



**MINUTES
OF THE MEETING OF THE
PLANNING COMMITTEE
THURSDAY, 11 FEBRUARY 2021**

Held at 6.30 pm via Zoom and streamed live on the Council's YouTube Channel.

PRESENT:

Councillors R Butler (Chairman), Mrs M Stockwood (Vice-Chairman), N Clarke, P Gowland, L Healy, A Major, D Mason, J Murray, F Purdue-Horan, C Thomas and D Viridi

ALSO IN ATTENDANCE:

Councillors R Upton and L Way

OFFICERS IN ATTENDANCE:

A Pegram
R Sells
M Hilton
G Sharman
T Coop
L Webb

Service Manager - Communities
Solicitor
Area Planning Officer
Area Planning Officer
Democratic Services Officer
Democratic Services Officer

APOLOGIES:

None

4 Declarations of Interest

There were no declarations of interest reported.

5 Minutes of the Meeting held on

The Minutes of the meeting held on 14 January 2021 were approved as a true record.

6 Planning Applications

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

As Ward Councillor for the following application, Councillor N Clarke removed himself from the meeting and did not take part in the following discussion.

20/02652/REM – Application for approval of matters reserved under Outline Planning Permission 18/02269/OUT relating to appearance, landscaping, layout and scale of 55 residential dwelling – Land South and West of Grooms Cottage, Shelford Road, Radcliffe on Trent, Nottinghamshire.

Updates

An additional representation from a neighbouring property was received after the agenda was published and was circulated to the committee before the meeting.

In accordance with the Council's public speaking protocol for planning committee, Barry Herrod (Applicant's Agent), Andrea Lightbown (Objector) and Councillor N Clarke (Ward Councillor) addressed the Committee.

DECISION

PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. The development shall be carried out in accordance with the following approved plans:

- Planning Layout - drawing no. SKEM-044-003-K
- External Materials – drawing no. SKEM- 044-004-E
- House Types:- House type Pack SKEM-044-100 plus Chestnut Bay 02 GFPlan and Chestnut Bay 02 FFPlan, Ivy hip (plot 21) and Cedar hip (Plot 22,23 and 24)
- Streetscene sections SKEM-044-011-A and SKEM-044 -011-2A
- Landscape Masterplan 3700 101D
- Planting Plan 1 drawing no. 3700 201B
- Planting Plan 2 drawing no. 3700 202B
- Boundary Treatments – drawing no. SKEM-044-005-G
- Pumping Station and Fence detail
- Swept path analysis drawing no. 21304 -313B
- attenuation details (showing levels)21304-312

[To ensure an acceptable development in accordance with Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

2. The boundary treatment/means of enclosure as detailed on drawing no. SKEM-044-005-F shall be erected prior to the occupation of the respective dwelling(s) or in the case of hedgerow planting, in the first planting season following completion of the plot. In addition, details of the timing of the provision and ongoing maintenance of the hedgerow proposed along the eastern boundary of the site shall form part of the open space scheme required pursuant to the S106 agreement. The means of enclosure shall be erected pursuant to the approved details and thereafter retained for the lifetime of the development.

[To ensure an acceptable appearance to the development and to comply with Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

3. The dwellings hereby approved shall be designed and constructed to meet the higher Optional Technical Housing Standard for water consumption of no more than 110 litres per person per day.

[To promote a reduction in water consumption and to comply with criteria 3 of Policy 12 (Housing Standards) of the Local Plan Part 2: Land and Planning Policies].

4. Prior to the occupation of Plot 21 the first floor side window with the dwelling shall be non-opening, unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and fitted with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent. The window shall thereafter be retained in this form.

[To safeguard the amenities of neighbouring properties and to comply with Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

5. No dwelling shall be occupied until such time as it has been serviced with the appropriate electric vehicle charging infrastructure as agreed by the details required to be discharged under Condition 5 (xiii) under ref 18/02269/OUT and the apparatus shall be retained for the lifetime of the development.

[In the interests of sustainable development and to comply with policy 41 (Air Quality) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

Note to applicant

This permission relates to matters reserved by Condition 1 and 2 of planning permission 18/02269/OUT, dated 30 September 2019 and does not constitute the discharge of any of the remaining conditions on the outline approval. Separate application/applications for the discharge of the remaining conditions should be submitted to the Local Planning Authority either prior to works commencing on site, or prior to the occupation of the dwellings, as appropriate. Your attention is also drawn to the informatives attached to the outline planning permission.

Condition 3 requires the new dwellings to meet the higher 'Optional Technical Housing Standard' for water consumption of no more than 110 litres per person per day. The developer must inform their chosen Building Control Body of this requirement as a condition of their planning permission. Guidance of this process and the associated requirements can be found in Approved Document

G under requirement G2, with the requirements laid out under regulations 36 and 37 of the Building regulations 2010.

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

The S106 agreement dated 27 Sept 2019 requires the submission of an Affordable Housing Scheme and Open Space Scheme prior to the development commencing.

Councillor N Clarke re-joined the meeting at this point.

As Ward Councillor for this application, Councillor C Thomas removed herself from the meeting and did not take part in the following discussion.

20/00888/FUL – The erection of 51 dwellings with associated access, parking and landscaping – Land off Rempstone Road, East Leake, Nottinghamshire.

Updates

Additional representations were received after the agenda was published and were circulated to the committee before the meeting.

In accordance with the Council's public speaking protocol for planning committee, Harry White (Applicant), Liz Taylor (Objector) and Councillor L Way (Ward Councillor) addressed the Committee.

DECISION

THAT THE EXECUTIVE MANAGER – COMMUNITIES IS AUTHORISED TO GRANT PLANNING PERMISSION SUBJECT TO THE PRIOR SIGNING OF A s.106 AGREEMENT AND SUBJECT TO THE FOLLOWING CONDITIONS:

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

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

2. This permission shall be constructed in accordance with the approved plans and documents as stated in the drawing register, document reference H8112-ELP2-001-DRAWING REGISTER received on the 27.01.2021.

[For the avoidance of doubt and to comply with Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) Local Plan Part 2: Land and Planning Policies].

3. The materials, as specified on drawing number H8112/002/02 Rev C, shall be used for the external walls and roof of the development hereby approved. If any alternative materials are proposed to be used, prior to the plots affected by any proposed change of materials advancing beyond foundation level, details of any alternative facing and roofing materials to be used on their external elevations shall be submitted to and approved in writing by the Borough Council. Thereafter the development shall be undertaken in accordance with the materials as approved.

[To ensure the appearance of the development is satisfactory and to comply with Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) or the Rushcliffe Local Plan Part 2: Land and Planning Policies].

4. No dwelling shall be occupied until the vehicle access, parking, manoeuvring and turning areas for that dwelling have been constructed in accordance with the approved drawings, and are available for use. Thereafter they shall remain as such for the lifetime of the development.

[To ensure a suitable access is provided in the interests of highway safety and to comply with Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

5. No dwelling shall be occupied until the driveway and parking areas associated with that plot have been surfaced in a bound material for a minimum distance of 5 metres behind the highway boundary, and which shall be drained to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.

[In the interests of highway safety and to comply with Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

6. No reflective materials, surfaces or finishes shall be used in the construction of any of the buildings or structures hereby approved.

[Flight safety; to prevent ocular hazard and distraction to pilots using East Midlands Airport].

7. Notwithstanding the provisions of Schedule 2, Part 14, Class A, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) (or any order revoking or re-enacting that order with or without modification) no solar panels or solar photovoltaics may be installed on any of the dwellings hereby permitted without first obtaining planning permission to do so.

[To be able to first assess any impact on Flight safety, specifically to ensure that they would not cause any ocular hazard and distraction to pilots using East Midlands Airport].

8. The development hereby approved shall be carried out in accordance with the guidance and recommendations contained within the following:
 - a) The Construction Environmental Management Plan: Biodiversity (CEMP) prepared by RammSanderson (report ref RSE_3254_01_V3_CEMP) dated February 2020, specifically but not exclusively Section 4 “Practical Measures” and the relevant Figures in Section 5 “References” of the report;
 - b) The Biodiversity Offsetting Strategy prepared by RammSanderson (report ref RSE_3433_03_V1) dated September 2020, specifically but not exclusively those contained within Section 5 “Management Plan” of the report; and
 - c) The updated Preliminary Ecological Appraisal contained within the letter from RammSanderson (ref RSE_3254_L1_V1) titled “Rempstone Road, East Leake – Ecology Update Survey” dated 21 October 2019.

[For the avoidance of doubt, for reasons of flight safety as dust and smoke are hazardous to aircraft engines; dust and smoke clouds can present a visual hazard to pilots and air traffic controllers and to ensure the proposed ecological mitigation is undertaken in accordance with Policy 17 of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

9. Prior to the first occupation of any dwelling hereby approved, bat and bird boxes shall be placed on or built into the new dwellings and hedgehog boxes shall be located within retained hedgerows or ornamental planting in accordance with details first submitted to and approved in writing by the Local Planning Authority. Thereafter the bat, bird and hedgehog boxes shall be installed in accordance with the approved details and retained as such for the lifetime of the development.

[To ensure the proposed ecological mitigation is undertaken in accordance with Policy 17 of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies and the guidance contained within para xi of the updated PEA].

10. Any brash vegetation removed from site shall be chipped, and any small logs retained, and placed onsite within the site margins.

[To provide reptile and amphibian refuge habitats and ensure the proposed ecological mitigation is undertaken in accordance with Policy

17 of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

11. Prior to the installation of any lighting on site, a detailed lighting strategy shall be submitted to and approved in writing by the Local Planning Authority to safeguard bats and other nocturnal wildlife. The strategy should provide details of the chosen luminaires and any mitigating features such as dimmers; PIR sensors and timers. The strategy should also include a lux contour plan to demonstrate acceptable levels of light spill to any sensitive ecological zones/features. Guidelines can be found in Guidance Note 08/18 - Bats and Artificial Lighting in the UK (BCT and ILP, 2018). Furthermore, all lighting shall be capped at the horizontal. Thereafter all lighting shall be installed and retained in accordance with the approved details for the lifetime of the development.

[To safeguard bats and any other nocturnal wildlife in accordance with Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies and for Flight safety; to prevent ocular hazard and distraction to pilots using East Midlands Airport].

12. No hedgerows, trees, shrubs, brambles or long grass (over 100mm) shall be removed from the site between 1st March and 31st August (inclusive), unless a survey has been undertaken by a suitably qualified ecologist to assess the nesting bird activity on site during this period. If any nesting bird interest is found on the site, details of measures to protect any nesting bird found on the site, including the timescales for implementing and retaining said measures, shall be submitted to and be approved in writing by the local planning authority. Thereafter the approved measures shall be implemented and retained for the time periods set out in the approved details.

[To safeguard against any harm to nesting birds and their nesting sites in accordance with Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies.]

13. Prior to the construction of any dwelling on the site proceeding above damp proof course level, a scheme for the provision of Electric Vehicle Charging Points (EVCP's) must be submitted to and approved in writing by the Local Planning Authority. The submitted scheme must include details of the type and location of the proposed EVCP apparatus. If any plots not to be served by a EVCP then it must be demonstrated why the provision of a EVCP would not be technically feasible. None of the dwellings on the site shall be first occupied until an EVCP serving it has been installed in accordance with the approved scheme. Thereafter an EVCP must be retained on each dwelling in accordance with the approved scheme in perpetuity.

[To promote sustainable transport measures that will help lead to a reduction in carbon emissions within the Borough and help contribute

towards an improvement in general air quality having regard to Policy 2 (Climate Change) of the Local Plan Par 1: Core Strategy (2014) and Policy 41 (Air Quality) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and paragraph 110 of the National Planning Policy Framework (February 2019)].

Note to Applicant

Please be advised that all applications approved on or after the 7th October 2019 may be subject to the Community Infrastructure Levy (CIL). The Borough Council considers that the approved development is CIL chargeable. Full details of the amount payable, the process and timescales for payment, and any potential exemptions/relief that may be applicable will be set out in a Liability Notice to be issued following this decision. Further information about CIL can be found on the Borough Council's website at <https://www.rushcliffe.gov.uk/planningandgrowth/cil/>

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

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

The applicant's attention is drawn to the new procedures for crane and tall equipment notifications, please see: <https://publicapps.caa.co.uk/docs/33/CAP1096%20E2.1%20September%202020%20FINAL.pdf>

A pre-start meeting to be arranged with EMA Safeguarding prior to construction starts. Email ops.safety@eastmidlandsairport.com with reference number 2019-S29 to arrange a meeting, due to the construction activity being under the approach to East Midlands Airport.

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

Details of the sensitive lighting on site, as required by condition 11 should follow the guidance set out in Bats and Lighting in the UK (BCT and ILP, 2018). Therefore, associated site lighting proposals must consider the following:

- Avoid lighting where possible;
- Install lamps and the lowest permissible density;
- Lamps should be positioned to direct light to avoid upward spill onto any green corridors that could be used by commuting bats or features with bat roost potential;

- LED lighting - with no/low UV component is recommended;
 - Lights with a warm colour temperature - 3000K or 2700K have significantly less impact on bats;
 - Light sources that peak higher than 550nm also reduce impacts to bats;
- and
- The use of timers and dimmers to avoid lighting areas of the site all night is recommended.

Where new landscape planting is proposed native species commonly occurring locally should be specified and planting of species known to encourage invertebrates, particularly those that are night-flowering would be beneficial for foraging bats (further information can be found in para ix of the updated PEA.

Councillor C Thomas re-joined the meeting at this point.

20/02703/FUL – Construction of new 3G all-weather football pitch with associated hardstanding, floodlighting and fencing and re-surfacing and fencing alterations to existing football pitch. Drainage and remediation works to natural playing fields to provide better, more suitable playing fields for football use – Gresham Park Pavilion, Gresham Park Road, West Bridgford, Nottinghamshire.

Updates

An additional representation was received after the agenda was published and was circulated to the Committee before the meeting.

DECISION

PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

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

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

2. The development shall be undertaken in full accordance with the following approved plans and documents:
 - Design and Access Statement Revision 0- October 2020
 - 15m - Lighting Mast Elevation
 - B and L Fencing Services Ltd QUOTATION - PRODUCT SPECIFICATIONS
 - B and L Fencing Services 1.2M HIGH SPECTATOR RAIL REBOUND TWIN SB 1200-02-B
 - B and L Fencing Services 4.5M HIGH TWIN BAR SYSTEM TWIN SB 4470-01
 - B and L Fencing Services 4.5M HIGH TWIN BAR REBOUND SYSTEM TWIN SB 4470-02
 - B and L Fencing Services EXPLODED DETAIL FOR DUEX

FIXING SYSTEM C/W SOUND/VIBRATION REDUCTION
RUBBER BL-RUBBER-01

- B and L Fencing Services EXPLODED DETAIL FOR DUEX FIXING SYSTEM C/W SOUND/VIBRATION REDUCTION RUBBER ACOUSTIC STRIP BL-RUBBER-01 rev A
- Smith Sports and Civils Proposed Synthetic sports pitch and refurb General Arrangement, Construction detail, Drainage detail, Line Marking detail, fencing and floodlight detail plan 2347/GA/01
- Smith Construction - Construction Management Plan
- Christy Lighting Masts Ltd LED Floodlighting System a20-0716923/bjl dated 18 September 2020
- Christy Lighting Ltd 3G Pitch Lighting – 200lux ref CLa18/0716923 issue 1
- CHRISTY LIGHTING MASTS LTD Floodlighting Scheme Description and spec
- Labosport AGP constraints plan 19-1008 01
- JPP Flood Risk Assessment Revision A December 2019 R-FRA-20219-01-A
- JPP Site Investigation Reports Revision 00 June 2020 R-SI-20283-01-00
- JPP Site Investigation Reports Revision 00 June 2020 R-SI-20283-02-00
- JPP Topographical Survey 20264Y 01
- Aspect Ecology Ecological Appraisal dated September 2020

And plans and documents received 18 December 2020 in respect of the works to improve the drainage to pitches 5 and 6 as identified within the red line of the application site boundary on Smith Sports and Civils Proposed Layout Plan 2347-SL-01 Rev B only (Any other work referred to in respect of other pitches is not approved under this application):

- Smith Sports and Civils Proposed Layout Plan 2347-SL-01 Rev B
- Smith Construction Drainage Drawing Levels and Coordinates 2347/DRAIN/01 Rev A
- PSD Agronomy Labosport Group CONSTRUCTION, DRAINAGE & SURFACE IMPROVEMENTS OF NATURAL GRASS SPORTS PITCHES December 2020 LA/003/RCGSP/1648/S/201127
- PSD Agronomy Labosport Group Topographical Survey 1648/001
- PSD Agronomy Labosport Group Drainage Design and Surface Remediation plan 1648/006

[For the avoidance of doubt having regard to policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies]

3. The materials referred to in the application shall be used in the development hereby permitted.

[To ensure the appearance of the development is satisfactory and to comply with policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and policy 1 (Development

Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

4. The development shall be carried out in accordance with the submitted flood risk assessment (JPP Consulting Ref. R-FRA-20219-01-A Rev.A, December 2019) and the following mitigation measures it details:

- AGP to be constructed at or below existing ground levels, with all excavated material to be removed from the site (Paragraph 3.8.3).
- Any fences to be constructed associated with the AGP to have an open nature so as to not impede the flow of flood water (Paragraph 3.8.3)

These mitigation measures shall be fully implemented prior to use commencing and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

[To prevent flooding elsewhere by ensuring no loss of flood storage, to ensure that flows are not impeded by the development and to comply with Policy 17 (Managing Flood Risk) and Policy 18 (Surface Water Management) and of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

5. Use of the development shall not commence until a community use agreement, prepared in consultation with Sport England, has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the new 3G all-weather football pitch with associated hardstandings, floodlighting and fencing, and re-surfacing and fencing alterations to the existing football pitch and shall include details of pricing policy, hours of use, access by non-educational establishment users/non-members, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

[To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy 30 (Protection of Community Facilities) of the Rushcliffe Local Plan Part 2].

6. The development of the 3G pitch and pitch refurbishment hereby approved shall be undertaken in full accordance with the recommendations of the Site Investigation Reports from JPP Geotechnical and Environmental Ltd. (Report Ref: R-SI-20283-01 & R-SI-20283-02 dated June 2020 in respect of Unexploded Ordnance (para 3.9 and Appendix G of Report Ref: R-SI-20283-01 and 3.8 of Report R-SI-20283-02 respectively). Prior to commencement of earthworks in

relation to the improved drainage for pitches 5 and 6, a report quantifying risk from unexploded ordnance shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with any agreed details.

[To establish the risk levels within the overall site and ensure adequate mitigation is achieved/ ensure that the site is free from unrecorded munitions.]

7. The development hereby permitted shall not come in to use until a Management Plan has been submitted and approved by the Local Planning Authority. The contents of the Plan shall have regard to the practical control of noise, artificial light associated with the use of the artificial grass pitch and traffic. Thereafter, all agreed measures shall be maintained in perpetuity.

[To ensure that the users of the all-weather pitch are aware of the need to use the facility in a manner that minimises the impact on the amenity of local residents and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2.]

8. The floodlights hereby permitted shall only be switched on when the artificial grass pitch is in use or for maintenance purposes.

[To safeguard the amenities of nearby residential occupiers and ecological habitats adjacent the site to comply with policy 1 (Development Requirements) and 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Rushcliffe Local Plan Part 2 and Chapter 15 of the NPPF].

9. The use of the 3G Pitch/ artificial grass pitch(s) hereby permitted shall be restricted to between the hours of:

8.00 and 22.30 Monday to Saturday
8.00 ad 20.00 Sunday and Bank Holidays

[To safeguard the amenities of nearby residential occupiers and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2.]

10. The development shall only be carried out in accordance with the levels identified in the application submission.

[To ensure a satisfactory development in the interests of amenity and to comply with policy 1 (Development Requirements) and Policy 17 (Managing Flood Risk) and Policy 18 (Surface Water Management) and of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

11. Notwithstanding the submitted plans/documents indicating a 500mm perimeter board around the 3G pitch, a scheme to stop/collect the rubber crumb infill escaping from the pitch in the event of a flood shall be submitted and approved in writing by the Local Planning authority prior

to the commencement of the development hereby approved. Such a scheme shall not include a perimeter board but shall be designed so as to comply with the Flood Risk Assessment (JPP Consulting Ref. R-FRA-20219-01-A Rev.A, December 2019) submitted with the application. The development shall be undertaken in accordance with the approved scheme.

[To comply with the submitted Flood Risk Assessment, to prevent flooding elsewhere by ensuring no loss of flood storage, to ensure that flows are not impeded by the development and to comply with Policy 17 (Managing Flood Risk) and Policy 18 (Surface Water Management) and of the Rushcliffe Local Plan Part 2: Land and Planning Policies. This is a pre commencement condition in order to establish the design does not conflict with condition 4 above and would not impact on flood risk].

Notes to Applicant

The development should not increase flood risk to existing properties or put the development at risk of flooding.

Any discharge of surface water from the site should look at infiltration – watercourse – sewer as the priority order for discharge location.

SUDS should be considered where feasible and consideration given to ownership and maintenance of any SUDS proposals for the lifetime of the development.

Any development that proposes to alter an ordinary watercourse in a manner that will have a detrimental effect on the flow of water (eg culverting / pipe crossing) must be discussed with the Flood Risk Management Team at Nottinghamshire County Council.

Any construction work, including deliveries, be restricted to the following times, to cause the minimum amount of disturbance to neighbouring residents/businesses:

Monday Friday 0700 1900 hours

Saturday 0800 1700 hours

Sunday/Bank Holidays No work activity.

A permit to work will be required for any scaffolding that is required in 6metres of NET infrastructure. Further details regarding undertaking works adjacent to the tramway are available at <https://www.thetram.net/work-near-the-tram.aspx>. The applicant should also get in touch with Glenn Oakes (glenn.oakes@thetram.net) the Infrastructure Maintenance Coordinator at NTL to discuss any potential issues with access and construction close to the tramway.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications/> For artificial grass pitches it is recommended that you seek guidance from the Football Association/England Hockey/Rugby Football Union on pitch construction when determining the community use hours the artificial pitch can accommodate.

New wildlife habitats should be created where appropriate, including wildflower rich neutral grassland, hedgerows, trees and woodland, wetlands and ponds.

Where possible new trees/hedges should be planted with native species (preferably of local provenance and including fruiting species). See <https://www.rushcliffe.gov.uk/conservation/treeshedgesandlandscaping/landscapingandtreeplanting/plantingonnewdevelopments/> for advice including the planting guides (but exclude Ash (*Fraxinus excelsior*))

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

Notwithstanding the plan 1648/006 Drainage Design and Surface Remediation and the PSD Agronomy Labosport Group SPECIFICATION OF WORKS FOR CONSTRUCTION, DRAINAGE & SURFACE IMPROVEMENTS OF NATURAL GRASS SPORTS PITCHES dated December 2020 this permission only authorises works to improve the drainage to pitches 5 and 6 within the red line of the application site boundary as defined on the Smith Sports and Civils Proposed Layout Plan 2347-SL-01 Rev B only. Any other work referred to is not approved under this application.

Please be advised that all applications approved on or after the 7th October 2019 may be subject to the Community Infrastructure Levy (CIL). Further information about CIL can be found on the Borough Council's website at:
<https://www.rushcliffe.gov.uk/planningandgrowth/cil/>

The applicant is advised to ensure that the drainage does not have an adverse impact on the adjacent footpath.

The footpath surfaces adjacent to the application must not disturb without authorisation from Nottinghamshire County Council Right of Way, and must remain open and available at all times. Unless there is a public safety reason to apply for a temporary closure of either footpath during the construction phase. Such a diversion or closure will require prior agreement with the appropriate Authority.

20/02806/FUL – Demolition of existing commercial units and replacement with 4 no. dwellings, including resurfacing works to street (resubmission) – Kempson Court, Kempson Street, Ruddington, Nottinghamshire.

Updates

In accordance with the Council's public speaking protocol for planning committee, Barnaby Kent (Applicant) addressed the Committee.

DECISION

PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 190730-001.02 (Site Location Plan), 190730-005.06 (Block Plan), 190730-002.06 (Layouts- Proposed), and 190730-006.05 (Elevations- Proposed), received on 11 November 2020.

[For the avoidance of doubt and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

3. No construction shall take place above damp course level until details of the facing and roofing materials have been submitted to and approved in writing by the Borough Council. The Development shall then be carried out in accordance with the approved details.

[To ensure the appearance of the development is satisfactory and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

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

[In the interest of neighbouring amenity and to comply with Policy 1 (Development Requirements) of the Local Plan Part 2: Land and Planning Policies. This condition needs to be discharged before work commences on site to ensure measures are in place during the construction phase to safeguard against potential impacts].

5. Prior to the commencement of development, a Contaminated Land Report shall be submitted to and approved by the Borough Council. As a

minimum, this report will need to include a Desktop Study. Where the Desktop Study identifies potential contamination, a Detailed Investigation Report will also be required. In those cases where the Detailed Investigation Report confirms that "contamination" exists, a remediation report and validation statement will also be required, to be submitted to and approved by the Borough Council prior to the commencement of development. Thereafter, the development shall be carried out in accordance with the requirements of the statement,

[To ensure that the site, once developed, is free from contamination and to protect the amenities of neighbouring residential properties and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies. This is a pre-commencement condition as this matter needs to be addressed before work commences on site to inform any measures that may need to be taken during the construction phase].

6. 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, unless otherwise agreed with the Borough Council. Laboratory certificates shall be submitted to and approved in writing by the Borough Council 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.

[To ensure that the site, once developed, is free from contamination and to protect the amenities of neighbouring residential properties and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

7. The development shall not be brought into use until the parking areas have been constructed in accordance with drawings 190730-005.06 and 190730-002.06, provided available to use, and surfaced in a hard-bound material for a minimum distance of 5m from the rear of the highway boundary. The drives shall each be fronted with a suitably constructed dropped kerb access in accordance with Highway Authority standards. The external drive serving unit 4 shall be drained to prevent the unregulated discharge of surface water onto to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.

[In the interest of highway safety and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

8. Prior to the development being brought into use, details of ecological enhancements shall be submitted to and approved in writing by the Local Planning Authority. The approved ecological enhancements shall be implemented prior to the development being brought into use and

shall thereafter be retained for the lifetime of the development.

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

9. Prior to the occupation of any dwelling, details of all boundary treatment shall be submitted to and approved in writing by the Borough Council. The submitted scheme shall include a boundary fence with a minimum height of 1.7 metres to the rear boundary of the site, as indicated on drawing 190730-006.05. The boundary treatment shall be erected in accordance with the approved details prior to the occupation of any dwelling. Thereafter the approved boundary treatment shall be retained for the lifetime of the development.

[In the interest of the amenities of future occupiers and the character and appearance of the area and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

10. Notwithstanding the provisions of Schedule 2, Part 1 Class A 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 dwellings without the prior written approval of the Borough Council.

[The development is of a nature whereby future development of this type should be closely controlled and to comply with Policy 1 (Development Requirements) and Policy 28 (Conserving and Enhancing Heritage Assets) of the Local Plan Part 2: Land and Planning Policies].

11. Notwithstanding the provisions of Schedule 2, Part 1 Class E 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) no sheds, buildings or structures shall be erected on the site without the prior written approval of the Borough Council.

[The development is of a nature whereby future development of this type should be closely controlled and to comply with Policy 1 (Development Requirements) and Policy 28 (Conserving and Enhancing Heritage Assets) of the Local Plan Part 2: Land and Planning Policies].

12. The dwellings hereby permitted shall be designed to meet the higher 'Optional Technical Housing Standard' for water consumption of no more than 110 litres per person per day

[To promote a reduction in water consumption and to comply with criteria 3 of Policy 12 (Housing Standards) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

13. The development hereby permitted shall not proceed above foundation level until a scheme for the provision of electric vehicle charging points shall be submitted to and approved by the Borough Council. The scheme shall provide details of the provision of electric vehicle charging points to serve the development on site. Thereafter, unless it has been demonstrated that the provision of electric vehicle charging points is not technically feasible, the use shall not commence until such time as the site has been serviced with the appropriate electric vehicle charging infrastructure, in accordance with the agreed scheme and the apparatus shall be retained for the lifetime of the development.

[To promote sustainable modes of transport and to comply with policy 41 (Air Quality) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

14. Prior to the installation of any solar panels on the dwellings hereby approved, details of their size, number and location on the building(s) shall be submitted to and approved in writing by the Borough Council. Thereafter, the solar panels shall be installed and maintained in accordance with the details as approved.

[In the interest of the amenities of the area and to comply with Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

15. Notwithstanding the provisions of Schedule 2 Part 1 Classes B and C 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) no windows shall be inserted in the roof space to form second floor habitable accommodation without the prior written approval of the Borough Council.

[In the interest of the amenities of the area and neighbouring properties and to comply with Policy 1 (Development Requirements) of the Local Plan Part 2: Land and Planning Policies].

Notes to Applicant

Please be advised that all applications approved on or after the 7th October 2019 may be subject to the Community Infrastructure Levy (CIL). The Borough Council considers that the approved development is CIL chargeable. Full details of the amount payable, the process and timescales for payment, and any potential exemptions/relief that may be applicable will be set out in a Liability Notice to be issued following this decision. Further information about CIL can be found on the Borough Council's website at <https://www.rushcliffe.gov.uk/planningandgrowth/cil/>

This permission does not give any legal right for any work on, over or under land or buildings outside the application site ownership or affecting neighbouring property, including buildings, walls, fences and vegetation within

that property. If any such work is anticipated, the consent of the adjoining land owner must first be obtained. The responsibility for meeting any claims for damage to such features lies with the applicant.

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

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

The provisions of the Party Wall Act 1996 may apply in relation to the boundary with the neighbouring property. A Solicitor or Chartered Surveyor may be able to give advice as to whether the proposed work falls within the scope of this Act and the necessary measures to be taken.

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

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

It is possible that the roofspace, and/or behind the soffit, fascia boards, etc. may be used by bats. You are reminded that bats, their roosts and access to roosts are protected and it is an offence under the Countryside and Wildlife Act 1981 to interfere with them. If evidence of bats is found, you should stop work and contact Natural England on 0300 060 3900 or by email at enquiries@naturalengland.org.uk.

If a complimentary ventilation scheme is required, then this scheme shall be designed to ensure that the windows can remain closed. This will retain the integrity of the noise insulation scheme, whilst ensuring the provision of the ventilation required by the Building Regulations. The upper limit for living rooms shall be an LAeq, 16h of 35dB, and for bedrooms an internal LAeq,8h of 30dB and an LMax of 45dB. Furthermore, the Noise Rating Curve of 30 shall not be exceeded in any octave band.

- A demonstrated biodiversity net gain should be provided where possible as recommended by CIRIA (2019) Biodiversity Net Gain – Principles and Guidance for UK construction and developments, with the means to implement in the long term, supported by a simple Landscape and Ecological Management Plan (LEMP) and agreed by the local planning

authority.

- An ecological construction method statement incorporating reasonable avoidance measures (RAMs), should be agreed and implemented including the good practice points below.
- The use of external lighting (during construction and post construction) should be appropriate to avoid adverse impacts on bat populations, see <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting> for advice and a wildlife sensitive lighting scheme should be developed and implemented.
- Permanent artificial bat boxes / bricks and wild bird nests (including Swallow/swift cups and sparrow terrace / boxes) should be installed within / on buildings.
- Any existing hedgerow / trees should be retained and enhanced, any hedge / trees removed should be replaced. Any boundary habitats should be retained and enhanced.
- Where possible new trees / hedges should be planted with native species (preferably of local provenance and including fruiting species). See <https://www.rushcliffe.gov.uk/conservation/trees/hedgesandlandscaping/landscapingandtreeplanting/plantingonnewdevelopments/> for advice including the planting guides (but exclude Ash (*Fraxinus excelsior*)).
- Good practice 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.
 - Measures to ensure that the roof liners of any building do not pose a risk to roosting bats in the future should be taken.
 - No works or storage of materials or vehicle movements should be carried out in or immediately adjacent to ecological mitigation areas or sensitive areas (including ditches).
 - All work impacting on vegetation or buildings used by nesting birds should avoid the active bird nesting season, if this is not possible a search of the impacted areas should be carried out by a suitably competent person for nests immediately prior to the commencement of works. If any nests are found work should not commence until a suitably qualified ecologist has been consulted.
 - Best practice should be followed during building work to ensure trenches dug during works activities that are left open overnight should be left with a sloping end or ramp to allow animal that may fall in to escape. Also, any pipes over 200mm in diameter should be capped off at night to prevent animals entering. Materials such as netting and cutting tools should not be left in the works area where they might entangle or injure animals. No stockpiles of vegetation, soil or rubble should be left overnight and if they are left then they should be dismantled by hand prior to removal. Night working should be avoided.
 - Root protection zones should be established around retained trees / hedgerows so that storage of materials and vehicles, the movement of vehicles and works are not carried out within these zones.
 - Pollution prevention measures should be adopted
 - It is recommended that consideration should be given to climate change impacts, energy efficiency, alternative energy generation, water efficiency, travel sustainability (including electric vehicle and

cycle charging points and cycle storage), management of waste during and post construction and the use of recycled materials and sustainable building methods.

Condition 12 requires the new dwellings to meet the higher 'Optional Technical Housing Standard' for water consumption of no more than 110 litres per person per day. The developer must inform their chosen Building Control Body of this requirement as a condition of their planning permission.

17/03020/FUL – New dwelling with ancillary garage (incorporating sustainable building systems and renewable technologies) – Land North West of Kneeton Road, East Bridgford, Nottinghamshire.

Updates

In accordance with the Council's public speaking protocol for planning committee Richard Coutts (Applicants Agent) addressed the Committee.

Comments

Members did not consider that the proposal achieved the high standards required by paragraph 79e of the National Planning Policy Framework - Outstanding and Innovative Design and did not therefore consider that very special circumstances existed which would outweigh the significant harm which would be caused to the greenbelt arising from inappropriate development and other harm to the area.

DECISION

PLANNING PERMISSION BE REFUSED FOR THE FOLLOWING REASON:

1. The proposal would result in a new isolated dwelling within the green belt. The form of development does not satisfy any of the exceptions included in the 'closed' list of development, which would be considered to be inappropriate under paragraphs 145 and 146 of the NPPF. The development must therefore be considered inappropriate development in the green belt which, as set out in paragraph 143 of the NPPF is, by definition, harmful to the green belt and should not be approved except where 'very special circumstances' exist to outweigh the harm to the green belt. Paragraph 144 of the NPPF requires that substantial weight is given to any harm to the green belt and identifies that '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.

The scheme has presented a case that 'very special circumstances' exist on the basis that development would meet and exceed the high standards required under paragraph 79, section 'e' of the NPPF relating to design and architecture, innovation through integrated environmental strategies and landscaping, environmental and biodiversity enhancements. However, it is the view of the Borough Council that the scheme is not considered to have met the high standards required by

paragraph 79 'e' of the NPPF and is therefore not considered to have demonstrated 'very special circumstances' sufficient to outweigh the potential harm to the green belt, along with other harm, including conflict with the Borough Spatial Strategy (Policy 3 of the Core Strategy) and paragraph 79 of the NPPF, which seeks to prevent the development of isolated new homes in the countryside. The proposal would also be contrary to Policy 21 (Green Belt) of the Rushcliffe Local Plan Part 2: Land and Planning Policies, which requires applications for development in the green belt to be determined in accordance with the NPPF.

20/02623/FUL – Erection of an equestrian stable block with outdoor manège, associated car parking and access. Stable block with eight stable pens, hay store and tack room, used as a full livery yard. (Resubmission) – Land West of Pasture Lane, Sutton Bonington, Nottinghamshire.

The Committee agreed to defer this item to the March meeting of the Planning Committee, as there would not be sufficient time to consider the application in its entirety, due to the meeting having to close at 10.30pm.

The meeting closed at 10.13 pm.

CHAIRMAN