and in accordance with any phasing plan.

[The potential extension of the tram is seen as a critical part of the development and a requirement of Policy 24 of the Rushcliffe Local Plan Part 1 Core Strategy. This is a pre commencement condition to ensure that consideration of its precise route is considered early in the development process in the interests of sustainable development].

34. No part of the development shall be occupied or be brought into use until the owner or the occupier of the site 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 Outline Travel Plan and whose details shall be provided and continue to be provided thereafter to the Local Planning Authority.

[To promote sustainable travel and to ensure compliance with Policy 24 of the Rushcliffe Local Plan Part 1: - Core Strategy]

35. The travel plan coordinator shall within 6 months of commencement of their engagement produce or procure a Detailed Travel Plan (The Clifton Travel Plan) for the residential / commercial and primary school elements of the development that sets out final targets for the different types of uses with respect the number of vehicles using the site and the adoption of measures to reduce single occupancy car travel consistent with the Outline Travel Plan. The Clifton Travel Plan shall be implemented in accordance with the approved timetable and details and be updated consistent with future travel initiatives including implementation dates to the satisfaction of the Local Planning Authority.

[To promote sustainable travel and to ensure compliance with Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy.]

36. The travel plan coordinator shall submit reports in accordance with the Standard Assessment Methodology (SAM) or similar to be approved and to the Local Planning Authority in accordance with the Travel Plan monitoring periods. The monitoring reports submitted to the Local Planning Authority 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 and to ensure compliance with Policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy.]

37. Prior to the occupation of each dwelling and in accordance with the Outline Travel Plan 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]

38. Notwithstanding the provisions of the Town and Country Planning Use Classes (Amended) Order 1995 (as amended) (or in any provision equivalent to the Class in any statutory instrument revoking and re-enacting that Order with or without modification), any non-residential buildings falling within Classes B2 and B8 constructed pursuant to this outline planning permission shall only be used for B2 and B8 purposes. There shall be no subsequent change of use to one falling within Class B1(a) without the benefit of obtaining planning permission.

[To clarify the extent of the permission, to limit traffic generation and to ensure that adequate parking facilities are provided in connection with the development and to comply with policies 24 of the Rushcliffe Local Plan Part 1: Core Strategy]

39. No non-residential unit shall be occupied until a scheme has been submitted to and agreed in writing by the Borough Council to cover the following:

- a) hours of operation of those premises,
- b) details of delivery handling equipment and industrial processes to be undertaken;
- c) details of externally mounted plant, equipment, tools and machinery or internally mounted plant, equipment, power tools and machinery which vents externally;
- d) associated structural planting and external and internal buffer zones to mitigate any noise generated;
- e) details of refuse collection and bin storage and servicing arrangements;
- f) details of security lighting or flood lighting to be installed on the employment premises or associated open areas including lux plot of estimated illumination and designed, located and installed

- so as not to cause nuisance to neighbouring residents or to users of the highway and to avoid significant impacts on foraging commuting bats;
- g) hours of deliveries taken at or dispatched from and waste collection;
 - h) details of any outdoor storage or display of goods or materials.

The units shall thereafter be used, and any plant /equipment shall be installed, and retained in accordance with the approved scheme.

[To ensure a satisfactory development and to protect the amenities of the area in accordance with policy 24 of the Rushcliffe Local Plan Part 1: Core Strategy].

40. Prior to any phase of residential development commencing an Employment and Skills Strategy for the construction phase of the approved development shall be submitted to and approved in writing by the Borough Council. This strategy will provide opportunities for people in the locality including employment, apprenticeships and training. 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. This is a pre-commencement condition because recruitment and employment takes place prior to commencement].

41. The development shall allow for a minimum of four gypsy and traveller pitches. Prior to the commencement of built development details of the size, layout and specification and timing for the provision of a serviced area to be set aside for the pitches shall be submitted to and approved by the Borough Council. Thereafter, the area shall be made available in accordance with the approved details. The area/pitches shall thereafter be retained and made available for families within the gypsy/traveller community.

[To ensure the scheme takes the form agreed by the authority and thus results in a satisfactory form of development.]

Notes to Applicant

Highways

The highway mitigation works associated with this consent involve works within the public highway, which is land over which you have no control. Highways England therefore requires you to enter into a suitable legal Section 278 agreement to cover the design check, construction and supervision of the works. Contact should be made with the Highways England Section 278 Business Manager David Steventon to discuss these matters on david.steventon@highways.gsi.gov.uk.

Any works undertaken to the Highways England network are carried out under the Network Occupancy Management policy, Highways England Formal Recommendation letter to LWL: NOVEMBER 2015 in accordance with Highways England procedures, which currently requires notification/booking 3 months prior to the proposed start date. Exemptions to these bookings can be made, but only if valid reasons can be given to prove they will not affect journey time reliability and safety. The Area 7 MAC's contact details for these matters is: area7.roadspace@aone.uk.com.

Notwithstanding any planning permission, if any highway forming part of the development is to be adopted by the Highways Authority under Section 38 of the Highway Act 1980 such new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance the 6C's Design Guide or any subsequent replacement document.

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 that design calculations and detailed drawings for the proposed works are submitted to and approved by the Highway Authority in writing prior to submission of any reserved matters applications required to comply with the requirements of the conditions outlined above. Failure to do so may result in significant delays in the approval of such applications.

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.

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 Jan Witko of Nottinghamshire County Council on telephone number 0115 9774364.

In relation to the conditions relating to the Clifton Travel Plan you are advised that this document should take into account the remaining requirements as set out in the County Councils Highways Comments dated 31/8/17. Advice regarding travel plans can be obtained from the Travel Plans Officer, telephone 0115 9773145.

With regard to the public rights of way that are potentially affected or proposed to serve the development you are advised to contact Nottinghamshire County Council public rights of way officer or the Cycling and Roadspace Transformation Manager at Nottingham City Council in relation to routes within the boundary of Nottingham City Council.

Correspondence with the Nottinghamshire County Council as Highway Authority should be addressed to:
Development Control (Highways), Nottinghamshire County Council, County Hall, Loughborough Road, West Bridgford, Nottingham, NG2 7QP or alternatively via e-mail at transport.strategy@nottscc.gov.uk

Drainage

You are advised to contact Severn Trent Water with regard to ensuring that the necessary improvements to infrastructure provision are able to be planned and undertaken in a timely fashion.

The improvements required under condition 10 would take place on a stretch of the Fairham Brook maintained by the Trent Valley Internal Drainage Board (TVIDB). The TVIDB will therefore need to approve any changes to the channel and bank top. The contact at the TVIDB would be Chris Manning who can be contacted on 01507 328095.

No buildings, structures, planting or fencing will be permitted within 9m of the Fairham Brook without the prior written consent of the Trent Valley Internal Drainage Board.

Severn Trent Water advise that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development.

Other matters

In relation to condition 4 requiring soil management details you are advised to refer to DEFRA Construction Code of Practice for the sustainable Use of Soils on Construction sites.

It is recommended that all demolition and construction work, including deliveries, shall be restricted to the following times, to cause the minimum amount of disturbance to neighbouring residents:

Monday – Friday	0700 – 1900 hours
Saturday	0800 – 1300 hours
Sunday/Bank Holidays	No work activity

With regard to condition 18 relating to the recycling facilities within the neighbourhood centre your attention is drawn to the attached information from the Borough Councils Recycling Officer.

In relation to condition 40 your attention is drawn to the attached information relating to the Employment Outputs.

In relation to the conditions referring to the Safeguarded Land for the potential extension of the NET you are advised to contact the NET projects office for

further technical information and requirements. Your attention is drawn to the technical note ref 364372-WTD-MCH-006 dated 02.01.2018

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

Part of the application site is affected by overhead power lines. Western Power Distribution draw attention to the following documents which will need to be taken into account in the detailed design of any proposals in the vicinity of these lines: -

- a. Avoidance of danger from Electricity Overhead Lines and Underground Cables
- b. HSE guidance note GS6 Avoiding danger from overhead lines

Careful consideration will need to be given to the design of any water features to ensure a risk assessment and appropriate mitigation if necessary is undertaken with regard to any safety hazard in areas designated for use by young children. A regular programme of safety inspections and maintenance will be required through either a management company or other arrangement.

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.

Due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works. E-mail: plantprotection@cadentgas.com Telephone: +44 (0) 800 688588.

The access road to the Park and Ride site from Mill Hill is a private road within the ownership of NET/City Council. Continued dialogue with the NET/City Council regarding the use of their access is recommended and proposed developers should be aware of the need to ensure access to the Park and Ride facility remain unimpeded at all times and appropriate signage may be required to be displayed to show how access can be achieved by vehicle if necessary.

To support the primary school provision on the site and in the interests of supporting a sustainable community it is recommended that consideration is given to the provision of pre-school/ nursery facilities on the site.

With regard to condition 9 and condition 17 the use of porous surfacing materials throughout the development is encouraged in the interests sustainable drainage.

The meeting closed at 9:45pm.

CHAIRMAN