

18/02412/FUL

Applicant Mrs Helen Dawkins

Location Land Between Platt Lane And Station Road Keyworth Nottinghamshire

Proposal Proposed development of 187no. dwellings with access off Platt Lane and Station Road, associated landscaping, drainage and highway infrastructure, and a 40 space grasscrete car park to serve the neighbouring sporting facilities; 3m high fence / ball stop netting.

Ward Keyworth and Wolds

THE SITE AND SURROUNDINGS

1. The application site is located on the north-east edge of Keyworth and comprises a triangular area of 8.98ha of greenfield agricultural land (comprising of grade 2, 3a and 3b classification). Platt Lane defines the south eastern boundary with British Geological Survey, a skate park and Shelton Farm, Shelton Houses and Willow Cott beyond. Station Road and the main built up part of Keyworth beyond lies to the south and south west and Nicker Hill lies to the east of the application site. To the north east the site adjoins the Platt Lane Playing Fields (cricket and football) with a railway line beyond. The site adjoins agricultural land (with the railway line beyond) to the north.
2. The site is bordered by mature hedgerows and trees and the land form rises from the south east to the north by around 5 - 7m. Public Right Of Way Keyworth Footpath 12 runs within the application site, partially along the eastern boundary and along the northern boundary.
3. The site lies within the Green Belt.

DETAILS OF THE PROPOSAL

4. The application seeks full planning permission for 187 dwellings with two points of vehicular access (one off Platt Lane and one off Station Road), associated landscaping, drainage and highway infrastructure together with a 40 space grasscrete car park to serve the neighbouring sporting facility. During the course of the application, and as a result of consultation responses, a 3m high fence/ball stop net was introduced along the northern boundary, and also forms part of the planning application, to prevent ball strike from the adjacent leisure uses.
5. The application is supported by:
 - Site Location Plan (18 Oct 18)
 - Planning Layout KEY/DPL/01 Rev F received 21 May 2019
 - Materials Layout KEY/MAT/01 Rev A received 18 February 2019
 - KEY-BTP-01B Boundary Treatments
 - Affordable Housing Plan KEY/AFF/01C received 21 May 2019
 - House Type Pack, August 2018 ref KEY/HTP/01

- House Type Dimensions
- House Type 7FA (AW) Floor Plans and Elevations received 18 February 2019
- House Type 1BB Plans and Elevations, received 21 February 2019
- House Type 2BM Plans and Elevations, received 21 February 2019
- Refuse Vehicle Tracking Turning Heads 12-0171/003A received 18 February 2019
- Detailed POS Proposals (Sheet 1 of 3) P18-1983_01_A received 18 February 2019
- Detailed POS Proposals (Sheet 2 of 3) P18-1983_02_A received 18 February 2019
- Detailed POS Proposals(Sheet 3 of 3) P18-1983_03_A received 18 February 2019
- Detailed POS Proposals (sheet 1 of 5) P18-1983_04_C received 20 May 2019
- Detailed POS Proposals (sheet 2 of 5) P18-1983_05_D received 20 May 2019
- Detailed POS Proposals (sheet 3 of 5) P18-1983_06_C received 20 May 2019
- Detailed POS Proposals (sheet 4 of 5) P18-1983_07_C received 20 May 2019
- Detailed POS Proposals (sheet 5 of 5) P18-1983_08_B received 20 May 2019
- Detailed LEAP Proposals, P18-1983_09D, received 21 May 2019
- Landscape Management Plan, Pegasus, P18-1983 REV C July 2019
- Planning Sections PLK-LS_001
- Refuse Vehicle Tracking Station Road Access 12-0171/001
- Refuse Vehicle Tracking Platt Lane Access 12-0171/002
- S278 General Arrangements 12171/180, Rev.A
- KEY-22-01 Street Scene
- Topographical survey 16902 OGL
- Design and Access Statement, Hunter Page, September 2018
- Planning supporting statement, Hunter Page, October 2018
- Landscape and Visual Appraisal, Pegasus, P17-2683, October 2018
- Keyworth Rushcliffe Assessment of Housing Mix, Lichfields, September 2018
- Archaeological Desk Based Assessment, Cgms Heritage, April 2018
- Archaeological Investigations (Final Report) Ref: 206600, wessexarchaeology, 4 January 2019 received 9 May 2019
- Built Heritage Statement, Cgms Heritage, April 2018
- Transport and Infrastructure Planning, BWB, September 2018
- Transport Assessment Addendum, BWB March 2019
- Travel Plan (NTT2096 TP REV 12), BWB, 14.3.19 received 27 March 2019
- Flood Risk Assessment and Drainage Strategy BSP Consulting, 12171/FRA/Rev A, Rev A 21/08/2018
- Ecological Appraisal, EDP, September 2018, Report Reference edp3284_r001a
- Noise Report, AECOM, Project number: 60565085, AC/02 31 May 2019 received on the 4 June 2019
- Statement of Community Involvement, Hunter Page, October 2018

- Phase II Exploratory Investigation, BSP, July 2018
 - Arboricultural Assessment, FPCR, May 2019, Rev B
 - Ball Strike Boundary Assessment, Labosport, report number LSUK.18-1000, 14 December 2018 received 18 February 2019
 - Health Impact Assessment, October 2018
 - Building for Life 12 Design Assessment, April 2019
6. Since the submission of the application additional/revised information has been submitted in respect of the Transport Assessment, Transport Addendum, Travel Plan, Noise Report, Archaeology and Ball Strike Nett together with revised plans to seek to address some of the consultee comments in respect of the layout, affordable housing mix, materials, highway matters, landscaping and the location and type of equipment on the play area.
 7. 5.54 ha of the site would be developed, which equates to a density of 33dph. The application proposes that 20% of the dwellings would be affordable homes. It also includes bungalows to enable the potential of the elderly population to free up larger family style homes.
 8. Vehicular access would be via two proposed access points one off Platt Lane and one of Station Road.
 9. The proposed housing units are one or two storey with a variety of bungalows, terraced, detached and semi-detached. The designs have been informed by a variety of architectural styles and affordable units are proposed to be pepper potted to integrate into the development. The size of the market units are varied and includes bungalows to support the wider community needs.
 10. An area of open space is to be retained, predominantly to the north east of the site and landscape buffers are proposed to the periphery of the site with existing residential properties and also to soften the transition between the development and open countryside on the northern and eastern edge of the site.
 11. Provision would be made for approximately 3.32ha of public open space including a LEAP with improvements in terms of biodiversity, sustainable drainage systems, strategic planting together with a 40 space grasscrete car park for the adjacent leisure facility. The existing hedgerow surrounding the periphery of the site would be retained where possible and enhanced. Sections would be removed for access purposes. The land slopes from Station road down to the south east corner adjacent to Platt Lane.
 12. In acknowledgement of the sites location in the Green Belt, the planning statement includes a Landscape and visual analysis. This concludes that *“The site is relatively flat, retains landscape features around its boundaries only, and has a single public right of way just inside its eastern boundary. The prevailing adjacent land uses and various combinations of landscape features and other elements of built infrastructure, combine to generate a ‘transitional’ or ‘urban fringe’ character across the site, between the settlement edge and the wider open countryside to the north, north-east and north-west.*
 13. *The site is currently designated as Green Belt, but has no other landscape or amenity designation across it. In the recent Rushcliffe BC Green Belt Assessment, it was considered to be a site that contributed little to the*

purposes of the Green Belt however, with a low score upon assessment. It has therefore been identified as a proposed housing allocation. This is acknowledged in the Keyworth Neighbourhood Plan.

14. *It is proposed to develop the site for 187 no. residential units, of a variety of mix and sizes, including affordable homes. The development will be accessed at two points: one off Station Road and another off Platt Lane. The development will sit within a comprehensive landscape and Green Infrastructure (GI) strategy, to include a variety of different and accessible open spaces, new habitats and biodiversity opportunities, where the very vast majority of existing site boundary vegetation will be retained.*
15. *The development will also include an area of additional planting for the adjacent Platt Lane Sports Club.*
16. *The likely effects on landscape resources (features) will be beneficial based on the retention of the vast majority of the existing features, together with the provision of additional ones including tree, hedgerow, shrub and wildflower meadow planting, and a balancing pond.*
17. *The likely effects on landscape character will be, physically, confined to the site itself, and be very localised, and generally very limited based on the character of the site and its immediate context, where matters of a 'transition' landscape and urban fringe characteristics prevail.*
18. *In terms of likely effects on visual amenity, the site is well visually contained in the wider landscape on the basis of intervening landscape features, topography and elements of built form and infrastructure, with limited distant views. There will inevitably be adverse impacts on short distance views, however these are all capable of being mitigated, and have been addressed as such in the landscape and GI strategy.*
19. *In landscape and visual terms, this is a good site for residential development. It is simple in its physical form, lies in a piece of 'transition' local landscape that is heavily influenced by the built environment, and its visibility is limited in the wider landscape. As such, development of 187 no. units as illustrated within the comprehensive landscape and GI described, is acceptable in landscape and visual terms."*
20. The application also sets out what are considered to be the Very Special Circumstances necessary to justify inappropriate development in the Green Belt. These are set out in the Planning Statement:
 - a. Meeting undisputed housing needs for market and affordable housing in a heavily constrained district;
 - b. Contributing to a mix of housing in the wider community;
 - c. Providing development on a site in a recognised sustainable location with good access to existing services, facilities and realistic alternative transport modes to the private car;
 - d. Compliance with the adopted development plan policy 3 b part v – new housing to be provided in and adjacent to Keyworth for a minimum of 450 homes;
 - e. Support for the development of the site from the adopted Keyworth Neighbourhood Plan;

- f. Compliance with emerging policy 4.2 which proposes to allocate the site for the around 190 homes;
 - g. Compliance with the adopted Keyworth Neighbourhood Plan Appendix 3 which proposes the site for a housing development of around 150-160 houses;
 - h. Providing the delivery of a 'plan led' development which accords with adopted and emerging policy;
 - i. Economic benefits of a deliverable housing construction project and providing increased disposable spending from new residents into the local economy;
 - j. Environmental benefits of developing grade 3 agricultural land – protecting the more valued grades 1 and 2;
 - k. Recreational benefits of providing a LEAP and overspill car parking for the Platt Lane Playing Fields;
 - l. Social Benefits of ensuring the vitality and viability of this valued local resource; and
 - m. Providing early release of the site will provide a delivery mechanism for housing in Keyworth to help rebalance the disproportional growth of less constrained or less sustainable settlements in the district.
21. The applicant considers that the above matters are capable of amounting to very special circumstances. They consider that there are a wide range of matters in addition to the local housing need for housing and affordable housing and, the 'sustainability credentials' achieved by placing development at this location contribute to the overall case in respect of very special circumstances. These matters are summarised in the following paragraphs.
22. There is an urgent need for more housing in the district which is heavily constrained by the Green Belt (40%) and it is recognised in the local plan that Green belt release is required. The early delivery of the site is in accordance with the development strategy set out in the Local Plan Part 1 and Emerging Local Plan Part 2. The applicant considers that it is not premature in the context of paragraphs 49 and 50 of the NPPF. The early release of an unconstrained and easily deliverable site earmarked for development in adopted and emerging policy would allow for the immediate development needs of the locality to be met. Such benefits must be considered against the harm of permitting inappropriate development in the Green Belt.
23. The development would bring direct and indirect economic benefits and create economic growth resulting in expenditure to the settlement and local area.
24. The development will provide housing for which there is a demonstrable and significant need evidenced by the Council's lack of 5YHLS housing land supply. It will also incorporate affordable housing for which there is a need in a sustainable location. Indeed the current proposal seeks to provide 20% (policy compliant) affordable housing of a mix that is compliant with the affordable housing needs identified within the Rushcliffe SHMA and policy 8 of the adopted Local Plan.
25. The site is located within close proximity to the centre of Keyworth village and is accessible to Nottingham which is sits at the top of the settlement hierarchy for the area. Both are easily accessible via sustainable transport modes from the site.

26. The area of proposed development contains no designated or non-designated heritage assets. Within 1km of the site there are 10 listed buildings and 2 conservation areas – Keyworth and Normanton-on-the-wold and no scheduled ancient monuments. No designated built heritage assets will be affected by the development of the site as it does not contribute to their significance as part of their settings. Only one non-designated heritage asset will be affected by development within the site the development of the site will result in a negligible degree of harm to an asset of very low significance.
27. Whilst the site is located within the Green Belt, the applicant considers, through their supporting documents, that it has been demonstrated that Very Special Circumstances exist justifying its early release.
28. The site does not lie within any local or national landscape designations and the landscape scheme seeks to conserve boundary hedgerows and trees where possible and where it is necessary to remove a section of hedgerow to provide a new access, mitigation methods including significant new hedgerow and tree planting will be incorporated in to the scheme.

SITE HISTORY

29. 13/01197/OUT - Residential development of up to 200 dwellings; creation of two accesses and associated public open space, landscaping and drainage infrastructure. Withdrawn 26 January 2015.

REPRESENTATIONS

Ward Councillor(s)

30. One Ward Councillor (Cllr Edyvean) objects to the application on the following grounds:
 - Concerned at the number of homes proposed at 187 vs the 150 in the Neighbourhood Plan.
 - The affordable homes are smaller than the open market homes and there are no affordable homes for larger families.
 - The designs are not sympathetic with the local environment being of a standard design used across the country by this developer.
 - The boundary wall of some of the properties will create a hemmed in feeling on the roads.
 - The site is adjacent to a cricket pitch and a Ball Strike Survey should be carried out to safeguard future sporting activity.
31. One Ward Councillor (Cllr Cottee) declared an interest, advising that he is the Chairman of The Platt Lane Management Committee, which manages the Sports Facility next to this application site, and is in discussion with Miller Holmes to secure additional land to future proof the ground for the future for the community.

Town/Parish Council

32. Keyworth Parish Council object for the following reasons:

- No evidence that Keyworth Neighbourhood Plan (KNP) has been considered.
- Dwellings per hectare are in excess of KNP stipulation.
- Total number of houses should be 150 including the affordable houses. This plan has 37 too many houses.
- 37/187 is also (just) less than 20% KNP minimum for affordable houses – this number needs adjusting once total reduced.
- Affordable houses are too small, 47.7m² is far smaller than the equivalent bed market price houses.
- Much more information needed about trees and hedgerows as documentation is self contradictory. Also new trees to be planted 'wherever possible' is not specific enough.
- The design of the affordable houses makes them very clearly identifiable.
- The plan lacks any 4 bedroom affordable houses.
- The designs are generally low quality. KNP stipulates local design principles. These should be consulted. The colour scheme is not in keeping with Station Road- there is a brick called Rushcliffe Red that might be considered.
- Policy 10 states 'all new developments should reinforce valued local characteristic' These do not appear to have been considered eg. Chimneys
- Promised 25 bungalows – there still only seem to be 20.
- Would like to see the rest of KNP reflected and s.106 money directed to those elements that the village has highlighted as priorities.
- Absence of promised consideration for elderly residence.
- The traffic survey appears to be 3-5 years old. Request a very robust traffic assessment is carried out including at 8am and 6pm by the highways authority.
- When the traffic report is 'updated' it would be helpful to clarify how.
- Recommend the speed limit is reduced to 30 mph from the railway bridge on Station Road. The site exit onto Station Road is not well placed. If it remains on the brow of the hill, speed restriction/traffic calming is needed.
- Would also benefit from a crossing to the bus stop on Station Road.
- Similarly, Platt lane requires speed reduction and a mechanism to prevent its use as a rat run. Need to include traffic calming measures, as again the site entrance has poor visibility, both for cars exiting the site and for cars approaching.
- The plan is inaccurate in terms of the shape of the road (Platt Lane).
- Consider one-way, limited operation traffic lights (i.e. during rush hour) at junction with A606/ Melton Road

- 1.8m screen walls will create a ghetto effect. It would be helpful to make parking provision per property clear – a chart would be good.
 - Opportunity for a cycle path – but where within the development will cycle parking be?
 - 6-11 of travel plan promises 16-74 year olds will be made aware – curious why not all ages?
 - Need joined up consideration with Nicker Hill site
33. On revised plans the Parish Council commented further maintaining their objection; *“All our previous comments apply. In addition we note the updated highways report and welcome and endorse its comments. We would also object to the additional fence in that it does not meet the requested height. We note that the site is still in the Green belt.”*
34. Normanton on the Wolds Parish Council (as adjacent parish council) has two areas of concern regarding this application:
1. Traffic - The Council is concerned by potential increased traffic flows as a result of the cumulative impact of developments in Keyworth including the impact of this proposed development. At rush hour there are frequent traffic tail backs along the A606 Melton Road from the Wheatcroft roundabout to Stanton on the Wolds. It becomes increasingly difficult to turn out of Old Melton Road, Normanton on the Wolds onto the A606, particularly turning right, resulting in queueing traffic through the village. These difficulties will only be exacerbated by further development. In addition, the parish council has concerns about the impact of the increased volume of traffic on Platt Lane following the development and potential difficulties around the Platt Lane/A606 junction. Platt Lane is a narrow rural road and unsuitable for a large amount of traffic. It is used by residents of Normanton on the Wolds to walk to Keyworth and has no footpath in the section to the east of the railway bridge.
 2. Water Management – At times of high rainfall the watercourses, Willow Brook and Polser Brook, which run through Normanton on the Wolds are subject to flooding. Willow Brook runs from Keyworth into Normanton on the Wolds where it passes through several gardens to join up with the Polser Brook at Clipston Lane. The brook regularly floods downstream in gardens along its route and across Clipston Lane. Concern is raised that the impact of this development will exacerbate this problem.
35. Plumtree Parish Council (as adjacent parish council) object to the proposed development on grounds which are summarised in the following paragraphs.
36. In discussions with the site promoters during the Neighbourhood Plan process, assurances were given that traffic from this new development would be directed towards Melton Road via Platt Lane.
37. There is no significant employment capacity in Keyworth so it is reasonable to assume that the vast majority of new residents will travel by car to the workplace via the principal arterial routes around the south of Nottingham. The most logical route to enter the highway network from this location is at the

junction of Station Road and Melton Road (A606) necessitating large volumes of additional traffic travelling through Plumtree.

38. Commuter traffic travelling from Keyworth through Plumtree is already a very significant problem with traffic queuing back into the village from Melton Road at peak times. It is assumed that the new development will be aimed primarily at young families with at least two cars per household. The addition of 200-300 additional peak time vehicle movements will put intolerable pressure on Plumtree, which is a small village with a narrow main street.
39. As such, Plumtree Parish Council are seeking a revision to the layout so that the principal access proposed on Station Road is downgraded to emergency access only and a single principal access is retained solely on Platt Lane. In addition, in order to encourage additional traffic away from the immediate residential areas in Keyworth and Plumtree, road widening improvements should be undertaken on Platt Lane and a traffic signal junction established at Platt Lane/Melton Road.
40. It is noted that the Transport Assessment undertaken by BWB concludes at paras 7.18-7.19 that the Main Road/Melton Road junction that serves Plumtree is 'operating over capacity in the base scenario and this gets even worse when the committed development traffic and the proposed residential traffic is added. The addition of the Nicker Hill development traffic would increase forecast delays. It is therefore concluded that mitigation remains required at this junction. The report appears to confirm at para 7.20 that the upgrading of the Melton Road/Platt Lane junction to signalised junction will be undertaken by the developer as part of the scheme.
41. This will just make the traffic situation worse for Plumtree. It is only the signalisation of the Melton Road/Platt Lane junction that will encourage additional traffic accessing and egressing this development away from the already congested residential areas of Keyworth and Plumtree, and onto the non-residential Platt Lane route where the overall impact of the scheme could be significantly reduced.
42. Plumtree Parish Council are therefore requesting a planning condition requiring the signalisation of the Platt Lane/Melton Road junction rather than the Main Road/Melton Road junction and that this be required to be completed prior to the occupation of 50% of the dwellings.

Statutory and Other Consultees

43. RBC Planning Policy Manager advises that, in line with planning law, decisions should be taken in accordance with the Rushcliffe Development Plan unless material considerations indicate otherwise. The relevant statutory policies that form part of the Development Plan for Rushcliffe consist of the adopted Local Plan Part 1: Core Strategy, five saved policies of the Rushcliffe Borough Local Plan 1996 and the Keyworth Neighbourhood Plan.
44. The publication version Local Plan Part 2 (LPP2): Land and Planning Policies is also a material consideration, although the policies within this document do not currently carry as much weight as those that are adopted as whilst they have been the subject of an examination, they have not yet been adopted. The

Inspector's interim letter was received by the Council on the 5 February 2019 and consultations on additional modifications are currently underway.

45. Other material considerations include the revised National Planning Policy Framework (NPPF), the National Planning Practice Guidance (the Guidance) and the Rushcliffe Borough Non Statutory Replacement Local Plan (NSRLP) (2006).
46. Notwithstanding the land's identification as a proposed allocation within the emerging Local Plan Part 2, until its adoption, the site remains within the Green Belt. Paragraph 143 of the NPPF states that inappropriate development (such as new open market housing) is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
47. It is considered that, as part of the planning balance, the following matters are pertinent when assessing whether very special circumstances exist:
48. The principle of greenfield (Green Belt) development at Keyworth has been established upon the adoption of Local Plan Part 1, Rushcliffe Core Strategy. Policy 3 (spatial strategy) establishes Keyworth as a key settlement, and that provision will be made for a minimum of 450 dwellings through Part 2 of its local plan. The emerging LAPP proposes a total of around 600 homes within 4 allocations. This application site is one of these allocations.
49. Policy 4 establishes the need to review the green belt. Policy 4 part 5 identifies the need to review inset boundaries in order to accommodate development requirements until 2028.
50. The site is proposed for allocation within policy 4.2 of the publication draft LAPP for around 190 homes, and the application complies with the criteria contained within the policy, which require 2 points of access, (off Platt Lane and Station Road) and green infrastructure which will deliver net-gains in biodiversity in the long term and a buffer to the neighbouring sports pitches. In addition policy 4.2 part c) requires improvements to the junction of Platt Lane, Nicker Hill, Normanton Lane and Station Road and the Council must be satisfied that any improvements are effective, or if not delivered, this is justified.
51. The proposed allocation is supported by evidence produced by, or on behalf of the Borough Council. This includes the Green Belt Review which determined that this land was of low-medium Green Belt importance and landscape analysis that concluded the land was of low landscape and visual sensitivity.
52. The land is recommended to the Borough Council for allocation within Appendix 3: Development Strategy of the Keyworth Parish Neighbourhood Plan for around 150-160 new homes. Whilst the recommendation does not form part of the development plan itself as it is contained within an appendix, the principle of development (albeit for a lesser amount of housing) has been supported through a referendum.
53. The site is available now, has a house builder involved and can provide for a mix of market and affordable housing.
54. The appeal decision at Asher Lane, Ruddington establishes the principle of granting planning permission for residential development on a green belt site

where there is a minimum target set for a key settlement and where there are no technical constraints.

55. The subsequent decision by the Secretary of State not to 'call in' the Council's recommendation to grant planning permission for 400 homes on land of Shelford Road, Radcliffe on Trent, endorses the release of Green Belt sites on the edge of key settlements where the Core Strategy has established the principle of this release and the emerging LAPP has identified the land as an allocation (supported by an extensive evidence base).
56. The granting of full planning permission would contribute towards the Borough Councils 5 year land supply sooner than anticipated.
57. Having regard to the above, and subject to compliance with other policies within the development plan and other material planning considerations (including emerging policies in the LAPP), whilst housing need does not by itself comprise very special circumstances, the above considerations may cumulatively establish that these circumstances do exist and that planning permission could be granted for the release of this Green Belt site for housing development.
58. RBC Design and Conservation Officer provided comments on archaeology, non-archaeological historic environment and design, as set out in the following paragraphs.
59. Archaeology - *"The site has been subject to archaeological investigation, initially via geophysical survey followed by targeted trial trenching. The trial trenching was subsequently extended to include an area of open excavation to fully assess a focus of activity on the site considered to represent a small farmstead."*
60. *The majority of the trial trenching contained no archaeological features despite reasonably convincing targets within the geophysical survey results. The contingency allowance for the trial trenching was utilised with the intention of convincingly ruling out the presence of archaeology but then encountered pits and ditches. It was agreed that an area should be stripped for further investigation focused upon what did now seem to be a farmstead settlement as suggested by the geophysical survey. This further work confirmed the presence of two ring ditches and traces of a potential associated field system."*
61. The officer has confirmed that he is satisfied that the works on site represent a thorough examination of archaeology within the site and that there is no reasonable prospect of any further work revealing any additional archaeological information which would provide further understanding of what has already been examined. He has advised that; *"An interim statement for the field work has been provided which confirms a commitment to post-excavation analysis and reporting (paragraph 4.1.1). Whilst I am satisfied that there is no further work required on site if the application is to be determined before the final report can be supplied (estimated January 2019) then we should include a condition requiring the final report to be formally submitted and agreed prior to first occupation on site. I could not justify this as a pre-commencement condition as commencing works on site would not prejudice the analysis or reporting required."*

62. Non-Archaeological Historic Environment - The officer has considered the Heritage Impacts statement and its conclusions with respect the likely impact upon the settings of these heritage assets and he is in agreement with the conclusions that there will be no impacts upon the settings of any of these heritage assets which could be considered to amount to harm to their special significance. As such, he considers that the proposed development preserves the settings of listed buildings and achieves the desirable objective detailed in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and causes no harm to the settings of other classes of heritage asset.
63. Design - The officer advised that; *"Some units appear to have no private amenity space. Every incidence of House Type HQIM1 (single bedroom maisonettes) has a combination of no enclosed amenity space or shared amenity space, in some cases only a very small shared amenity space largely taken up by car-parking. The detailed landscaping layouts seem to suggest that in some extreme cases these spaces are simply landscaped as part of the streetscene leaving these units with no provision of private outdoor space at all (145/146 as an example). It should be noted that policy H2 within the neighbourhood plan includes the statement "All properties should be provided with private gardens".*
64. *The boundary treatment detailed plan suggests that timber fencing is avoided in prominent public facing positions in favour of masonry walls which is a positive feature of the scheme which will contribute to a high quality streetscene.*
65. *The design of the bungalow units is good, bungalows usually suffer from relatively uninspiring designs largely arising from their small scale which limits scope for embellishment however these designs are all good examples.*
66. *There are arguably roughly half as many house types as indicated. The 'C' types have doorcases, flat slab porches, stone window cills and heads while the 'V' variants have voussoired brick window heads, pitched roof porches and occasional red brick detailing such as string courses. In all respects the house types are the same with the exception of these changes in embellishment and decorative detail. Occasionally the differences stack up such as to make the two house types more distinctive (C/V-4AS as an example) others provide only a very limited cosmetic difference which wouldn't really make the two distinctive (C/V-3MA as an example).*
67. *Having looked at the materials plan materials appears to be used in blocks meaning that neighbouring properties tend to stick to the same brick and roofing materials missing an opportunity to create variety and interest within the streetscene. The roofing materials are all from one manufacturer and are 3 colours, a grey and brown in the 'Highland' product and a clay/red in the 'Lothian' product. The Lothian tiles are 16mm thick at leading edge while the Highland are 30mm thick. The thicker tiles tend to create a highly corrugated roof finish which does not have a pleasing aesthetic appearance. I note that garages always use the same roofing material and brick as the house which they serve, often outbuildings in vernacular environments use a different material to the host property (slate on a house and pantiles on garages as an example). If the thicker product is less expensive and the developer would still seek to use it then perhaps it could be extensively used on garages allowing the thinner products to be used on the larger roofslopes of houses.*

68. *The three brick types proposed represent a reasonable variety, the Ibstock Windsor isn't particularly locally distinctive but at least one of the 3 needs to be a bit different to provide some variety across the site.*
69. *Some of the layout successfully utilises dwellings as visual stops along linear routes (17, 165, 160/161) whilst other positions miss this opportunity, having garages or even rear boundary walls as the focus of these views (4, 75, 168) and in one case (plot 26) a slightly awkward arrangement of loops of private driveways and rear boundary walls which provide a somewhat unsatisfactory termination to a linear route."*
70. The Design and Conservation Officer provided the following comments on revised plans.
71. *"Outdoor amenity space for 1 bed maisonettes remains an issue, now concerning plots 93/94 and 138/139. Both have shared outdoor amenity space between two properties however 93/94 is more problematic as the space provided is both shared and small whilst that at 138/139 might be shared but is at least of a good size.*
72. *I note that roofing materials have been revised and now represent an improved aesthetic choice, whilst the materials are now more mixed across the site rather than used in blocks as was previously the case.*
73. *The previously proposed Ibstock Windsor has been replaced with Ibstock Autumn Antique, my comments on this brick remain as before – essentially this brick type is a little different from local vernacular bricks however if 3 very similar soft orange/red bricks were selected this wouldn't promote much variety within the site so some degree of divergence is perhaps justified to create diversity and visual interest.*
74. *Issues regarding visual stops have also been addressed and these all now terminate either with dwellings or open space.*
75. *Overall the revisions represent improvements in terms of design and layout for the development."*
76. On subsequent archaeological information being provided the officer commented that; *"The site had been subject to geophysical survey which identified some potential archaeological features including a possible iron age farmstead in the northwestern part of the site and some possible features partly masked by ridge and furrow ploughing patterns to the southeast part of the site.*
77. *Trial trenching was undertaken which revealed very little and it was beginning to look like the geophysical data was simply showing natural features which had been misinterpreted. A portion of the contingency allowance for trenching was used to demonstrate that every effort had been made to ground truth the geophysical survey data and it was at this late stage that features began to be encountered in the area of the possible farmstead.*
78. *Whilst archaeologists and plant equipment were still on site they would commission excavation of the area of the possible farmstead site identified*

through the geophysical survey in order to fully understand the archaeology in this area, which appeared to be the only area of archaeological activity from the wider trial trenching.

79. *The report details the findings of this open excavation, which encountered evidence of early field boundaries and a pair of ring ditches associated with mid-late iron age pottery and animal bone. The two ditches likely represent two phases of occupation however dating evidence was inadequate to enable the sequencing of the two features to be established.*
80. *The findings support the conclusions taken from the geophysical data and identification as a probable iron age farmstead type settlement site. The decisions taken by the team on site and the developer to undertake further work allowed a thorough investigation of archaeological significance within the site and I am satisfied that the works undertaken have allowed a good understanding of the nature of archaeology on site, that archaeology would not represent any reason to refuse permission and that the works undertaken have been sufficiently thorough and extensive that no further archaeological conditions are required."*
81. *RBC Design and Landscape Officer has confirmed that; "The LVIA assessment has been carried out in accordance with best practice and I don't dispute its conclusions. It seems a relatively well contained site.*
82. *The landscape management plan is fine and should ensure the open space is maintained to an acceptable standard. I note that the hedgerows are to be maintained on a 3 year rotation with no more than 1 third being cut any year. Where the right of way run alongside hedgerows they will need to be suitably offset to allow for 3 years growth, or alternatively hedgerows adjacent roads or paths/pavements should be cut annually. On some plans the path through the open space alongside Platt Lane is shown located up against the hedge, on others it sweeps through the open space away from the hedge and this seems a better layout, it would be worth clarifying which is proposed.*
83. *The layout is largely positive with a scattering of open space areas within the site to provide focal points such as in front of plot 127/128, the 'green' and the boundary open space extending from the west to link with the main road through the site. A good amount of tree planting is proposed around the perimeter open space with a mix of individual trees and woodland belts, this will increase the number of the trees on the site and mitigate any loss. I am happy with the planting for both the plots and the wider open space.*
84. *The arboricultural report considers the effect on trees and hedgerows if the existing pavement at Platt Lane and Station Road were widened to 2m. It suggests it would affect 5 trees and of these 2 could be retained, but 3 would need to be removed including T2 a BS5837 class A Beech tree. This Beech is a prominent feature on Station Road and I would object to its removal and would want to see it retained, would a short section of narrower pavement be acceptable?*
85. *I visited the site ... the pavement could be widened to 2m without harming the majority of the boundary hedge, there are a couple of relatively short sections where it would require pruning back and it could become sparse and will perhaps require gapping up and reinforcing. This is at the western end of Platt*

Lane and on the junction with Station Road and Nicker Hill where a change in level could result in some root damage. We could perhaps use a condition to ensure that if any sections of boundary hedge die or are removed within 5 years of completion they are replanted the following planting season; the species, size of plants and density to be agreed in writing beforehand. I don't object to the 2 trees shown to be removed to allow the access road on to Station Road to be built.

86. *Overall from a landscape perspective it seems quite a positive scheme."*
87. *On revised plans and additional information the officer commented that; "the proposed landscape scheme for the public open space areas looks fine.*
88. *With regard to the proposed 3m high fencing/netting we would certainly need to see details of what is proposed and I do wonder if fencing is needed along the entire length of the boundary, I would like to see the length of netting kept to a minimum and presume there would be no need for it on the sections of the boundary furthest from the cricket pitch. It's difficult to comment on the appropriateness of the netting without seeing details of what it proposed, fortunately the trees within the playing field will screen it from view from outside the site. I'm not totally in favour of the netting, but if there is a general consensus it is needed some additional tree planting within the site to help screen it (and to provide more opportunities to stop balls) would seem appropriate.*
89. *The other issue associated with the ball stop fencing is the canopy overhang from the trees in the sports pitch, my preference would be to retain the tree canopy as much as possible to enhance the visual amenity of the area and the branches should help deflect balls. Any details of the proposed fencing will need to demonstrate taking into account branches under 3m.*
90. *The site masterplan does show the right of way along the southern boundary set further within the site, but when I look at the detailed landscape plans and detailed site layout plans, I don't see why a footpath diversion is required as the plans show a gravel path being installed along the boundary of the site following the alignment of the right of way. The public right of way will cross the entrance to the car park, but I still can't see why it would need to be diverted. If a diversion is required it would be for Rushcliffe to facilitate this and I would be grateful if you could advise the applicant of the following:*
 1. *This is not a quick process, for a difficult one it can take 1-2 years, for a straightforward one it can be done in about 6 months.*
 2. *While the Order cannot be made until Planning Permission is granted it is possible to save a month or so by going out to Informal or Pre-consultation prior to this.*
 3. *Building the development before the path is diverted can make the whole process more difficult and expensive to resolve.*
 4. *People can use the footpath diversion process as a second change to prevent the development proceeding. All objections received are to be sent to the applicant for them to try and resolve the objection.*
 5. *We charge a fee of £1500, on top of this the applicant will need to cover the cost of 2-3 newspaper notices which will be in the region of £300-450 each.*

91. *Impact on Beech. There isn't anything on the latest drawings that I can see that shows what the impact will be on the tree, apart the fact it isn't shown to be removed. I'm not concerned about the impact of widening the pavement will have an undue adverse impact on the hedge, it will need cutting back in places, but if this results in it becoming sparse in places there is space on the inside for it to be gapped up.*
92. *The latest plans don't incorporate the highway's suggestion to link some of the turning heads with the external footpath. I wouldn't be against a few access points being cut into the hedgerow. Some of the turning heads will have new tree planting at the ends so the paths will need to offset to the side of these."*
93. Further plans were provided, drawing KEY/DPL/01 Rev. F, shows new access paths connecting the 2 turning circles in the south west corner of the site with the existing pavement. The officer is content with this layout and it should help link the site with the rest of the village. The plans show the current alignment of the public right of way being retained and constructed in stone, so as far as he is concerned no footpath diversion will be needed.
94. In respect of the submitted Landscape Management Plan they considered it to be acceptable apart from hedgerow maintenance. The proposed hedgerow maintenance proposes a 3 year rotation with no more than a third cut in any one year. This is positive in terms of wildlife, but he was not sure the roadside face of the hedge will accommodate such maintenance without growing onto the pavement and causing an obstruction. The officer advised that it would be useful if the maintenance plan made provision for more regular cutting to prevent encroachment on the pavement.
95. Based on revised landscape management plan, the officer comments that the plan now includes inspecting the trip rail around the balancing pond each visit and carrying out repairs if necessary. He is now content with this plan.
96. The Community Development Officer advised on the original submission that that; *"The on-site local equipped area for play will require some additional equipment to meet the expectations of a variety of play experiences – for example the climbing tower/slide is a basic and small piece of equipment, there are no swings provided and the trapeze walk requires an advanced level of user strength which would limit the extent use.*
97. *The play area design is broken up by the tarmac footpath and is poorly serviced by picnic tables or well placed seating to appropriately supervise children – a revised design would be preferred.*
98. *A LEAP should be located a minimum of 20 metres from the habitable room façade of the nearest dwelling – it is not clear from the format of the plans presented if this is the case. The broad location within the area of public open space is supported, however the attenuation pond edge/depth etc. will need consideration to ensure that this does not become a safety issue."*
99. Indoor Leisure – *"The Rushcliffe Borough Council Leisure Facilities Strategy 2017-2027 and associated Strategic Assessments of provision for sports halls and swimming pools identifies the need for modernised facilities which would serve Keyworth. The Sport England Facility Calculator run on 03/12/2018 provides the following commuted sums:*

Sports Halls £73,160
Swimming Pools £78,755
Total indoor Leisure = £151,915”

100. Sports Pitches - *“The Rushcliffe Playing Pitch Strategy 2017 identifies a current shortfall of pitch provision that this development would worsen. The adjacent sports pitch site which caters for football and cricket is identified within the Rushcliffe Playing Pitch Strategy and Action Plan 2017 as a ‘Key site’ within the site hierarchy. Actions identified are to improve changing facilities and provide a 3G synthetic turf pitch which the sports clubs based from the site are seeking funding to deliver. The provision of additional parking is not specifically referenced within the plan as a specific action, but subject to the sports clubs support for including the proposed grass-crete parking could constitute a beneficial infrastructure improvement.*
101. *The Sport England Playing Pitch Demand Calculator (with Rushcliffe specific data) provides the following commuted sum for offsite provision of pitches: £70,502 and a total life cycle cost (per annum) of £13,905*
102. *The applicant has not provided information on proposed means to reduce the potential for football and cricket balls straying into the development site.”*
103. On the submission of revised information the officer commented; *“The 40 space car park for sports club - is it intended that this will be jointly used by families accessing the LEAP play area and the sports club or is it solely for the use of the sports club. Can be used by both? (reason I ask is because it would be particularly beneficial for parents or carers with disabilities accessing the play area and a short linking path from the car park to the path network adjacent to the LEAP would be easily achievable.*
104. *With regards the children play area, there is currently one double bay swing set identified which is a junior swing set for age 5+, it would be beneficial if a toddler swing was also incorporated into the scheme to cater to the 1-5 toddler age range.*
105. *Finally, with the path dissecting the play area there is a potential conflict with pedestrians and cyclist using the path network, I would expect to see a knee rail or similar along this boundary to reduce the risk of children running from the play equipment to the benches, alternatively the path could arc behind the benches to reduce the potential risk of conflict.*
106. On further information submitted the officer advised that; *“the revised scheme has indeed addressed the issue raised and will complement the development nicely with the slight exception of the lack of a toddler swing.*
107. *The current swing double bay swing is perfectly sufficient for age range 3+ with two flat seats and should not be changed, however, if it's possible to incorporate an additional swing with a pod seat which are specifically designed for the smallest children age 1+ the scheme would be fantastic. Pod swings ensure that back is supported, the seat is comfortable and the surrounding bar prevents toddlers from slipping.*

108. *Swinging remains the no1 activity that parents look for in a play area and I think it would be a mistake not to incorporate this additional element into what will otherwise be a fantastic play park. For the children's play area for 187 properties a Local Equipped Area for Play (LEAP) would be required. Using an equivalent of 0.25 hectares per 1,000 and 2.3 residents per dwelling gives a new resident population of 420 residents so 0.25 divided by 1000 X 430 = 0.1075 hectares would be required.*
109. *With regards the revised LEAP, the inclusion of the toddler swing is a welcome addition to the proposed LEAP and ensures that all age ranges are catered for in the park. I have no further recommendations to make and support it development."*
110. Following a conversation with the sports clubs operating from Normanton Playing Fields, the additional car parking to the club is considered important and a reduction in the amount of funding contribution for other improvements to the sports site is accepted, therefore, the Community Development Manager accepts the reduction of the sports pitch contribution in lieu of the additional costs incurred to create the sports car park.
111. Strategic Housing Officer advises that the site lies within the 'Keyworth' housing submarket area. Under Policy 8 (Housing Size, Mix and Choice) of the Rushcliffe Local Plan Part 1: Core Strategy we would therefore seek the provision of 20% affordable housing on the site. This would equate to 38 affordable units on a scheme for 190 units overall. The level of provision is evidenced in the Nottingham Core Strategic Housing Market (SHMA) Needs Update (2012). As indicated by the SHMA update, Core Strategy paragraph 3.8.9 states that 42% should be intermediate housing, 39% should be affordable rent and 19% should be social rent. This equates to 15 intermediate units, 15 affordable rent and 8 social rent units.
112. This breakdown is based upon the outputs of the housing needs model that was produced as part of the SHMA Needs Update 2012. This considers both existing need (backlog need based on the waiting list) and future need (based on forward household projections).
113. In terms of overall numbers on the original submission, the application was underproviding on affordable units by 1. In terms of the tenure split, the application is overproviding on Affordable Rent units by 4 and underproviding on Intermediate units by 5.
114. The applicant's mix in terms of types of units for the rented element (both Social Rent and Affordable Rent) was overproviding on 2 bed houses and also 1 and 2 bed flats (for the Affordable Rent).
115. Although bungalows are provided as part of the open market mix, no bungalows are provided as part of the affordable housing mix. The application does not therefore address the needs of the elderly population whose needs cannot be met by the market.
116. The current affordable housing mix is not balanced and does not reflect the affordable housing needs of the Borough. It was therefore requested that amendments are made to the proposal to better reflect the mix as shown on the table below.

117. Further comments were received following the submission of revised plans. Under Policy 8 (Housing Size, Mix and Choice) of the Rushcliffe Local Plan Part 1: Core Strategy we would seek the provision of 20% affordable housing on the site. This would equate to 37 affordable units on a scheme for 187 units overall. The level of provision is evidenced in the Nottingham Core Strategic Housing Market (SHMA) Needs Update (2012). Core Strategy paragraph 3.8.9 states that 42% should be intermediate housing, 39% should be affordable rent and 19% should be social rent. This equates to 16 intermediate units, 14 affordable rent and 7 social rent units.
118. In terms of overall quantum of affordable units, the application accords with the policy requirement of 37 units. In previous comments the Housing Officer highlighted that the affordable housing mix did not accord with the affordable housing tenure split as set out above. The revised mix is providing for 38% intermediate housing (14 units), 30% affordable rent (11 units) and 32% social rent (12 units). There is no objection to the deviation from the LP1 Policy 8 tenure specification as the provision of additional social rent units and fewer intermediate units and affordable rented units will help address priority housing needs of people on the housing register. The S106 for the site should reflect the applicant's proposed tenure mix instead of the LP1 specification if the revised plans are approved.
119. The revisions made in terms of house types are welcomed as they mainly reflect the requested amendments made in their original comments. The under provision of the 3 bed houses for Affordable Rent is compensated for by the over provision for 2 and 3 bed houses for Social Rent
120. The intermediate dwellings should be sold at 50% or less of the open market value to ensure that they are affordable having regard to local incomes and prices. The dwellings should be provided through a Registered Provider or through another appropriate mechanism, which ensures that the dwellings remain affordable.
121. An Affordable Housing Scheme that identifies the Registered Provider and includes a plan showing the layout of affordable units by type and tenure should be submitted to and approved by the Council before commencement of development.
122. The provision of 20% affordable housing on this site will assist the Borough Council in meeting its strategic aims to address housing need in the Borough whilst reducing the number of households in temporary accommodation by increasing the supply of permanent affordable housing.
123. Further revisions were made to the affordable housing mix in the submission on the 20 May. This proposed (38% intermediate (14), 40% affordable rent (15) and 22% social rent (8). The Strategic Housing Officer advised that the mix proposed was acceptable.
124. RBC Sustainability Officer considers that the submitted Ecological Impact Assessment contains surveys that are within date and that they have been carried out to best practice. He advises that; "*Birds are expected to nest on the site, the Red List sky lark (Alauda arvensis) was present plus house sparrow (Passer domesticus), tree sparrow (Passer montanus) and black cap (Sylvia*

atricapilla) and foraging/commuting bats (at least 4 species) has been confirmed; this activity appears to be concentrated along the existing hedgerows. Harvest mouse and hedgehog may make use of suitable habitats on-site and a wide range of other common species are expected to use the site. The site consist of arable land, scattered trees and species-rich hedgerows. The proposed development is unlikely to have a material impact on the favourable conservation status of a European protected species if developed sensitively and can provide a net gain.” The officer advises that the recommendations of the report should be conditioned and advises on a number of other practices that should be undertaken which will be included as conditions or informatives.

125. After further consultation on the revised information the officer advised that; *“Surveys were completed in April - June 2017 but will need re assessment if work has not commenced by July 2019. The site consist of arable fields semi-improved grassland borders with boundary species rich hedgerows and scattered trees. No protected or priority species were identified, there is potential for wild birds, to roost and forage on the site, bats to roost and forage, hedgehogs, badger and reptiles to use the site. The development provides opportunities for ecological enhancement and net gain (however amount of net gain has not been determined). The conservation status of European Protected Species is unlikely to be impacted by this development.*
126. Nottinghamshire Wildlife Trust although confirming that they have not looked at any of the details, provide broad views as follows:
 - i. Determination of all 3 applications (this being one of three current submissions for sites in Keyworth) is premature, given that the LPP2 hasn't been adopted. They would not wish to see all approved with the result that Keyworth exceeds its housing 'targets' (as happened in East Leake). They would therefore like to see the LPA refuse all 3 applications, or delay determination until the Local Plan has been adopted.
 - ii. In relation to the emerging local plan (including the 'additional sites' consultations) NWT highlighted that KEY10 (now application ref 18/02515/FUL) contains some ridge and furrow, which is an increasingly scarce feature and could be of archaeological and biodiversity interest, along with prominent hedgerows. Although they haven't looked at any of the ecological appraisals, they are of the general view that if sites towards the east of the village are taken forward (Especially Key 8, which is currently arable) these will be less ecologically damaging than those on the west, especially Key 18, which does contain the well-established network of hedgerows and historic pasture.
 - iii. They would expect any recommendations for 'additional surveys' in the ecological report to be fulfilled prior to any determination and any mitigation or 'biodiversity enhancements' are secured by an appropriately worded planning condition.
 - iv. They normally expect and recommend that all features of ecological interest, such as field hedgerows, scrub, species rich or permanent grasslands, ponds etc are retained and sensitively incorporated into any

public open space. Ponds, ditches and watercourses need to be adequately buffered (i.e. set back) from any development and long-term maintenance of any such habitats must be secured through Section 106 (or similar) agreements.

- v. Given issues encountered on other sites locally, conditions must be used to safeguard breeding birds (ideally no vegetation to be removed during the breeding season, March to Sept inclusive).

127. RBC Environmental Health Officer commented on noise, contamination and construction noise and dust. In respect of noise they initially commented that:

“AECOM Noise report (ref 605650085 AC/02 dated 28/9/18). I have the following queries:

- Is the test rail track now operational and therefore can real time noise measurements be taken when in operation in order that noise levels at the proposed residential units can be determined?*
- Has the assessment taken account of the potential increase in noise around the car park area for the neighbouring sports facilities and what time will this car park be in use until?”*

128. Contamination - In relation to contaminated land the officer reviewed the BSP Phase 2 report 12171 dated 31/7/18. This concludes that there is no risk of contamination on the site and no controls/conditions are required in relation to contaminated land. The Officer agrees with this conclusion.

129. Construction noise and dust - the officer advised that a condition be imposed for the submission of a method statement detailing techniques for the control of noise, dust and vibration during demolition and construction.

130. On the revised Noise Assessment dated 6th February the officer commented further and advised that; *“Having reviewed the revised noise assessment from AECOM Infrastructure & Environment UK Limited (Project number: 60565085 dated 6th February 2019), based on the calculated internal noise levels reported therein, enhanced glazing and ventilation is required for the bedrooms of several plots as detailed in Table 6.1 of Page 17 and illustrated in Appendices E & F of their report. For all other plots, Glazing and Vent Type A can be used. Roof Type A can be used to all rooms, with the exception of Plot 122 Bedroom 4 and Plot 153 Bedroom 2, where Roof Type B is required. As such, if planning permission is to be granted, we would recommend a condition be imposed to ensure these mitigation measures will actually be afforded in the development.”*

131. Nottinghamshire County Council as Highways Authority advised; *“The application site has previously been considered under application 13/01197/OUT and has been allocated as a preferred site within the RBC local plan part two, as such the general principle of housing on this site is deemed acceptable. Nonetheless we note that this application is now being considered as a full planning permission, rather than the outline previously considered and therefore the full detailed layout of the site and the implications thereof must be considered at this stage. Having reviewed the content of the Transports Assessment (TA) supporting the application and other associated supporting the application the Highway Authority would comment as follows:*

132. *Access - The proposed development is served by two access points, one on Station Road, the other on Platt Lane. A review of the proposed access arrangements shows that they both comply with the requirements of our design guide in terms of width and visibility hence would appear to be acceptable in general terms, however there are some issues which will need to be resolved before they can be fully deemed to be acceptable.*
133. *The proposed station road access is located within the 40 mph section of the road, this is less than ideal for a residential access serving multiple dwelling, we would therefore wish to see the existing 30 mph speed extended to encompass the site boundary and indicate to drivers they are entering a residential area.*
134. *Whilst the Platt Lane access is located within the existing 30 mph section of the lane, we would point out that the extents of the site fall out of the 30-mph limit. Again, we consider there to be some merit in extending the speed limit in this area to fully encompass the site extents.*
135. *Vehicle tracking has been provided in the TA for both accesses, however it only shows limited manoeuvres with a single refuse vehicle. The vehicle used is not the recommended 10.6m Phoenix IIw with 6x4 wheelbase but a smaller 9.4m Vulture 2225. In order to be considered as acceptable we would wish to see both accesses tracked with the larger refuse vehicle, for a full range of manoeuvres with vehicles in situ at the junctions.*
136. *An area of concern is that of pedestrian access. The applicant's attention is drawn to the requirements of the NPPF regarding encouraging non-motorised travel and sites which are well connected for pedestrians and cyclists. Having reviewed the documentation provided we are unable to find any evidence that any significant consideration has been given to how residents will access local facilities in Keyworth without the use of a car.*
137. *Whilst we acknowledge the presence of a footway along its entire frontage, the design of the development does little to encourage its use. The site is located behind a large hedgerow and no connections are provided to the adjacent footway other than at the main access points, its permeability into the surrounding area is very limited. In order to overcome this problem, we would wish to see links to the adjacent footway provided off the end of the proposed turning heads within the development. This would greatly shorten walking distances to the external pedestrian network, and local bus stops thus encouraging sustainable travel.*
138. *We also note that the footways fronting the site are sub-standard in width and likely insufficient to cater for increased footfall generated by the proposed development. Of particular concern is the section of footway opposite the Normanton Lane junction where the lack of width coupled with lack of visibility (resulting from the overgrown hedge) around the bend raises safety concerns. In order to encourage sustainable transport, and provide connectivity to the adjacent bus stops, sports facilities and local shops we would wish to see the footway widened to 2m along the site's frontage. Whilst we are aware that this may require some significant hedgerow pruning to achieve, our site visit has confirmed that the required width should be achievable without irreversibly damaging the hedgerow.*

139. *Drawing PLK-BWQ-GEN-XX-DR-TR-101 Rev P1, suggests a new crossing is to be installed on Nicker Hill to the east of the Normanton Lane junction. Whilst we can see merit of a crossing close to Normanton Lane. We do have some concerns about the location that is currently proposed. Firstly, its location remote from the junction means that it is unlikely to be used by residents, and members of the public heading into Keyworth from north of the junction. Secondly the current alignment of the in road in this location (the wide radius on the northern half of the junction) means that SE bound vehicles may approach the crossing at speed. This coupled with the fact that visibility of around the corner is obscured by the existing hedge raise safety concerns. We therefore request that the location of the crossing is revised with a view to moving it closer to the Normanton Lane junction, coupled with measures to encourage drivers to slow down as they round the corner into Nicker Hill such as tightening the existing radius on the corner. Additionally, we consider there may be some merit in the provision of a tactile crossing over the Platt Lane junction, as well as a further crossing on Nicker Hill east of Platt Lane to enable residents gain access to the local shops on Mount Pleasant, schools and leisure centre beyond.*
140. *Transport Modelling - The TA includes a full range of modelling undertaken on local junctions. This modelling is predominantly based on what was previously undertaken for the 2013 outline application but was updated and validated using revised surveys undertaken earlier in 2018. As such, the baseline data is considered acceptable.*
141. *The modelling shows all local junctions with the exception of the A606/ Plumtree Road junction to operate well within capacity once the development is fully built out. It should be noted however, that the modelling undertaken to date does not include for the two other sites (on Nicker Hill and Bunny Lane), which have been recommended for inclusion in the Local Plan Part 2 and which are currently being considered as separate live planning applications. Given that the modelling shows significant capacity across the local network except for the A606 junction, our overall feeling is that the inclusion of these sites may not make a substantial difference to the overall results. Nonetheless we would wish to see this evidenced and proven by way of a sensitivity test which includes for traffic from the remaining allocated sites within Keyworth being added to the traffic model.*
142. *Regardless of the outcome of the sensitivity test it is apparent that the A606/ Plumtree Road junction will be over capacity once the proposed development is completed. Whilst a scheme to signalise this junction has been put forward by the applicant to mitigate their own traffic impacts, we would highlight a more comprehensive arrangement is currently being designed by Highways England in this location. The scheme which is due to commence onsite in 2019/20, is designed to cope with traffic impacts of the wider core strategy and local plan, including the additional housing allocations in Keyworth. It will be funded in part from contributions being collected in accordance with the A52 Memorandum of Understanding (MOU) between Highways England, Nottinghamshire County Council and Rushcliffe Borough Council.*
143. *Provided the development pays its required contribution as required under the terms of the MOU we do not consider it necessary for the applicant's suggested scheme to be implemented, particularly as it would only offer an interim*

solution which would only be in place for a very short period before being removed or substantially altered.

144. *Travel Plan - A copy of the Travel Plan has been submitted to our Transport Strategy Team for comment. The comments made by NCC in 2014 have all been addressed, and we don't have any further comments on the TP content."*
145. *"Internal layout - A review of the sites internal layout has been undertaken and generally speaking it conforms with the requirements of our design guide. There are however a few changes we would wish made in order to meet our requirements with regard to highway safety.*
146. *As noted above, whilst we note tracking has been provided within the TA, this has been undertaken with the wrong size of refuse vehicle. The tracking provided is also somewhat limited as it only shows single manoeuvres without other vehicles in situ. All junctions and turning heads within the site will need to be re-tracked with the appropriate size refuse vehicle with an allowance for other vehicles as appropriate.*
147. *The junction adjacent to plot 115 needs amending to change priority. As currently designed it gives the impression that drivers on the main road should give way to those on the minor road (i.e. the cul-de-sac serving plots 165-157), this is likely to prove confusing to drivers and may result in accidents. We would wish to see this junction redesigned to give priority to drivers on the main road through the site.*
148. *Whilst we note the total number of parking spaces provided appears adequate, the layout and size of a number of spaces are likely to inhibit their use. Where parking spaces are end to end the minimum 5.0m length is considered insufficient, as it does not allow sufficient space for load/unloading. In this situation we would require each space to be a minimum of 5.5m in length. Where parking fronts directly on to a garage, an allowance needs to be made for opening the garage door. For up and over doors the parking space fronting the garage needs to be 6.1m in length, if the garage doors are to be hinged the length increases to 6.5m. On a similar note, the width of the spaces needs to be considered when the space is bound on both sides by a wall of other feature. In this scenario we would wish to see a minimum buffer of 0.6m added to the side to allow for access and bins to be wheeled out from the rear of the properties without the need to move parked cars.*
149. *Bin storage areas will be required off Highway for all private drives where refuse vehicles are unlikely to enter. Whilst we note some storage areas are shown on the Detailed Planning Layout drawing, their placement seems somewhat haphazard and number of private driveways seem to be missing bin storage areas altogether. We request that the drawings are reviewed, and additional bin storage areas provided accordingly.*
150. *In accordance with the requirements of our design guide speeds on new housing developments need to be controlled with an aim of achieving average speeds of around 20 mph. Whilst the sites layout generally lends itself to achieving this design speed, there are some changes would wish to see to the locations of the proposed humps on site amended to better suit our requirements. These include, the addition of a hump on the junction adjacent to plot 73, the removal of the hump adjacent ot plot 85, the addition of a hump*

on the junction adjacent to plot 113, the removal of the hump at the junction adjacent to plot 115 (subject to realignment of traffic carriageway in this area as discussed above), the addition of a hump at the junction adjacent to plot 130.

151. *Whilst not strictly a highway safety concern, we would point out that a number of the plots located served off of private driveways are in excess of 45m from the public highway. The width of the driveways, combined with lack of turning provision may present a problem for access in the event of a fire. Given that this is a full application and therefore there will be limited scope to amend the plans at a later date, we would recommend checking with the Fire Service/Building Control Officer as to whether they are content with this arrangement from a fire safety/building regs standpoint.*
152. *In view of the above we are unable to recommend approval of the application at this time and therefore request its determination is deferred until the above issues have been satisfactorily resolved.”*
153. Based on revised plans and information the Highway Officer no longer objects to the application and recommends conditions. They advise that; *“Further to our previous comments the applicant has submitted further information in the form of an Addendum to the original Transport Assessment (TA) which seeks to address the concerns previously raised by the Highway Authority.”* Having reviewed the contents of the Addendum they made further observations which are summarised in the following paragraphs.
154. Access
 1. The Highways officer welcomes the offer of a S106 contribution to secure a Traffic Regulation order to adjust the speed limit on the site’s frontage to 30 mph. Subject to this being secured via a suitable agreement or planning condition the vehicular access arrangements are now considered acceptable.
 2. Swept path tracking for a refuse vehicle has now been provided which address their previous concerns.
 3. Pedestrian connections to the adjacent footways have been provided from turning heads in within the development which is considered an improvement. Whilst they note the absence of a connection from the northern most turning head, it would appear this is due to a significant level difference between site and the adjacent footway which would result the overly gradients on any connection provided.
 4. The requested footways on the site’s frontage have now been provided, this includes a narrow section required in order avoid a mature beech tree. Whilst this is less than ideal the length of narrowing will be reviewed during the detailed design for works and minimised where possible by exploring the use of no dig construction.
 5. The proposed crossing on the junction of Normanton Lane and Nicker Hill has now been removed. A new crossing is now proposed further south on Nicker Hill, which offers increased visibility of the crossing and moves it closer to the new footway connection out of the site and

adjacent bus stop. A further crossing point is also being provided on Normanton Lane to offer a connection to the second new footway connection. Whilst they note a desire to cross at the junction may exist, the proposed crossing points should be suitable to cater for the additional demands of the development.

6. The requested additional crossing points at the junction of Platt Lane and Nicker Hill, and a further dropped kerb crossing on Nicker Hill to allow residents to gain access to Mount Pleasant are not shown on the revised drawing. Having discussed the matter with the applicants Engineer this appears to be an error and they are indeed willing to provide these features. They advise that either an amended drawing to reflect this is submitted or alternatively their provision secured via a suitably worded condition.
155. Transport Modelling - The requested additional modelling has been undertaken, and even with the inclusion of the additional development sites in Keyworth, the impact of the development has been shown not to result in the NPPF threshold of 'severe'. With regard to the scale of contribution to the A606 / Station Road junction Improvements, this is a matter for Borough Council and Highways England to consider as part of the A52 MOU process.
156. Travel Plan - A revised Travel plan has been received which take on board our previous comments and satisfies our requirements.
157. Internal site layout - The requested layout changes have been made and hence the revised layout is considered acceptable.
158. In view of the above, the Highway Authority considers that the applicant has satisfactorily addressed their previous concerns and therefore they recommend approval of the application subject to conditions.
159. Highways England has raised no objection subject to a condition requiring the developer to enter into an agreement under Section 278 of the Highways Act 1980 to facilitate improvements to the A52 junctions in accordance with the provisions of the A52/A606 Improvement Package Developer Contributions Strategy Memorandum of Understanding. On further consultation on revised information they maintained their original comments.
160. Environment Agency has confirmed that the site falls in Flood Zone 1 and advised that the Lead Local Flood Authority should be consulted regarding surface water disposal. The EA wishes to make no comment.
161. Severn Trent has not objected to the application but has advised on a condition and informative.
162. Nottinghamshire County Council as Lead Flood Risk Authority (LLFA) have no objection subject to a condition in respect of a scheme surface water drainage. Based on the revised submitted information they advised that they cannot see any new relevant information and their previous no objection response with conditions still applies.
163. Nottinghamshire County Council (Planning) commented on a number of issues, which are summarised in the following paragraphs.

164. The applicant should be made aware that there are proposed improvements to the A52 (T) between the A453/A52 junction Wilford and the A52/A46 junction at Bingham. These works are the responsibility of Highways England and are to be partly funded by developer contributions i.e. by proposed development in Rushcliffe which would add to the traffic demands on the A52 to the south and east of Nottingham. In order to ensure that the A52/A606 junction operates efficiently it is also proposed to improve the A606 through Tollerton. This is likely to include improvements to the A606/Cotgrave Road, A606/Main Road and A606/Tollerton Lane junctions.
165. A Memorandum of Understanding between Highways England, Rushcliffe Borough Council and Nottinghamshire County Council is currently under review and this will establish which developments will be required to contribute to (and by how much) the package of proposed highway improvements. It is not known at this time whether the proposed development of land between Platt Lane and Station Road Keyworth, if subsequently approved by the LPA, would be required to contribute, although this development is expected to lead to a significant impact on the A52 and A606 junctions and so this is expected to be a requirement. The applicant should be advised to consult directly with Rushcliffe Borough Council on this matter.
166. Transport and Travel Services - An indicative Bus Service contribution of £80,000 would support the provision of service enhancements to serve the development. At this time it is envisaged that the County Council will wish to negotiate with the developer and Highway Development Control regarding a Bus Service Contribution to provide appropriate bus service enhancements to serve the site.
167. Transport and Travel Services request a contribution of £45,000 via a Section 106 agreement for Bus Stop Improvements/Installations. This will be used towards improvements to bus stops and/or the installation of new bus stops within the development site area to promote sustainable travel.
168. Transport and Travel Services have also sought a Bus Taster Tickets Contribution of £47,000 that will provide new occupants with a bus pass for use on the local bus network, to encourage use of sustainable modes of travel.
169. Rights of Way - Footpath no 12 – Keyworth, is within the application site and is affected by the proposed scheme. The County Council would not object to the development proposals on the provision that the following points will be observed by the applicant.
170. Both the design and access statement and detailed landscape illustrations propose the line of the footpath to be accommodated upon its existing line and length. It should be confirmed that the footpath will be incorporated on its recorded line within the development in particular the section adjacent to Platt Lane from SK621320 to SK620319 retaining its connection with footpath no 8, south-east of Platt Lane.
171. It is understood that the footpath will retain an open aspect, will be unfenced and be accessible from the open space landscaping proposals forming the north and eastern fringe of the development.

172. It is proposed that the surface of the footpath be upgraded to a weather wearing surface of Breedon Gravel along the 450m footpath that is situated within the boundary of the development. The path must be constructed to a standard and specification acceptable to the County Council, particularly where the footpath is crossed by vehicles accessing the proposed new car park serving the Platt Lane playing field facility.
173. As a field headland footpath, the width of the footpath should be a minimum of 1.5m. The County Council would expect that the annual maintenance of the footpath surface material, the grass vegetation adjacent, any sections of overhanging vegetation from the adjacent hedgerows or planted landscaping shrubs and trees, be incorporated within the developers landscape management plan for the open space to ensure that clear access is maintained along the right of way.
174. The footpath should remain open, unobstructed and be kept on its legal alignment at all times during development. There should be no disturbance or changes to the surface of the footpath without prior authorisation the rights of way team.
175. The safety of the public using the path should be observed at all times. A temporary closure of the footpath may be granted to facilitate public safety during the construction phase subject to certain conditions. The applicant should be made aware that at least 5 weeks' notice is required to process the closure and an alternative route should be provided if possible.
176. Minerals Local Plan - NCC advised that a gypsum Minerals Safeguarding and Consultation Areas cover the site. There is the possibility that underground extraction areas may be present throughout this MSA/MCA due to the safeguarding area being associated with the Marblaegis Mine in East Leake and, therefore, the County Council would advise that in the first instance contact is made with British Gypsum regarding the history and future of gypsum working in the vicinity of the proposed site. The County Council does not wish to raise any objections to the proposal from a minerals perspective.
177. Waste Core Strategy - there are no existing waste sites within the vicinity of the site whereby the proposed development could cause an issue in terms of safeguarding existing waste management facilities. As set out in the Waste Core Strategy, the development should be 'designed, constructed and implemented to minimise the creation of waste, maximise the use of recycled materials and assist the collection, separation, sorting, recycling and recovery of waste arising from the development.' It would be useful for the application to be supported by a waste audit.
178. Ecology - NCC has commented on the application and note that the Ecological Appraisal indicates that the application site is of low ecological value, being an arable field, although the boundary hedgerows are of higher value (but are substantially retained as part of the development save for road access points).
179. In addition, the confirmed use of the site boundary by foraging and commuting bats means that any lighting scheme for the site should be developed in accordance with The Institute of Lighting Professionals (2018) Guidance Note 08/18 – Bats and artificial lighting in the UK and a condition should be used to require this.

180. A condition should be used to control vegetation clearance during the bird nesting season, which runs from March to August inclusive; this should include the stripping of surface vegetation (i.e. crops and grass) as well as the removal of trees/shrubs. A further condition should require the use of temporary protective fencing to safeguard retained hedgerows and trees during construction works.
181. In terms of the site landscaping, particularly in relation to the POS areas, the following matters are highlighted:
- Species of tree and shrub should be selected with reference to the relevant Nottinghamshire Landscape Character Assessment species list. The use of wildflower meadow within POS areas is welcomed, however it is requested that up the north-eastern and south-eastern boundaries of the site, the extent of wildflower grassland is increased, and the mown grassland areas are reduced; particularly in the area east of the path that runs through the POS to the west of the sports club carpark and balancing pond. Alternatively, the mown grassland areas should be established with a Flowering Lawn mix such as EL1.
 - The trees listed under “Trees – to POS area” should be reviewed in light of the landscape objectives; *Acer platanoides* and *Castanea sativa* should normally not be planted, but it is noted reference to ‘informal parkland’ on the landscape drawings. If this is parkland as in the Section 41 habitat ‘Wood pasture and parkland’, then the inclusion of these species is acceptable.
 - The “Site Boundary Woodland Planting Specimen Trees” list should be amended to remove *Castanea sativa* and *Fagus sylvatica*, as neither is appropriate for woodland planting in this area. The “Site Boundary Woodland Planting Specimen Trees” is very diverse, and the County Council suggest the removal of *Euonymus europaeus* and *Sorbus aucuparia*.
 - The “Wetland Shrub Mix” should be amended to remove *Cornus stolonifera* (which is not native) and *Symphoricarpos chenaultii* (which is an ornamental hybrid). It would be more appropriate to include native wetland species of willow, such as *Salix caprea* and/ or *S. cinerea*, and *S. viminalis*.
 - Proposals for nest boxes are welcomed, however on a development of this size a larger number would be expected – for example, just two of the Schwegler 1SP boxes are proposed, and it is unclear if these are to be affixed to the exterior of buildings, incorporated within their fabric, or located elsewhere on site. Schwegler No. 16 (or equivalent) swift boxes should also be included, and the County Council would suggest at least 10 each of these and the 1SP boxes be provided.
182. Amenity Green Space - To the immediate north of the application site is an area of open space used as sport playing fields. Given the proximity of this proposed housing development to this area of amenity green space, the County Council would draw attention to this and also would request that consideration is given to the continued use of the sport facility, to ensure that there is no detriment to its ongoing function as a playing field and that an adequate stand off and buffer is provided.

183. Historic Buildings - The proposals are accompanied by a suitable assessment of the impacts of development on non-designated and designated built heritage assets (in accordance with paragraph 189 of the NPPF). The report prepared by CGMS explores the impacts on Shelton Houses, the British Geological Survey (non-designated heritage buildings) and Normanton on the Wolds Conservation Area (designated heritage asset). It identifies harmful impacts on the setting of Shelton Houses but not on the other heritage assets. The County Council would tend to agree with the conclusions of the report. The impacts will be of a less than substantial level and in accordance with NPPF paragraphs 196 and 197 should be balanced against public benefits resulting from the housing delivery.
184. Education - there are sufficient places to accommodate the additional 39 primary places but a contribution will be required for the 30 secondary places in order to create additional capacity in existing secondary schools as there is no projected capacity available. A section 106 contribution is therefore sought of £532,590.
185. On submission of revised plans further comments were received in relation to ecology. Having reviewed the new documents relating to landscaping/POS, ecology comments relating to the composition of species mixes have been addressed, although those about the relative extent of wildflower grassland/mown grass have not, and nor have those relating to nest boxes.
186. Nottinghamshire County Council Rights of Way (VIA) commented further; *"From the details contained within the available masterplan, it appears that the section of footpath no 12 between SK621320 and SK620319 is not intended to follow it's recorded line and will be incorporated within a surfaced pathway situated further into the planned green space area and connecting with the highway access off Platt Lane.*
187. *This would require a rights of way diversion under s.257 TCPA 1990. Changes to the position, surface or public availability of the footpath cannot take place until the legal order is confirmed and certified. In addition, we request that the developer can provide assurance that an access point will remain at SK620319 to allow for a connection to footpath no 8 opposite."*
188. Sport England initially commented that the proposal appears to have been designed with adjacent land uses in mind, particularly the adjacent sports facility, however there is no apparent explanation of the rationale behind the offset distances and separation between the two uses. Para 182 of NPPF 2018 is an important consideration in this regard.
189. The Rushcliffe BC Playing Pitch Strategy 2017 identifies the Keyworth Normanton (Platt Lane) Playing field as a key site which should be protected, enhanced and development of additional facilities at the site is supported.
190. Specific reference is made to football training needs and the shortfalls of the provision of Artificial Grass Pitches (AGP) in the area and the suitability of this site for such provision. In addition, reference is made to overplay on the existing Cricket pitch and the need for a second cricket square, furthermore that Keyworth CC's changing facilities are condemned and that opportunities should be explored to create new changing facilities. They comment that they can find no reference to the need to increase the level of parking at the site

referenced in the PPS, it would be useful therefore to understand the source of this part of the proposal, specifically given the concerns identified in the PPS and development/improvement proposals for the site.

191. They advise that as part of their assessment, they have consulted the Football Foundation (FF) and The England and Wales Cricket Board (ECB)
192. The ECB has advised; *“Keyworth Cricket Club is a very active club which is growing and developing their activity. Their plans are to enhance the site in conjunction with football which includes the potential to develop a new second ground north of the current square. They may also re-site the main square in the future, but this is reliant on potential movement/reorientation of the main football pitch on site which is potentially being transformed into a 3G pitch. The proposed development is within the 80m boundary for risk assessment due to potential of ball strike risk to persons and property. A suitable risk assessment may need to be considered to ascertain any risk particularly if proposed development of second ground is successful. The play area is outside of the 80m radius. The boundary fence proposed is less than 2m high which may not be sufficient to prevent cricket balls leaving the cricket field site and impacting on the use of the proposed public open space and proposed residential properties particularly if the second pitch is developed.”*
193. The Football Foundation on behalf of the Football Association has advised; *“The site boundary would benefit from ball stop netting where football pitches butt up against it. The developer contribution of grasscrete car parking for the sports site is a potential starting point but should be viewed in relation to Keyworth FC’s plans for a 3G AGP at its site and a contribution to costs discussed. The currently proposed 3G location is the north east corner but requires release of a portion of land by NCC to accommodate the dimensions.”*
194. There are therefore two areas of concern:
 1. Noise and impact on residential amenity of the future occupiers which may lead to complaints and restrictions on use. This relates to the current site including the use of the pavilion and club house, use of the existing (and potentially proposed car park) and the proposed AGP. They would not support the approval of a residential scheme which prevents or restricts the development of sports facilities/improvements at the adjacent site. They consider that the noise impacts of the Platt Lane playing field should be assessed along with the noise impacts associated with the development of an AGP at the site.
 2. It is considered that the proposed development gives rise to a potential conflict with the use of the playing field for cricket and the ability to add a further cricket pitch at the site. Cricket balls are likely to leave the playing field and land on the application site when matches are being played. The proposed development would increase the potential liability to the Cricket Club for damage to property and personal injury. In addition, the assessment should cover the impact of footballs leaving the site having regard to residential amenity Cricket ball strikes have the potential to constitute a nuisance under the Environmental Health legislation and as such could prejudice the sporting use of the playing field. This was the case in *Miller -v- Jackson* [1977] QB 966 where cricket balls from a village green kept going into a nearby house.

195. Sport England and ECB recognises similarities with a previous planning case that have been considered by the Courts: East Meon Forge and Cricket Ground Protection Association v East Hampshire District Council [2014] EWHC 3543 (Admin) (31 October 2014). In the East Meon case, an assessment undertaken on behalf of the Cricket Club found that cricket balls commonly travel in excess of 70 metres, at all levels and abilities. It was found to be unreasonable to expect residents to live behind shutters during summer weekends or to stay out of their gardens or away from other amenity areas. Additionally, the occupants and visitors to dwellings will be at risk of injury when entering or leaving premises during cricket matches. In the East Meon case, Sport England advised that the proposed mitigating measures (removable shutters) were unenforceable and a permanent ball-stop fence was required. Mrs Justice Lang considered Sport England's representations to be sound. In this case the risk could relate to housing particularly the development of the send wicket but also relates to the use of the proposed public open space.
196. Given the comments of ECB and FF above, Sport England would recommend an independent risk assessment is undertaken to gauge the likely impact of the proposed development within close proximity to the existing and proposed cricket pitch and the football pitches to inform the need for or design of the necessary mitigation to prevent any ball strike. Until the findings of the above-mentioned assessment and conclusions have been produced including details of maintenance, Sport England wishes to submit a holding objection to the proposal. This is because it has not been demonstrated that proposal accords with any of the exceptions in Sport England's playing fields policy or paragraph 74 of the NPPF. Sport England would be pleased to review the holding objection when we have received details of both a noise assessment and a risk assessment for the cricket and football uses including any identified need for mitigation.
197. Sport England considers that new developments should contribute towards meeting the demand that they generate through the provision of on-site facilities and/or providing additional capacity offsite. The officer advised that Sport England, in conjunction with Public Health England, has produced 'Active Design' (October 2015), a guide to planning new developments that create the right environment to help people get more active, more often in the interests of health and wellbeing. The Active Design principles are aimed at contributing towards the Government's desire for the planning system to promote healthy communities through good urban design.
198. Additional information was submitted which sought to address these concerns with respect to the potential for ball strike from the adjacent existing and potential new cricket pitch and a noise assessment.
199. Ball Strike Assessment - The applicants commissioned a ball strike assessment as recommend, the submitted information follows the recommendation of that assessment. The proposal now includes the installation of ball stop fence/netting along the site boundary as detailed on plan ref KEY/BTP/01 Rev B. The installation of the ball stop fence/netting 'in conjunction with a management plan by the cricket club may not stop all shots from landing beyond this boundary but it is believed from the assessment of ball trajectory it will significantly reduce their frequency.' Sport England is

content with the submitted proposals in principle but considers that conditions should be imposed.

200. Sport England has removed their holding objection to this application as it is considered to meet its Playing Fields Policy in that the proposal should not prejudice the use or future use of the adjacent playing field. The absence of an objection is subject to conditions being attached to the decision notice, should the local planning authority be minded to approve the application and some form of mechanism being imposed that secures the integrity and maintenance of the ball stop fence/netting.
201. It is considered that the future liability for the maintenance and integrity of the ball stop fence/netting must be secured and that this should rest with the developer and not the Sports Club. It is anticipated that this will form part of the POS maintenance requirement to be secured via a legal agreement or another appropriate mechanism.
202. Noise Assessment - The applicants have commissioned a noise assessment, which addresses impacts of noise on residential amenity for future occupiers, having regard to the existing noise profile of the area including the sports facilities and the future noise profile given the potential introduction of an artificial grass pitch at the sports club site. It is noted that the council's Environmental Health team have been involved in the assessment. Sport England is content that the issues have been addressed and that noise from the adjacent sports facility should not impact on the residential amenity of future occupiers to such an extent that the use of the sports facilities or the development of the proposed AGP would be prejudiced or lead to its loss.
203. They request that if there is a need to amend the wording of the condition or use another mechanism in lieu of the suggested condition(s), they are consulted on the alternative approach. Sport England does not object to amendments to its recommended conditions, provided they achieve the same outcome and it is consulted on any amendments.
204. The Clinical Commissioning Group (CCG) advised that their standard formula would apply which would attract a contribution of £172,040. However, given that there is some potential capacity at Keyworth Primary Care Centre they would request a contribution that would enable them to convert the underutilised space to clinical consulting rooms complying with all infection control regulations. Consequently, they have requested a section 106 contribution of 25% of the full amount for the conversion costs, which equates to £43,010.
205. The Ramblers - Do not object. On the revised documentation they maintained this position provided that:
 - The open space, in which the footpath is retained, remains as shown in the plans and does not become any narrower.
 - The footpath and its alignment are retained as shown and the surface and width of the path are maintained to a suitable standard.
 - That the path will remain open at all times; any necessary diversions are in place before work begins; the safety of the walking public is ensured.
206. Pedals - is very keen to see a continuous cycle route, connecting Edwalton, Tollerton and other nearby villages using the disused rail bridge to provide a

safe crossing of the A52 (Gamston-Lings Bar Road) near the Edwalton Golf Course, and connecting to the rest of the Greater Nottingham Cycle Network in West Bridgford and Nottingham etc.

Local Residents and the General Public

207. The application has been publicised in the local community by way of letters, site and press notices. 24 representations were received on the submission of the original application which can be summarised as follows:

a. Traffic

- No access of Station Road. Busy and poor visibility.
- Reduce speed limit on station road to 30mph.
- This proposed development alongside other developments planned in the Part 2 Local plan will inevitably exacerbate the traffic load on the A606 and the A52 corridor. Without an overall Infrastructure Delivery Plan (IDP) to cater for this increased traffic load the application should be refused.
- When was a traffic survey last done, and where may we view it?
- The proposed access has poor sightlines, being located on a curve on the brow of a hill.
- The peripheral location of the site, and the other proposed housing sites around Keyworth will increase car traffic and parking problems within the village.
- Platt Lane is relatively narrow and winding and not suitable for more traffic, in part due to the narrow railway bridge.
- The uncontrolled junctions with the main A606 are already difficult to negotiate. The cumulative effect of this should be considered now and not each site considered in isolation.
- The Transport Assessment September 2018 reports 'only' 16 PIAs are recorded in 5 years in the large study area. However, the conclusion does not take into account that just under half, 7/16, of these are recorded on the stretch of road from Keyworth to Tollerton which includes Station Road.
- Furthermore 2 of the designated serious PIAs occurred within about 150m of the proposed access point on Station Road. The actual reports of these 2 serious PIAs are also incorrect as they give the speed limit as 30mph whereas it is actually 40 mph.
- The access on Station Road is also directly opposite The Knowle - concern about the potential danger this may cause as the access to the house is already difficult given the poor visibility along with the speed and volume of traffic. There are far more suitable locations for the access which would allow for greater visibility whilst also reducing the impact on existing properties.
- Whilst good provision has been made for vehicles coming out of the proposed development, the proposal does not specifically address the lack of visibility for cars travelling from Keyworth, along station road and then turning right into the proposed development.
- Highway representatives were not present at the public consultation.
- Of the various external roads into Keyworth, Station Road and the junction with Normanton Lane are by far the busiest.
- The proposals would be greatly improved with the following measures:

- the 30mph speed limit on station road should be extended northwards
- traffic bearing left from station road into nicker hill needs to be slowed and calmed
- a thorough maintenance should be carried out on all the footways between plumtree and nicker hill
- the east verge on platt lane north of the railway bridge should be widened
- 18/02412/FUL 187 dwellings, 18/02524/OUT 151 dwellings, 18/02515/FUL 222 dwellings - these planning applications total 560 homes with a further site not at the planning stage for an additional 70 houses bringing the total build to over 600.
- The transport assessment provided by BWB lacking in three respects:
 - Sustainable travel – cycling, there is no provision for cyclists to travel out of the development within the 5 kilometre area identified in figure 5 page 17. There is only one cycle route within reach of the proposed development. This is in Plumtree, which is along the busy road, which again is only accessible for experienced cyclists. This route could be extended from the Platt Lane to the Edwalton housing estate along the full length of the rail track. There is a disused bridge adjacent to the lings bar bridge, which would give access into Edwalton or across the Golf course onto the Nottinghamshire cycle routes.
 - The bridge - This would provide a safe cycling route within the 5 kilometre catchment area to encourage cycling within the area. Not only would it provide a traffic free route for commuters it would be much safer for children to use especially if connections to Southwolds and Rushcliffe schools could be achieved. This would then be in line with both the NPPF planning policy and the Rushcliffe BC core strategy.
 - Sustainable travel/bus travel - This is not a good bus service, hourly at night is insufficient, the same goes for Sunday. All these could be improved. The Keywoth service could also be improved if alternate buses travelled through Tollerton via the Spire Hospital and then to West Bridgford. This would give residents the option of going to the hospital or West Bridgford centre by bus.
- Road infrastructure, BWB have not considered the traffic congestion that is going to increase on Melton road in Tollerton.
- Platt Lane is relatively narrow and winding and not suitable for more traffic, in part due to the narrow railway bridge.
- The proposal does not specifically address the lack of visibility for cars travelling from Keyworth, along station road and then turning right into the proposed development.
- The railway bridge is a dangerous pinch point. Platt Lane already suffers from regular speeding, and access to and from the A606, is prone to traffic backing-up.

b) Boundary /landscape

- *'removal of hedgerow and trees will be minimised'*. What does that actually mean?
- Hedge should be retained along Station Road and Platt lane – wildlife and preserve rural feel on the entry into the village.

- Hedgerow and vegetation screening to the field to north west should be maintained, there should be no fences or other 'man-made' barriers put up on the field side of the development boundary.
- The planning application refers to taking advantage of natural topographical boundaries especially the railway line. The railway does not border the site. No doubt this would be used in the future for further development.
- The hedgerows do not need to be removed to allow for a wider footpath along Station Road there is ample space.
- Of particular concern is that the Arboricultural assessment October 2018 designates Tree 2 as of high quality for retention but one of the plans for the potential 2m wide footpath indicates this tree will be cut down. This is contradictory and it is essential damage does not occur to designated trees of high quality.
- The existing vegetation screening is maintained all the way along Station Road on the boundary of the development. There is substantial mature tree and hedgerow screening which will soften the environmental visual impact of the development and the developer should be required by a legally enforceable condition of the development to protect and maintain this.

c) Drainage

- Run off drainage down Station Road is already a major problem in rain storms

d) Green belt

- The site is Green Belt, and was rejected, 13/01197. What has changed?
- In the Parish Council Village Survey of 2009 90% of Keyworth respondents said that the Green Belt should continue to be protected. This site (and the others proposed for housing development around Keyworth) should not be removed from the Green Belt in a piecemeal fashion but only after a wider strategic review to prove that there are no alternative possibilities for development.
- Green belt must be preserved and protected not only for this generation but for future generations - once green belt has gone, it has gone forever and we must be mindful of this.
- Nothing in GBR2017 justifies overturning the reviews of 2013 and 2014. Any development at Station Road increases the risk of the gradual coalescence of Plumtree and Keyworth regardless of the railway cited in RLP2 [p.78] as an additional barrier. The case for breaching the Green Belt has not been made for site KEY/A.
- British Geological Survey was only allowed to be built because legislation at the time permitted it on part of green belt land.
- Would encourage further piecemeal development of Green Belt land filling the land parcel between Platts Lane, Station Road and the Railway.
- The Keyworth Connection runs up and down the road every 15 minutes.
- It is a popular cyclist route and the pavements are not particularly wide for the large number of pedestrians

e) Community Involvement

- Miller Homes did not notify 2/3 of the village of the time and venue of the plan preview, accident or design?

f) Local Plan Part 2

- The Rushcliffe plan isn't approved yet, so how can this application go ahead?
- Premature – If determination does go ahead, it is conceivable that a decision by Rushcliffe to approve the development could coincide with a recommendation by the Local Plan Inspector to reject the site for development together with its removal from the Green Belt. Until the new Local Plan is approved, the site has Green Belt status and is not allocated for development.
- Local Plan Part 1: Core Strategy has yet to deliver five of the six large strategic sites for housing development to meet the majority of the 13,150 new homes housing target for the period 2011-2028 has no relevance. The allocated sites are still available within the period of the Local Plan, so there is no requirement to extend development into the Green Belt.
- Question the number of homes to be built in Rushcliffe. Demand for homes and school places have been driven by net immigration. Forecasting should be brought up to date.
- No evidence of the number of dwellings allocated to Rushcliffe and the following should be put in the public domain: new housing need, less vacant properties, less outstanding planning permission, less land banked land, less brownfield sites equals new housing requirement.
- In 2014 450 homes were proposed for Keyworth, this has gone to 580 without consultation or supporting argument

g) Cumulative effects of proposed developments

- This site is one of 4 large housing developments proposed around Keyworth, 3 of which now have planning applications submitted totalling 560 houses. Their impact on the Green Belt, the additional traffic, and the extra pressure on village services such as the Health Centre will be cumulative and the planning applications should not be considered in isolation.
- No account of the other developments planned for Keyworth has been taken into account.

h) Keyworth Neighbourhood Plan

- It is highly questionable to justify this application by reference to the Neighbourhood Plan. Although that Plan was approved in a referendum and is now adopted, many local residents have questioned the process by which development sites were selected and the lack of consideration of planning issues. Sites apparently became available on the strength of confidential discussions between Parish Councillors and landowners without any strategic planning appraisal. At a late stage in the Plan, the Station Road site was raised from 'safeguarded' status to full allocation to replace another site on Nicker Hill. No planning reasons were ever provided for this decision and no further consultation was allowed before

the Parish Council gave its final approval to the Plan. The total additional housing now under consideration for Keyworth, at well over 600 houses, is hugely in excess of what was specified in the Neighbourhood Plan referendum.

- Miller Homes has not taken sufficient account of the needs and aspirations of the community with this plan. No specific sheltered provision for older residents.
- Housing mix, design and density suggests inadequate parking and poor design.
- 187 homes on this site are too many.

i) Land Quality

- The land is good quality arable farm land (grade 2) and should enjoy significant protection from development. More suitable land should be used in preference.

j) Density

- The density of housing on the proposed plan is too great and is out of keeping with properties in the surrounding area.
- Properties will be cramped together and the built form is top heavy towards the Nicker Hill and Station Road side of the site so is not well balanced with little open space provision spread through the site.

k) Services

- The site is too far away from the village centre to facilitate easy access to doctors, shops, village hall, activities etc. and people would still use cars making the traffic problem more difficult and causing greater pressure on car parking in the village.
- It will exacerbate the north/south imbalance of the village even more.
- Sites with a lesser number of houses should be developed first to see the impact on services, traffic etc. In other words take a slowly slowly approach to see what problems arise before permission for a large number of houses is given.

l) Location/ unsustainable

- Building on brown field sites, infill, on land locked sites inaccessible at the moment and grazing land should be used in preference to good arable farming land. Sites should be chosen with easy access to the centre of the village so integration is easier and not on outlying sites.
- The site is unsustainable as it is on the very edge of the village and remote from village services. It is at least a 20 minute walk, uphill, to get to the main village centre and therefore many people already rely on the car. The development would therefore lead to additional traffic within Keyworth to and from the village centre, schools etc, where there are already parking problems.
- It is an unsuitable location, encouraging the use of cars rather than public transport. Primary schools are located on the other side of Keyworth, requiring children to walk at least 1km making at least one crossing of Nottingham Road or Station Road. Children will inevitably be delivered to school by car.

m) Accuracy of plans

- The plans omit to show 1 and 1A Green Close

n) South Wolds Secondary School

- Is over 50 years old. It is in a poor state of repair on a cramped valuable site. It causes significant parking issues. This application site should accommodate the relocation of the school.

o) Noise

- The Noise report September 2018 predicts that noise levels at the development will be acceptable with some noise reduction measures on those new dwellings near Station Road.
- However it also predicts that noise levels in the existing dwellings along the other side of Station Road will be over 55 DB, this being above the upper limit reported for external amenity spaces.
- With the increase of traffic along this route and hence noise, measures are required to control noise exposure to existing dwellings to ensure noise levels are under any limits.

p) Residential Amenity

- The location of the access would lead to car headlights shining directly into the living room and 3 bedroom windows at the front of the property (The Knowle) whilst cars wait to leave the site at night.
- Intrusive and incongruous.
- The site is at bedroom level of some of the houses on Station Road and Park Road resulting in visual intrusion.

q) Suggested conditions if granted

- The existing ribbon of trees and hedges along Station Road and Platt Lane are preserved. Where necessary additional planting should be included within the scheme to screen the development.
- There is a legal agreement that the 37 “affordable units” are affordable and will be delivered (no off-set payments).
- Any amendment to the Green Belt is tight to the edge of the development to ensure that there is no piecemeal development.
- The installation of appropriate traffic management and calming to protect pedestrians, traffic entering Station Road and improved sight lines at all junctions including Park Road.

r) Flood Risk

- The flood risk assessment is dated as being revised in August 2018, in the midst of one of the hottest and driest summers in 100 years.
- Locally, it is well known that Station Road and Platt Lane are both liable to significant flooding even with moderate rainfall. Part of the actions to mitigate the impact on the housing development itself include raising the floor level of some of the housing - this would not help the existing housing stock around the development on Station Road and Platt Lane.

Furthermore, in order to mitigate the impact of the loss of a large area of natural soakaway, it is proposed that additional water be channelled into the "unnamed water course" on the other side of Platt Lane - this water course (which ultimately discharges into Polser Brook) is already prone to flooding!

- The road junction of Nicker Hill, Normanton Lane and Station Road floods.

s) Footpath

- Footpath on Platt Lane – clarification sought on the position of the footpath on Platt Lane. Understanding is that this will remain 'as is' with an additional footpath inside the boundary of the development.

t) Platt Lane Playing Field

- Access to Platt Lane Playing Fields - There does not appear to be a footpath allowing direct access from the proposed development to the Platt Lane Playing Fields, which would result in additional car journeys and pedestrians on Platt Lane (see safety concerns above). Direct footpath access would address this issue.
- The facility will not be able to expand.

u) Layout

- The layout is such that the properties will be cramped together and the built form is top heavy towards the Nicker Hill and Station Road side of the site so it not well balanced with little open space provision spread through the site. The emphasis is on providing usable green space primarily in the North east corner of the site, with parking on grasscrete to serve the Platt Lane Playing Fields. However, how will this relate to the development itself and how will the parking area be managed?

v) Design

- Housing design proposed for this site is the same as any 'off the shelf' Miller design at other of their developments across the country; no effort has been made to support local character or local design principles in the illustrations submitted for consideration. Brick styles are quoted as Arden, Lindum and Ibstock.

w) Consultation

- Concern raised that all properties on Plumtree Park were not consulted.

208. Neighbouring properties and those interested parties that made representations on the original submission have been re-consulted on the additional and revised information submitted. 12 further representations have been received, comments can be summarised as follows:

- a. It is important to complete road infrastructure improvements before this development takes place, as has been done in other villages, such as East Leake, Edwalton, and Cotgrave. There are several other proposed developments for Keyworth which will affect the traffic flow through the

village, especially down Station Road which is one of the main access roads to Keyworth.

- b. Station road and Platt Lane are both constrained by the narrow rail bridges that cross them so the volume of traffic from the new development needs to be considered carefully.
- c. Platt lane in particular is a narrow and twisty road which is not suitable for a large increase in traffic. With increased traffic using Platt Lane, access to the Melton Road will be difficult without the aid of traffic lights at that junction.
- d. Station Road is currently split between 30 and 40 mph speed limits which are rarely adhered to.
- e. As the proposed entrance to the site on Station road is on the brow of the hill, it will be very dangerous for traffic leaving the site during building work and for the residents once completed, if improvements to the road here are not done and efforts made to enforce the speed limits.
- f. The 30mph limit should start at least at the 'Keyworth' sign, but ideally at the bridge.
- g. Little has been done to address the fact that Keyworth is accessed mainly by country roads, two of which have bridges across them.
- h. No Mention of road improvements. The junction between Station Road, Normanton Lane, Nicker Hill, Parkside and Poplars Close is dangerous. Vision on all directions joining Station Road is very poor and it would be possible to improve this with a slight realignment (plan provided to demonstrate) the opportunity for this will be lost if approved - object to 2 houses that would prevent this.
- i. Bus stop laybys could also be included.
- j. Dubious that all the dangers/risks have been considered with this application.
- k. Will two entrances/exits suffice?
- l. This plan is totally wrong, the negatives outweigh the positives & it should be cancelled.
- m. Surely the empty properties could be made "liveable" for less spending of monies as could the numerous ex-RAF sites throughout the country.
- n. There is no positivity at all in proceeding with this application, it is far too risky!
- o. Premature.
- p. Green Belt.
- q. Roundabout junction required. Safeguarding for an improved junction of Nicker Hill and Station Road.

- r. Accident information not accurate.
 - s. Inappropriate location for development.
 - t. Grossly overdeveloped.
 - u. No provision for walking or cycling outside of the site contrary to policy 14 managing travel demand. If RBC/NCC cannot deliver against planning policy 14 point 2 then the selection on housing developments in Keyworth should fail.
 - v. A route using the bridle path alongside the railway line in Plumtree could be extended to Keyworth and Edwalton opening up an off road route that all cyclist would feel safe to use.
 - w. Are the Council willing to place the whole of the area in grave danger?
209. Keyworth and District Branch Labour Party object. This site was designated in most versions of the draft Keyworth Neighbourhood Plan as safeguarded. On the 15th January 2017 the developers with their agent met representatives of those developing the Keyworth Neighbourhood Plan and presented a proposal for the site which included elderly accommodation. As that inducement led to the upgrading of the site from safeguarded to suitable for immediate development, no planning application for this site should be accepted which doesn't include elderly accommodation.
210. The most common concern about the new building around Keyworth is the impact on traffic. Most new developments seem designed to assume and encourage people to only leave their homes by car. This site is near bus stops at the bottom of Nicker Hill and Station Road. These bus stops are unique in Keyworth in that they permit frequent travel in both directions to the centre of the village including all three pharmacies and the medical centre. Any plan for this site should include paths to the bus stops which encourage their use. In the case of Station Road, a controlled crossing to whichever of the bus stops on the other side of the road is considered more convenient, will also be required.
211. Keyworth Cricket Club, as an organisation, are very much for the 'development' of the village. They also believe Miller Homes are the right partner for their community, and in particular for KCC, as the developer for the utterly crucial Station Road/Platt Lane development that will play a large role in determining how the club interacts with the community over the coming years and decades
212. To continue this growth the club needs to add a second cricket pitch so that games can occur simultaneously, removing the need to rent facilities outside of the village. The club is working on a plan to achieve this with the Keyworth Sports Association and Keyworth United Football Club, alongside other community clubs and groups. While this of course will be subject to its own planning consent in due course, there is the opportunity to try and 'future proof' the sporting needs of the community for the next 25-50 years. If a housing plan is going in right next door, they will have to live with those decisions as a community forever.

213. The club wishes to register what they would describe as a 'Holding Objection'. Appreciate the generous offers made by Miller Homes in the areas of a 'grasscrete' car park. However, in order for them to meet funding requirements for the second pitch and other enhanced cricketing facilities and to simultaneously 'future proof' the requirements of the community, they would need to see whether the positioning of these assets could be reconsidered. A more detailed discussion regarding what size/type/height of fencing is required (again a key safety point). This additional land is so that facilities put in place are of sufficient size/area to be of a requisite standard. This in turn will enable the club to meet the criteria to get the necessary funding to have two cricket pitches, and be able to continue its growth, and be an asset to the community as it also grows.
214. In response to amended plans showing an alternative location for the play area and details of the safety net, the club withdrew their holding objection.

PLANNING POLICY

215. The Development Plan for Rushcliffe consists of the 5 saved policies of the Rushcliffe Borough Local Plan (1996) and the adopted Rushcliffe Local Plan Part 1: Core Strategy (December 2014). The Keyworth Neighbourhood Plan was adopted in May 2018 and now forms part of the development plan for Rushcliffe.
216. The publication version Local Plan Part 2 (LPP2): Land and Planning Policies is also a material consideration, although the policies within this document do not currently carry as much weight as those that are adopted as, whilst they have been the subject of an examination, they have not yet been adopted. The Inspectors interim letter was received by the Council on the 5 February 2019 and additional modifications and consultation has been undertaken, which concluded on 5 July 2019.
217. Other material considerations include the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG), the Rushcliffe Borough Non-Statutory Replacement Local Plan (2006), the recent appeal decision at Asher Lane Ruddington ref: 16/03123/OUT for outline planning permission for 175 dwellings, which is located within the Green Belt, and was granted permission on 23rd May 2018 and also a recent outline planning permission for up to 400 dwellings which is also in the Green Belt and identified in the emerging Local Plan Part 2 on land off Shelford Road, Radcliffe on Trent (13/02329/OUT) which was granted permission on 27th November 2018.

Relevant National Planning Policies and Guidance

218. The National Planning Policy Framework (NPPF) (updated in 2019) includes a presumption in favour of sustainable development. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development. There are three dimensions to sustainable development, economic, social and environmental.

219. The presumption in favour of sustainable development is detailed in Paragraph 11. For decision making this means; “c) *approving development proposals that accord with an up-to-date development plan without delay; or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting planning permission unless; i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.*” (Reference to ‘areas’ in i) includes Green Belt).
220. Paragraph 67 requires Local Authorities to identify a supply of specific, deliverable housing sites for years one to five of the plan period (with an appropriate buffer) and developable sites or broad locations for growth for years 6-10, and where possible, for years 11-15 of the plan.
221. Paragraph 108 states that “*In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; b) safe and suitable access to the site can be achieved for all users; and c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*” Paragraph 109 goes on to state that; “*Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*”
222. Paragraph 133 states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
223. Paragraph 143 states that; “*Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.*”
224. Paragraph 144 advises that; “*When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.*”
225. Paragraph 145 makes clear that the construction of new buildings in the Green Belt is inappropriate development and lists the exceptions.

Relevant Local Planning Policies and Guidance

226. Saved Rushcliffe Borough Local Plan 1996 Policy ENV15 states that; ‘*A Green Belt is proposed as defined on the proposals map*’. This plan defines the extent of the current Nottinghamshire – Derby Green Belt.

227. Other than Rushcliffe Borough Local Plan 1996 Policy ENV15, which establishes the Nottingham and Derby Green Belt, none of the saved policies of the Rushcliffe Local Plan are relevant to this application.
228. The Rushcliffe Local Plan Part 1: Core Strategy was formally adopted in December 2014. It sets out the overarching spatial vision for the development of the Borough to 2028.
229. The following policies in the Rushcliffe Local Plan Part 1: Core Strategy are relevant:
- Policy 1 - Presumption in Favour of Sustainable Development;
 - Policy 2 - Climate Change;
 - Policy 3 - Spatial Strategy;
 - Policy 4 - Nottingham – Derby Green Belt;
 - Policy 5 – Employment Provision and Economic Development;
 - Policy 8 - Housing Size Mix and Choice;
 - Policy 10 - Design and Enhancing Local Identity;
 - Policy 11 - Historic Environment;
 - Policy 12 -Local Services and Healthy Lifestyles;
 - Policy 13 - Culture Tourism and Sport;
 - Policy 14 - Managing Travel Demand;
 - Policy 15 - Transport Infrastructure Priorities;
 - Policy 16 - Green Infrastructure, Landscape, Parks and Open Space;
 - Policy 17 – Biodiversity;
 - Policy 18 – Infrastructure; and
 - Policy 19 - Developer Contributions
230. Policy 3 outlines the distribution of development in the Borough during the plan period. It ensures the sustainable development of Rushcliffe will be achieved through a strategy that promotes urban concentrations by directing the majority of development towards the built up area of Nottingham and the Key Settlements identified for growth of Bingham, Cotgrave, East Leake, Keyworth, Radcliffe on Trent and Ruddington.
231. Policy 4 (Nottingham – Derby Green Belt) establishes the principles of the Green Belt in the Borough. It states that the principle of the Nottingham Derby Green Belt within Rushcliffe will be retained and it will only be altered where it is demonstrated that exceptional circumstances exist. The settlement of Keyworth shall remain inset from the Green belt. Policy 3 acknowledges that exceptional circumstances exist to review the boundaries of the Green Belt in Rushcliffe to enable the level of development that needs to be delivered.
232. The Keyworth Neighbourhood Plan was adopted 30th May 2018 and now forms part of the development plan for Rushcliffe. Many of the policies within the document have implications in the consideration of this application to ensure that the development satisfies the vision for the future of the village but of particular relevance are:
- Policy CF1 – Protection and enhancement of community facilities;
 - Policy CF2 - New Community Facilities;
 - Policy LR1(A) – Local Green Spaces;
 - Policy LR1(B) – Provision of new open spaces;

- Policy LR2 – Improved pedestrian and cycle access;
- Policy SR2 – Public Realm Strategy for Retail Areas;
- Policy TA1 – Sustainable modes;
- Policy TA2 – Highways and Access;
- Policy TA3 – Parking Standards;
- Policy H1 – Housing Strategy;
- Policy H2 – Type and Tenure;
- Policy H3 – Design requirements for new development;
- Policy E1 – Green and Blue Infrastructure;
- Policy E2 – Environmental and Habitats; and
- Policy HC4 – Heritage Assets.

233. Policy LR2 states; *“Proposed residential and commercial development should seek to deliver new walking and cycling routes, specifically where there are no or limited routes between existing and future community assets (as set out in Policy CF1) and bus stops. Where it is necessary to mitigate the impact of new development and subject to viability consideration, contributions may be sought to ensure that these routes are delivered.”*
234. Policy SR2 identifies that; *“contributions towards achieving elements of the Public Realm Strategy through specific schemes may be sought, where appropriate and subject to negotiation and viability considerations, from developments on allocated sites, and those providing more than 10 residential units or 500 sq.m. of commercial floorspace.”*
235. Policy TA2 - Where necessary to mitigate the impact of new developments (residential and non-residential), and subject to viability considerations, contributions will be sought towards the following improvements: Carriageway and crossing improvements to Platt Lane including the delivery of appropriate safe footpaths on either side of the road. Improvements to the junction of Platt Lane, Nicker Hill, Normanton Lane and Station Road to reduce speeds and increase visibility. Enhancement to the junction of Nottingham Road and Debdale Lane to improve access for larger vehicles and to enhance the pedestrian environment. Gateways into the settlement, including speed reduction treatment (not including carriageway narrowing (pinch points) or speed humps, which interrupt the free flow of traffic), at Bunny Lane, Station Road, Platt Lane, Stanton Lane, Selby Lane and Wysall Lane. Contributions will only be sought for improvements where a specific scheme has been identified by the appropriate statutory body.
236. Policy TA3 - Sets out the parking standards for developments over 10 Dwellings:
- For dwellings of 3 bedrooms or fewer – a minimum of 2 spaces to be provided.
 - For dwellings of 4 bedrooms or more – a minimum of 3 spaces are to be provided.
 - Include appropriate parking and safe storage of up to 2 bicycles.
 - Visitor parking should be provided at a rate of 1 space for every four dwellings proposed and parking needs should be met within the confines of the site.
 - Affordable housing schemes should demonstrate that sufficient car parking has been provided on site for occupiers and visitors.

- Developers will be encouraged to provide garages of a scale to accommodate modern larger vehicles.

237. Policy H1 – (delivery of between 450 and 480 residential dwellings). *“Housing delivery is divided between the east and west of the settlement, to ensure that impacts on the landscape setting of the settlement are minimized and that traffic generation is spread throughout the network. The development of sites should ensure that through detailed design they relate well to the existing built form and deliver an appropriate new settlement edge and transition to the wider landscape.”*

238. *“Deliver the broad mix of housing types set out in policy H2 and appropriate landscape and open space requirements in line with other policies within the Development Plan. Where housing for older people (regardless of tenure) is proposed, applicants should demonstrate how these ensure safe and commodious access to shops, services and public transport. Where necessary to mitigate the impact of development, and subject to viability considerations, contributions for improvements to local road junctions and pedestrian and cycle links to the shopping areas will be negotiated. Developments on allocated sites will be encouraged to make provision for localised convenience retail needs and appropriate highways and access arrangements, both on and off-site.”*

239. Policy H2 – The policy advises that; *“The following mix of market housing types will be sought from all new developments in excess of 10 dwellings, subject to viability considerations:*

<u>Dwelling Type and Size</u>	<u>Percentage Mix</u>
Two-bed homes	25 - 30
Two bed Bungalows	15-20
Three Bed Family Homes	20 - 25
Four or more Bed Family Homes*	30-40

(No more than 10% of the total market homes should be larger than 5 or more bedrooms.)

All properties should be provided with private gardens. For dwellings of 2 bedrooms these should measure not less than 40 sq./m and for all larger properties this should be in excess of 80sq./m.

20% affordable housing

Affordable housing should be designed and delivered to be indistinguishable from market housing.”

240. The Policy *“strongly supports the provision of elderly person’s accommodation in a variety of forms including, but not limited to, bungalows, retirement apartments, sheltered housing and warden controlled housing in locations within 400m of shops and services, including public transport. Specialist elderly persons accommodation (nursing homes, extra and palliative care) will be supported where there is an identifiable need.”*

241. Policy H3 – Design requirements for new development

- *Deliver a strong network of green and blue infrastructure, improving biodiversity, accommodating sustainable urban drainage systems and appropriate public and private spaces, including recreation spaces.*

- *Reinforce character and identity through locally distinctive design and architecture.*
- *Present a layout for new development which integrates well with the surroundings.*
- *Establish a clear hierarchy of streets and spaces that includes the use of shared surface and pedestrian priority routes, where it is safe and practicable to do so.*
- *Deliver appropriate densities commensurate with the surrounding townscape and local built character. Where sites are green field or create a new settlement edge, density should not exceed 30dph with densities at the urban edge being no more than 20dph. On brownfield sites or sites adjacent to or within the Conservation Area, they should not exceed 40dph.*
- *Ensure that buffer planting is provided adjacent to existing properties where appropriate and that this is retained and managed in accordance with an agreed management plan.*
- *Minimise carbon emissions through the use of sustainable construction techniques, reuse of materials and promotion of integrated renewable and low energy design solutions.*
- *Use sustainable drainage and water management, to avoid increasing surface water run-off into watercourses.*

242. The Rushcliffe Borough Non-Statutory Replacement Local Plan (RBNSRLP) is a material consideration. Whilst not part of the Development Plan, the Borough Council has adopted the RBNSRLP for development management purposes in the determination of planning applications and Policy GP2 (Design and Amenity) is used frequently. Bearing in mind the nature of the application and the presence of detailed design and amenity policies, it is not considered necessary to consider these policies within this application.

243. The emerging Local Plan Part 2 Land and Planning Policies has undergone its necessary preparation including the identification of preferred housing sites and extensive consultation and is supported by various evidence based documents, including a Green Belt review which is of particular relevance to Keyworth bearing in mind it is an inset village. This has now been submitted for examination and the hearing took place in Nov/ Dec. An initial view from the Inspector has been received suggesting minor changes to a few of the policies. The modifications to the plan have been subject to further consultation, which was closed on 5 July 2019. Some weight should therefore be given to this emerging policy document, in particular site specific policy 4.2 which relates to a proposed housing allocation – Land Between Platt Lane and Station Road, Keyworth.

244. Policy 4.2 Housing Allocation – Land Between Platt Lane and Station Road, Keyworth states; *“The area, as shown on the policies map, is identified as an allocation for around 190 homes. The development will be subject to the following requirements:*

- a) *there should be two points of vehicle access, off Platt Lane and Station Road;*
- b) *carriageway and crossing improvements to Platt Lane including the delivery of appropriate safe footpaths on either side of the road;*
- c) *improvements to the junction of Platt Lane, Nicker Hill, Normanton Lane and Station Road to reduce speeds and increase visibility;*

- d) *green infrastructure should deliver net-gains in biodiversity through tree planting which complements other green infrastructure objectives;*
 - e) *subject to access requirements, the hedgerow on Platt Lane and tree belt on Station Road must be retained;*
 - f) *green infrastructure should include a suitable buffer with the neighbouring sports facility in order to protect the amenity of residents and users of the right of way; and*
 - g) *it should be consistent with other relevant policies in the Local Plan.”*
245. Following receipt of the Inspectors letter providing initial views on the plan, modifications have been proposed, and consulted upon, including modifications to Policy 4.2. This involves the addition of two additional criteria (and reassigning criterion g as i):
- g) mitigation measures should be installed as appropriate on the north-east boundary to protect dwellings from damage from the adjacent sports facility;
 - h) a financial contribution to a package of improvements for the A52(T) between the A6005 (QMC) and A46 (Bingham)
246. In addition, the following paragraph was added to the justification text; *“The site is located adjacent to a cricket pitch and therefore an assessment should be carried out and, if appropriate, mitigation measures should be installed along the boundary between this housing allocation and the sports facility. This would to protect the new dwellings from possible damage from cricket balls.”*
247. In addition to Policy 4.2, the following policies are also considered material to the consideration of this application:
- Policy 12 Housing Standards
 - Policy 13 Self-Build and Custom Housing Provision
 - Policy 18 Surface Water Management
 - Policy 19 Development affecting Watercourses
 - Policy 20 Managing Water Quality
 - Policy 21 Green Belt
 - Policy 29 Development affecting Archaeological Sites
 - Policy 32 Recreational Open Space
 - Policy 37 Tress and Woodlands
 - Policy 38 Non-designated Biodiversity Assets and the wider Ecological network
 - Policy 39 Health Impacts of Development
 - Policy 40 Pollution and Land Contamination
 - Policy 42 Safeguarding Minerals
 - Policy 43 Planning Obligations Threshold
248. Consideration should also be given to other Borough Council Strategies including the Sustainable Community Strategy, Leisure Strategy, Nature Conservation Strategy and the Borough Councils Corporate Priorities.
249. Planning (Listed Buildings and Conservation Areas Act) 1990 - Local planning authorities shall have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (section 66). Special attention should also be paid to the

desirability of preserving or enhancing the character or appearance of Conservation Areas (section 72). Considerable importance and weight should be attached to any harm to these heritage assets or their setting. The courts have held that this creates a negative presumption (capable of being rebutted) against the grant of planning permission where harm will be caused and that the balancing exercise must begin with this negative weight/presumption even where the presumption in favour of sustainable development is engaged under the Framework.

250. Conservation of Habitat and Species Regulations 2017, and the Wildlife and Countryside Act (as amended) 1981 - These regulations/legislation contain certain prohibitions against activities affecting European Protected Species, such as bats. These include prohibitions against the deliberate capturing, killing or disturbance and against the damage or destruction of a breeding site or resting place of such an animal. The Habitats Directive and Regulations provide for the derogation from these prohibitions in certain circumstances. Natural England is the body primarily responsible for enforcing these prohibitions and is responsible for a separate licensing regime that allows what would otherwise be an unlawful act to be carried out lawfully.
251. The Council as local planning authority is obliged in considering whether to grant planning permission to have regard to the requirements of the Habitats Directive and Habitats Regulations in so far as they may be affected by the grant of permission. Where the prohibitions in the Regulations will be offended (for example where European Protected Species will be disturbed by the development) then the Council is obliged to consider the likelihood of a licence being subsequently issued by Natural England and the “three tests” under the Regulations being satisfied. Natural England will grant a licence where the following three tests are met:
1. There are “imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment”
 2. there is no satisfactory alternative; and
 3. the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.
252. The Supreme Court has clarified that it could not see why planning permission should not ordinarily be granted unless it is concluded that the proposed development is unlikely to be issued a license by Natural England.
253. Natural Environment and Rural Communities Act 2006 at Section 40 states that “*every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.*” Section 40(3) of the same Act also states that “*conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat.*”
254. Planning for Growth (Ministerial Statement 2011) emphasises the priority for planning to support sustainable economic growth except where this compromises key sustainable development principles. The range of benefits

of proposals to provide more robust and viable communities should be considered and appropriate weight should be given to economic recovery.

255. The Community Infrastructure Levy Regulations 2010 (As amended) places the Government's policy tests on the use of planning obligations into law. It is unlawful for a planning obligation to be a reason for granting planning permission when determining a planning application for a development, or part of a development, that is capable of being charged CIL, whether or not there is a local CIL in operation, if the obligation does not meet all of the following tests:
- a. necessary to make the development acceptable in planning terms;
 - b. directly related to the development; and
 - c. fairly and reasonably related in scale and kind to the development.
256. Since April 2015 Regulation 123 has also come into effect, this states:
1. This regulation applies where a relevant determination is made which results in planning permission being granted for development.
 2. A planning obligation may not constitute a reason for granting planning permission for the development to the extent that the obligation provides for the funding or provision of relevant infrastructure (as defined).
 3. A planning obligation ("obligation A") may not constitute a reason for granting planning permission to the extent that:
 - a. obligation A provides for the funding or provision of an infrastructure project or type of infrastructure; and
 - b. five or more separate planning obligations that:
 - i. relate to planning permissions granted for development within the area of the charging authority; and
 - ii. which provide for the funding or provision of that project, or type of infrastructure, have been entered into before the date that obligation A was entered into.
257. Equality Act 2010 - Under S149 of the Act all public bodies are required in exercising their functions to eliminate discrimination, advance equality of opportunity and foster good relation.
258. Design Council Building for Life 12 - This assessment sets 12 criteria to measure the suitability of schemes and their locations in relation to design, layout, sustainability criteria, adaptability and effect of existing local character and reduction of crime, amongst other things.
259. Environmental Impact Assessment Regulations - The proposed development was screened under the Environmental Impact Assessment Regulations 2018 prior to the application being submitted and it was determined that any effects of the proposal would be of a local nature which would be dealt with under the

normal development control process and a formal Environmental Impact Assessment was not required in this instance.

APPRAISAL

260. It is considered that the main planning considerations in the determination of this application relate to the principle of development in this location, including any conflict with Green Belt Policy and whether 'very special circumstances' have been demonstrated, and then whether the application accords with Neighbourhood Plan Policies, together with the specific site requirements as set out in the emerging site specific policy 4.2 (Housing Allocation – Land between Platt Lane and Station Road, Keyworth) of the Local Plan Part 2, together with any other material planning considerations.
261. Paragraph 7 of The Framework confirms that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives which are economic, social and environmental and Paragraph 8 says that the roles performed by the planning system in this regard should not be undertaken in isolation, because they are mutually dependent. It goes on to say that, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system, which should play an active role in guiding development to sustainable solutions.

Principle of Development

262. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 11 of the NPPF advises that there is a presumption in favour of sustainable development and for decision-making this means approving development proposals that accord with the development plan without delay. The NPPF is a material consideration in planning decisions.
263. In paragraph 15 the NPPF states that the planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings.
264. Section 5 - 'Delivering a sufficient supply of homes' states that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.
265. However, in considering this application, it has to be borne in mind that the Council does not currently have a 5 year housing land supply. Consequently, in accordance with footnote 7 of the NPPF, Policy 3 of the Core Strategy, which is a policy for the supply of housing, is not up to date. In such circumstances, paragraph 11 of the NPPF and the so-called 'tilted' balance are engaged.

266. Paragraph 11 explains that the presumption in favour of sustainable development requires that, where the development plan is out of date, permission is granted unless:
- The application of policies in the framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed; or
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
267. The Draft Green Belt Review 2017 (part 2b) assessed potential sites for removal against the five purposes of the Green Belt. The assessment concluded the application site is of low to medium green belt value. The visibility of residential developments on Station Road, the British Geological Survey buildings and sports pavilion adjacent to the site has reduced the Green Belt value of this area. The application site has strong defensible boundaries (and the railway beyond) and there is an opportunity to round of the north east corner of Keyworth without facilitating unrestricted urban sprawl and reducing the distance between Keyworth and Normanton on the Wolds and Plumtree. The application site had the joint lowest score in terms of meeting the purposes of the Green Belt at 11, which is low and low-medium. The site is also relatively flat unlike alternative sites and so its development will have less impact on the key landscape characteristics
268. As the site is presently in the Green Belt, there is a specific policy identified in the NPPF that indicates development should be restricted. Residential development of this nature constitutes inappropriate development which is, as set out in para 143 of the NPPF, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances' (VSCs). VSCs will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. VSCs must, therefore, be able to be clearly demonstrated to justify a support of planning permission on this site.
269. The applicant acknowledges that the proposal scheme would be inappropriate development in the Nottingham-Derby Green Belt and should not be approved except in VSCs, as per NPPF paragraph 143. The applicant has set out what they consider are the very special circumstances which are outlined above (under Details of the Proposal).
270. As set out above, at the present time the Borough Council is unable to demonstrate a five year supply of housing sites and, as with the Asher Lane Inspector the shortfall is identified as significant and justifies considerable weight to the proposed development. Whilst this on its own is not a VSC in itself, consideration needs to be given to the following matters.
271. The Rushcliffe Core Strategy (CS) identifies the need for a minimum of 13,150 new homes between 2011 and 2028 with approximately 7,650 homes in or adjoining the main built up area of Nottingham. The adopted Core Strategy allocates strategic sites and the emerging Local Plan Part 2 document (LPP2) will be used to allocate non-strategic sites. CS Policy 4 (Nottingham-Derby Green Belt) subsections 3 and 5 confirm that inset boundaries will be reviewed

through the LPP2. Subsection 7 of Policy 4 states that when reviewing GB boundaries, consideration will be given to a number of factors including the statutory purposes of the GB, in particular the need to maintain openness and prevent coalescence of settlements; establishing a permanent boundary which allows for development in line with the settlement hierarchy and/or to meet local needs; and retaining or creating defensible boundaries.

272. The Core Strategy identifies Keyworth as a key settlement where housing growth is required and anticipated, and sets a target of a minimum of 450 new homes that need to be built on greenfield sites within the existing Green Belt surrounding Keyworth up to 2028. The Local Plan Part 2 is proposing site allocations in Keyworth for around 600 dwellings (including land that forms part of the current application site). This application is, therefore, considered to accord with the spatial strategy as set out in the development plan. The Keyworth Neighbourhood Plan acknowledges that the village will need to accommodate new housing growth and that it is necessary to release areas of Green Belt to provide for this. A broad development strategy for the distribution of new dwellings across the Parish is set out in Appendix 3 of the Plan, which shows the focus of new development to the east and west of the Village. The diagram produced shows this site as one of the broad locations for development. It is, therefore, considered that this proposal accords with the broad direction of growth identified within the Neighbourhood Plan. Whilst further consideration of the Neighbourhood Plan is given later in this report, the fact that the proposal is in accordance with the agreed spatial strategy of the adopted Core Strategy, allocations in the emerging Local Plan Part 2, and the broad direction of growth identified in the Neighbourhood Plan, weighs substantially in favour of the proposal.
273. One of the key issues that the Local Plan Part 2 is required to do is to identify enough land suitable for housing development in order to help meet Rushcliffe's housing target of a minimum of 13,150 new homes between 2011 and 2028. The evidence supporting this work suggests that it is necessary to deliver new housing above the minimum targets for key settlements in order to ensure that enough housing is available to meet both the Boroughs short and longer term housing targets. Consideration has, therefore, been given to increasing the number of houses within the key settlements and identifying other settlements that could accommodate some level of housing growth above that expected by infill development. Keyworth is a key settlement where increased housing provision is considered appropriate, justified and supported by substantial evidence.
274. In balancing sustainability, Green Belt, settlement capacity, the availability of suitable sites for development and other relevant planning considerations, 4 sites are proposed to be allocated for housing development, which would deliver around 600 new homes. The site, subject to this application, is one of the sites identified as a preferred housing site in the emerging Local Plan Part 2 (LPP2) document. This weighs substantially in favour of the proposal.
275. Whilst Part 2 of the Local Plan has not yet been adopted and, as such, full weight is unable to be given to this plan, it is at a very advanced stage and has gone through extensive examination and scrutiny as part of the identification of preferred sites documents. This site scores low-medium Green Belt importance and the landscape analysis concluded the land was of low landscape and medium visual sensitivity in the green belt review that has been

undertaken. To address the Core Strategy Spatial Strategy, Green Belt release at Keyworth is inevitable and the Neighbourhood Plan also identifies development in this broad location. These are both adopted Development Plan documents. The Council's assessment of the site is that it has one of the lowest GB values of all the GB land assessed on the edge Keyworth.

276. The Inspector at the Asher Land Inquiry acknowledged that the latest Rushcliffe Green Belt Review is a comprehensive document that scores each possible GB site against the five purposes of the GB contained in NPPF paragraph 80. It does not itself determine whether or not land should remain within the GB but is a technical document that will be used to aid decisions on where the GB may be amended to accommodate future development requirements. The Inspector used this document in the consideration of that appeal and, therefore, it is considered appropriate that weight can be attached to this document in the consideration of this application. The conclusions of this review document weigh in favour of this development.
277. CS Policy 4 (Nottingham-Derby Green Belt) subsections 3 and 5 confirm that inset boundaries will be reviewed through the LPP2. Subsection 7 of the Policy sets out that when reviewing GB boundaries consideration will be given to a number of considerations including the statutory purposes of the GB, in particular the need to maintain openness and prevent coalescence of settlements; establishing a permanent boundary which allows for development in line with the settlement hierarchy and/or to meet local needs; and retaining or creating defensible boundaries.
278. Whilst it is considered that full weight cannot be attached to the LPP2, as set out above the Core Strategy Spatial Strategy acknowledges Green Belt release at Keyworth is inevitable and the evidence base supporting the Core Strategy and LPP2, and the Council's reasons for its preferred allocation sites at Keyworth, are issues that are relevant to this application and to which considerable weight can be attached. This approach was a view expressed again by the Inspector for Asher Lane. The Core Strategy Policy 3 and 4 and the evidence base supporting the proposed Green Belt review, and proposed allocation of the site in Local Plan Part 2, together with the Neighbourhood Plan proposing this as site as a direction of growth, again weigh in favour of the development.

Emerging Local Plan Part 2 - Policy 4.2

279. As set out above, whilst the final Inspector's report for the LP Part 2 examination have not been issued, it does carry considerable weight in the determination of this application and, therefore, consideration is given to the policy within this report that sets out the specific site requirements for this site under policy 4.2, which proposes this site as an allocation for around 190 homes. The policy sets out that any development will be subject to the following requirements:
- a) there should be two points of vehicle access, off Platt Lane and Station Road;
 - b) carriageway and crossing improvements to Platt Lane including the delivery of appropriate safe footpaths on either side of the road;
 - c) improvements to the junction of Platt Lane, Nicker Hill, Normanton Lane and Station Road to reduce speeds and increase visibility;

- d) Green infrastructure should deliver net-gains in biodiversity through tree planting which complements other green infrastructure objectives;
- e) subject to access requirements, the hedgerow on Platt Lane and tree belt on Station Road must be retained;
- f) Green infrastructure should include a suitable buffer with the neighbouring sports facility in order to protect the amenity of residents and users of the right of way; and
- g) it should be consistent with other relevant policies in the Local Plan.

280. Two further criteria have been added, as set out in the policy section above, and were subject to consultation in the Main Modifications document. Consideration of these modifications by the Inspector, and any comments submitted through the recent consultation exercise, has not yet been completed and the requirements in these criteria would carry less weight than others within the policy, however, as will be demonstrated, this proposal nevertheless satisfies these additional requirements.

281. Emerging LPP2 policy 4.1a) requires two points of access. The planning application accords with this criteria by providing one access on Platt Lane and another on Station Road.

282. In respect of criteria b) above improvements are proposed to the footpath that surrounds the site, on Platt Lane and Station Road, together with crossing points as required by the County Council. NCC Highways have confirmed that they are satisfied with the proposed pedestrian connections to the adjacent footways from turning heads within the development. They consider this to be an improvement. They note that there is a lack of a connection from the northern most turning head, but this appears to be as a result of level differences between the site and the adjacent footway which would result in excessive gradients on any connection provided. The footways on the site's frontage include a narrow section required in order to avoid a mature beech tree which the Landscape Officer was keen to see retained. Whilst the highways officer considers this to be less than ideal, they have advised that the length of narrowing will be reviewed during the detailed design for works and minimised where possible by exploring the use of no dig construction.

283. In respect of criteria c) The Highways Officer has advised that they welcome the offer of a S106 contribution to secure a Traffic Regulation order to adjust the speed limit on the site's frontage to 30 mph. Subject to this being secured via a suitable agreement or planning condition, they consider that the vehicular access arrangements are acceptable. They also advise that a new crossing is proposed to the south on Nicker Hill, which offers increased visibility of the crossing and move it closer to the new footway connection out of the site and adjacent bus stop. A further crossing point is also being provided on Normanton Lane to offer a connection to the second new footway connection. Whilst they note a desire to cross at the junction may exist, the proposed crossing points should be suitable to cater for the additional demands of the development. The Highways Officer had requested additional crossing points at the junction of Platt Lane and Nicker Hill, and a further dropped kerb crossing on Nicker Hill to allow residents to gain access to Mount Pleasant. The application does not show these improvements. However, the Highway Officer has discussed the matter with the applicants Engineer and they are indeed willing to provide these features. Highways have requested that the drawings are amended to include these or alternatively their provision secured via a

suitably worded condition.

284. Emerging LPP2 policy 4.1d. requires that; 'Green infrastructure should deliver net-gains in biodiversity through tree planting which complements other green infrastructure objectives'. The existing PROW (Keyworth FP12) will be maintained as part of the proposal and linkages provided to give access to the wider countryside for recreation and leisure. Furthermore, footways and pedestrian crossing, as described above, will be provided, which will improve pedestrian accessibility across the wider area.
285. In respect of net-gains in biodiversity, the application is supported by an Arboricultural Assessment and Ecological Appraisal, the latter indicates that EPD has *'provided input throughout the design process and that there are some important measures suggested to avoid, mitigate or compensate for ecological impacts as well as other measures designed to provide long-term ecological enhancements. They advise that the development footprint almost entirely occupies the arable and improved grassland of negligible ecological value, with valuable habitats retained where possible including the majority of the boundary hedgerows and trees. The habitat loss will be mitigated through the inclusion of new native species rich hedgerow enhanced with small tree and shrub planting along the eastern boundary. Areas of the public open space as well as the water attenuation feature will support species rich meadow/wildflower grassland habitat and scattered trees and shrubs which will provide overall net gain with regard to habitat value.'* A comprehensive site wide planting scheme is also included retaining existing hedgerows together with tree planting. The Statutory Consultees accept the reports and do not object to the proposals subject to conditions. This weighs in favour of the scheme.
286. Emerging LLPS Policy 4.2 e) requires the hedgerow on Platt Lane and tree belt on Station Road to be retained apart from access. In this regard the hedgerow is to be retained apart from vehicular and pedestrian access points. Conditions for its protection are proposed. This weighs in favour of the scheme.
287. Emerging LLPS Policy 4.2 f) requires that 'Green infrastructure should include a suitable buffer with the neighbouring sports facility in order to protect the amenity of residents and users of the right of way'. In this regard the proposal indicates open space, play area and suds along the northern/eastern edge whilst retaining the PROW. The proposal also includes a car park for the adjacent leisure use. The submission included a Ball Strike Assessment, which has identified the need of a Ball Strike net in order to protect to occupiers of the residential site. This is in the region of 3m high and is intended to run along the eastern boundary and will be the subject of a condition. This would satisfy the additional criterion (new g) inserted as a modification to the plan.
288. With regard to new criterion h, the developer will be required to make financial contributions under the Memorandum of Understanding for improvements to the trunk road network, thereby satisfying this requirement. It is, therefore considered that, in relation to the specific site requirements set out in the Emerging Local Plan policy 4.2 this application accords with this policy and, therefore, this weighs in favour of the proposal.

Keyworth Neighbourhood Plan.

289. The neighbourhood plan forms part of the development plan and, therefore, careful consideration is given to the policies within it. Reference has been made above to the policies considered most relevant to the consideration of this application. The vision of the Neighbourhood Plan is; *“To sustain a safe, friendly, inclusive environment in Keyworth.”*
290. Eight key objectives have been developed to assist with the delivery of the policies and strategies that form the plan and are as follows:
- i. Economic development - Protect the existing businesses of Keyworth, whilst promoting new opportunities, specifically encouraging entrepreneurial activity and businesses in the high-skills, knowledge-based and tourist sectors.
 - ii. Community facilities - Retain and enhance existing services and facilities whilst identifying opportunities to build on the village’s role as a rural hub through responding to local need.
 - iii. Leisure and recreation - Improve the quantum and quality of, and access to all types of recreation and leisure provision, including access to the countryside, for all ages and abilities.
 - iv. Shops and retail - Retain, improve and promote retail opportunities within identified areas and encourage new, limited retail development to meet the needs of new housing schemes.
 - v. Transport and access - Reduce reliance on the private car by supporting proposals which encourage sustainable travel, including improvement and promotion of new and existing walking and cycling routes, and to deliver high quality targeted transport infrastructure improvements.
 - vi. Housing - Deliver 450 to 480 homes in order to meet the housing growth requirement for Keyworth up to 2028 whilst helping to create a sensitively designed and sustainable community.
 - vi. Environment - Protect and enhance environmental assets and biodiversity; supporting sustainable community led schemes and new development that relates well to the landscape and natural environment.
 - viii. Heritage and conservation area - Value and conserve the Keyworth Conservation Area and heritage assets through contextually responsive and sensitive design which reinforces Keyworth’s unique character.
291. The Neighbourhood Plan includes a Development Strategy, which whilst not allocating specific housing sites, indicates the broad locations where housing may be considered acceptable in meeting the need identified in the Core Strategy. A key consideration is to ensure walkability of the village is maintained and it proposes the majority of the release to the east and west. As set out above it is considered that the site accords with the broad strategic direction of growth to the east of the village.

292. It is considered that the site will assist in the continued vitality and viability of the village. Whilst the site is further from the village centre than other locations that were discounted in the Housing Site Selection Report, that supports the LPP2, Wolds Drive Local Centre is within a shorter walking distance being 10 minutes. The site is identified in the KNP as one of the community's preferred sites. Policy H1 of the KNP recommends that 'sites should be delivered (either as a result of planning permissions or allocated through the Local Plan: Part 2) to ensure that housing delivery is divided between the east and west of the settlement, to ensure that impacts on the landscape setting of the settlement are minimised and that traffic generation is spread throughout the network' and 'Where necessary to mitigate the impact of development, and subject to viability considerations, contributions for improvements to local road junctions and pedestrian and cycle links to the shopping areas will be negotiated'. Whilst representations have been received seeking enhanced access for cyclists in the wider area it is not considered reasonable to require this development to fund such extensive networks that are not part of an existing proposal with a prospect of being fulfilled. It is considered that the proposal broadly accords with the local plan and neighbourhood plan and that where the Highways Authority have deemed necessary, the applicant will ensure highway/pedestrian and cycle links are achieved.
293. Policy CF1 supports development that results in improvements to community assets including the Leisure Centre on Bunny Lane, the Leisure Centre and swimming pool (Church Drive) and Rectory Field and Bowls, Tennis Clubs, Platt Lane Playing Fields and pavilions. Policy CF2 relates to new community facilities including Indoor Leisure facilities. The policy acknowledges that it may be appropriate to secure financial contributions. The neighbourhood plan, within policy LR1(B) supports the provision of formal and informal open space in accordance with RBC Leisure Facilities Strategy and Playing Pitch Strategy, as an integral part of the new developments.
294. In relation to this proposed development the total quantity of open space provided by the proposal satisfies that identified to be required by the Community Services Manager. The plans show the provision of a Local Equipped Area for Play (LEAP) located in a logical and efficient manner, which will allow for a variety of play equipment for children. An area of open space is provided in the centre of the site, surrounding the Play Area, and along the north east and southern edges of the site. The Neighbourhood Plan supports the provision of small scale play and ancillary open space as an integral part of new developments. Maintenance of these areas would be secured through a S106 Agreement and provided by way of a management company or other nominated body.
295. The site is not of sufficient size to enable the provision of sports pitches on the site and financial contributions are sought to mitigate impact of the development on sports pitches, sports hall and swimming pool provision. This requirement is compliant with CIL Regulation 122 in order to mitigate the impact of the proposed development in relation to sport provision. It provides accessible opportunities for outdoor play, sport and leisure and this is a benefit of the scheme. Allotment provision is not catered for on the basis that the Parish Council advised that there is no current demand.
296. Policy SR2 of the KNP sets out a number of desirable improvements within shopping areas including: Shared surfaces and crossings, where appropriate;

improved parking provision, in particular short stay; improved accessibility including disabled bays, ramped access to shops and additional seating areas. Contributions will normally be sought towards achieving elements of the Public Realm Strategy from developments on allocated sites, and those providing more than 10 residential units. No such request has been sought by the Parish Council and a Public Realm Strategy has not been identified. Therefore, such contributions are not being sought from this development.

297. KNP Policy TA1 relates to how new, or where appropriate improved existing, connections to facilities from the site will be provided and how, through good design, their use will be encouraged. Financial contributions have been sought and agreed for improvements to the existing bus services and bus stops in the vicinity of the site. A Travel Plan has also been submitted which includes initiatives to promote public transport.
298. KNP Policy TA2 relates to suitable measures to accommodate traffic entering and leaving the development, taking into consideration the overall safety and attractiveness of the highway network, and rubbish and recycling. It identifies a number of off-site highway network improvements for which contributions will be sought, where a specific scheme has been identified by the appropriate statutory body. These include footpaths and crossing improvements to Platt Lane, the junction of Platt Lane, Nicker Hill, Normanton Lane and Station Road to reduce speeds and increase visibility, enhancements to the Nottingham Road and Debdale Lane junction and gateways into the settlement including speed reduction treatment. The Highways Authority has outlined their requests as specified above in this regard, where appropriate to this site. It is, therefore, considered that the proposal accords with the main aims of this policy.
299. Policy TA3 of the KNP relates to on-site parking standards. The proposed layout has been designed to accommodate car parking with garages of 6m x 3m, which are a larger scale than specified within the KNP. There are no visitor parking spaces provided, this has not been something that NCC Highways have raised as an issue. In relation to visitor car parking spaces, the agent considers the requirement to be excessive, as in accordance with the policy 1 space is to be provided for every four dwellings. This would equate to about 47 car parking spaces, which would then dominate the street scene. No objections have been raised by the Parish Council or Highways Authority and it is considered that the parking provision is fully compliant with NCC policy.
300. In respect of Policy H1 (Housing Strategy) it is acknowledged that, at the time of preparation of the Neighbourhood Plan, the numbers of residential dwellings envisaged by the Parish Council was lower (although the number identified was as a 'minimum' of 450) and the plan sought to avoid a single site of 400 dwellings requiring the development to be on a number of sites so that the direct impacts of development are spread across the village. The emerging Part 2 has determined that the amount of land proposed to be allocated in this key sustainable settlement will result in the delivery of new housing above these minimum targets and the sites that have been identified are across the village. Should the LPP2 be adopted this will take precedence over the Neighbourhood Plan. The spatial strategy indicates housing to the east and west of the village being preferred and, therefore, as set out above the development is considered to be in general accordance with the housing strategy.

301. Policy H2 (Type and Tenure) should be applied to residential schemes in excess of 10 dwellings. This seeks (subject to viability) 25%-30% of 2 bed homes, 15-20% of 2 bed bungalows, 20-25% 3 bed family homes and 30-40% of 4 or more bed family homes, on the basis that no more than 10% of the total market homes should be larger than 5 or more bedrooms. The policy states that this mix will be sought. The submitted documents suggest compliance of the 150 market dwellings, 13% would be bungalows, 27% 2 bed, 25 % 3 bed and 35% 4+ bed units which is considered to broadly satisfy this policy. This policy also requires 20% affordable housing to be achieved on the site, in this regard 37 units are proposed which is considered to be compliant. Of this 16% are to be 1 bed, 49% 2 bed, 32% 3 bed and 3 % 4+ bed. The Parish Council has indicated that, based on the submitted documents, one additional unit is required to achieve this requirement. This is based on 20 % of 187 equating to 37.4. However, this figure is rounded down and so it is not considered that a further unit is not required.
302. The section.106 Agreement would ensure the appropriate affordable housing provision and scheme is secured. The Parish Council consider that the affordable houses are too small, the design of the affordable houses makes them very clearly identifiable and that there is a lack of 4 bedroom affordable houses, and that they were promised 25 bungalows. The Strategic housing officer has not raised an objection to the proposed development in respect of the housing mix or sizes proposed. The policy also seeks gardens of 40sq.m for 2 bed or less and all others in excess of 80sq.m. 95% of properties conform to this requirement with the exceptions being some of the affordable units. As garden sizes are in the main guidance, and due to the amount of public open space being made available within the site, it is considered that a relaxation of the requirement is acceptable in this case.
303. Policy H3 relates to issues of design, layout and architectural styles and requires planning applications to demonstrate how the design of the new development will make a positive contribution towards the identity and character of the village, setting out criteria for consideration. The Parish Council considers that the designs are generally low quality and point out that the KNP stipulates local design principles, that the colour scheme is not in keeping with Station Road and that the KNP requires 'all new developments should reinforce valued local characteristic' They feel that these do not appear to have been considered eg. Chimneys.
304. Careful consideration has been given to the various criteria within this policy, which seeks in amongst other things that '*where appropriate schemes should seek to... Reinforce character and identity through locally distinctive design and architecture.*'. In this regard there is no specific reference made in the policy to chimneys and whilst it is accepted that chimneys are present on properties surround the site, it is not considered that the lack of chimneys on the application site alone would justify resisting the development. The surrounding properties comprise a mix of styles, materials, heights and orientation and it is considered that the proposed dwellings would tie in with this existing character. In particular the Conservation and Design Officer considered the design of the bungalows to be good examples.
305. Amendments have been made to the proposed materials and layout to create visual stops which the Design and Conservation Officer considers to be acceptable. The remaining KNP policy criteria require '*a strong network of*

green and blue infrastructure, improving biodiversity, accommodating sustainable urban drainage systems and appropriate public and private spaces, including recreation spaces; Present a layout for new development which integrates well with the surroundings; Establish a clear hierarchy of streets and spaces that includes the use of shared surface and pedestrian priority routes, where it is safe and practicable to do so; Deliver appropriate densities commensurate with the surrounding townscape and local built character; Where sites are green field or create a new settlement edge, density should not exceed 30dph with densities at the urban edge being no more than 20dph. On, brownfield sites or sites adjacent to or within the Conservation Area, they should not exceed 40dph and to ensure that buffer planting is provided adjacent to existing properties where appropriate and that this is retained and managed in accordance with an agreed management plan' It is considered that the proposal is in compliance and, therefore, in the main, in relation to neighbourhood plan policies is in general accordance with the overall vision, objectives and policies.

306. Proposals which include the provision of new green space and provide high quality landscape solutions will be supported under Policy E1 of the KNP. This includes development that takes opportunities to include bird nests, bat roosts and wildflower meadows. Proposals have to demonstrate how they will contribute to, and restore the overall biodiversity and green and blue infrastructure network and mitigate against loss. As already indicated above the submission identifies where losses, mitigation and enhancements will be achieved as a result of the development and appropriate conditions would ensure that this is accomplished.
307. Policy E2 of the KNP relates to the protection and enhancement of landscape that surrounds the village. The proposal identifies the northern and eastern edge of the development for landscaped areas and a sud basin. The surface water run off from the existing greenfield site discharges into the watercourse to the south east of the site and it is proposed that this will continue as a result of the development at a restricted green field rate. A detention basin will be located and be designed to be permanently wet to provide more diverse habitat and assist in improving water quality. The site is visibly limited in the wider landscape. The impacts to the landscape are considered, therefore, to be low. The general advice that planning should make effective use of land in meeting multiple uses is now contained in paragraph 118. Paragraph 118b states that policies and decisions should 'recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production'. The use of green infrastructure and SuDS schemes has been bolstered. Major development is required to 'incorporate sustainable drainage systems, unless there is clear evidence that this would be inappropriate' (paragraph 163), and paragraph 165 requires the sustainable drainage systems used for major developments to, 'where possible, provide multifunctional benefits'.
308. Policy HC4 of the KNP requires regard to be had to the impact of development on designated heritage assets and seek their protection and enhancement. In addition, it requires the significance of non heritage assets to be taken into account. The submission includes an assessment of the impact of the proposal on heritage assets (listed buildings, archaeology) and non heritage assets. The Design and Conservation Officer concurs with the content of the report and subsequent report regarding the trial trenches undertaken. He advise that no

conditions are required. It is, therefore, considered that this policy has been appropriately considered by the submission.

309. It is considered that the proposal is in general accordance with the overall vision, objectives and various policies in the Neighbourhood Plan. This weighs in favour of the development.

Other Material Planning Considerations

Highway Implications

310. In considering applications, Policy 1 (Development Requirements) of the Core Strategy requires that a suitable means of access can be provided to the development without detriment to the amenity of adjacent properties or highway safety and the provision of parking is in accordance with advice provided by the Highways Authority. The revised means of access to the site has been considered by the Highways Authority and it is considered to be acceptable.
311. The application is supported by a Transport Assessment (TA), a Travel Plan and the details of the access to the site. These documents were revised in order to address initial comments made by the Highways Authority. The addendum to the TA also looked at the requested additional modelling, and the inclusion of the additional development sites in Keyworth. The technical consultee has advised that the impact of the development has been shown not to result in the NPPF threshold of 'severe'. With regard to the scale of contribution to the A606/Station Road junction Improvements, this is a matter for Borough Council and Highways England to consider as part of the A52 MOU process. In addition, the proposal has looked at walking, cycling and bus proposals and Travel Plan measures to encourage alternative modes of transport to the private car. A revised Travel plan has been received which takes on board previous comments and satisfies the Highway consultees requirement and the requested layout changes have been made, and hence the revised layout is considered acceptable from a highway perspective.
312. Whilst concerns have been raised by residents and the Parish Council's in relation to increased traffic to the highway network and highway safety issues, it is considered that, with the submission of the additional technical and other supporting information, a robust assessment of the application on highway grounds has been undertaken, and with the imposition of suitable conditions and S278 agreements, to both secure financial contributions to assist in the proposed upgrading of the strategic road network and the provision of localised highway improvements, there are no highway safety reasons to refuse the planning application. In particular, the NPPF makes it clear in para 109 that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
313. The impact of housing growth in the area on the wider highway network, has also been considered as part of the background studies which support the emerging Part 2 Local Plan. Criterion c) of the emerging policy requires improvements to the junction of Platt Lane, Nicker Hill, Normanton Lane and Station Road to reduce speeds and increase visibility. Highway improvements are also sought under KNP policy TA2. The TA considers these matters and

concludes that; *“Junction capacity assessments have been undertaken using Junctions 9 software for multiple junction in the vicinity of the proposed development. The results of the Junctions 9 assessments found that all junctions apart from the A608 Melton Road/Main Road junction operated within capacity. As a result, the proposal to signalise the A608 Melton Road/Main Road junction remains part of this planning application.”*

314. The results show that, as part of the sensitivity assessment, all junctions are expected to continue operating within operational capacity and with acceptable levels of queuing. No improvements to the referred to junctions are therefore considered to be justified as a result of this development. This is contrary to the requirements of emerging LLP2 policy, however, this is based on up to date survey information and on the basis that the Highways Officer agrees with the findings, it is not considered justifiable to seek improvements to the junctions referred in the emerging policy or seek financial contributions in this regard.
315. As detailed in para 159 of this report it is, however, necessary to mitigate the impact of the development (together with the other developments proposed in Keyworth) on the Main Road/A606 Melton Road junction and the A52. A financial contribution is therefore sought in accordance with the Memorandum of Understanding between Highways England, Rushcliffe Borough Council and Nottinghamshire County Council.
316. Consideration has also been given to the impact of the access arrangements on the amenity of nearby residents and the visual amenity of the area. Whilst it is acknowledged that the access arrangements onto Station Road and Platt Lane would result in some visual change, the provision of the accesses and associated visibility splays will be short lived and landscaping is proposed, no highway concerns are raised by the County Council and the Landscape and Design officer has raised no objections.

Design and Amenity

317. It is considered the application has demonstrated that the proposed development can achieve high quality design and, therefore, is broadly in accordance with the Keyworth Neighbourhood Plan. The layout and design ensures that there would not be any material overbearing, overlooking or overshadowing impact on neighbouring residential amenity due to the scale of the properties and their relationship with neighbouring dwellings. The proposed land and finished floor levels broadly follow the existing land levels of the site. It is evident that to the north of the site there is an approximate difference in land level of around 2 m from Station Road level. However, with the orientation of the proposed dwellings, distances between existing and proposed, together with intervening landscaping it is considered that significant adverse impact would not arise through significant loss of privacy.
318. The proposed access onto Station Road would be opposite a property called The Knowle. This is a two storey dwelling having a detached single garage to the North. It is set back from the road frontage having a hedgerow delineating the front boundary. It has its vehicular access to the north of its frontage. The proposed access to the development on Station Road would be on a similar alignment to this properties access and due to the land level the vehicles would be approaching the junction from within the site on an incline. Concerns have been expressed in respect of this and also the disturbance from vehicles lights.

The Highways Authority has not raised any objections to the point of access on the basis of highway safety or impact on this properties access. Whilst it is acknowledged that some disturbance may result from the development in respect of car lights, it is likely that the boundary hedge would dissipate this impact. Therefore, due to the distances involved and the intervening boundary treatment, it is not considered that undue adverse impacts would arise on the occupiers of this property.

319. It is, therefore, considered that the development details ensure that the amenity of neighbouring properties is not unduly or unacceptably affected. Thus it is considered that the application accords with Policy 10 of the Core Strategy, Neighbourhood Plan policies and emerging Policy 4.2 of LPP2, and the updated NPPF which acknowledges at Section 12 (Achieving well designed places) that good design is a key aspect of sustainable development, and that acceptable standards of amenity will be maintained and achieved.

Noise

320. The NPPF (Section 15) advises that planning decisions should also ensure that new development is appropriate for its location, taking into account the likely effects of pollution on health, living conditions and the natural environment. In doing so they should; *“Mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life.”*
321. The principal noise sources associated with the development post construction are anticipated to be related to road traffic and the proximity to BGS, the railway test track and the adjacent Platt Lane leisure facility. Some noise could also be generated by the recreational uses on the site. The masterplan proposes the residential development to be set apart from BGS and the Platt Lane leisure use by a buffer of green space along an existing PROW.
322. The updated noise impact assessment submitted in November has established the existing noise environment at the development site and considered the potential noise impacts associated with the proposed development on the surrounding area. It advises that; *“The target internal ambient noise levels can be achieved with appropriate acoustic design incorporated into the site layout, and appropriate glazing and background ventilation, with the acoustic requirements being lower in areas of the site further from the main roads and for those properties screened from the main roads. Appropriate noise levels are achieved in the vast majority of private garden areas. The small exceedance in a very small number of private gardens is partially offset by the area of large public open space located within the site boundary. In conclusion, the site has been assessed as being suitable for its intended use provided that good acoustic design is followed, and appropriate glazing and ventilation specifications are implemented into the building design, particularly for those properties most exposed to noise from the surrounding roads.”*
323. A revised noise assessment by AECOM Infrastructure & Environment UK Limited (Project number: 60565085 dated 6th February 2019), was submitted and based on the calculated internal noise levels reported therein, enhanced glazing and ventilation is required for the bedrooms of several plots as detailed in Table 6.1 of Page 17 and illustrated in Appendices E & F of their report. For

all other plots, Glazing and Vent Type A can be used. Roof Type A can be used to all rooms, with the exception of Plot 122 Bedroom 4 and Plot 153 Bedroom 2, where Roof Type B is required. As such, no objections are raised from the Borough Council Environmental Health Officers subject to an appropriately worded condition to ensure that the prescribed mitigation measures are afforded in the development.

324. As a result of layout changes, which altered the plot numbers, a further revised noise assessment was submitted by AECOM Infrastructure & Environment UK Limited (Project number: 60565085 dated 31 May 2019), This updated the above advice to reflect the revisions and altered plot numbers. As such, the Environmental Health Officer maintained that they had no objection to the application subject to a suitably worded condition. It is considered that noise matters at construction stage can be adequately considered by way of the Construction Management Plan, in any event such impacts would be temporary and relatively short lived.

Contamination

325. The NPPF (Section 15) requires that decisions should ensure that a site is suitable for its proposed use taking into account ground conditions and any risks arising from natural hazards or former activities. In relation to contaminated land, the Environmental Health Officer reviewed the BSP Phase 2 report 12171 dated 31/7/18. This concludes that there is no risk of contamination on the site and no controls/conditions are required in relation to contaminated land. The officer agreed with this conclusion. It is considered that the application complies with the requirements of emerging Policy 14 (Environmental Protection) of LPP2 - Land and Planning Policies, and with para 178 of the NPPF.

Landscaping

326. A Landscape and Visual Appraisal has been submitted with the proposal which concludes that *“the likely effects on landscape resource features will be beneficial based on the retention of the vast majority of existing features, together with the provision of additional ones including tree, hedgerow, shrub and wildflower meadow planting and balancing pond.”*
327. The application is supported by a comprehensive Arboricultural Report and Impact Assessment. It concludes that; *“the proposed development can be achieved with minimum tree loss. All specimens considered to be arboriculturally significant are to be retained and incorporated within the development. The provision of new planting further enhance the visual amenity and secure tree cover in the local area for future generations.”*
328. The development proposals provide an opportunity for mitigation for the tree loss, in particular to the south and eastern edges, visual benefits and increase tree cover across the site. Once all the proposed landscaping works and tree planting has been carried out the quality of tree cover across the site would be enhanced.

Ecology

329. An ecological appraisal of the site has taken place, which assesses the likely effects of the development on the ecology and nature conservation of the site and its surroundings. It describes the methods used to assess the likely effects, and presents the baseline conditions currently existing at the site and the value of the features. Detailed surveys have been undertaken to confirm the presence of species protected under the Wildlife and Countryside Act 1981 (as amended), The protection of Badgers Act 1992 and the Conservation of Habitats and Species Regulations 2010 (as amended). The report has been considered by the Borough Councils Sustainability Officer and the County Council's Ecologist.
330. The Ecological report has concluded that *“EDP’s desk- and field-based baseline investigations have demonstrated that the designated sites, habitats and species present within and around the Application Site do not pose an ‘in principle’ constraint to the proposed development that is the subject of this appraisal. There are no statutorily protected nature conservation interests within the proposed Application Site and none nearby that would be materially affected by the proposals.*
331. *However, EDP’s surveys identified a number of valuable habitat features and protected species that have required mitigation to be designed into the layout with the aim of minimising impacts on biodiversity.*
332. *Accordingly, EDP has contributed to the design of the layout assessed by this report, which accompanies the planning application. Specific proposals for the avoidance, mitigation and compensation of any predicted impacts are considered in this report and summarised above. These measures include:*
- Those already embedded within the layout;*
 - Measures that should be incorporated at the construction stage;*
 - Those that should be designed and specified within the landscaping scheme; and*
 - Management measures to ensure that the design vision is achieved in the long term.*
333. *By virtue of the relatively limited constraint posed by the Application Site’s habitats and protected species interest, coupled with the scale and scope of the proposed mitigation measures, the scheme is capable of compliance with relevant planning policy for the conservation of the natural environment at all levels. There is therefore no reason, in ecological terms why planning permission should be refused; the scheme is commended to Rushcliffe Borough Council as an ecologically sensitive response to the challenge of accommodating new housing numbers within this greenfield site.”*
334. Core Strategy Policy EN1 requires development to contribute towards the conservation, enhancement or restoration of biodiversity and ecological networks throughout the landscape. The NPPF (Section 15) advises that the planning system should contribute to and enhance the natural and local environment by: minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Under Section 40 of the Natural Environment and Rural Communities Act (2006), every local authority has a statutory duty, in exercising its functions, to have regard, so far as it is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. The Ecological Mitigation recommendations within the ecological reports provide for ecological enhancement on the site, and its ongoing management are considered to be able to be achieved and secured by planning condition.

335. The applicant has undertaken a range of ecological surveys and proposed mitigation measures, which are considered appropriate in the context of the Framework and CS Policy 17 (Biodiversity). No objections to the proposals are raised by the Sustainability Officer. It will be important that the mitigation measures are fully implemented and these will be secured by attaching appropriate planning conditions, should planning permission be granted.
336. To ensure that the proposed development is undertaken in a way that will minimise adverse impacts on biodiversity and secure future long-term management to retain biodiversity and deliver biodiversity gain, a range of mitigation measures would be required and secured by the imposition of suitable planning conditions. The proposal would, therefore, accord with the aims of Paragraph 174 of the Framework and the provisions of Policy 17 of the Core Strategy.
337. The reports submitted do not indicate that it will be necessary for a licence from Natural England under the Conservation of Habitat and Species Regulations 2010 to be obtained and, therefore, it is not necessary to consider, in the determination of this application, whether a license is likely to be granted under the requirements of the Habitat Regulations.

Waste

338. The National Planning Policy for Waste advises that, when determining planning applications for non-waste development, local planning authorities should to the extent appropriate to their responsibilities, ensure that; “*The likely impact of proposed, non-waste related developments on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy (prevention - preparing for reuse - recycling, other recovery – disposal) and/or the efficient operation of such facilities.*”
339. New non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and in less developed areas with the local landscape. This includes providing adequate storage facilities at residential premises for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service. The handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities and minimises off-site disposal.
340. The National Planning Guidance follows this advice and suggests that proposals that are likely to generate significant volumes of waste through the development or operational phases it will be useful to include a waste audit as part of the application. This audit should demonstrate that, in both construction

and operational phases of a proposed development, waste will be minimised as far as possible and that such waste as is generated will be managed in an appropriate manner in accordance with the Waste Hierarchy. Bearing in mind the relatively small number of properties proposed to be delivered on this site, it is not considered that a waste audit is essential on this site to ensure consideration of the waste hierarchy is achieved. It is considered that waste matters can be adequately considered by way of planning conditions as set out below.

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

Gypsum Minerals Safeguarding

344. The County Council has highlighted that the Gypsum Minerals Safeguarding and Consultation Area covers the site. It has been confirmed that the application site is beyond the area in which British Gypsum have any land/mineral control. In this area the gypsum seams dip to the south east, because of the presence of two major geological faults, one of which crosses the site. British Geological Survey confirmed that they would consider the site to be of low risk from any fault related issues. However, they advise that *'the faults relevance cannot be discounted and they should certainly be considered and evaluated more thoroughly as part of any ground investigation works should the site be developed.'* It is understood that such consideration would be had under building control functions.

Economic Impact

345. The application provides information on the potential economic benefits of the scheme and it is suggested that a development provides direct and indirect employment benefits supporting new jobs and creating economic growth

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

Health and Well Being

346. The NPPF, Policy 12 of the Core Strategy (Local Services and Healthy Lifestyles), Rushcliffe's Sustainable Community Strategy and Nottinghamshire Health and Wellbeing Strategy support the promotion of healthy communities through the creation of safe and accessible environments; high quality public spaces, recreational space/sports facilities, community facilities and public rights of way. Consideration also needs to be given to access to community facilities and services as a lack of these can lead to people being isolated and suffering from mental health conditions, therefore adversely affecting their health and wellbeing.
347. The provision of open and green space, including an equipped area of play is proposed as part of the development, would support these policy ambitions, as well the development's proximity to existing countryside. Improvements to the existing bus services also support the ability of less mobile members of the population visiting community facilities and to access facilities within the Village Centre. Improvements to footpaths in the vicinity of the site are sought by NCC Highways, as are contributions towards improvements to bus stops and services to encourage access to alternative sustainable modes of transport to the car.
348. In accordance with the Planning & Health and Engagement Protocol between local planning authorities & health partners in Nottinghamshire 2017, the application has been assessed using the Rapid Health Impact Assessment Matrix and it is considered that this development is likely to have a largely positive health impact and no significant specific issues have been raised that need addressing.

Loss of Agricultural Land

349. The development site comprises a total area of approximately 8.98ha of agricultural land with a majority of this being grade 2 land together with 3a and 3b agricultural land Classification.
350. Paragraph 170 of the NPPF identifies that the economic and other benefits of the best and most versatile agricultural land (BMVAL) should be taken into account. Significantly, development of agricultural land, where demonstrated to be necessary, should utilise areas of poorer quality land in preference to that of higher quality. The best and most versatile land is defined as Grades 1, 2 and 3a by policy guidance. The land is BMVAL and the resultant loss of BMVAL

is a matter that weighs against the scheme. BMVAL is a finite resource and the NPPF makes it clear that the economic and other benefits of such land must be weighed in the balance. The economic and social benefits of development at Keyworth are clearly set out in the Core Strategy. The loss of BMVAL would, at worst, be modest, taking into account the general quality of agricultural land across the country, the NPPF does not prohibit its loss and that a loss of less than 20 Ha does not trigger consultation on this basis with Natural England. Nonetheless, it would be a dis-benefit of the proposal that must be weighed into the overall balance of the decision, although, in these circumstances as growth is envisaged in the Core Strategy at Keyworth to deliver the required housing provision which would necessitate the loss of agricultural land, it should only be afforded limited weight. A requirement in relation to topsoil handling, stripping, stockpiling and reuse is proposed to be included in the suggested condition relating to the Construction Method Statement.

Archaeology and other non designated historic assets

351. In relation to undesignated heritage assets, buried archaeological assets will potentially be permanently damaged or destroyed during the construction phase.
352. The site has been the subject of archaeological investigation via geophysical survey and targeted trial trenching. The trial trenching was extended to include an area of open excavation to fully assess what was considered to be a small farmstead. The developer commissioned excavation of the area of the possible farmstead site identified in order to fully understand the archaeology in this area, which appeared to be the only area of archaeological activity from the wider trial trenching.
353. The applicant has provided an Archaeological Investigations (Final Report) Ref: 206600, Wessex Archaeology, 4 January 2019 received 9 May 2019 which details the findings of this open excavation, which encountered evidence of early field boundaries and a pair of ring ditches associated with mid-late iron age pottery and animal bone. The findings support the conclusions taken from the geophysical data and identification as a probable iron age farmstead type settlement site. As the decisions taken by the team on site and the developer to undertake further work allowed a thorough investigation of archaeological significance within the site, the Design and Conservation Officer is satisfied that *“the works undertaken have allowed a good understanding of the nature of archaeology on site, that archaeology would not represent any reason to refuse permission and that the works undertaken have been sufficiently thorough and extensive that no further archaeological conditions are required.”*
354. Heritage - A Heritage Impact Statement has been submitted which includes consideration of some middle-distance heritage assets, including the conservation areas at Keyworth and Normanton on the Wolds. The report also briefly considers 10 listed buildings within a 1km radius of the site. The Design and Conservation Officer has considered the statement and he is in agreement with the conclusions that *“there will be no impacts upon the settings of any of these heritage assets which could be considered to amount to harm to their special significance.”* As such, the proposed development preserves the settings of listed buildings and achieves the desirable objective detailed in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and causes no harm to the settings of other classes of heritage asset.

Drainage

355. Section 14 of the NPPF relates to 'Meeting the challenge of climate change, flooding and coastal change' and advises that Major development should incorporate sustainable drainage systems, unless there is clear evidence that this would be inappropriate. The systems should:
- a. Take account of advice from the lead local flood authority;
 - b. Have appropriate proposed minimum operational standards;
 - c. Have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
 - d. Where possible, provide multifunctional benefits.
356. A site specific Flood Risk Assessment and Drainage Strategy has been submitted with the application. The site is within Flood Zone 1 (lowest risk of flooding) on the Environment Agency Flood Zone Maps. From the submitted report, it confirms that surface water flooding along Platt Lane and into the southern edge of the application site does occur and is evidenced in the EA's Surface Water Flood Maps. It advises that the proposed finished floor levels of the buildings closest to Platt Lane will be set 150mm above the existing ground level to ensure a positive freeboard to any surface water flood event.
357. With regard to foul water, Severn Trent confirmed to a developer enquiry that there are foul and surface water sewers within Station Road and a foul pumping station off Platt Lane. There is no significant flood risk from these to the development. It is proposed that the site be connected to the public foul sewer network at the pumped Platt Lane Pumping Station. The submission advises that there may be restrictions on the number of properties that can be connected until capacity improvements are undertaken.
358. In terms of surface water run-off from the site the submission advises that the existing runoff discharges into the unnamed watercourse to the east of the site. However, they advise that consideration of the finished floor levels should be had to ensure that flooding of any watercourses is taken into account. The Surface Water Drainage Strategy suggested for the site is restricted discharge to the adjacent watercourse at a rate equivalent to the existing greenfield runoff rates for all storms and including a 1:100 +30% climate change event. Given the large volume of attenuation required, a detention basin is recommended and where possible this should be designed to be permanently wet to provide more diverse habitat and assist in improving water quality.
359. It is acknowledged that Section 94 of the Water Industry Act 1991 imposes a continuing duty on all sewerage undertakers to provide, maintain and where necessary improve its systems for collecting and treating foul and wastewater drainage so as to effectually drain its areas and effectually deal with the contents of its sewers. The planning authority must also take into account that the developer has the absolute right to connect to the public sewerage system under section 106 of the Water Industry Act. Any improvements considered necessary to improve existing capacity at the pumping station will be undertaken by Severn Trent under their separate legal obligations.

Adjacent Leisure Use

360. To the east to the site is an existing leisure facility comprising of both football and cricket provision. As part of the proposal a 40 space car park is proposed to be constructed in grasscrete for use by the adjacent leisure facility. In addition, as a result of potential ball strike from the adjacent users to the residential occupiers, a ball strike net is proposed to be placed along the boundary with the leisure facility. This will be largely adjacent to mature trees and hedgerows and additional planting within the site will help to soften its appearance. Conditions are proposed to secure both of these elements.

S106 Planning obligations

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

Conclusion

363. The site is located within Keyworth, one of the Borough Council's identified key rural sustainable settlements identified for growth, where a minimum of 450 houses is proposed in the Core Strategy. The Core Strategy has been designed and found to be sound on the basis that it would achieve a sustainable distribution of development across Rushcliffe. As Keyworth is an inset Green Belt village, it was always envisaged that such development would necessitate development in/release of the current Green Belt with the identification of sites to be formulated through Part 2 of the Local Plan. As set out above, Part 2 is well advanced with all the necessary supporting studies, consultation and preferred options explored and has been through examination. To ensure the Borough Council is able to meet its housing delivery requirements the number of homes that Keyworth is now proposed to deliver has been increased to around 600 new homes. This site is identified as a preferred site and is recommended to be allocated in Part 2. The delivery of this site would result in socio-economic benefits from the delivery of market and affordable housing in accordance with the Core Strategy, Neighbourhood

Plan and emerging Part 2 Local Plan Policy. This, as set out above, weighs in favour of the development.

364. It is, therefore, considered that the proposed development on the application site would entirely accord with the spatial strategy and housing objectives in the extant and emerging Development Plan, including Neighbourhood Plan. Furthermore, the evidence base that underpins the Development Plan also highlights the sustainability of the settlement, its suitability for growth, and indeed, the need for more substantive development there as demonstrated by the suggested increase in housing numbers in the emerging Local Plan Part 2. This, as set out above, weighs in favour of the development.
365. For the reasons set out above the proposed development would comply with relevant policies in the development plan, including the Neighbourhood Plan, and the emerging Local Plan Part 2 and the NPPF. There is harm to the Green Belt by reason of inappropriateness, loss of openness and incursion into the countryside and such harm must be given substantial weight as per NPPF paragraph 143. However, other considerations as identified in the report above and summarised below comprise the very special circumstances necessary to outweigh such harm. In undertaking the balancing to determine whether Very Special Circumstances exist, the benefits must clearly outweigh the policy harm by way of inappropriateness and any other actual harm. For the reasons set out in this report it is concluded that this requirement is satisfied.
366. The proposed development would deliver a substantial amount of new housing, including affordable housing in an area which has a significant under supply of deliverable housing sites and a severe need for additional affordable housing, as confirmed by the recent appeal decision at Asher Lane, Ruddington, which is located in the Green Belt and further appeal decision at East Leake at Lantern Lane. The delivery of this site would help the Borough Council to defend other parts of the Borough in less sustainable locations from predatory applications for housing development. This weighs in favour of the development.
367. The site is considered to be deliverable The proposal is also considered to accord with the Neighbourhood Plan policies on the direction of growth and reserved matters applications can ensure that design, mix and density within this Neighbourhood Plan can be satisfied along with general material planning considerations in relation to amenity of neighbouring properties, ecology and highway safety. This weighs in favour of the development.
368. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. For these reasons, not only would the scheme accord with the development plan as a whole, but the balance of material considerations also weighs in its favour. Consequently it is recommended that the Planning Committee support the resolution to grant planning permission, subject to the signing of a S106 agreement. As the proposed development is a major application located within the Green Belt and it constitutes inappropriate development, under the Town and Country Planning (Consultation) England Direction 2009 it is necessary to refer the application to the National Planning Casework Unit to allow the opportunity to consider whether to call in the application under Section 77 of the Town and Country Planning Act.

369. This application has been subject to pre-application advice. Discussions have taken place in an attempt to resolve issues raised by interested parties, which has resulted in the submission of additional information. Negotiations have been undertaken in relation to securing appropriate levels of S106 contributions to mitigate impacts of the proposal. This has ultimately resulted in a favourable recommendation to the Planning Committee.

RECOMMENDATION

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

- a) the prior signing of a section 106 agreement as set out in the Heads of Terms table attached to this report; and
- b) the following conditions:
 1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

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

2. The development hereby approved shall be implemented in accordance with the following plans and documents:
 - Site Location Plan (18 Oct 18)
 - Planning Layout KEY/DPL/01 Rev F received 21 May 2019
 - KEY-BTP-01B Boundary Treatments
 - Materials Layout KEY/MAT/01 Rev A received 18 February 2019
 - Boundary Treatments Plan KEY/BTP/01B, received 21 February 2019
 - Affordable Housing Plan KEY/AFF/01C received 21 May 2019
 - House Type Pack, August 2018 ref KEY/HTP/01
 - House Type Dimensions
 - House Type 7FA (AW) Floor Plans and Elevations received 18 February 2019
 - House Type 1BB Plans and Elevations, received 21 February 2019
 - House Type 2BM Plans and Elevations, received 21 February 2019
 - Detailed POS Proposals (Sheet 1 of 3) P18-1983_01_A received 18 February 2019
 - Detailed POS Proposals (Sheet 2 of 3) P18-1983_02_A received 18 February 2019
 - Detailed POS Proposals (Sheet 3 of 3) P18-1983_03_A received 18 February 2019
 - Detailed POS Proposals (sheet 1 of 5) P18-1983_04_C received 20 May 2019
 - Detailed POS Proposals (sheet 2 of 5) P18-1983_05_D received 20 May 2019

- Detailed POS Proposals (sheet 3 of 5) P18-1983_06_C received 20 May 2019
- Detailed POS Proposals (sheet 4 of 5) P18-1983_07_C received 20 May 2019
- Detailed POS Proposals (sheet 5 of 5) P18-1983_08_B received 20 May 2019
- Detailed LEAP Proposals, P18-1983_09D, received 21 May 2019
- Landscape Management Plan, Pegasus, P18-1983 REV B May 2019
- S278 General Arrangements 12171/180, Rev.A
- Refuse Vehicle Tracking Station Road Access 12-0171/001
- Refuse Vehicle Tracking Platt Lane Access 12-0171/002
- Refuse Vehicle Tracking Turning Heads 12-0171/003A received 18 February 2019
- KEY-22-01 Street Scene
- Planning Sections PLK-LS_001
- Design and Access Statement, Hunter Page, September 2018
- Planning supporting statement, Hunter Page, October 2018
- Landscape and Visual Appraisal, Pegasus, P17-2683, October 2018
- Keyworth Rushcliffe Assessment of Housing Mix, Lichfields, September 2018
- Archaeological Desk Based Assessment, Cgms Heritage, April 2018
- Archaeological Investigations (Final Report) Ref: 206600, Wessex archaeology, 4 January 2019 received 9 May 2019
- Built Heritage Statement, Cgms Heritage, April 2018
- Transport and Infrastructure Planning, BWB, September 2018
- Transport Assessment Addendum, BWB March 2019
- Travel Plan (NTT2096 TP REV 12), BWB, 14.3.19 received 27 March 2019
- Flood Risk Assessment and Drainage Strategy BSP Consulting, 12171/FRA/Rev A, Rev A 21/08/2018
- Ecological Appraisal, EDP, September 2018, Report Reference edp3284_r001a
- Statement of Community Involvement, Hunter Page, October 2018
- Phase II Exploratory Investigation, BSP, July 2018
- Arboricultural Assessment, FPCR, May 2019, Rev B
- Ball Strike Boundary Assessment, Labosport, report number LSUK.18-1000, 14 December 2018 received 18 February 2019
- Health Impact Assessment, October 2018
- Building for Life 12 Design Assessment, April 2019
- Topographical survey 16902 OGL
- Noise Report, AECOM, Project number: 60565085, AC/02 31 May 2019 received on the 4 June 2019
- Landscape Management Plan P18-1983 Rev C, Pegasus, July 2019 received 4 July

[For the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan and 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 4.2].

3. 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 including the ball strike nett; and
 - the timing of the provision and transfer of the 40 space grasscrete car park area

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].

4. 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 and to comply with policies GP2 (Design & Amenity Criteria) and MOV9 (Car Parking Standards) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

5. 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].

6. The materials specified on the Materials Layout Plan KEY/MAT/01 Rev A (received 18 February 2019) (Roofing: Forticrete SL8 -Slate Grey, Forticrete SL8 -Sunrise blend and Russell Lothian -Cottage Red Bricks: Ibstock Autumn Antique, Forterra Arden Special Reserve and Forterra Lindum Cottage Red

Multi)) 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 and to accord Policy 10 (Design and Enhancing Local Identity of the Local Plan Part 1 Rushcliffe Core Strategy)].

7. No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA), 812171/FRA/Rev A, BSP Ltd., 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 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 details of all infiltration basins including detailed results to BRE365 standards for specific locations to demonstrate that infiltration is feasible in accordance with the FRA.
 - Any discharges that do not infiltrate shall be limited for all events up to the 100 years plus 40% (for climate change) critical rain storm to the QBar Greenfield rates for the developable area.
 - 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 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
 - For all exceedance to be contained within the site boundary without flooding any properties in a 100year+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 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 to ensure that flood risk is mitigated and the measures can be incorporated in to the build phase].

8. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

[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. This is a pre commencement condition to ensure that flood risk and sewage capacity requirements are mitigated and the measures can be incorporated in to the build phase].

9. No development shall commence until a ball stop nett/ fence scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the design, location, timing of provision, installation and provision for its on-going management and maintenance for the life of the development. The approved scheme shall be installed prior to the occupation of any dwelling on plots 28 to 34, 55 to 61 and plot 79 as identified on Planning Layout KEY/DPL/01 Rev F. The approved Nett/ fence shall be managed and maintained in accordance with the approved management scheme for the life of the development by a Management Company.

[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 and to ensure the ongoing management of the ball strike net. In the interest of public safety and to minimise the risk of ball strike on future residents of the proposed dwellings to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan and 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 4.2. This is a pre commencement condition to ensure that existing features to be retained are identified and that they are protected].

10. There shall be no excavation or other groundworks, 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. manoeuvring 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
- b. are available for use

[In the interest of highway safety, to make sure the drive is not too steep, in order to provide a reasonable level of safety in icy conditions and to comply with policies GP2 (Design & Amenity Criteria) and MOV9 (Car Parking Standards) of the Rushcliffe Borough Non Statutory Replacement Local Plan. This is a pre commencement condition that is required to ensure that the highway matters are addressed before works start on the site].

11. 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 10. 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 and to ensure adequate car parking facilities are provided in connection with the development; and to comply with policies GP2 (Design & Amenity Criteria) and MOV9 (Car Parking Standards) of the Rushcliffe Borough Non Statutory Replacement Local].

12. No dwelling hereby approved shall be occupied until the following works have been provided in accordance with plans previously submitted and approved in writing to the satisfaction of the Local Planning Authority:

- Two new site access junctions on Platt Lane and Station Road as shown indicatively on drawing 12171/180 Rev A.
- A new 2.0m wide footway along the site's frontage and associated crossing points as shown indicatively on drawing 12171/180 Rev A.
- New pedestrian dropped kerbs and tactile paving to provide crossings at the junction of Platt Lane / Nicker Hill and over Nicker Hill toward Mount Pleasant.
- Works to facilitate the delivery of a new 30mph speed limit on Station Road to the North of the proposed site access.

[To make sure that a satisfactory means of access is provided, in the interests of road safety to promote sustainable travel and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

13. The formal written approval of the Local Planning Authority is required prior to commencement of any development with regard to parking and turning facilities, access widths, gradients, surfacing, street lighting, visibility splays and drainage. All details submitted to the Local Planning Authority for approval shall comply with the County Council's current Highway Design and Parking Guides and shall be implemented as approved.

[To ensure the development is constructed to highway adoptable standard, in the interest of highway safety, to make sure the drive is not too steep, and to

comply with policies GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan. This is a pre commencement condition that is required to ensure that the highway matters are addressed before works start on the site].

14. Prior to first occupation the developer of the site shall appoint and thereafter continue to employ or engage a travel plan coordinator who shall be responsible for the implementation, delivery, monitoring and promotion of the sustainable transport initiatives set out in the Interim Travel Plan to be approved prior to development taking place and whose details shall be provided and continue to be provided thereafter to the Local Planning Authority.

[To promote sustainable travel and to encourage the use of alternative transport to the car; and to comply with policy MOV1 (Travel Plans) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

15. The travel plan coordinator shall within 6 months of occupation produce or procure a Detailed Travel Plan that sets out final targets with respect the number of vehicles using the site and the adoption of measures to reduce single occupancy car travel consistent with the Interim Travel Plan to be approved by the Local Planning Authority. The Travel Plan shall be implemented in accordance with the approved timetable and be updated consistent with future travel initiatives including implementation dates to the satisfaction of the Local Planning Authority.

[To promote sustainable travel and to encourage the use of alternative transport to the car; and to comply with policy MOV1 (Travel Plans) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

16. The travel plan coordinator shall submit reports in accordance with the Standard Assessment Methodology (SAM) or similar to be approved and to the Local Planning Authority in accordance with the Travel Plan monitoring periods. The monitoring reports submitted to the Local Planning Authority shall summarise the data collected over the monitoring period and propose revised initiatives and measures where travel plan targets are not being met including implementation dates to be approved in writing by the Local Planning Authority.

[To promote sustainable travel and to encourage the use of alternative transport to the car; and to comply with policy MOV1 (Travel Plans) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

17. The development shall be undertaken in accordance with the landscaping scheme as shown on plans:

- Detailed POS Proposals (Sheet 1 of 3) P18-1983_01_A received 18 February 2019
- Detailed POS Proposals (Sheet 2 of 3) P18-1983_02_A received 18 February 2019
- Detailed POS Proposals (Sheet 3 of 3) P18-1983_03_A received 18 February 2019
- Detailed POS Proposals (sheet 1 of 5) P18-1983_04_C received 20 May 2019

- Detailed POS Proposals (sheet 2 of 5) P18-1983_05_D received 20 May 2019
- Detailed POS Proposals (sheet 3 of 5) P18-1983_06_C received 20 May 2019
- Detailed POS Proposals (sheet 4 of 5) P18-1983_07_C received 20 May 2019
- Detailed POS Proposals (sheet 5 of 5) P18-1983_08_B received 20 May 2019
- Boundary Treatments Plan KEY/BTP/01B, received 21 February 2019

The landscaping shall be carried out in accordance with the approved details in the accordance with the timing and phasing approved by condition 3 and 18. If any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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

18. No development shall take place until details of the means of protection of existing hedgerows and trees whilst construction works are being undertaken have been submitted to the Local Planning Authority. All existing trees and/or hedges which are to be retained are to be protected in accordance with the approved measures 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 existing trees and hedgerows are adequately protected during the development and to comply with policy EN13 (Landscaping Schemes) of the Rushcliffe Borough Non Statutory Replacement Local Plan. This is a 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].

19. 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 LEMP under condition 26 and 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 in constructing the development
 - iv. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - iv. Wheel washing facilities
 - v. Measures to control the emission of noise, dust, dirt and vibration during construction

- vi. A scheme for recycling/disposing of waste resulting from construction works
- vii. Hours of operation (including demolition, construction and deliveries)
- viii. A scheme to treat and remove suspended solids from surface water runoff during construction.
- ix. An earthworks strategy to provide for the management and protection of soils.
- x. 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
- xi. 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 to comply with policies GP2 (Design & Amenity Criteria) and MOV9 (Car Parking Standards) of the Rushcliffe Borough Non Statutory Replacement Local Plan. 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].

- 20. 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].

- 21. 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 & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

- 22. 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].

23. Prior to installation, a bat-sensitive lighting scheme should be submitted to 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 & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

24. 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, prior to work commencing on site, 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].

25. 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].

26. 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
- 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. This is a pre-commencement condition due to the need to ensure adequate mitigation and management is in place before any intrusive site works take place].

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

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

28. The development shall be undertaken and maintained in accordance with the Landscape Management Plan P18-1983 Rev C, Pegasus, July 2019.

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

29. No development shall commence until details of the finished floor and ground levels in relation to a fixed datum point have been submitted and approved in writing by the Local planning Authority. Such details shall have regard to the drainage strategy for the site. The development shall be undertaken in accordance with the approved details.

[To ensure a satisfactory development in the interests of amenity, accessibility and highway safety and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan. This is a pre commencement condition to ensure that the development is undertaken with agreed levels from the outset].

30. No development shall commence until details of the timing of construction of the 40 space grasscrete car park have been submitted to and approved in writing by the Local Planning Authority. Such details shall also provide for the transfer of the completed car park to the operators of the adjacent Platt Lane

leisure facility. The development shall be undertaken in accordance with the approved details.

[For the avoidance of doubt. This is a pre commencement condition to ensure that the deliverability and transfer arrangements are secured].

31. The development shall be undertaken in full accordance with the detailed requirements for mitigation for noise identified in the submitted Noise Assessment by AECOM (Project number: 60565085 AC/02 dated 31st May 2019). All mitigation measures outlined in the report shall be undertaken and incorporated in the units as specified in this report. This includes enhanced glazing and ventilation the bedrooms of several plots as detailed in Table 6.1 of Page 18 and illustrated in Appendices E Glazing and Vent Specifications & F Annotated Plans of the report. For all other plots, Glazing and Vent Type A of table 6.1 can be used. Roof Type A can be used to all rooms, with the exception of Plot 121 Bedroom 4 and Plot 140 Bedroom 1 and plot 153 Bedroom 2 where Roof Type B is required.

[To ensure that acceptable noise levels within the development and its curtilage are not exceeded. To protect the amenities of residents and to comply with policies GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan. This is a pre commencement condition to ensure that the dwellings are adequately mitigated from noise].

32. Notwithstanding the provisions of Schedule 2, Part 1 Classes A - D of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) there shall be no enlargement or alteration of the proposed dwelling(s) and no alteration to or insertion of windows or rooflights other than those shown on the approved plans for the following plots 1-3, 5, 8-14, 16, 16-21, 23, 104-107, 118-125, 133-146, 149-157, 184-187, as shown on Planning Layout KEY/DPL/01 Rev F. These plots require enhanced glazing and ventilation as specified in Appendix E and illustrated in Appendix F of the Noise Assessment written by AECOM (Project number: 60565085 AC/02 dated 31st May 2019).

[To protect the amenities of the occupiers of the property from external noise as per the noise report by AECOM (Project number: 60565085 AC/02 dated 31st May 2019) and to comply with policies GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

33. Notwithstanding the provisions of Schedule 2 Part 2 Class A of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no fence, wall, hedge or other means of enclosure other than shown on the approved plans shall be erected or planted on the site.

[The development is of a nature whereby future development of this type should be closely controlled and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

Notes to Applicant

This permission is subject to an Agreement made under the provisions of Section 106 of the Town & Country Planning Act 1990 (as substituted by the Planning & 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.

Section 38 Agreement (Highways Act 1980) - 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. Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.

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.

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.

Section 278 Agreement (Highways Act 1980) - In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact Jan Witko on telephone number 0115 9774364.

The proposed access/off-site highway works to deliver the alterations to the speed limit referred to in condition 12 requires a Traffic Regulation Order. The developer should note that the Order can be made on behalf of the developer by Nottinghamshire County Council at the expense of the developer. This is a separate

legal process and requires public consultation. The Applicant should contact the Highway Authority as soon as possible to discuss how best this is achieved.

In order to satisfy the requirements of conditions 4, 10 , 12 and 13 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.

Travel Plan - Advice regarding travel plans can be obtained from the Travel Plans Officer on telephone 0115 9774323. Correspondence with the Highway Authority should be addressed to:

Highway Development Control Section
Highways South
Nottinghamshire County Council
County Hall
West Bridgford
Nottingham, NG2 7QP

In respect of condition 8 of this permission relating to drainage:

- The developer must produce a comprehensive drainage strategy for the site.
- This strategy must include how surface water is to be dealt with. In particular showing how no surface water will be allowed to enter the foul or combined system through any means.
- Surface water should be drained using sustainable techniques.
- Where a sustainable drainage scheme is to be provided, the submitted details shall:
 - i) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and / or surface waters;
 - ii) Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
- The strategy shall also demonstrate how any land drainage issues will be resolved.
- A hydraulic modelling study may be required to determine if the proposed flows can be accommodated within the existing system and if not, to identify what improvements may be required. If the surface water is drained sustainably, this will only apply to the foul drainage.
- 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 advise that although their statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under the Transfer of Sewer Regulations 2011. Public sewers

have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.

Suitable habitat for reptiles should be searched by suitably qualified ecologists followed by removal or cutting. 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.

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

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.

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

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 landowner must first be obtained. The responsibility for meeting any claims for damage to such features lies with the applicant.

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

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

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.