



**MINUTES  
OF THE MEETING OF THE  
PLANNING COMMITTEE  
THURSDAY, 30 MAY 2019**

Held at 5.00 pm in the Council Chamber, Rushcliffe Arena, Rugby Road, West  
Bridgford

**PRESENT:**

Councillors R Butler (Chairman), A Brennan, P Gowland, L Healy, J Murray,  
B Buschman, N Clarke, R Jones, K Shaw, J Stockwood and D Viridi

**OFFICERS IN ATTENDANCE:**

M Dunne	Principal Area Planning Officer
I Norman	Legal Services Manager
A Pegram	Service Manager - Communities
H Tambini	Democratic Services Manager
L Webb	Democratic Services Officer

**APOLOGIES:**

Councillors Mrs M Stockwood, K Beardsall, A Major, F Purdue-Horan and  
C Thomas

**1 Declarations of Interest**

Councillor J. Stockwood declared an interest in application 18/01750/FUL and  
advised that he would withdraw from the meeting during this item.

Councillor Brennan declared an interest in application 18/02269/OUT and  
advised that she would withdraw from the meeting during this item.

**2 Minutes of the Meeting held on 11 April 2019**

The minutes of the meeting held on Thursday 11 April 2019 were declared a  
true record and were signed by the Chair.

**3 Planning Applications**

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

**19/00412/OUT – Demolition of existing buildings and construction of a  
residential scheme of up to five dwellings (outline planning permission  
with all matters reserved) – Chestnut Farm House, Chestnut Lane, Barton  
in Fabis, Nottinghamshire.**

## **Updates**

There were no updates reported.

In accordance with the Council's Public Speaking Protocol for Planning Committee, Allan Kerr (objector (Chair of Barton in Fabis Parish Council)) and Councillor Rex Walker (Ward Councillor) addressed the Committee.

## **Comments**

Members of the Committee sought assurance that the proposed development would be sympathetic to its rural location. At the Reserved Matters stage it would be important to ensure there was appropriate landscaping, particularly on the eastern boundary and a high standard of design to mitigate any impact on this prominent site. In addition, members requested that an additional condition be added relating to the submission of details for renewable/energy efficiency and climate change provision and an informative relating to additional landscaping requirements.

## **DECISION**

### **GRANT PLANNING PERMISSION FOR THE FOLLOWING REASONS SET OUT IN THE REPORT SUBJECT TO THE FOLLOWING CONDITIONS:**

1. An application for approval of reserved matters must be made not later than three years beginning with the date of this permission and the development must be begun not later than the expiration of two years from the final approval of reserved matters, or in the case of approval of reserved matters on different dates, the final approval of the last such matter to be approved.

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

2. The development hereby permitted shall only be carried out in accordance with detailed plans and particulars relating to the following items and the development shall not be commenced until these details have been submitted to and approved in writing by the Borough Council.
  - A detailed layout plan of the whole site including details of existing and finished site levels and proposed floor levels;
  - The siting, design and external appearance of the proposed buildings;
  - The means of access;
  - 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;
  - The layout and details of parking and turning facilities, access widths, gradients, street lighting, surfacing, visibility splays and drainage;

- The finishes for the hard surfaced areas of the site;
- The means of enclosure to be erected on the site;
- Details of refuse storage and collection;
- Details of tree protection during construction; and
- Drainage plans for the disposal of surface water and foul sewage.

[To ensure the development will be satisfactory and in the interests of visual amenity and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

3. Development shall not proceed above foundation level until a detailed landscaping scheme for the site, to include identification of trees to be retained, has been submitted to and approved in writing by the Borough Council. The approved scheme shall be carried out in the first tree planting season following the substantial completion of the development. Any trees or plants which within a period of five 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].

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

[To ensure the appearance of the development is satisfactory and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

5. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment and shall have minimum finished floor levels of 28.89m AOD.

[To ensure protection against flooding and to comply with Policy WET2 (Flooding) of the Rushcliffe Borough Non-Statutory Replacement Local Plan and advice within the National Planning Policy Framework].

6. The maximum ridge height of the dwellings shall not exceed 35.65 metres AOD.

[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].

7. The reserved matters submission shall include an archaeological desk based assessment to identify the potential for the presence and period of any archaeological interest within the site. Upon submission and consideration of this information, further investigation and/or mitigation may be required.

[To ensure that any archaeological items are recorded and to comply with Policies GP1 (Sustainable Development), GP2 (Design and Amenity Criteria) and EN7 (Sites of Archaeological Importance) of the Rushcliffe Borough Non Statutory Replacement Local Plan. This pre- commencement condition has been applied due to the archaeological potential of the site].

8. Before development is commenced, a detailed contamination investigation report shall be submitted to and approved in writing by the Borough Council. Where the detailed investigation report confirms that contamination exists, a remediation report and validation statement will also be required. In such instances, all of these respective elements of the report will need to be submitted to and approved in writing by the Borough Council prior to development commencing and the development shall be carried out in accordance with the approved details.

[To make sure that the site, when developed is free from contamination, in the interests of public health and safety and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

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

[To protect the amenities of nearby residents and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan. This pre- commencement condition has been applied due to the proximity of a number of residential properties].

10. The reserved matters submission for the approval of the landscaping of the site shall include details of the means of protection of the existing trees and/or hedges which are to be retained. The approved means of protection shall be provided prior to work commencing on site, including site clearance, and that protection shall be retained for the duration of the construction period. No materials, machinery or vehicles are to be stored or temporary buildings erected within the perimeter of the fence, nor is any excavation work to be undertaken within the confines of the fence without the written approval of the Borough Council. No changes of ground level shall be made within the protected area without the written approval of the Borough Council.

[To ensure the protection of the trees and hedgerows and to comply with Policy GP1 viii (Delivering Sustainable Development) of the Rushcliffe

## Borough Non Statutory Replacement Local Plan].

11. An application seeking approval of reserved matters pursuant to this outline planning permission shall be accompanied by a statement detailing how renewable/energy efficiency, climate change proofing has been incorporated into the proposal to include for the provision of electric vehicle charging points and measures to conserve and recycle water. The development shall thereafter be implemented in accordance with the approved details.

[To ensure a satisfactory development in accordance with the aims of Policy 2 (climate Change) of the Rushcliffe Local Plan Part 1: Core Strategy].

### **Notes to Applicant**

The hedgerow, ditch and trees onsite should not be impacted unless necessary and then only following inspection by suitably qualified ecologist and proceeding under their advice.

Permanent artificial wild bird nests and bat boxes should be installed within buildings and on retained trees (for example Swallow/swift and sparrow cups/boxes).

New wildlife habitats should be created where appropriate, including wildflower rich neutral grassland/wet grassland/pond/wetland/woodland.

The existing hedgerow/trees should be retained and enhanced (gapped up) and any hedge/trees removed should be replaced.

Where possible new trees/hedges should be planted with native species (preferably of local provenance and including fruiting species). See <https://www.rushcliffe.gov.uk/conservation/treeshedgesandlandscaping/landscapingandtreeplanting/plantingonnewdevelopments/> for advice including the planting guides (but exclude Ash (*Fraxinus excelsior*)). In accordance with the Rushcliffe Nature Conservation Strategy 2016 - 2020, developers will be required to provide at least an equal number of trees to those lost as a result of the development and in considering the matter, members of the Planning Committee expressed a desire to see a greater ratio of trees to be planted for any removed. In particular, any landscaping scheme submitted pursuant to this permission should include a significant level of planting along/adjacent to the eastern boundary of the site.

The use of external lighting (during construction and post construction) should be appropriate to avoid adverse impacts on bat populations, see [http://www.bats.org.uk/pages/bats\\_and\\_lighting.html](http://www.bats.org.uk/pages/bats_and_lighting.html) for advice and a wildlife sensitive lighting scheme should be developed and implemented.

Good practise construction methods should be adopted including:

- Advising all workers of the potential for protected species. If protected species are found during works, work should cease until a suitable qualified ecologist has been consulted.

- No works or storage of materials or vehicle movements should be carried out adjacent to the ditch.
- All work impacting on vegetation or buildings 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.
- Best practice should be followed during building work to ensure trenches dug during works activities that are left open overnight should be left with a sloping end or ramp to allow animal that may fall in to escape. Also, any pipes over 200mm in diameter should be capped off at night to prevent animals entering. Materials such as netting and cutting tools should not be left in the works area where they might entangle or injure animals. No stockpiles of vegetation should be left overnight and if they are left then they should be dismantled by hand prior to removal. Night working should be avoided.
- Root protection zones should be established around retained trees/hedgerows so that storage of materials and vehicles, the movement of vehicles and works are not carried out within these zones.
- Pollution prevention measures should be adopted.

Consideration should be given to energy efficiency, alternative energy generation, water efficiency, management of waste during and post construction and the use of recycled materials and sustainable building methods.

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.

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 on 0115 981 9911 and ask for the Recycling Officer to arrange for payment and delivery of the bins.

You are advised that the site falls within an area identified to be at risk of flooding in the Environment Agency's Flood Risk Maps. You are advised to seek advice on flood warnings and flood plans which can be found at: <https://www.gov.uk/government/publications/personal-flood-plan>.

The design and construction of the dwellings should incorporate advice with

regard to flood resilience and resistance techniques which is available to view on the Environment Agency's website at:  
<https://www.gov.uk/guidance/flood-risk-assessment-in-flood-zones-2-and-3#extra-flood-resistance-and-resilience>

Councillor Clarke had been delayed and joined the meeting at this point.

**19/00413/REM – Erection of dwelling and associated access arrangements (application for approval of matters reserved under planning application 18/00660/OUT) – Land at The Croft, 1A Landcroft Lane, Sutton Bonington, Nottinghamshire.**

### **Updates**

There were no updates to report.

In accordance with the Council's Public Speaking Protocol for Planning Committee, John Pope (Agent) addressed the Committee.

### **DECISION**

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

1. The development hereby permitted shall be carried out in accordance with the following approved plans: (10)002 (Proposed Site Plan), and (20)001 (Proposed Layouts and Elevations), received on 16 February 2019.

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

2. No development shall take place above damp course level until details of the facing and roofing materials to be used on all external elevations have been submitted to and approved in writing by the Borough Council and the development shall only be undertaken in accordance with the materials so approved.

[To ensure the appearance of the development is satisfactory and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

3. Prior to the occupation of the dwelling, a detailed landscaping scheme for the site shall be submitted to and approved in writing by the Borough Council comprising species, numbers and sizes of trees and plants. The approved scheme shall be carried out in the first tree planting season following the substantial completion of the development. Any trees or plants which within a period of five 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].

4. Prior to the occupation of the dwelling, the new boundary treatments being post and rail timber fence as indicated on the approved site plan shall be erected in accordance with the approved plans.

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

### **Notes to Applicant**

The development makes it necessary to construct a vehicular crossing over a verge of the public highway. These works shall be carried out to the satisfaction of the Highway Authority. You are therefore required to contact VIA (in partnership with Nottinghamshire County Council) on 0300 500 8080 to arrange for these works to take place.

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.

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

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 on 0115 981 9911 and ask for the Recycling Officer to arrange for payment and delivery of the bins.

**18/0170/FUL – Construction of 34 industrial units with associated car parking and new access road – OS Field 5335 Moorbridge Road, Bingham, Nottinghamshire.**

As Ward Councillor, Councillor John Stockwood left the meeting at this point.



## Updates

A verbal update on the site history was given by the Principal Area Planning Officer. She advised that reference should be included to the granting of an outline planning permission for 1.6 hectares of mixed use, under the wider Bingham Strategic site.

A representation from Ward Councillor Williams raising concerns relating to potential over intensification of the site and lack of parking.

## Comments

Members of the Committee referred to possible uses of the site and the need to mitigate any potential disturbance caused by noise and sought assurance that appropriate monitoring would be in place and conditions imposed. In addition, members requested that if possible the proposed cycle store be secured and covered and given the position of the site close to a junction, the Highway Authority be asked to look at imposing speed restrictions on this road and increasing visibility by cutting back vegetation.

## DECISION

### **GRANT PLANNING PERMISSION FOR THE FOLLOWING REASONS SET OUT IN THE REPORT SUBJECT TO THE FOLLOWING CONDITIONS:**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

- 17013(PL)02 rev. M - Site masterplan;
- 17013(PL)03 rev. C - Roof plan;
- 17013(PL)04 rev. B - Units 1-3;
- 17013(PL)05 rev. B - Units 4-19;
- 17013(PL)06 rev. B- Units 21-23;
- 17013(PL)07 rev. B - Units 24-29 and 31-34;
- 17013(PL)08 rev. B - Elevations 1-20;
- 17013(PL)09 rev. C - Elevations 21-34;
- 17013(PL)11 rev. D - Landscaping;
- 17013(PL)12 rev. A - Unit 20; and
- 17013(PL)13 rev. A - Unit 30.

Arboricultural Impact Assessment;  
Ecological Appraisal report;  
Internal turning heads arrangements - option A;  
Transport statement - P3;  
Flood Risk Assessment and Drainage Strategy - 18-0010/FRA/DS; and  
Ground Investigation Report - J18046.

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

3. No part of the development hereby approved shall commence until a detailed surface water and foul sewerage drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA), July 2018, BSP, has been submitted to and approved in writing by the local planning authority in consultation with the Lead Local Flood Authority and Severn Trent Water. The final scheme shall be implemented in accordance with the approved details, and the works insofar as they relate to each unit completed prior to the occupation of that unit. The scheme to be submitted shall:

- Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753.
- Provide site investigation details that demonstrate infiltration is not feasible on site, alternatively testing results to BRE365 standards.
- Limit the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm to no greater than 4.8 L/s, as detailed in the FRA.
- Provision of surface water run-off attenuation storage in accordance with 'Science Report SCO30219 Rainfall Management for Developments' and the approved FRA.
- Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the one in one year, one in two year, one in 30 year, one in 100 year and one in 100 year plus climate change return periods.
- For all exceedance to be contained within the site boundary without flooding new properties in a 100 year+40% storm.
- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term operation to design parameters.
- Detail drainage plans for the disposal of foul water sewerage.

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

4. No development 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 for:

- i. The parking of vehicles of site operatives and visitors;
- ii. Loading and unloading of plant and materials;
- iii. Storage of plant and materials used in constructing the

- development;
- iv. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - v. Wheel washing facilities;
  - vi. Measures to control the emission of dust and dirt during construction; and
  - vii. A scheme for recycling/disposing of waste resulting from demolition and construction works.

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

5. No development shall take place until a detailed Arboricultural Method Statement for the site has been submitted to and approved in writing by the Borough Council. The approved method statement shall include details of the following:

- Finalisation of the construction exclusion zones including final details and locations of any tree protection fencing.
- Installation and design of root protection systems (including compaction zones).
- Schedule of works.

Works shall thereafter only be carried out in accordance with approved arboricultural method statement.

[This is a pre-commencement condition due to the need to protect existing trees and hedgerows on the site prior to potential damage at construction stage. To ensure existing trees are adequately protected during the development and to comply with Policy EN13 (Landscaping Schemes) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

6. The development hereby permitted shall not be commenced until details of the materials to be used on the hard surfaced areas of the site have been submitted to and approved in writing by the Borough Council and the development shall only be undertaken in accordance with the materials so approved.

[This condition is pre-commencement given the industrial design and nature of the development and associated constructions methods. The condition is required 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].

7. The development hereby permitted shall not be commenced until details of the finished levels for the site including context to surrounding sites have been submitted to and approved in writing by the Borough Council and the

development shall only be undertaken in accordance with the finished levels so approved.

[This condition is pre-commencement given the agreement of finished levels will be need to be resolved prior to any excavation taking place. The condition is required 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]

8. No part of the development hereby permitted shall commence until a scheme for the provision of improvements to bus stops RU0244 (Moorbridge Road) on Chapel Lane and RU0242 (Moorbridge Road) on Chapel Lane has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in full thereafter and shall be completed prior to the occupation of the first unit unless otherwise approved in writing. For the avoidance of doubt, in respect to RU0242 this shall include details of Install real time bus stop poles and displays including associated electrical connections and polycarbonate bus shelter. For RU0244 the details shall include real time bus stop pole and displays including associated electrical connections, raised boarding kerbs and bus stop clearway markings. The details shall also include a timescale for implementation.

[This condition is pre-commencement to ensure the improvements can be implemented prior to the occupation of the units and in order to promote sustainable travel in accordance with the aims of Policy 14 of Local Plan Part 1 Rushcliffe Core Strategy].

9. If pile driven foundations are to be used for the construction of any part of the development, a method statement detailing techniques for the control of noise, dust and vibration from piling works shall be submitted to and approved by the local planning authority prior to the development commencing in that part of the site to be piled. The method statement shall have regard to the guidance given in:
  - BS 5228-1:2009+A1: 2014 - Code of practice for noise and vibration control on construction and open sites. Noise.
  - The control of dust and emissions from construction and demolition. Best Practice Guidance; Greater London Authority, November 2006.

Thereafter the works shall be carried out in accordance with the approved method statement.

[To protect the amenities of the area and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

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

[To make sure 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].

11. The use hereby permitted shall not be commenced 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 commencement of the use hereby permitted and any trees or plants which within a period of five 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].

12. The proposed business units shall not be brought into use until their respective off-street parking areas have been provided and surfaced in a bound material as approved under condition 6 of this permission.

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

13. Occupation of the proposed units shall not take place until a Travel Plan has been submitted to and approved in writing by the local planning authority. The Plan shall then be implemented in accordance with the approved details.

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

14. Prior to first occupation there shall be submitted to and approved in writing by the Borough Council, as local planning authority, details of cycle stands for staff and visitors to be covered and secure. The cycle stands shall be provided in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development. In the case any scheme is delivered in phases where the main cycle stand cannot initially be delivered, each phase shall include a temporary cycle stand area to be provided in accordance with details first approved by the local planning authority, implemented prior to the occupation of any part of that phase and maintained until such time the main cycle stand and phase is delivered.

[To encourage sustainable modes of transport to the site in accordance with the aims of Policy 14 of the Rushcliffe Local Plan Part 1: Core Strategy].

15. Prior to first occupation there shall be submitted to and approved in writing by the Borough Council, as local planning authority, details of the proposed bin stores to the site frontages. The bin stores shall be provided in

accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development.

[To protect the amenities of the area and to comply Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

16. The proposed access to the Central Source site shall not be brought into use until the purple areas of redundant highway as shown on drawing 17013(PL)02 Revision M have been formally stopped up.

[To reduce the possibility of vehicular conflicts and in the interest of highway safety].

17. Prior to the erection of any boundary treatments or means of enclosure on site, the details shall first be submitted to and approved in writing by the Borough Council with the treatments thereafter constructed and maintained only in accordance with the approved details.

[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].

18. Prior to the installation of security lighting/floodlighting details of any such lighting shall be submitted to and approved in writing by the Borough Council, together with a lux plot of the estimated illuminance. The lighting shall be installed only in accordance with the approved details.

[To protect the amenities of the area and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

19. Prior to the installation of any externally mounted plant or equipment (e.g. air conditioning, extraction, heating units, etc.) or any internally mounted equipment which vents externally, details of noise levels and associated equipment locations and appearance shall be submitted to and approved in writing by the Borough Council. If this information is inconclusive or not complete then the applicant will be required to undertake a full noise assessment in accordance with BS 4142:2014: Methods for rating and assessing industrial and commercial sound. This report will need to make it clear that the plant/equipment is capable of operating without causing a noise impact on neighbouring properties. The plant shall be installed only in accordance with the approved details.

[To protect the amenities of the area and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

20. No mezzanine floors shall be constructed within any of the buildings hereby approved without the prior approval of the Borough Council.

[The development is of a nature whereby future development of this type should be closely controlled to protect the amenities of the surrounding

area and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

21. The development hereby permitted shall only benefit from any use falling within the following sections of The Town and Country Planning (Use Classes) Order 1987 (as amended): B1(b); B1(c); B2; and B8. Notwithstanding the provisions of the 'The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)', the units shall not be used for any other purposes.

[To clarify the extent of the permission and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

22. The materials specified in the application shall be used for the external walls and roof of the development hereby approved and no additional or alternative materials shall be used.

[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].

23. The uses hereby approved shall only take place within the approved buildings, with the external areas only used for parking and/or servicing as identified on the approved plans. No materials, products or waste shall be stored in the external areas except for those areas identified for such use on the approved plans.

[To protect the amenities of the area and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

24. No site clearance works, including the removal of hedgerows or trees, shall take place between the beginning of March and the end of September inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any written confirmation should be submitted to the local planning authority.

[To comply with the requirements of the Wildlife and Countryside Act 1981 and to comply with Policies GP2 (Design and Amenity Criteria) and EN12 (Habitat Protection) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

### **Notes to Applicant**

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

a) 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.

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

It is an offence under S.148 and S.151 of the Highways Act 1980 to deposit mud on the public highway, and as such you should undertake every effort to prevent it occurring.

A pre-works check for badgers should be undertaken immediately prior to works on the site commencing.

Heras security fencing should be erected around the built development site prior to and during development works to prevent badgers from entering the site and injuring themselves.

Excavations to be left overnight are to be covered at the end of each working day, or include a means of escape.

Reasonable avoidance measures are recommended to avoid impact to these species, these include:

- Preworks 'Toolbox Talk' provided to staff on the ecology and identification of protected reptiles within the UK.
- Undertake works during the active period for this species and encourage reptiles to leave the development area through management of habitats, e.g. careful strimming of vegetation across the site.
- Seek to retain existing deadwood piles. If works need to be conducted in these areas, works should be sympathetic to the species and should be dismantled by hand.

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.



Best practice should be followed during building work to ensure trenches dug during works activities that are left open overnight should be left with a sloping end or ramp to allow animal that may fall in to escape. Also, any pipes over 200mm in diameter should be capped off at night to prevent animals entering.

It is recommended that consideration is given to installing integrated bat and bird boxes/bricks in the buildings and external boxes on retained trees, dead wood piles should be retained.

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 applicants should consult Severn Trent Water Limited who should be satisfied that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate additional flows, generated as a result of the development, without causing pollution.

The Trent Valley Internal Drainage Board maintain the Cricket Field Drain to the east side of the site. Byelaws and the Land Drainage Act 1991 apply to this drain. The Board's consent will be required to erect any building or structure (including walls and fences), whether temporary or permanent, or plant any tree, shrub, willow or other similar growth within 9 metres of the top edge of any board maintained watercourse or the edge of any board maintained culvert. The Board's Consent will be required irrespective of any planning permission and will also be required if you require drainage to discharge to the feature.

Councillor John Stockwood re-joined the meeting.

**18/02524/OUT – Residential development of up to 151 dwellings (including 20% affordable housing) with vehicular access from Nicker Hill, associated open space, allotments, children's play area, surface water attenuation and ancillary works (Outline application with all matters reserved except for access) – Land at Barnfield Farm, Nicker Hill, Keyworth, Nottinghamshire.**

The Legal Services Manager declared an interest and left the meeting at this point.

## **Updates**

Additional information had been provided on the proposed modifications relating to emerging Policy 4.1 which had been published for consultation.

In accordance with the Council's Public Speaking Protocol for Planning Committee, Amy Stone (Agent) addressed the Committee.

## DECISION

**THAT IN ACCORDANCE WITH THE TOWN AND COUNTRY PLANNING (CONSULTATION) (ENGLAND) DIRECTION 2009, THE APPLICATION BE REFERRED TO THE NATIONAL PLANNING CASEWORK UNIT AND THAT, SUBJECT TO THE APPLICATION NOT BEING CALLED IN FOR DETERMINATION BY THE SECRETARY OF STATE FOR COMMUNITIES AND LOCAL GOVERNMENT, THE EXECUTIVE MANAGER FOR COMMUNITIES BE AUTHORISED TO GRANT PLANNING PERMISSION FOR THE FOLLOWING REASONS SET OUT IN THE REPORT SUBJECT TO THE FOLLOWING CONDITIONS AND THE PRIOR SIGNING OF A SECTION 106 AGREEMENT:**

1. Application for approval of reserved matters must be made not later than three years beginning with the date of this permission and the development must be begun not later than the expiration of two years from the final approval of reserved matters, or in the case of approval of reserved matters on different dates, the final approval of the last such matter to be approved.

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

2. No development shall take place without the details of the following having first been submitted to and approved in writing by the local planning authority:
  - (a) appearance (including details of facing, roofing and hardstanding the materials to be used in the construction of the external elevations, roofs and surfaces);
  - (b) landscaping (including means of enclosure);
  - (c) layout; and
  - (d) scale (including details of floor levels of the dwellings in relation to an existing datum point, adjoining land) (hereinafter called "the reserved matters").

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

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004 and in order to establish the parameters and design principles of the development in the interests of amenity and to accord Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1 Rushcliffe Core Strategy and with emerging Local Plan Part 2 Policy 4.1].

3. The development shall be carried out broadly in accordance with the parameters set in the following:
  - 28693 310 revision P (Illustrative Masterplan);
  - 28693 350 revision P (Parameter Plan - Land Use);
  - 28693 351 revision P (Illustrative Parameter Plan Scale and Massing-

Building Heights);

- 28693 352 revision P (Illustrative Parameter Plan - Density); and
- Design principles and scale and density as set out on pages 62 - 76 of the Design and Access Statement.

[In order to establish the parameters and design principles of the development in the interests of amenity and to accord Policy 10 ( Design and Enhancing Local Identity) of the Local Plan Part 1 Rushcliffe Core Strategy and with emerging Local Plan Part 2 Policy 4.1].

4. No development shall be carried out until a Phasing Plan including details of phasing for the approved development has been submitted to and approved in writing by the local planning authority. The phasing plan shall include details of:
  - the timing of the provision of infrastructure to serve the proposed development (including road improvements and drainage facilities) in relation to the provision of any new residential units;
  - the timing of biodiversity, SUDS and landscaping features;
  - the timing of the provision of on-site recreation/open play space provision in relation to the provision of any new residential units; and
  - the timing and provision in relation to the provision of allotments in relation to the provision of any new residential units.

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

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

5. No development shall take place until the technical approval under S38 (or equivalent) has been agreed with Nottinghamshire County Council for the construction of the roads and associated works within the site. The development shall thereafter be implemented in accordance with the approved details and no dwelling shall be occupied until the roads necessary to serve that property have been constructed to base level.

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

6. No development hereby permitted shall take place 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 version of the A52/A606 Improvement Package Developer Contributions Strategy Memorandum of Understanding in force at the time of commencement of development.

[To ensure that the A52 trunk road continues to serve its purpose as part of

a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980, in the interests of road safety. This is a pre commencement condition to ensure that funding for necessary wider highway improvements required as a result of the development is made available so that the works can be implemented in a timely fashion].

7. No dwelling shall be occupied until the site access arrangement has been completed in accordance with the Proposed Access Plan 11/356/TR/006 Rev C (contained within Appendix BGH16 of the Bryan G Hall Transport Assessment dated February 2019).

The tree shall be removed from the radii and the area within the visibility splays shall thereafter be kept clear of all obstructions, structures or erections exceeding 0.6 metres in height for the life of the development.

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

8. There shall be no excavation or other groundworks, except for archaeological investigative works in respect of condition 22, or the depositing of material on the site in connection with the construction of the access road or building(s) or other works hereby permitted until full details of the following have been submitted to and approved in writing by the local planning authority in consultation with the Highway Authority:

- a. tactile paving;
- b. vehicular, cycle, and pedestrian accesses;
- c. vehicular and cycle parking;
- d. vehicular turning arrangements;
- e. maneuvering arrangements;
- f. access widths, gradients, surfacing, street lighting,
- g. structures;
- h. visibility splays; and
- i. drainage.

The development shall be carried out in accordance with the approved details and no dwelling shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas approved under this condition for that dwelling:

- a. have been constructed in accordance with the approved drawings; and
- b. are available for use.

[To ensure an adequate form of development in the interests of highway safety. This is a pre commencement condition.

9. No dwelling shall be occupied until the driveway and parking areas associated with that plot have been surfaced in a bound material as approved under condition 8. The surfaced drives and parking areas shall then be maintained in such bound material for the life of the development.

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

10. No dwellings shall be occupied until a footway improvement scheme has been completed within the existing boundary of the adopted highway in broad accordance with Bryan G Hall Drawing No. 11/356/TR/009.

[To promote sustainable travel and in the interests of pedestrian safety].

11. The development shall be carried out and operated in accordance with the approved Travel Plan (Bryan G Hall dated February 2019) which shall be implemented in accordance with the details and timetable as set out therein.

[To encourage alternative methods of travel and to comply with Policy MOV6 (Facilities in New Developments) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

12. The number of residential units within the developable area of the site as identified on 28693 350 revision P - Parameter Plan Land Use shall be limited to 151 dwellings.

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

13. No development shall take place until details of the following have been submitted and approved:

- i. A detailed layout plan of the phase in context with the whole site;
- ii. Cycle and bin storage facilities;
- iii. Sections and cross sections of the site showing the relationship of the proposed development to adjoining land and premises;
- iv. The means of enclosure to be erected on the site;
- v. The finishes for the hard-surfaced areas of the site;
- vi. The layout and marking of car parking, servicing and manoeuvring areas;
- vii. Plans, sections and cross sections of any roads or access/service roads or pedestrian routes within the application site, and this shall include details of drainage, surfacing and lighting;
- viii. The means of access within the site;
- ix. The number and location of the affordable dwellings to be provided together with the mix of dwellings in terms of number of bedrooms and proportion of houses and flats and tenure;
- x. Details of how renewable/ energy efficiency, climate change proofing has been incorporated into the proposal to include for the provision of electric vehicle charging points and measures to conserve and recycle water;
- xi. A statement providing an explanation as to how the design of the development has had regard to the Design and Access Statement submitted with the application together with Policy H1 - (Housing Strategy), Policy H2 (Type and Tenure) Policy H3 (Design Requirements for New Development) of the Keyworth Neighbourhood Plan and include an assessment the development against the Building for Life Standards;
- xii. Details of onsite play and recreation space/facilities to serve the

proposed development. Details to be submitted shall include landscaping, planting and equipment to be provided on the proposed amenity spaces;

- xiii. Details of the means of protection of existing hedgerows and trees whilst construction works are being undertaken; and
- xiv. A construction method statement as required by condition 16 for the access phase of the development.

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

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

[To ensure a satisfactory development in accordance with the aims of Policy 10 of the Rushcliffe Local Plan Part 1: Core Strategy, and Policy H1 - (Housing Strategy), Policy H2 (Type and Tenure) Policy H3 (Design Requirements for New Development) of the Keyworth Neighbourhood Plan. This is a pre-commencement condition to ensure details are satisfactory and avoid abortive works at a later stage].

14. No development shall take place until a detailed landscape scheme has been submitted and approved in writing by the local planning authority. The scheme shall include the following details:

- a) the treatment proposed for all ground surfaces, including hard areas;
- b) full details of tree planting;
- c) planting schedules, noting the species, sizes, numbers and densities of plants. Including measures to provide habitat enhancements including: the use of native fruiting species within landscaping, the retention and gapping up of hedgerows, creation of new hedgerows, retention of mature trees, and the use of bat and bird boxes/tubes).
- d) finished levels or contours;
- e) all existing trees, hedges and other landscape features, indicating clearly those to be removed;
- f) details of all boundary treatments including height, design, location, materials and finish;
- g) details of the means of protection of existing hedgerows and trees whilst construction works are being undertaken;
- h) details of how the landscaping scheme will be phased; and
- i) details of how the landscape proposals comply and compliment with the ecological requirements under condition 23- 28.

The landscaping shall be carried out in accordance with the details approved unless otherwise agreed in writing by the local planning authority. If any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

[To ensure satisfactory landscape treatment of the site which will enhance

the character and appearance of the site and the area in accordance with the aims of Policy 16 (Green Infrastructure, Landscape, Parks and Open Space) of the Local Plan Part 1 Rushcliffe Core Strategy. This is a pre commencement condition to ensure that existing features to be retained are identified and protected].

15. No development shall take place until the existing trees and/or hedges which are to be retained have been protected in accordance with the measures approved under condition 17, and that protection shall be retained for the duration of the construction period. No materials, machinery or vehicles shall be stored or temporary buildings erected within the perimeter of the fence, nor shall any excavation work be undertaken within the confines of the fence without the written approval of the local planning authority. No changes of ground level shall be made within the protected area without the written approval of the local planning authority.

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

16. No development shall take place until the details of a Construction Method Statement is submitted and approved in writing by the local planning authority. The Statement shall have regard to the CEMP and LEMP under condition x and x and provide for:
- Access and parking of vehicles of site operatives and visitors.
  - Loading and unloading of plant and materials.
  - Storage of plant and materials used in constructing the development.
  - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
  - Wheel washing facilities.
  - Measures to control the emission of noise, dust, dirt and vibration during construction.
  - A scheme for recycling/disposing of waste resulting from construction works.
  - Hours of operation (including demolition, construction and deliveries).
  - A scheme to treat and remove suspended solids from surface water run-off during construction.
  - An earthworks strategy to provide for the management and protection of soils.
  - The 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.
  - Scheme for temporary signage and other traffic management measures, including; routing and access arrangements. ;The agreed access shall be provided before development commences.

The development shall be carried out in full accordance with the approved Construction Method Statement throughout the construction period.

[In order to minimise the amount of mud, soil and other materials originating from the site being deposited on the highway; to prevent

inadequate parking, turning and manoeuvring for vehicles; inadequate materials storage and to ensure adequate recycling of materials in the interests of highway safety, visual amenity and environmental management. This is a pre commencement condition to ensure that the amenity of existing occupiers are protected during construction and to ensure regard is had to the existing on-site wildlife]

17. During any ground works, demolition or construction, there shall be no burning of waste on the site.

[To protect the amenities of neighbouring residential properties and to comply with Policies GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

18. The existing soils and any soil or forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Contamination testing should take place within UKAS and MCERTS accredited laboratories, certificates shall be submitted to and approved in writing by the local planning authority prior to any soil or soil forming material being imported onto the site. Details of the source and type of the imported materials and the estimated amount to be used on the site are also required to be submitted. Only the approved materials shall be used.

[To make sure that the site, when developed is free from contamination, in the interests of public health and safety and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

19. No development shall take place until a detailed surface water drainage scheme, based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy v1.4, October 2018, Weetwood Ltd., has been submitted to and approved in writing by the local planning authority. The scheme to be submitted shall:

- Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753.
- Provide infiltration testing results to BRE365 standards to demonstrate that infiltration is not feasible on site.
- Limit the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm to the QBar Greenfield rates for the developable area.
- Allow for the provision of surface water run-off attenuation storage in accordance with 'Science Report SCO30219 Rainfall Management for Developments' and the approved FRA
- Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the one in one year, one in two year, one in 30 year, one in 100 year and one in 100 year plus climate change return periods.



- For all exceedance to be contained within the site boundary without flooding new properties in a 100 year+40% storm.
- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term operation to design parameters.

The reserved matters application should build upon the submitted Flood Risk Assessment and Sustainable Drainage Statement and should provide a more detailed layout plan clearly showing the provision for above ground drainage features in accordance with the submitted document. The scheme shall demonstrate that the future development needs of the adjacent Barnfield Farm site have been considered and can be accommodated. Such information shall include evidence that a formal agreement has been entered into to permit connection with the neighbouring land to the West (Barnfield Farm).

The approved drainage strategy shall thereafter be implemented in accordance with the surface water drainage scheme.

[To ensure the proper drainage of the site and to accord with the aims of Policy 2 (Climate Change) of the Local Plan Part 1 Rushcliffe Core Strategy. To prevent the increased risk of flooding and to comply with policies WET2 (Flooding) and WET3 (Ground Water Resources) of the Rushcliffe Borough Non Statutory Replacement Local Plan. This is a pre commencement condition in ensure that flood risk is mitigated].

20. No development shall commence until a detailed foul water drainage scheme has been submitted and approved in writing by the local planning authority. No dwelling shall be occupied until the works have been carried out in accordance with the approved scheme.

[To ensure that adequate drainage facilities are provided in connection with the development as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution and to comply with policy WET3 (Ground Water Resources) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

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

[In order to promote local employment opportunities in accordance with Policies 1 and 5 of the Rushcliffe Local Plan Part 1: Core Strategy. This is a pre-commencement condition because recruitment and employment takes place prior to commencement].

22. No development shall commence until: a geo-physical survey has been carried out and submitted to the local planning authority.

Should further investigation be required as a result of the geophysical survey then a programme of archaeological work under a Written Scheme of Investigation, drafted in accordance with ClfA published standards shall be submitted to and approved by the local planning authority in writing.

No development shall take place other than in accordance with the Written Scheme of Investigation as approved (if required).

Any post investigation assessment (including any analysis, publication, dissemination and archiving of results) required by the Written Scheme of Investigation shall be undertaken and completed in accordance with the programme set out in the Written Scheme of Investigation.

[To ensure that items of archaeological interest are recorded in accordance with para 199 of the NPPF. This is a pre-commencement condition required to ensure that any archaeological items are recorded from the onset of any intrusive operations and to comply with policies GP1 (Sustainable Development), GP2 (Design and Amenity Criteria) and EN7 (Sites of Archaeological Importance) of the Rushcliffe Borough Non Statutory Replacement Local Plan. This is a pre-commencement condition required to ensure that if archaeological interest is identified it is recorded or in order to influence the reserved matters layout in order to avoid harm to].

23. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) will be carried out in accordance with the mitigation, enhancement measures and recommendations of Section 6 of the Ecological Assessment (Baker Consultants) dated October 2018 and shall include the following:

- a) Risk assessment of the impact of construction activities on biodiversity.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details.

[To ensure that the proposed development contributes to the conservation and enhancement of biodiversity within the site and for the wider area in accordance with paragraphs 174-175 of the NPPF and Policy 17 of the Local Plan Part 1: Rushcliffe Core Strategy. To ensure the survey reflects the situation pertaining at the time and to comply with policies GP2 (Design and Amenity Criteria) and EN12 (Habitat Protection) of the Rushcliffe Borough Non Statutory Replacement Local Plan. This is a pre-commencement condition due to the need to ensure adequate mitigation is in place before any intrusive site works take place].

24. No development shall take place (including ground works, site clearance) until a method statement for:

- 1) the protection of the badger sett in accordance with the mitigation measures set out in paragraph 6.3.13 of the Ecological Appraisal has been submitted to and approved in writing by the local planning authority.
- 2) the SUDS creation in the northern BGS field (to include grass snake precaution) has been submitted to and approved in writing by the local planning authority.

The content of the method statement shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation,
- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance (where relevant); and
- g) disposal of any wastes arising from works.

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

[To ensure the appropriate wildlife protection is provided during development. To ensure that the proposed development contributes to the conservation and enhancement of biodiversity within the site and for the wider area in accordance with paragraphs 174-175 of the NPPF and Policy 17 of the Local Plan Part 1: Rushcliffe Core Strategy and to comply with Policies GP2 (Design and Amenity Criteria) and EN12 (Habitat Protection) of the Rushcliffe Borough Non Statutory Replacement Local Plan. This is a pre-commencement condition due to the need to ensure adequate mitigation is in place before any intrusive site works take place].

25. Prior to installation a bat-sensitive lighting scheme should be submitted and approved in writing by the local planning authority. The lighting scheme should be in accordance with Conservation Trust (2018) "Bats and artificial lighting in the UK. The scheme shall include details of lux plots of the estimated luminance . The scheme shall be designed to minimise skyglow. The lighting scheme shall be implemented in accordance with the approved

details and maintained thereafter.

[To protect the amenities of the area and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

26. In the event that the planning permission is not implemented within 2 years of the date of the planning permission being granted a further protected species survey including great crested newts shall be carried out and submitted to and approved by the local planning authority in writing. Any mitigation measures recommended by the survey shall be implemented in accordance with approved details and in line with other conditions.

[To ensure that the proposed development contributes to the conservation and enhancement of biodiversity within the site and for the wider area in accordance with paragraphs 174-175 of the NPPF and Policy 17 of the Local Plan Part 1: Rushcliffe Core Strategy of biodiversity within the site and for the wider area in accordance with paragraphs 174-175 of the NPPF and Policy 17 of the Local Plan Part 1: Rushcliffe Core Strategy. This is a pre-commencement condition due to the need to ensure adequate mitigation is in place before any intrusive site works take place]

27. No removal of hedgerows, trees or shrubs shall take place between 1st March and 30st September inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

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

28. No development shall take place until a Landscape & Ecology Management Plan (LEMP) is submitted to and approved in writing by the local planning authority. The LEMP shall include:

- Details of habitat creations and enhancement of hedgerows.
- Bird and bat boxes shall be integrated into the building fabric (the former targeting house sparrow, starling and swift) into the fabric of a proportion (circa 20%) of the proposed dwellings/their garages.
- Vegetation clearance shall not occur during the bird nesting season, which runs from March to September inclusive.
- Wooden fence panels to create a 2m buffer between the development and the hedgerow on the north eastern boundary.
- Ongoing management of the SUDS for wildlife.
- The plan will detail the formal management agreement, aftercare and monitoring of the retained and newly created habitats on the site and shall their the ongoing maintenance.

The development shall be undertaken in accordance with the approved

LEMP.

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

29. The mix of market housing within the site shall comply with the housing mix set out in Keyworth Neighbourhood Plan Policy H2 - 'Type and Tenure' unless otherwise agreed in writing with the local planning authority.

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

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

[To assist in reducing travel demand by enabling working from home initiatives in accordance with the aims of Policy 24 of the Rushcliffe Local Plan Part 1 - Core Strategy].

31. No development shall take place until a scheme to demonstrate that the internal noise levels within the residential units will conform to the guideline target values for internal ambient noise levels specified in BS 8233 2014 - Guidance on Sound Insulation and Noise Reduction for Buildings has been submitted to and approved in writing by the Borough Council. This may include the installation of passive ventilation for properties fronting onto Nicker Hill to the southwest of the site as identified in Figure 5g on Page 12 of the supporting noise assessment from Brookbanks Consulting Ltd. (Document Ref: 10558 NM01 Rv2 dated 22nd October 2018). The work specified in the approved scheme shall then be carried out and thereafter retained in accordance with the approved details.

[To ensure that acceptable noise levels within the development and its curtilage are not exceeded. This is a pre commencement condition to ensure that the dwellings are adequately mitigated from noise].

32. The reserved matters shall include details of any field accesses, if required to be taken from the residential development, such details shall include methods of limitation to use by agricultural vehicles and SUDS maintenance vehicles only. Prior to the commencement of construction of the spine road details of the design, layout and means of restricting vehicular access shall be submitted to and approved in writing by the local planning authority. The approved details shall be completed prior to the road connection being made to the fields and shall be retained for the life of the development.

[To prevent unrestricted access to areas of land that will remain in the green belt under Local Plan Part 2 on which residential development would be inappropriate].

33. The area of land totalling 4.50ha (former Local Wildlife Site) to the north east of the application site shall only be used for SUDS drainage basins and the land retained as agricultural grazing and attenuation basins. No other development, including residential, shall be undertaken in this area as part of a reserved matters or other form of planning application.

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

### **Notes to Applicant**

This is subject to an Agreement made under the provisions of Section 106 of the Town and Country Planning Act 1990 (as substituted by the Planning and Compensation Act 1992) relating to provision of on-site affordable housing and contributions towards essential infrastructure. Any payments will increase subject to the provisions set out in the Agreement.

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

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

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

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

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

The submitted ecological appraisal has confirmed that there is evidence of Bats, Grass Snakes and Badgers and no work should, therefore, be undertaken until mitigation measures have been submitted and approved by the local planning authority and, if required, a licence has been obtained from Natural England.

The application should note that if there future aspirations to develop the adjoining parcels of land (including Barnfield Farm) with a single point of

access from Nicker Hill, then the spine road will need to measure at least 6.75m in width. Should this not be the case then the overall development will be restricted to 150 units.

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

All correspondence with the Highway Authority should be addressed to:

NCC Highways (Development Control, Floor 3)  
Nottinghamshire County Council  
County Hall  
Loughborough Road  
West Bridgford  
Nottingham, NG2 7QP

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

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

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

All workers/contractors should be made aware of the potential of protected/priority species being found on site and care should be taken during works to avoid harm, including during any tree works.

If protected species are found during works, work should cease until a suitable qualified ecologist has been consulted.

All work impacting on vegetation or buildings used by nesting birds should avoid the active bird nesting season, if this is not possible, a search of the impacted areas should be carried out by a suitably competent person for nests immediately prior to the commencement of works. If any nests are found, work

should not commence until a suitably qualified ecologist has been consulted.

The use of external lighting (during construction and post construction) should be appropriate to avoid adverse impacts on bat populations and a wildlife sensitive lighting scheme should be developed and implemented.

Best practice should be followed during building work to ensure trenches dug during work activities that are left overnight should be left with a sloping end ramp to allow animals that may fall in to escape. Also, any pipes over 200mm in diameter should be capped off at night to prevent animals entering. No stockpiles of vegetation should be left overnight and if they are, they should be dismantled by hand prior to removal. Night working should be avoided.

Where possible, new trees/hedges should be planted with native species (preferably of local provenance and including fruiting species) and existing trees/hedgerows should be maintained and hedgerows gapped up if necessary. If removal of trees is necessary, they should be replaced with new native trees (preferably of local provenance). Root protection zones should be established around retained trees/hedgerows so that storage of materials and vehicles, the movement of vehicles and works are not carried out within the zones.

Consideration should be given to energy efficiency, alternative energy generation, water efficiency, sustainable travel (including electric car charging points and cycle storage and improved cycle connectivity and green travel), management of waste during and post construction and the use of recycled materials and sustainable building methods.

Swifts are now on the Amber List of Conservation Concern. One reason for this is that their nest sites are being destroyed. The provision of new nest sites is urgently required and if you feel you can help by providing a nest box or similar in your development, the following website gives advice on how this can be done: <http://swift-conservation.org/Nestboxes%26Attraction.htm> Advice and information locally can be obtained by emailing : [carol.w.collins@talk21.com](mailto:carol.w.collins@talk21.com)

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

In order to satisfy the requirements of condition 7 the Highway Authority will need to undertake a full technical design check of the your detailed design drawings. Discharge of any reserved matters conditions relating to highway layouts will not be recommended until this process is complete and full technical approval of the highways drawings has been granted. We therefore strongly recommend technical approval for your drawings is obtained from the Highway Authority prior to any formal reserved matters submission.

The applicant is encouraged to incorporate bird and bat boxes into the fabric of



buildings where practicable.

Severn Trent have advised that a sewer modelling study may be required to determine the impact this development will have on the existing system and if flows can be accommodated. Severn Trent may need to undertake a more comprehensive study of the catchment to determine if capital improvements are required. If Severn Trent needs to undertake capital improvements, a reasonable amount of time will need to be determined to allow these works to be completed before any additional flows are connected.

Severn Trent Water advises 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. You may obtain copies of Severn Trent's current guidance notes and application form from their website ([www.stwater.co.uk](http://www.stwater.co.uk)).

Western Power advises that:

There is an 11,000V overhead line along the eastern boundary of the site; defined as a strategic section on our distribution network. That the proximity and usage type of the adjacent land to the line will dictate whether the line remains overhead. HSE GS6 defines both vertical and horizontal clearances to the line. If these are to be breached it will contravene HSE and WPD Safety clearances and that all electricity apparatus must be legally secured on private land.

The Rights of Way Officer has advised that the reserved matters application shall have regard to the following:

- The footpath (Keyworth No. 8) should remain open, unobstructed and be kept on its legal alignment at all times.
- There should be no disturbance to the surface of the footpath (Keyworth No. 8) without prior authorisation the rights of way team.

The Legal Services Manager re-joined the meeting.

**18/02269/OUT – Outline planning application for the development of 55 residential dwellings with all matters reserved with the exception of access – Land at Grooms Cottage, Shelford Road, Radcliffe On Trent, Nottingham.**

As Ward Councillor, Councillor Clarke left the meeting at this point.

Councillor Brennan declared an interest and left the meeting at this point.

## **Updates**

Additional information had been provided on the proposed modifications

relating to Policy 5.2 of the emerging Local Plan Part 2.

In addition, the update made reference to a number of slight typographical errors and amendments to conditions 4, 5, 7 and 9.

In accordance with the Council's Public Speaking Protocol for Planning Committee, Richard Cooke (Savills Agent), Sue Clegg (Radcliffe on Trent Parish Council), Ward Councillor Upton and Ward Councillor Clarke addressed the Committee.

### **Comments**

Members of the Committee requested that affordable housing be appropriately distributed throughout the site, rather than concentrated in one area, and the applicant be notified. In addition, members referred to the contribution towards the provision and/or improvement of sports halls and requested that priority should be given to Radcliffe on Trent rather than Bingham in the Section 106 Draft Heads of Terms document. Members were also advised that sustainable travel options were being promoted and encouraged as part of the development.

### **DECISION**

**THAT IN ACCORDANCE WITH THE TOWN AND COUNTRY PLANNING (CONSULTATION) (ENGLAND) DIRECTION 2009, THE APPLICATION BE REFERRED TO THE NATIONAL PLANNING CASEWORK UNIT AND THAT, SUBJECT TO THE APPLICATION NOT BEING CALLED IN FOR DETERMINATION BY THE SECRETARY OF STATE FOR COMMUNITIES AND LOCAL GOVERNMENT, THE EXECUTIVE MANAGER FOR COMMUNITIES BE AUTHORISED TO GRANT PLANNING PERMISSION FOR THE FOLLOWING REASONS SET OUT IN THE REPORT SUBJECT TO THE FOLLOWING CONDITIONS AND THE PRIOR SIGNING OF A SECTION 106 AGREEMENT:**

1. Application for approval of reserved matters must be made no later than three years beginning with the date of this permission and the development must be begun not later than the expiration of two years from the final approval of reserved matters, or in the case of approval of reserved matters on different dates, the final approval of the last such matter to be approved.

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

2. No development shall take place without details of the following having first been submitted to and approved in writing by the local planning authority:-
  - a) appearance;
  - b) landscaping;
  - c) layout; and
  - d) scale.(hereinafter called the "reserved matters")

The application for approval of reserved matters shall be generally in accordance with the illustrative masterplan (with measurements) 03469 - 03 rev 6 and design framework plan 03469-02-04 and design principles, scale and density set out in section 5.1 - 5.4 of the Design and Access Statement.

The development shall thereafter be carried out in accordance with the approved reserved matters.

[To comply with Section 91 of the Town and Country Planning Act 1990 and in order to establish the parameters and design principles of the development in the interests of amenity and to accord Policy 10 (Design and Enhancing Local Identity of the Local Plan Part 1 Rushcliffe Core Strategy and with emerging Local Plan Part 2 policy 5.3].

3. No part of the development hereby approved (including access) shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) GCR- BWB-ZZ-XX-RP-YE-001\_FRA and Sustainable Drainage Statement GCR-BWB-ZZ-RP-CD-001\_SDS has been submitted to and approved in writing by the local planning authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:
  - Demonstrate that the use of SuDS throughout the site is in accordance with CIRIA C753.
  - Limit the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm to Qbar for.
  - Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the one in 1 year, one in two year, one in 30 year, one in 100 year and one in 100 year plus climate change return periods.
  - For all exceedance to be contained within the site boundary without flooding new properties in a 100 year+40% storm and details of exceedance flow routes.
  - Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.
  - Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term operation to design parameters.
  - Evidence that a formal agreement has been entered into to permit connection to the third party drainage assets to the south and how this

will be achieved.

The reserved matters application should build upon the submitted Flood Risk Assessment and Sustainable Drainage Statement and should provide a more detailed layout plan clearly showing the provision for above ground drainage features in accordance with the submitted document. Prior to the commencement of construction of the dwellings connection shall be made to an approved surface water drainage scheme on the neighbouring site to the south. The approved drainage strategy shall thereafter be implemented in accordance with these details and those approved under condition 5.

[To ensure the proper drainage of the site and to accord with the aims of Policy 2 (Climate Change) of the Local Plan Part 1 Rushcliffe Core Strategy. This is a pre commencement condition in ensure that flood risk is mitigated].

4. No development shall take place (other than for the access to Shelford Road approved under this permission) until the technical approval under S38 (or equivalent) has been agreed with Nottinghamshire County Council for the construction of the roads and associated works within that phase of the site. The development shall thereafter be implemented in accordance with the approved details and no dwelling in that phase shall be occupied until the roads necessary to serve that property have been constructed to base level.

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

5. No development shall take place (other than for the access to Shelford Road approved under this permission) until details of the following have been submitted:
  - i. A detailed layout plan of the proposed development;
  - ii. The siting, design and external appearance of the proposed buildings;
  - iii. Details of finished ground and floor levels in relation to an existing datum point, existing site levels and adjoining land;
  - iv. Cycle and bin storage facilities;
  - v. Sections and cross sections of the site showing the relationship of the proposed development to adjoining land and premises;
  - vi. The means of enclosure to be erected on the site;
  - vii. The finishes for the hard-surfaced areas of the site;
  - viii. The layout and marking of car parking, servicing and manoeuvring areas;
  - ix. Plans, sections and cross sections of any roads or access/service roads or pedestrian routes within the application site, and this shall include details of drainage, surfacing and lighting;
  - x. The means of access within the site;
  - xi. Details of the means of foul and surface water drainage;
  - xii. The number and location of the affordable dwellings to be provided together with the mix of dwellings in terms of number of bedrooms and proportion of houses and flats and tenure; xiii. Details of how renewable/ energy efficiency, climate change proofing has been incorporated into the phased to include for the provision of electric charging points and measures to conserve and recycle water;

- xiv. A statement providing an explanation as to how the design of the development has had regard to the Design and Access Statement submitted with the application together with Policy 14 ( Design and Layout) and Policy 15 ( Local Architectural Styles) of the Radcliffe on Trent Neighbourhood Plan and include an assessment the development against the Building for Life Standards and will allow for a development which does not prejudice the delivery of the neighbouring site at Shelford Road Farm; and
- xv. Details of on site recreation space/facilities to serve the proposed development. Details to be submitted shall include landscaping, planting and any equipment to be provided on the proposed amenity spaces.

The development shall thereafter be undertaken in accordance with those approved details.

[These details will help inform the Reserved matters details and will ensure a satisfactory development in accordance with the aims of Policy 10 of the Rushcliffe Local Plan Part 1: Core Strategy, and Policy 14 and 15 of the Radcliffe on Trent Neighbourhood Plan. This condition is pre commencement to ensure details are satisfactory and to avoid abortive works at a later stage]

- 6. No development shall take place until the details of a Construction Method Statement for that phase being submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
  - i. Access and parking of vehicles of site operatives and visitors;
  - ii. Loading and unloading of plant and materials;
  - iii. Storage of plant and materials used on constructing the development;
  - iv. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - v. Wheel washing facilities;
  - vi. Measures to control the emission of noise, dust and dirt during construction;
  - vii. A scheme for recycling/disposing of waste resulting from construction works;
  - viii. Hours of operation;
  - ix. A scheme to treat and remove suspended solids from surface water run-off during construction; and
  - x. An earthworks strategy to provide for the management and protection of soils.

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

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

measures are in place prior to work commencing on site].

7. No development shall take place (other than for the access to Shelford Road approved under this permission) without the details of the landscaping scheme to include those details specified below, have been submitted to and agreed in writing by the Borough Council:
  - (a) the treatment proposed for all ground surfaces, including hard areas;
  - (b) full details of tree planting;
  - (c) planting schedules, noting the species, sizes, numbers and densities of plants;
  - (d) finished levels or contours;
  - (e) all existing trees, hedges and other landscape features, indicating clearly those to be removed;
  - (f) details of all boundary treatments including height, design, location, materials and finish; and
  - (g) details of the means of protection of existing hedgerows and trees whilst construction works are being undertaken.

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

[To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area in accordance with the aims of Policy 16 ( Green Infrastructure, landscape, Parks and Open Space) of the Local Plan Part 1 Rushcliffe Core Strategy. This is a pre commencement condition to ensure that adequate consideration of landscaping matters is undertaken early in the process to ensure a satisfactory development]

8. Prior to commencement of development archaeological works shall be undertaken on site in accordance with the WSI for archaeological trial trenching prepared by Cotswold Archaeology and the reports arising from this archaeological evaluation shall be submitted to and approved in writing by the Borough Council. Where the results of trial trenching identifies archaeological features in a state of preservation and/or of such complexity as to warrant additional investigation further evaluation will be required on site. Development shall not commence in those areas of the site where such additional investigation is required until such time as a further Written Scheme of Investigation for additional archaeological investigation has been agreed in writing by the Borough Council and the excavations and recording detailed within that further written scheme have been undertaken on site.

[To ensure that items of archaeological interest are recorded in accordance with para 199 of the NPPF. This is a pre commencement condition to ensure that adequate protection to items of historic interest is afforded to the site].

9. Before development is commenced, a Contaminated Land Report shall be submitted to and approved by the local planning authority. In those cases where the Detailed Investigation Report confirms that "contamination" exists, a remediation report and validation statement will also be required. In such instances, a remediation report will need to be submitted to and approved by the local planning authority, prior to development commencing. Following completion of the works and prior to the occupation of each dwelling a written Validation Report with confirmation that all remedial works have been completed and validated, in accordance with the agreed details shall be submitted to and approved in writing by the Borough Council.

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

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

[In order to promote local employment opportunities in accordance with Policies 1 and 5 and 24 of the Rushcliffe Local Plan Part 1: Core Strategy. This is a pre commencement condition to ensure such a strategy is in place prior to persons being employed on the site].

11. No development shall take place within any phase of the development until the existing trees and/or hedges which are to be retained have been protected in accordance with the measures approved under condition 7, and that protection shall be retained for the duration of the construction period. No materials, machinery or vehicles shall be stored or temporary buildings erected within the perimeter of the fence, nor shall any excavation work be undertaken within the confines of the fence without the written approval of the local planning authority. No changes of ground level shall be made within the protected area without the written approval of the local planning authority.

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

potential ecological features].

12. Immediately prior to development commencing including site clearance a badger survey shall be undertaken by a competent ecologist and the Borough Council shall be provided with details of this survey. Should any evidence of badgers be identified work shall not commence until mitigation measures have been submitted to and agreed by the Council.

[To ensure that the proposed development contributes to the conservation and enhancement of biodiversity within the site and for the wider area in accordance with paragraphs 174-175 of the NPPF and Policy 17 of the Local Plan Part 1: Rushcliffe Core Strategy This is a pre commencement condition to ensure that ecological matters including protected species are adequately protected].

13. No development shall take place until an ecological management plan has been submitted and approved in writing by the Borough Council. This plan shall include the recommendations in the RSE\_688\_PEA\_02\_V1 Preliminary Ecological Appraisal and RSE\_688\_03\_V1 Bat Survey Report including the retention of hedgerows wherever possible, provision of bat and bird nest boxes and hedgehog boxes. The agreed mitigation and enhancements shall be implemented in accordance with the agreed works and timetable for implementation set out in the approved management plan.

[To ensure that the proposed development contributes to the conservation and enhancement of biodiversity within the site and for the wider area in accordance with paragraphs 174-175 of the NPPF and Policy 17 of the Local Plan Part 1: Rushcliffe Core Strategy. This is a pre commencement condition to ensure that ecological matters are adequately considered at an early stage]

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

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

15. No dwelling shall be occupied until the site access arrangement as shown for indicative purposes only on drawing GCR-BWB-GEN-XX-DR-TR-101 Rev P1 has been provided.

[In the interest of highway safety and in accordance with the aims of Policy 1 of the emerging Local Plan Part 2: Land and Planning Policies].

16. No dwelling shall be occupied until their respective driveways have been surfaced in a bound material (not loose gravel) for a minimum distance of 5 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 lifetime of the development.

[In the interest of highway safety and in accordance with the aims of Policy 1 of the emerging Local Plan Part 2:Land and Planning Policies].

17. 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 ( the date of which is in force at the time of the commencement of development).

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

18. No dwelling shall be occupied until a Travel Plan has been submitted to and approved in writing by the local planning authority. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the local planning authority and shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the local planning authority.

[To promote sustainable travel in accordance with the aims of Policy 1 of the emerging Local Plan Part 2:Land and Planning Policies].

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

[To assist in reducing travel demand by enabling working from home initiatives in accordance with the aims of Policy 1 of the emerging Local Plan Part 2:Land and Planning Policies]].

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

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

21. No removal of hedgerows, trees or shrubs shall take place between the beginning of March and the end of September inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation

for active birds nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any written confirmation should be submitted to the local planning authority.

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

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

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

23. The residential part of the development shall comprise no more than 55 dwellings.

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

24. Prior to installation a bat sensitive lighting scheme should be submitted and approved in writing by the local planning authority. The lighting scheme should be in accordance with conservation Trust (2018) "Bats and artificial lighting in the UK. The scheme shall include details of Lux plots of the estimated luminance. The scheme shall be designed to minimise skyglow. The lighting scheme shall be implemented in accordance with the approved details and maintained thereafter.

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

### **Notes to Applicant**

This permission is subject to a S106 agreement

In relation to the Travel Plan condition your attention is drawn to the following guidance:-

<http://www.nottinghamshire.gov.uk/media/124515/travelplanguidance.pdf>

In relation to condition 6 requiring soil management details you are advised to refer to DEFRA Construction Code of Practice for the sustainable use of soils on Construction sites You are advised to ensure disturbance to neighbours is kept to a minimum during construction by restricting working hours to Monday to Friday 7.00am to 7.00pm, Saturday 8.00am to 5.00pm and by not working on Sundays or Bank Holidays. If you intend to work outside these hours you are requested to contact the Environmental Health Officer on 0115 9148322

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

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

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

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

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

The Borough Council and Nottinghamshire County Council are keen to encourage the provision of superfast broadband within all new developments. With regard to the condition relating to broadband, it is recommended that, prior to development commencing on site, you discuss the installation of this with providers such as Virgin and Openreach Contact details:

Openreach: Nicholas Flint 01442208100 [nick.flint@openreach.co.uk](mailto:nick.flint@openreach.co.uk)

Virgin: Daniel Murray

07813920812 [daniel.murray@virginmedia.co.uk](mailto:daniel.murray@virginmedia.co.uk)

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

The Borough Council is charging developers for the first time provision of wheeled refuse containers for household and recycling wastes. Only containers supplied by Rushcliffe Borough Council will be emptied, refuse containers will need to be provided prior to the occupation of any dwellings. Please contact the Borough Council on 0115 981 9911 and ask for the

Recycling Officer to arrange for payment and delivery of the bins

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

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

Advice and information locally can be obtained by emailing:  
carol.w.collins@talk21.com

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

For further information on the content of Contaminated Land Reports, please refer to the Councils Publication "Developing Land within Nottinghamshire - A Guide to Submitting Planning Applications for Land that may be Contaminated." This booklet is available from both Rushcliffe Borough Council's website [www.rushcliffe.gov.uk](http://www.rushcliffe.gov.uk) (use the A-Z search for Contaminated Land) or by contacting the Environmental Health Service directly. In the event that any evidence of unexpected land contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must then be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the local planning authority.

Councillor Clarke re-joined the meeting.

#### **4 Planning Appeals**

No report was submitted.

The meeting closed at 9.07pm.

CHAIRMAN