

21/00775/VAR

Applicant Mrs Amy Gilliver

Location Land North Of Asher Lane Asher Lane Ruddington Nottinghamshire

Proposal Variation of Condition 9 of planning permission ref 18/00300/OUT to allow a change in time frame for offsite highway improvements.

Ward Ruddington

THE SITE AND SURROUNDINGS

1. The site comprises of an arable field measuring a total of 9.68 ha in area. It is located south-west of the village of Ruddington. The field is bounded by mature hedgerows. Ruddington is located approximately 7km to the south of Nottingham, between the A60 to the east and the former Great Northern Railway Line to the west.
2. The site is bordered to the north by the private rear residential gardens of properties located along the south side of Musters Road and Western Fields. The southern boundary adjoins, in part, the private allotment gardens known as Buttercup Gardens and Asher Lane, beyond which is Rushcliffe Country Park. The western boundary is parallel to an informal public footpath with the Great Central Railway Line beyond. To the east, beyond a smaller arable field, is a second private allotment garden known as Hareham Gardens.
3. Following the adoption of the Rushcliffe Local Plan Part 2: Land and Planning Policies in October 2019, the site is no longer in the Green Belt and is allocated for housing.
4. The access arrangements via Muster Road have been implemented which necessitated demolition of 75 Musters Road and a significant number of houses have been constructed with work continuing to progress on other plots.

DETAILS OF THE PROPOSAL

5. The application seeks to vary one of the conditions on the outline permission (reference 18/00300/OUT). The condition as approved reads:

No dwellings shall be occupied until the following off-site highway improvement works have been completed:

- a) *Access arrangement off Musters Road (as indicated on drawing 20999_08_020_11) unless otherwise submitted to and approved in writing by the Local Planning Authority.*
- b) *Junction Improvements to the High Street/Kirk Lane/Charles Street junction and the A60/Kirk Lane/Flawforth Lane junction, in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority.*

- c) *Mitigation of on-street car parking on Asher Lane, between Musters Road and Distillery Street.*
6. The proposed amendment is as follows:
- No dwellings shall be occupied until the following off-site highway improvement works have been completed:*
- a) *Access arrangement off Musters Road (as indicated on drawing 20999_08_020_11) unless otherwise submitted to and approved in writing by the Local Planning Authority.*
- b) *Mitigation of on-street car parking on Asher Lane, between Musters Road and Distillery Street.*
- And no more than 35 dwellings shall be occupied until:*
- c) *A financial contribution has been made to the Local Highway Authority in lieu of Improvements to the High Street/Kirk Lane/Charles Street junction.*
- d) *The off-site highway improvement works to the A60/Kirk Lane/ Flawforth Lane junction have been completed in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority.*
7. The application is supported by a Technical Note which addresses whether a signalised junction at High Street/Kirk Lane/Charles Street would be a viable arrangement and a separate Technical Note which assesses whether a delayed trigger point to carrying out the works required to the A60/Kirk Lane/Flawforth Lane junction would be warranted.

SITE HISTORY

8. 14/02540/OUT - Outline planning application for proposed development of 250 dwellings including vehicular access, pedestrian links, public open space, car parking, landscaping and drainage. Withdrawn
9. 16/03123/OUT - Outline planning application for proposed development of 175 dwellings including vehicular access, pedestrian links, public open space, car parking, landscaping and drainage. Allowed at appeal
10. 18/00300/OUT - Outline planning application for proposed development of 175 dwellings including vehicular access (via 75 Musters Road), pedestrian links, public open space, car parking, landscaping and drainage. Allowed at appeal.
11. 19/01983/REM - Reserved matters application for outline permission 18/00300/OUT to seek approval of the access, appearance, landscaping, layout and scale for the development of 175 new dwellings. Approved.
12. 20/01349/NMA - Application for a non-material amendment to planning permission 19/01983/REM to propose alternative materials, required due to shortages in supply and availability of the approved materials. Agreed.
13. In addition. various applications have been made to discharge conditions at the site.

REPRESENTATIONS

Ward Councillor(s)

14. One Ward Councillor (Cllr. Walker) objects because the Planning Inspector twice determined the application at appeal and considered the highway improvements were the only way to facilitate the development, the Cllr queries what has changed. She goes on to state that if the financial contribution is acceptable to the Highway Authority the amount to be paid must be clarified and proper breakdown of costs provided, and the money must be ring fenced to be spent within Ruddington. The money should be paid prior to occupation of any homes.
15. One Ward Councillor (Cllr Gaunt) also objects and agrees with the Parish Council comments (below). He also concurs with the comments of Cllr. Walker (above).

Town/Parish Council

16. The Ruddington Parish Council objects in the strongest possible terms, the highway improvement works were necessary for the development to be allowed and to lessen its effects on the people who live and work in Ruddington prior to homes being brought into occupation. The Parish also state that, if the Council is minded to approve the application, the developer should pay no less than what the mitigations works would have costs, and money ring fenced to be spent in Ruddington. The burden should not be placed on Council Tax payers and any measures should be subject to consultation with the Parish Council and whole of Ruddington.

Statutory and Other Consultees

17. The Borough Council's Planning Policy Officer has commented that the Local Plan policy was developed on the back of the appeal decision requirements, and any decision should be in accordance with the development plan unless material considerations indicate otherwise. If Highways are happy with the amended arrangement this would weigh strongly in favour of a variation compared to the policy requirement. This must be weighed in the planning balance.
18. The Borough Council's Conservation Officer states that there are no designated heritage assets either within the site or within the vicinity which might have their settings impacted upon by the proposed development.
19. Highways England has responded that the proposal will have no material impact on the Strategic Road Network.
20. The NHS Nottingham and Nottinghamshire CCG has no comments to make as the number of dwellings is not affected.
21. The Nottinghamshire Council as Lead Local Flood Authority has not provided bespoke comments and offers general advice regarding surface water drainage.
22. The Group Aerodrome Safeguarding Officer has no objection to the variation.

23. The Borough Councils' Environmental Sustainability Officer considered the application should not materially impact ecological issues on site and has no comments to make.
24. The Nottinghamshire County Council Planning team has no comments to make.
25. The Nottinghamshire County Council as Highway Authority responded as follows; *"With regard to parts a and b, we would note that both these items have already been substantially completed on site, subject to completion of some minor snagging items we are content with what has been provided, consequently we have no issue with what is proposed as the requirements have already been satisfied.*
26. *With regard part c, having reviewed the content of the Transport note associated with the development we are broadly supportive of what is proposed. Since the developments inception we have held concerns as to whether the proposed traffic lights at the junction of Kirk Lane/High Street/ Charles Street could be delivered in a safe manner which meet the relevant design standards with regard to visibility.*
27. *We also had concerns with regard the adverse impacts on the High Street in terms of loss of parking, and the impact additional street furniture would have on the already narrow footways on the corner of Kirk Lane/High Street.*
28. *Modelling undertaken in the supporting note demonstrates, that any capacity benefits offered by the signalisation are not significant and hence the overall benefit of the proposal when compared to the issues it creates would be considered marginal at best.*
29. *Nonetheless we do recognise there is a need to mitigate the traffic impacts of the development on the village centre. In this regard we welcome the offer to provide a financial contribution in lieu of the works. We would expect this contribution to spent on works in and around Ruddington Village Centre to reduce single occupancy car use and sustainable transport measures which encourage non-motorised transport such as cycling and walking.*
30. *No indication has been provided as to the value of the contribution. For clarity we would wish to see any contribution provided to be of an equivalent value what would have been the full implementation cost of the signalised junction, including design costs, legal fees, commuted maintenance sums etc.*
31. *Finally, with regard to part d) we would not be opposed to this as the traffic generated by 35 dwellings would only result in circa 20 additional trips in the peak period. This is well within daily variations of traffic at this junction. It is also below the recommend threshold of 30 trips at which an impact on a junction would be considered material if we were considering as part of a formal planning application.*
32. *In conclusion we are not opposed to the principle of this application, however further information is required with regard to the value of the contribution suggested in part c) and how this will be secured before we are fully able to recommend approval of the proposed variation.*

Local Residents and the General Public

33. 62 comments objecting to the application have been received. The objections relate to the following:
- a. Changes are not justified.
 - b. Avant should be held to original timetable, what is to stop them applying for a further delay after 35 homes have been occupied.
 - c. Was the information originally submitted at appeal incorrect.
 - d. Number of dwellings should be reduced.
 - e. This estate is unwanted, unnecessary and unhealthy for Ruddington.
 - f. The construction traffic has been using the wrong access, there has been no response to suggestion of a ditch along the northern boundary of the site to mitigate potential flooding.
 - g. Application is entirely in the interests of the builder.
 - h. There is already congestion in the village, the works should not be delayed.
 - i. Concerns about emergency vehicles getting through the village.
 - j. Money saved on traffic lights should go towards the new Community Centre car park.
34. The Ruddington Action Group (RAG) comment that their key objection to the original planning application was regarding the impact traffic generation would have on the centre of the village. In particular, concerns were raised about installing traffic lights at the High Street/Kirk Lane/Charles Street junction and the impact on the built environment and loss of on-street parking. Therefore, in principle RAG has no objection to amending this part of the condition.
35. RAG considers that the costs of the works should be reflected by the level of financial contribution in lieu and this should be secured by the S106 process. The monies should be solely used on improving the traffic through the Village centre. The group also considers that the local community is engaged on how best the money could be spent and makes the following suggestions:
- a. additional pedestrian crossing points
 - b. improved/additional pedestrian signage
 - c. improved cycle parking
 - d. better provision for people who need to drive into the village to work
 - e. potential one way system on Church Street with cycle lane
 - f. permanent 20mph speed limit through centre of village and expand to cover more of the village
36. RAG object to the delay in payment until 35 homes are occupied. If it is decided to accept the delayed payment an initial pre-occupation payment should be made to fund an assessment of the village centre and guide how the rest of

the money would be best spent. RAG also object to delaying the improvements to the A60/Kirk Lane/Flawforth Lane junction. RAG also suggest further consideration is given to the scheme for mitigating parking on Asher Lane, it is noted a scheme for double yellow lines has been approved. RAG queries whether the proposed widening of Asher Lane for its junction with Top Road to Musters Road would actually encourage greater vehicle speeds, and this would also narrow the pavement along this stretch of Asher Lane which would be detrimental to pedestrians. It is suggested a commuted sum could also be offered in lieu of these works.

37. RAG suggest the following amended wording be approved instead:

Access arrangement off Musters Road (as indicated on drawing 20999_08_020_11) unless otherwise submitted to and approved in writing by the Local Planning Authority (this could be deleted as the works have already been carried out).

- b) Mitigation of on-street car parking on Asher Lane, between Musters Road and Distillery Street or a financial contribution in lieu of these works.*
- c) A financial contribution has been made to the Local Highway Authority in lieu of improvements to the High Street/Kirk Lane/Charles Street junction.*
- d) The off-site highway improvement works to the A60/Kirk Lane/Flawforth Lane junction have been completed in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority.*

38. 1 comment neither supporting nor objecting to the application:

- a. Seems to be no current solution to anticipated increase in traffic volume.
- b. Surely this means the information provided to the appeal was incorrect and the appeal would not have succeeded if the traffic lights proposal was not a viable option.
- c. Therefore, should the planning application be reversed or number of dwellings reduced so that the current highway layout can cope with the additional number of dwellings.

PLANNING POLICY

39. The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: Core Strategy (LPP1), the Local Plan Part 2: Land and Planning Policies (LPP2) and the Ruddington Neighbourhood Plan. Other material considerations include the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (the Guidance) and the Rushcliffe Residential Design Guide.

Relevant National Planning Policies and Guidance

40. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and makes clear at paragraph 3 that the Framework should be read as a whole, including footnotes and annexes. The

sections of the NPPF which are considered to be of particular relevance to the current application are as follows:

- Chapter 2 - Achieving sustainable development
- Chapter 5 – Delivering a sufficient supply of homes
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment

41. The full text of the NPPF can be viewed on the gov.uk website at <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Relevant Local Planning Policies and Guidance

42. The following policies of the LPP1 are considered to be relevant to the current application:

- Policy 1 – Presumption in Favour of Sustainable Development
- Policy 2 – Climate Change
- Policy 3 – Spatial Strategy
- Policy 8 – Housing Size, Mix and Choice
- Policy 10 – Design and Enhancing Local Identity
- Policy 14 – Managing Travel Demand
- Policy 17 – Biodiversity

43. The following policies of the LPP2 are considered to be relevant to the current application:

- Policy 1 - Development Requirements
- Policy 6.4 – Housing Allocation – Land North of Asher Lane Ruddington
- Policy 12 – Housing Standards
- Policy 18 – Surface Water Management
- Policy 32 – Recreational Open Space
- Policy 34 – Green Infrastructure and Open Space Assets
- Policy 37 – Trees and Woodland
- Policy 38 - Non-Designated Biodiversity Assets and the Wider Ecological Network.
- Policy 43 – Planning Obligations Threshold

44. The full text of the policies in the LPP1 and LPP2 together with the supporting text can be found in the Local Plan documents on the Council's website at: <https://www.rushcliffe.gov.uk/planningpolicy/localplan/>

45. The Rushcliffe Residential Design Guide is adopted Supplementary Guidance and sets out advice on design principle and approaches to ensure the delivery of appropriately designed residential development across the Borough.

46. The Ruddington Neighbourhood Plan was adopted in June 2021. Section 9 sets out Connectivity Policies in particular Policy 8 – Traffic and new development.

APPRAISAL

47. The development has been approved both in principle at outline stage (via the appeals process) and also at reserved matters stage. Although an application submitted under S.73 of the Act to vary one of the conditions does result in a new planning permission being granted (and accordingly any relevant conditions need to be copied across) it must be noted that permission has already been granted for the scheme in principle, this permission is extant and is being implemented and this is a material consideration to which great weight should be attached.

48. The policy situation has changed since the original grant of outline permission. When application 18/00300/OUT was determined the site lay within the Green Belt. The Rushcliffe Local Plan Part 2: Land and Planning Policies was adopted in October 2019 and Policy 6.4 allocates the application site for housing. The policy sets out:

“The area, as shown on the policies map, is identified as an allocation for around 175 homes.

The development will be subject to the following requirements:

- a) Asher Lane must be brought up to adoptable highway standard, including the provision of a footpath along its entire length;*
- b) appropriate junction Improvements including traffic signals to the High Street/Kirk Lane/Charles Street junction and the A60/Kirk Lane /Flawforth Lane junction;*
- c) mitigation of on-street car parking on Asher Lane, between Musters Road and Distillery Street;*
- d) existing trees and hedges must be retained;*
- e) a financial contribution to a package of improvements for the A52(T) between the A6005 (QMC) and A46 (Bingham); and*
- f) it should be consistent with other relevant policies in the Local Plan.*

49. To turn to the specific condition which is the focus of this application (as set out in paragraph 5 above), Part a) and c) of the original condition remain unaltered and would simply be shifted to parts a) and b).

50. Condition b) of the original permission would be split into two - Parts c) and d) which introduce new elements to be considered. Both parts c) and d) shift the trigger point to *“no more than 35 dwellings shall be occupied until”*, in addition the proposed junction improvements to High Street/Kirk Lane/ Charles Street junction (which were demonstrated in the original Transport Assessment (January 2018) to be a signalised junction) are no longer proposed and would instead be replaced by a financial contribution to the Highways Authority to make other improvements. The submitted Technical Note has been prepared using updated traffic counts (January 2020) and revised modelling software. The modelling has predicted traffic flows up to 2023.

51. Firstly, in terms of part c) of the proposed condition the Technical Note provides modelling and makes the following summary and conclusions (for reference a PCU is a Passenger Car Unit):
52. *“The existing junction is overcapacity although stationary queues at the Kirk Lane arm only extend to six vehicles in the worst case evening peak hour. In 2023, with the development in place, the queue on Kirk Lane would increase to 23 vehicles, a queue length of 138m. Improvements to the existing priority-controlled layout have been considered notably changing the priority so that the High Street south arm gives way to the Kirk Lane arm which generates more traffic. Whilst this would improve the performance of the junction from a capacity perspective, significant safety problems would arise notably the lack of forward visibility due to the existing buildings.*
53. *The consent for the development includes Condition 9 which proposes improvements at the junction before occupation of the dwellings. Therefore, a signals layout has been explored. Due to the site constraints, stoplines have been setback from the proposed pedestrian crossings to accommodate vehicle tracking of a double decker bus. However, larger vehicles notably a 16.5m articulated vehicle would still overlap with the stoplines and would require the stoplines to be further setback. Intervisibility is also not achievable on the Kirk Lane arm of the junction due to the existing site constraints and would greatly increase the risk of accidents at the junction.*
54. *In terms of the modelling of the signals layout, the junction would operate within capacity in the morning peak hour but over capacity in the evening peak hour. Further, there would be a queue of 16 PCUs on the Kirk Lane approach in the worst case evening peak hour with the development in place compared to the 23 PCUs with the development in place but retained priority-controlled arrangement.*
55. *Therefore, given the above, the signals layout would not significantly improve the queues on Kirk Lane to a level that outweighs the safety and physical constraints the signals layout presents. As a result, it is considered that the junction should remain as a priority-controlled T-junction until a time that a significant improvement scheme is identified.”*
56. The Highways Authority has provided its comments (see above) and in principle does not object to this change, they consider the previously proposed scheme of signalisation would offer only a marginal benefit (at best) and have concerns about the impact of loss of on-street parking and impact on the already narrow pedestrian footways. As such, the Highways Officer recommends accepting a payment instead which would likely be spent on other improvements in the area and/or integrated transport measures. This would be defined within the S106 agreement as to be spent solely to make improvements within the Ruddington area and would not be able to be used elsewhere in the Borough.
57. Although specific measures have not yet been agreed at this stage it is foreseen they would likely incorporate some of the measures set out in the submitted Highways Report and suggested by RAG – in particular additional pedestrian crossings and improved cycle productivity. A further update to these suggested measures will be provided to the Committee verbally.

58. In terms of the proposed trigger point the developer has offered to pay the financial sum upon completion of the S106/grant of planning permission.
59. It is acknowledged that the proposal is not strictly in accordance with requirement b) of Policy 6.4 (above) which is very prescriptive of the type of improvements to be made to the junction of High Street/Kirk Lane/Charles Street. As such the development has been publicised as a Departure from the Local Plan.
60. Nonetheless, robust justification has been provided by the applicant in the form Technical Note which the Highways Authority has accepted. Specifically, the Highways Officer has stated that; *“Modelling undertaken in the supporting note demonstrates that any capacity benefits offered by the signalisation are not significant and hence the overall benefit of the proposal when compared to the issues it creates would be considered marginal at best.”*
61. In terms of the delayed trigger point for the works to take place the Technical note provided models that the additional traffic movements associated with 35 dwellings would result in a 5 second delay at the A60/Kirk Lane/Flawforth Lane junction and concludes as follows:
62. *“Regarding queues, the arm with the longest queues is the A60 (S). When comparing the 2022 base and 2022 with development (35 dwellings) scenarios, there would only be one vehicle generated by the 35 dwellings on the A60 (S) approach. The arm the development impacts the most in the worst case morning peak hour is Kirk Lane where queues would increase from 22 PCUs in 2022 without the development to 26 PCUs in 2022 with 35 dwellings occupied.*
63. *This is not a significant increase and queues would not extend to and block the Kirk Lane/Elms Park junction which is a key junction serving a significant number of dwellings in the southern part of Ruddington. Hence, it is deemed 35 dwellings is a suitable trigger point for the improvement works as it would enable the works to be carried out before other key junctions are significantly impacted by the increased queues and delays at the crossroads.”*
64. In relation to part b) of the proposed new condition wording “Mitigation of on-street car parking on Asher Lane, between Musters Road and Distillery Street.” the Highways Officer has confirmed that a S278 agreement has been entered into by the developer and a Traffic Regulation Order is in place. Physical works have taken place to provide yellow lining and widening to create parking bays. There is an outstanding issue with some of the yellow lining but this can be addressed through the S278 agreement. As such this part of the condition can be deleted. Parts c) and d) discussed above therefore become parts b) and c).
65. As such, it is recommended that the variation to the approved conditions is accepted, any existing conditions should be copied across from the previous permission with relevant updates to their status.
66. The application has not been subject to pre-application advice, negotiations have taken place during the course of the application to secure a suitable sum and trigger point as part of the deed of variation to the S106 agreement which has resulted in a favourable recommendation.

RECOMMENDATION

It is RECOMMENDED that the Director for Development and Economic Growth is authorised to grant planning permission subject to the prior completion of a S106 agreement and subject to the following condition(s):

1. The access, appearance, landscaping, layout, and scale, (hereinafter called 'the reserved matters') shall be carried out in accordance with those details submitted and approved under application 19/001983/REM.

[This is an outline planning permission and the matters specified above have been reserved for subsequent approval by the Local Planning Authority in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 and Parts 1 and 3 of the Town and Country Planning (Development Management Procedure) Order 2015].

2. Existing trees and hedges which are to be retained shall be protected in accordance with details submitted and approved under 20/00704/DISCON and that protection shall be retained for the duration of the construction period. No materials, machinery or vehicles are to be stored or temporary buildings erected within the perimeter of any fence erected to protect the retained trees and/or hedges, nor is any excavation work to 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 the adequate protection of the existing trees and hedgerows on the site during the construction of the development regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policies 37 (Trees and Woodlands) and 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapter 15 (Conserving and Enhancing the Natural Environment) of the National Planning Policy Framework].

3. With the exception of the sections to be removed to enable the provision of the vehicular and pedestrian access points, the hedgerows located along the southern, western and northern boundaries of the site shall be retained and any part of the hedgerows removed, dying, being severely damaged or becoming seriously diseased shall be replaced with hedge plants of such size and species, details of which shall be submitted to and approved in writing by the Local Planning Authority, within one year of the date of any such loss being brought to the attention of the Local Planning Authority.

[To ensure the adequate protection of the existing trees and hedgerows on the site during the construction of the development having regard to regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policies 37 (Trees and Woodlands) and 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapter 15 (Conserving and Enhancing the Natural Environment) of the National Planning Policy Framework (February 2019)].

4. The development shall be carried out in accordance with the details submitted as part of the Construction Management approved under reference 20/00471/DISCON

[In the interests of highway safety and to protect the amenities of the area having regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

5. No dwellings shall be occupied until the following off-site highway improvement works have been completed:
 - a) Access arrangement off Musters Road (as indicated on drawing 20999_08_020_11) unless otherwise submitted to and approved in writing by the Local Planning Authority.

And no more than 35 dwellings shall be occupied until;

- b) A financial contribution, secured via the S106 agreement, has been made to the Local Highway Authority in lieu of Improvements to the High Street/Kirk Lane/Charles Street junction.
- c) The off-site highway improvement works to the A60/Kirk Lane/ Flawforth Lane junction have been completed in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority.

[In the interests of highway safety having regard to Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

6. No development hereby permitted shall take place until an appropriate agreement under Section 278 of the Highways Act 1980 has been entered into with Highways England to facilitate improvements to A52 junctions in accordance with the provisions of the A52/A606 Improvement Package Developer Contributions Strategy Memorandum of Understanding September 2015.

[In the interests of highway safety having regard to Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

7. The dwellings hereby approved shall not be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The requirements as set out in the approved Travel Plan shall be implemented from occupation of the first dwelling and operated thereafter.

[To promote sustainable travel within the Borough having regard to Policy 14 (Managing Travel Demand) of the Rushcliffe Local Plan Part 1: Core Strategy (2014)].

8. The design, layout and specifications for the surface water drainage system shall be carried out in accordance with the details approved under 20/00566/DISCON. No part of the development shall be occupied until facilities

for the disposal of surface water drainage have been provided, in accordance with the approved details and the development shall be constructed in accordance with the approved drainage details, levels and layout.

[To ensure that the development increases water attenuation/storage on the site and minimises the risk of flooding elsewhere having regard to Policy 2 (Climate Change) of the Rushcliffe Local Plan Part 1: Core Strategy (2014), Policies 17 (Managing Flood Risk) and 18 (Surface Water Management) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Paragraphs 163 and 165 of the National Planning Policy Framework].

9. The development shall not be brought into use until the facilities for the disposal of foul water drainage have been provided, in accordance with details approved under 21/00053/DISCON

[To ensure a satisfactory standard of development in terms of the disposal of foul water having regard to Policy 2 (Climate Change) of the Rushcliffe Local Plan Part 1: Core Strategy (2014), Policies 17 (Managing Flood Risk) and 18 (Surface Water Management) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Paragraphs 163 and 165 of the National Planning Policy Framework].

10. The dwellings shall be constructed in accordance with the glazing and ventilation specifications approved under 20/01121/DISCON. The said glazing and ventilation shall thereafter be retained and maintained to the approved specifications. Each dwelling, to which the acoustic boundary fencing is to be installed, shall not be occupied until the approved acoustic boundary fencing for that dwelling has been installed. The acoustic fencing shall thereafter be retained and maintained to the approved specifications.

[To ensure that future occupiers of the development hereby approved are not adversely affected by unacceptable noise pollution having regard to Policies 1 (Development Requirements), 39 (Health Impacts of Development) and 40 (Pollution and Contaminated Land) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

11. The dwellings hereby approved shall not be occupied until bird boxes and bat boxes and/or access points to bat roosts have been installed in accordance with details previously submitted to and approved in writing by the Local Planning Authority. Thereafter the bird and bat boxes and/or access points shall be permanently retained and maintained.

[To ensure the development contributes to the enhancement of biodiversity on the site having regard to Policy 17 (Biodiversity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019); Chapter 15 (Conserving and enhancing the natural environment) of the National Planning Policy Framework].

12. The development shall be carried out in accordance with the Bird Management Plan (BMP) approved under 20/00654/DISCON.

[To ensure the development contributes to the protection of biodiversity on the site having regard to Policy 17 (Biodiversity) of the Rushcliffe Local Plan Part

1: Core Strategy (2014); Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019); Chapter 15 (Conserving and enhancing the natural environment) of the National Planning Policy Framework].