

Ref: 18/02806/OUT

Applicant Mosaic Group (Mr A Pole)

Location Land North of Nottingham Road, Radcliffe-on-Trent, Nottinghamshire

Proposal Residential development for around 200 dwellings alongside a minimum of 3ha employment land, formation of primary access, infrastructure, open space provision, surface water attenuation and formation of surface water storage ponds (outline application with all matters reserved except for access)

Ward Radcliffe-on-Trent

THE SITE AND SURROUNDINGS

1. Radcliffe on Trent is a large village to the east of Nottingham City and within the Borough of Rushcliffe. It is identified within Policy 3 of the Rushcliffe Publication Core Strategy as a key settlement for growth. The settlement of Radcliffe on Trent is for the most part contained to the south by the A52 trunk road. To the north the settlement is bounded by the River Trent.
2. The application site itself is located to the north of Nottingham Road, which is the main road running through Radcliffe on Trent. It forms a junction with the A52 at the south west edge of the site, and separately at the western end of Radcliffe on Trent.
3. The site is presently used as agricultural land forming 3 large adjoining fields delineated by existing hedgerows. In total the site measures some 12.63 hectares. In terms of topography, the site is relatively flat, with a slight slope running from the rear (north) of the frontage of the site with Nottingham Road (south). The most distinguishing features are the electricity pylons which run on a north-east to south-west alignment through the middle of the site. Wrapping around the west and north boundary is a mineral railway line which links to the Cotgrave Colliery.
4. In terms of the surroundings, site adjoins existing residential development to the east. It is bound to the north and north by a raised disused former mineral railway line which is now a multi-user leisure route owned by the County Council. Further to the north is Holme Lane, a Public Right of Way. Nottingham Road bounds the site to the south. Immediately beyond Nottingham Road is an allotment and an area of undeveloped land.
5. To the west is an RSPCA shelter and beyond is a gypsy/traveller site. The nearest residential property to the site is to the east (12 Nottingham Road), which is a bungalow in large open grounds. There are further properties along Nottingham Road backing onto the application site which also have good sized gardens, the area begins to be more built up further to the east where small

estates and pockets of housing have been developed. To the south of Nottingham Road are allotments and an area of land which is undeveloped, Lees Barn Road runs between Nottingham Road and the A52 and serves two houses, further to the east there is a large housing estate known locally as the 'Canadian' estate.

6. Existing access to the site is provided via two gated field accesses onto Holme Lane. There are no existing vehicular access points to the site from Nottingham Road.
7. The land is within Flood Zone 2 as defined by the Environment Agency Flood Maps. There are no heritage assets on or close to the site and it does not form part of any defined conservation area.
8. The site is identified as an allocation in the Part 2 Local Plan (Policy 5.1) for between 150 and around 200 homes and a minimum of 3 hectares of employment land.

DETAILS OF THE PROPOSAL

9. The proposal is an application for outline planning permission for up to 200 dwellings with associated infrastructure, surface water attenuation and balancing ponds, and open space. It had previously been proposed that the application be for 300 units and 1 hectare of employment land but has since changed following discussions with officers and in view of development plan policy.
10. All matters are reserved for future consideration with the exception of the formation of two primary access points which form part of the current application for consideration. This means consideration of this application is therefore limited to the principle of development, and whether or not the proposed means of access and water attenuation proposals are acceptable.
11. The application proposes that 30% of the dwellings would be affordable homes.
12. Vehicular access to the proposed development would be via two new accesses from the north side of Nottingham Road. The proposed site access junction layout would also include appropriate pedestrian crossing facilities to facilitate residents, employees and visitors crossing Nottingham Road to access the bus stops to the south of the site accesses. The existing footpath across the frontage of the site would be increased to 2m in width.
13. It is also proposed also to extend the 30mph speed limit on Nottingham Road, beyond the site access junctions, to assist with reducing vehicular speeds and to reflect the more urbanised nature of Nottingham Road post completion of the development.
14. An illustrative masterplan and character area plan have been submitted to detail how development of the site could be laid out. For the avoidance of doubt, the document does not confirm the proposed layout at this stage as it would be considered as part of a future reserved matters application should this application be approved.

15. The illustrative masterplan submitted with the application shows the two access points on the south-east boundary of the site, onto Nottingham Road. The illustrative masterplan indicates that the layout would include a large central swathe of open space running roughly north to south through the site, with housing on either side. The proposed employment land would be on the south west part of the site alongside pockets of open space either side of the RSPA site. To the north of the site there is an area of land also owned by the applicants but not included in the red line application site, it is suggested some potential footpaths/cycle routes from the development could be extended through this land to link to other areas of Radcliffe on Trent.
16. The proposed surface water attenuation and storage pond are detailed within the Flood Risk Assessment and are shown to be located centrally within a landscaped area.
17. The application is supported by a number of specialist reports relating to ecology, noise, access and transport, ground conditions, heritage, agricultural land quality, flooding and drainage, accessibility, trees and archaeology. A Travel Plan has also been submitted.
18. A height parameter plan has been submitted indicating dwelling between 2 storey and 2.5 storey in height. This document relates to the proposed layout and does not form part of the decision-making process, although reference to the potential landscape impacts can be deduced from this.
19. The applicant has provided a Heads of Terms document and separate confirmation that they are agreeable with all requested developer conditions and are agreeable to entering into a S106 Agreement to secure them.

SITE HISTORY

20. Planning permission was previously sought for housing on the site (ref. 13/02498/OUT). The application was refused in June 2015 when Members of the Planning Committee were not satisfied that 'very special circumstances have been demonstrated which would outweigh the harm to the Green Belt'. Effectively, the committee considered the development of the site to be premature in advance of the conclusions of the Green Belt review and the preparation of the Part 2 Local Plan. The previous proposal was, therefore, considered to be contrary to the development plan at that time.
21. Prior, an outline planning application was submitted in September 2012 (12/01628/OUT) for residential development (up to 300 dwellings), formation of primary access, infrastructure, open space provision, surface water attenuation and formation of surface water storage ponds. This was refused planning permission in January 2013 for nine reasons primarily relating to the loss of green belt land, flooding and the wider environmental impact of the proposals.

REPRESENTATIONS

22. The application has been publicly advertised in the local newspaper and site notices displayed by the site. The applicant also provided a Statement of

Community Involvement during which consultation has been made with the local community prior to this application being made.

Ward Member

23. Radcliffe on Trent Ward Councillors (Councillor Brennan, Councillor Clarke, Councillor Upton) have all reconsidered the proposal and now object to the application for the following reasons:
24. The application site is very low lying with the majority in flood zone 2 and a small area in flood zone 3 and is arguably within the River Trent flood plain. The two fields to the north of this site have recently been flooded and surface water has entered the site from the south. Although there are flood mitigation proposals, we are aware of the recent comment from the Head of the Environment Agency that, wherever possible, new housing developments on river flood plains should be avoided.
25. In light of recent [storm] events, we believe that circumstances have changed since the adoption of the Neighbourhood Plan and when this site (Policy 5.1) was included in the Local Development Plan Part 2. At the very least we believe that it is now inappropriate to support development within flood zone 3. We suggest that there may now be more appropriate sites within Radcliffe that are not within the flood plain and these should be thoroughly investigated before this application progresses further.
26. They consider that a single roundabout, located in the vicinity of the Lees Barn Road junction with Nottingham Road is preferable to the two proposed T-junctions. This will improve access to Nottingham Road for right-turners leaving the site for the A52, especially at times of peak traffic flows, and a roundabout in this location would also provide future access to The Paddocks housing site (policy 5.6 of the Local Plan).

Parish Councils

27. Radcliffe on Trent Parish Council have objected to this application for the following reasons: Flooding continues to be a major concern. Policy 10 of the Neighbourhood Plan (Locational Strategy) at 10.4 states Residential development sites should be located to avoid those in the Parish which are unsuitable for development given their designation as being at risk of flooding. The proposed access junctions are dangerous and access/egress for the additional cars will be impossible at peak traffic flow times. The queues to the traffic lights would not allow for right turning vehicles. A roundabout would alleviate this issue. The flooding, traffic and census reports are inaccurate and out of date. (NB: The Flood Risk Assessment and Transport Assessment have since been updated).
28. Holme Pierrepont and Gamston Parish Council also object based on the impact on traffic. The comment that "whilst it might be assumed that car journeys travelling west towards Nottingham and the other main urban areas from the proposed site will turn right on to Nottingham Road and thence on to the A52, this will not necessarily be the case. As the A52 is already over capacity and congested at peak times, many motorists will seek the easier option by turning left on to Nottingham Road and travelling west along Holme

Lane via The Green. Holme Lane is a country, single track lane, which is already congested with traffic from Radcliffe on Trent, particularly at rush hours. In the mornings, it is difficult for Holme Pierrepont residents to drive towards Radcliffe on Trent. Holme Lane is also a designated Cycle Route and with the additional cyclists accessing Holme Lane from the new Multi-User Leisure Route, it will be putting the cyclists at greater risk. Any further increase of traffic will severely impact on the residents living along Holme Lane at Holme Pierrepont. We would ask that should the application be permitted; the applicant is asked to take measures to alleviate this or contribute funding to provisions to reduce the likelihood of this happening.”

Statutory and Other Consultees

29. Nottinghamshire County Council – Education: Advise that a development of 300 dwellings would generate a requirement for an additional 63 primary school places and that there is a deficiency in primary places available in the planning area. This site, along with other sites which are proposed for allocation in the Local Plan, mean that additional education provision will be required either through extensions to existing provision or through the delivery of a new school (for which a site has been reserved as part of the Shelford Road application). If education provision is provided via an extension to an existing school, a contribution of £860,328 (63 x £13,656) would be sought. If provision is to be made by delivering a new school a contribution of £1,200,024.00 (63 x £19,048) would be sought and this is based on build cost. In relation to Secondary Education, they advise that this proposal would generate 48 new secondary places and there is a deficiency in places available. As a result, the County Council would be seeking a contribution of £852,144 (48 x £17,753).
30. Nottinghamshire County Council – Strategic Planning: Have no objections to the principle of development subject to appropriate developer contributions being secured as part of any consent.
31. Natural England: Have no objections to the proposals as they consider that the proposed development would not have a significant adverse impacts on statutorily protected sites or landscapes.
32. Historic England: No objections
33. The Borough Council’s Conservation Officer: Comments that the proposal site is located over 1km away from the Grade I listed Holme Pierrepont Hall and its associated listed structures. Given the distance and the intervening vegetation, the proposal would not harm the significance of the Hall and its setting. A small number of listed churches and dwellings are located in Radcliffe itself, to the east of the proposal site, but these are experienced within the general setting of built development, and the proposed development would not alter the character of that setting. Therefore, the proposal would not affect any heritage assets. In relation to archaeology they state that both a Written Scheme of Investigation and the results of geophysical survey have been provided however nothing has been provided concerning the results of physical trial trenching on the site. Whilst acknowledging that this is an outline application, they suggested that a report produced following trial trenching could have been submitted in support of this application as it would have allowed full

consideration the investigations which have been undertaken to date at this stage.

34. The Borough Council's Environmental Sustainability Officer: Reviewed the ecological appraisal and commented that it appears to have been carried out to best practice and that additional surveys are required in relation to birds and bats. In relation to the species and habitats, the Environmental Sustainability Officer notes that protected terrestrial mammals were identified on the site and that the site is likely to have use for roosting and foraging wild birds and foraging bats. Whilst the proposed development is unlikely to have a material impact on the favourable conservation status of a European protected species, if developed sensitively and has the potential to provide a net gain for biodiversity. They recommended that all of the mitigation and enhancement measures identified within the ecological appraisal be secured and that a Biodiversity Net Gain Assessment be provided to demonstrate the enhancement value.
35. The Borough Council's Design and Landscape Officer: Notes that the eastern access point into the site would require a Sweet Chestnut tree to be removed. Given a development of this scale they do not object to the loss of one protected tree on the frontage to enable access. It would allow the access road to be positioned centrally between the trees either side. They consider that a suitable replacement could be considered at the reserved matters stage and the layout plan indicates new roadside planting to the south of the employment area. Beneficially, the applicant has also confirmed that the levels around the roadside trees will not need to change which should ensure that the group of Pine trees would be retained. The illustrative masterplan details that the footpath along the frontage would need to be widened to a minimum width of 2m wherever possible. I would suggest the best way to protect the trees would be to condition requiring the detailed design and method statement for construction within the root protection areas of adjacent trees. They note that the applicant also suggests that the open space could be provided on land to the north of the development which is outside of the red line boundary and could be secured by condition. They consider that we should at least secure some form of pedestrian/cycle link to Holme Lane. Given the above and the fact the application is all matters reserved bar access, they do not object to the proposals.
36. Public Rights of Ways Officer – Comments that there are no recorded public rights of way within the vicinity of this application that are likely to be affected and therefore we have no objections.
37. The Borough Council's Waste Management Officer has no objections and offer standing advice only.
38. NHS Nottingham West – Request a financial contribution for Health under Section 106 based on our formula published with yourselves: As there are 200 x 2+ dwellings forecast; we would request £184,000 (£920 per dwelling: 200 x £920) to mitigate the potential impact on Healthcare.
39. Highways England – Confirms that no separate assessment of traffic impacts or delivery of improvements on the Strategic Road Network (i.e. the A52) is required. However, they state that they take responsibility for delivering infrastructure improvements required to support growth on the A52, whilst

seeking appropriate local contributions proportional to the scale of impact through a developer contribution strategy. This approach is supported in Rushcliffe Core Strategy Policy 18. As part of the contribution strategy for this proposed development a sum of £1,530 on a cost-per-dwelling basis has been identified by Highways England in consultation with Rushcliffe Borough Council. This will be required by way of developer contributions.

40. Sport England: Do not object to the proposals as they are content that appropriate investment would be sought and secured as a result of the demand generated by this development into both indoor and outdoor sports facilities informed by local evidence.
41. The Borough Council's Sport and Leisure Officer: Based on 300 new dwellings and an average of 2.3 residents per dwelling this equates to 690 new residents which will create additional demand which can't be met by existing provision. In relation to children's play, on site provision of equipped play space is calculated equivalent of 0.25 hectares per 1,000, therefore an area of 0.1725 hectares is required. With regards the siting and location of the play area proposed, the Fields in Trust National Playing Fields Association General Design Principles Guidance states that play areas should be sited in open, welcoming locations and visible from nearby dwelling or well used pedestrian routes. There is currently no information on the indicative proposed site plan of what would be included in the children's play area, to enable me to make further comments and would expect to approve the final proposal. For unequipped children's play/ amenity open space provision as a new site we would expect on site provision of unequipped play/amenity space of at least 0.3795 hectares. In relation to indoor leisure, a contribution from this application for indoor leisure provision would be sought. The Sports England sports facilities calculator generated on 20/02/2019, suggest a contribution of £117,396 towards Sports Halls and £126,374 towards swimming provision. In relation to sports pitches, the Rushcliffe Playing Pitch Strategy 2017 identifies the need to improve outdoor sports provision serving Radcliffe on Trent and as such this development would place additional demands on existing inadequate facilities. The Sport England Playing Pitch Demand Calculator (with Rushcliffe specific data) provides the following commuted sum for offsite provision of £135,443. In relation to allotments, the Rushcliffe Borough Council Leisure Facilities Strategy 2017-2027 requires 0.4 hectares of provision for allotments per 1,000 population. Therefore (subject to further information from Radcliffe on Trent Parish Council regarding waiting lists for current allotments) onsite provision of 0.276 hectares would be required.
42. Severn Trent Water: Do not object subject to a condition requiring drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority.
43. The Environment Agency: Following a previous objection to the proposals, they state that they have worked closely with the flood risk consultant and agents to reach a positive outcome having considered a complex process requiring hydraulic modelling. They do not now object to the proposals on the basis that the mitigation measures are in place prior to occupation, they include (a) increasing the height of finished floor levels so they are set no lower than 22.11 metres above Ordnance Datum (AOD) - as stated within section 5 of the FRA; and (b) ensuring that development platform heights shall be set no

lower than 20.9 metres above Ordnance Datum (AOD) - as stated within section 5 of the FRA.

44. Nottinghamshire County Council – Lead Local Flood Authority: Confirm that they have reviewed the application which was received on the 10 Aug 2020. Based on the submitted information we have no objection to the proposals and recommend approval of planning subject to a condition requiring a detailed surface water drainage scheme be submitted and provided.
45. The Borough Council’s Emergency Planning Officer: Does not object in principle to the development of housing on the site but acknowledges that the Environment Agency have considered development on the site as “Danger to Most” in the event of both a major flood and the adjacent railway line either collapsing or water dissipating through the embankment. It is recommended that a Flood Evaluation Plan is submitted and approved by the council. Given that this application is in outline form meaning that we are only considering the principle of development and access (as a reserved matter), there is no design or layout to consider and subsequently the exact content of a Flood Evaluation Plan. They therefore agree with the approach to secure this by condition to ensure that it is approximately considered at the reserved matters stage when the details of layout and design would be submitted.
46. The Borough Council’s Environmental Health Officer: Does not object in principle to the proposals but has recommended a series of conditions. In relation to noise it is recommended a condition be applied to ensure an updated noise survey be submitted and consider as part of any future reserved matters application to take account of any increase in traffic on the A52, and any noise associated with the proposed employment uses. In relation to contamination, no objections are raised but a series of conditions are requested to ensure any soils, etc brought onto the site are not contaminated. To protect the amenity of wider area, conditions are also requested in relation to future employment activities and to limit noise and disturbance during construction.
47. Network Rail: With regard to the protection of the railway, Network Rail state they have no objection in principle to the proposed development. They suggest that given the size and proximity of the development in relation to the railway it is considered that there may be significant impacts on Radcliffe railway station. Whilst they accept as per the Transport Assessment (section 2.40) that it is unlikely that rail would be the most attractive option to travel towards Nottingham City Centre, we do consider that rail is a viable option to reach destinations in the East providing connections to destinations such as Grantham and Peterborough. They consider it appropriate to seek a contribution from the developer towards station facility improvements.
48. The Borough Council’s Policy Officer: Has advised that it is an allocated site contained within the Borough Councils Local Plan, therefore the development of the site in principle has been established by the Borough Council. In terms of changes to national policy since the allocation of the site, there have been no significant amendments in relation to flood risk policy in relation to the sequential test, exception test and the matters to be considered through a site specific flood risk assessment at planning application stage. There are

therefore no objections in principle from a planning policy perspective if the application is in accordance with the development plan when read as a whole.

Local Residents and the General Public

49. One letter of support has been received indicating that the application is well thought out and makes use of non-essential land.
50. 8 Letters have been received indicating that they neither object nor support the proposals.
51. A total of 40 letters of objection have been received making the following comments:
 - The site is in Green Belt and should not therefore be developed.
 - The site floods every year and is unsuitable for housing.
 - The A52 is already at capacity and would have a significant impact on vehicle movements.
 - By being located next to the existing RSPCA facility, development would have an adverse effect on animals, particularly the proposed employment uses.
 - Permission has already been refused 4 times and houses need to be located elsewhere in Radcliffe.
 - The development may increase flooding elsewhere.
 - Road improvements will be needed.
 - There needs to be extra provision for doctors and school as a result of the development.
 - The development would create bottleneck on Nottingham Road.
 - Developing on the site is unsuitable because there are existing overhead electricity pylons on the site.
 - The number of proposed houses has increased.
 - Highway contributions should be sought to improve cycle path provision and links to the surrounding area.
 - There are no safe walking routes from the proposed site.
 - It could lead to flooding on Nottingham Road and St Lawrence Boulevard.
 - It would appear isolated from the existing village.
 - The submitted Transportation Assessment is misleading and out of date.
 - The site is over 1400m to the nearest healthcare facility.
 - Employment uses would create adverse noise for existing residents. A noise fence is required and dense landscaping.
 - It is a high flood risk area, and the associated pumping station cannot cope with further development.
 - The proposed mitigation works would make flooding worse.
 - The development would create adverse parking problems in the village due to a present lack of parking provision.
 - Contributions cannot be mitigated the potential effects of the development.
 - More houses are planned than the previous development plan indicated, and employment uses are not suitable to this location.
 - The flood risk is pluvial flooding likely running downhill on the north side of Nottingham Road.
 - There should be no development on the site as green space and natural land should be retained as such.

- Existing mature trees should be retained on the site.
- The development does not represent Very Special Circumstance to development on green belt land.
- The site has been used for habitat creation for bird and this would be lost.
- There is no need for the employment land.
- It is not a natural boundary of the village.
- The submitted Flood Risk Assessment is out of date and contained inaccurate details of the existing floodplain.
- The bat and bird report should be updated.
- Houses proposed under and close to electrical pylons may create electrical interference and danger to health.
- It would create an increase in air pollution.

PLANNING POLICY

52. The application falls to be considered against the development plan for Rushcliffe (unless material considerations indicate otherwise) which now comprises of Local Plan Part 1: Rushcliffe Core Strategy (Core Strategy) and Local Plan Part 2: Land and Planning Policies. The Radcliffe on Trent Neighbourhood Plan forms part of the Development Plan and should therefore be given appropriate weight. Other material considerations include the National Planning Policy Framework 2021 (NPPF).
53. The full text of the policies is available on the Council's website at: <https://www.rushcliffe.gov.uk/planningpolicy/>

Relevant Local Planning Policies and Guidance

54. **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. 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 8 – Housing Size, Mix and Choice
 - Policy 10 – Design and Enhancing Local Identity
 - Policy 14 – Managing Travel Demand
 - Policy 15 – Transport Infrastructure Priorities
 - Policy 16 – Green Infrastructure, Landscape, Parks and Open Spaces
 - Policy 17 – Biodiversity
 - Policy 18 – Infrastructure
 - Policy 19 - Developer Contributions
55. **The Local Plan Part 2, Land and Planning Policies (adopted October 2019)** The following planning policies are considered material to the consideration of this application.
- Policy 1 - Development Requirements
 - Policy 11 – Housing Development on Unallocated Sites within Settlements

- Policy 12 - Housing Standards
- Policy 13 - Self Build and Custom Housing Provision
- Policy 15 (Employment Development)
- Policy 17 – Managing Flood Risk
- Policy 18 – Surface Water Management
- Policy 19 Development affecting Watercourses
- Policy 20 Managing Water Quality
- Policy 32 - Recreational Open Space
- Policy 35 – Green Infrastructure Network and Urban Fringe
- Policy 37 - Trees 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 41 - Air Quality
- Policy 43 - Planning Obligations Threshold

56. **Radcliffe on Trent Neighbourhood Plan (October 2017)** The following planning policies are considered material to the consideration of this application:

- Policy 1 – Village Centre First
- Policy 2 – Public Space
- Policy 3 – Main Road Regeneration Area
- Policy 5 – Local Leisure Provision
- Policy 6 – Biodiversity Network
- Policy 7 – Pedestrian focused development
- Policy 8 – Public Transport
- Policy 10 – Residential Development Strategy
- Policy 12 – Housing mix and density
- Policy 13 – Business and enterprise

57. **National Planning Policy Framework (July 2021).**

- Chapter 9 - Promoting sustainable transport
- 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)
- Chapter 16 - Conserving and enhancing the historic environment

APPRAISAL

58. Consideration of this outline application is limited to whether or not the principle of developing up to 200 dwelling on the site together with 3ha of employment land is acceptable, together with whether the proposed means of access and drainage ponds are appropriate.

59. Objections to the proposals on the basis that it forms part of the green belt is unfounded given that the site has been allocated for housing in the Development Plan for Rushcliffe. The release of green belt land was considered in detail as part of the plan-making process for the Local Plan Part

2: Land and Planning Policies. There is no requirement to demonstrate any very special circumstances exist to justify development of housing or employment uses on the site.

60. The proposals have been screened in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. It was considered that the potential impacts of the development have been previously demonstrated to be able to be overcome or mitigated and as such it is not considered that the proposal constitutes EIA development as matters can be adequately considered by way of general development management considerations at the application stage.

Principle of Development

61. In line with planning law, decisions should be taken in accordance with the Rushcliffe Development Plan unless material considerations indicate otherwise. As stated, the development plan is the relevant statutory policies that comprise the Development Plan for Rushcliffe consisting of the adopted Local Plan Part 1: Core Strategy; the Local Plan Part 2: Land and Planning Policies (adopted October 2019); and the Radcliffe on Trent Neighbourhood Plan (2017). Material considerations include the National Planning Policy Framework (the Framework) and National Planning Practice Guidance updated in July 2021 (the Guidance).
62. The site is located adjacent to Radcliffe on Trent that is identified as being a key settlement within Policy 3 of the Core Strategy.
63. In terms of the Local Plan Part 2: Land and Planning Policies, the application site is allocated within it for a mixed-use development set out in Policy 5.1 – land North of Nottingham Road. It states: “The area, as shown on the policies map, is identified as an allocation for between 150 and around 200 homes and a minimum of 3 hectares of employment. The development will be subject to the following requirements:
- a) land identified within the allocation on policies map will be developed for employment uses (B1, B2 and B8);
 - b) vulnerable development within flood zone 3 (within a small area of the site’s south western corner) must be avoided;
 - c) a site-specific flood risk assessment (FRA) should ensure the site is not affected by current or future flooding and it does not increase flood risks elsewhere;
 - d) Green Infrastructure should improve connections to the rights of way network, including the neighbouring former Cotgrave Colliery Mineral Line (a pedestrian and cycle route), deliver net-gains in biodiversity and where necessary contribute to flood risk avoidance measures;
 - e) appropriate financial contributions towards education and health capacity improvements to support development;
 - f) a financial contribution to a package of improvements for the A52(T) between the A6005 (QMC) and A46 (Bingham); and
 - g) it should be consistent with other relevant policies in the Local Plan.
64. This policy framework provides the basis of consider whether the principle of development is suitable, as proposed. In regard to criterion a), the suitability

for employment development within this location was supported by a sequential test in relation to B1 uses. Since the plan was adopted, B1, B2 and B8 uses have been combined, with amongst other things, certain types of retail uses into Class E. As the allocation was not supported by a sequential test in relation to retail development, but it is considered that a condition could be implemented to narrow down the types of uses that are appropriate to those that sit within the former B class uses. The applicant proposed 3 hectares of employment land in accordance with this policy. Although the illustrative masterplan indicates that it would be located on the west part of the site, the details of its precise location within the site are not confirmed.

65. Having regard to criterion b), the illustrative masterplan that accompanies the application indicates that the area to the west of the RSPCA that lies within flood zone 3 is to remain free from development. However, as layout is not considered at this time, it is not significant to the determination of this outline application.
66. Having regards to Criterion c), Policy 2 of the Core Strategy and Policy 17 of Local Plan Part 2; together with paragraph 167 of the NPPF are of relevance. As the site is allocated within the development plan and is within flood zone 2, there is no need for the applicant to undertake either a sequential test or an exception test. There is still a requirement for the applicant to carry out a site-specific flood risk assessment, which it has submitted. The Flood Risk Assessment and associated responses from The Environment Agency and the Lead local Flood Authority are considered in more detail below, but the overall conclusion is that the proposed development could ensure that the site is not affected by current or future flooding and it does not increase flood risks elsewhere.
67. In relation to criterion d), layout is not considered at this stage. However, some consideration can be given to the illustrative masterplan and other supporting documents that indicate a footway linking zone on the west part of the site and an area of green space centrally located and running through the middle of the site in a location that contribute to flood risk avoidance measures.
68. Criteria e) and f) relate to the provision of developer contributions. Suitable contributions have been sought in consultation with the relevant infrastructure providers which is considered in more detail below. Some of the infrastructure types may also be funded through CIL. The applicant has confirmed that they are agreeable to all requested contributions which would mainly need to be secured through a S106A.
69. Criterion g) requires that the proposed development must be consistent with other parts of the plan. These matters, where relevant are considered below.
70. In summary, this is an allocated site contained within the Borough Councils Local Plan, therefore the development of the site in principle has been established in policy terms by the Borough Council. There have been no changes to national policy since the allocation of the site in relation to flood risk policy or access. As such, the principle of development this site for housing and employment uses as proposed would accord with the development plan when read as a whole.

71. Policy 10 of the Radcliffe on Trent Neighbourhood Plan (2017) highlights the requirements for new residential development in Radcliffe-on-Trent which is to deliver a minimum of 400 dwellings. It states that residential development sites should be:
72. “Located directly adjacent to the existing settlement edge with priority given to sites which border the existing settlement boundary on two or more sides”. In this instance the application site is bound by the settlement edge.
73. “Located where the centre of the site is accessible by walking, cycling and public transport in accordance with the standards set out in Policy 8 of the Neighbourhood Plan”. The application site is accessible, albeit the layout is not yet being considered.
74. “Located where there is reasonably good access to the strategic highway network, without causing significant congestion to the village roads.” The application site is adjacent to the A52 and the highway matters are considered in greater detail below.
75. “Located to avoid those areas of the parish which are unsuitable for development given their designation as being at risk of flooding.” Most of the site is covered by Flood Zone 2 and in part Flood Zone 3 on the indicative Environment Agency Flood Maps. This does not take account of flood defences or prohibit development on them. A detailed Flood Risk Assessment and outline of a drainage strategy has been submitted and considered by both the Lead Local Flood Authority and the Environmental Agency. They both do not object to the proposals. These matters are considered in more details below.
76. “Designed to deliver development on a number of sites so that the direct impacts of development are spread across the village.” The application site is allocated for housing development for up to 300 units.
77. “Designed to include an element of commercial office space alongside residential development.” A total of 3 hectares of employment land is proposed as part of development
78. “Designed to ensure that a logical and defensible settlement boundary to the landscape and wider Greenbelt is created by the new development.” The site is allocated in the development plan following the adoption of the Neighbourhood Plan. The existing railway embankment provides a logical and defensible settlement boundary to the landscape and landscape improvement would be considered at the reserved matters stage.
79. “Designed to accommodate appropriate open space and parkland.” The illustrative masterplan submitted with the application indicate that the open space and recreational space can be incorporated into the development, but layout is reserved matters for future consideration.
80. “Designed to deliver the overall mix and density set out in Policy 12 of the Neighbourhood Plan.” The layout and design are reserved matters for future consideration.

81. “Designed sensitively so that they do not negatively impact any built or natural environment designations at the national, local and neighbourhood level.” There are limited designation on the application site, but these matters are considered below.

Flooding and Drainage

82. Criterion c) of Policy 2 of the Core Strategy and policy 17 of Local Plan Part 2; together with paragraph 167 of the NPPF are of relevance. These policies broadly echo paragraph 167 of the NPPF which states “when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that: a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location; b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment; c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate; d) any residual risk can be safely managed; and e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.”
83. The application site is shown on the Environment Agency’s online Flood Map as being within Flood Zone 2, land with a moderate probability of flooding, although this does not take account the presence of existing flood risk management infrastructure.
84. The site has already been allocated in the Local Plan and therefore is not subject to the Sequential or Exception (flood) test in terms of assessing other locations that may be more suitable for housing.
85. The applicant has submitted a revised Flood Risk Assessment to take account of the Greater Nottingham Strategic Flood Risk Assessment and additional modelling requested by The Environment Agency. It is stated that the application site is not considered to be at risk of flooding from tidal sources, groundwater or any artificial sources of flooding.
86. Primarily, the development site is not at risk of flooding from the River Trent because the site is protected from flooding by the presence of a material under the railway embankment at Holme Lane (north of the site) which provides a continuous line of defence. In the event of a breach or failure of that the railway embankment there would be a extremely low residual risk of flooding at the development site. It has been calculated that the maximum flood level on the site in this event of a breach is 21.51m AOD in a 1% AEP flood event on the River Trent (which accounts for a 30% increase allowance for climate change). In these circumstances, the FRA recommends that the finished floor levels be increased accordingly.
87. In terms of fluvial flooding, the FRA states that Fluvial flooding typically occurs when the amount of water exceeds the flow capacity of the river channel. It identifies several potential sources and mechanisms of fluvial flooding at the

site, which include: (a) An on-site field drain – flooding within the site as a result of exceeding its capacity and ‘tide locking’ effects from flooding of the River Trent; (b) Lamcote Brook – flooding within the site as a result of exceeding its capacity and ‘tide locking’ effects from flooding of the River Trent; and (c) The River Trent – flooding within the site allowing for the effects of climate change and indirect effects on the flooding mechanisms of other watercourses.

88. Polser Brook to the west of the site was not considered as a potential source of flooding as it lies outside of the site and beyond informal flood defences that protect the site from flooding from the River Trent. Furthermore, the size of Polser Brook is relatively small and whilst it could flood localised areas, the extents are not expected to be sufficient to impact the site directly or indirectly in the manner that the River Trent could.
89. In relation to fluvial flooding, the FRA concludes that the site is “found not to be at risk of flooding from the field drains, Lamcote Brook or the River Trent under design conditions”. It is stated that there would be a very small residual risk of blockage (or ‘tide locking’) of field drains together with the failure of the River Trent flood defences, by breach or seepage, however, these are considered low probability events that could be mitigated where possible by good design. Overtopping of the Holme Lane road defence from the River Trent has also been assessed, there is no flooding of the site based on current ground levels. Furthermore, flood risk to Island Lane underpass is also considered secondary to the Holme Lane Road defence and therefore no specific requirement to manage flood risk from either underpass is required.
90. The existing site is undeveloped and there are no surface water sewers draining to or under the site therefore the existing risk of surface water flooding is considered to be low. The increase in hard-surfaced areas on the site as a consequence of the new development will increase surface water runoff, which will need to be managed.
91. An outline drainage strategy has been submitted to demonstrate how the risk of flooding from the site drains, the residual risk of flooding from the River Trent in a breach scenario and the additional surface water runoff generated by the site post-development could be addressed.
92. The principle element of the flood risk management strategy at the site is avoidance of flood risk. To enable this, the development is located on the highest ground within the site and avoids low lying areas within the central corridor. In addition, finished floor levels could be raised to at least 22.11m AOD, which would ensure that slab levels are equal to the highest predicted flood level, from where there is a residual risk of failure of the flood defences. Furthermore, a flood warning and evacuation plan is recommended for inclusion in the deeds of properties. The proposed open area / green space within the central corridor of the site could also be landscaped and lowered in such a way as to provide surface water runoff storage for the site and promote conveyance along the existing field drain pathway. Other mitigation measures are also proposed.
93. In summary, the FRA concludes that proposed development would not increase flood risk to any areas outside of the site boundary. Flood risk would be managed within the site through the combination of measures described

above, which are sufficient to remove the risk of flooding under normal scenarios and to limit the residual risk of flooding as far as practicable, as well as to provide benefits elsewhere.

94. The Environment Agency initially objected to the proposals on the basis that the FRA failed to:
 - a) consider /provide evidence showing how people and property will be kept protected/safe from the Lamcote Brook,
 - b) Identify how safe access and egress will be maintained during a range of flooding events and
 - c) Investigate the risk of flooding through an additional underpass to the north of Holme Road and assess if improvements may also be required.
95. Following additional correspondence between the Environment Agency and application, the Environment Agency confirms that “this has been a complex process requiring hydraulic modelling to be undertaken to support the application. We have worked closely with the flood risk consultant and agents to reach a positive outcome.” As such, they do no longer object to the proposals and instead recommended a condition requiring to ensure that a finished floor levels shall be set no lower than 22.11m above Ordnance Datum (AOD), and that all development platform heights shall be set no lower than 20.9m above Ordnance Datum (AOD). They state that these mitigation measures should be fully implemented prior to occupation 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. It also stated that the site remains in a location that is a “danger to most” in the event of a major flood event and the adjacent flood defenses collapsing. In this scenario, the recommending consulting with the Emergency Planning Officer.
96. The consultation response for the Emergency Planning Officer states that they do not object in principle to the development of housing on the site but acknowledges that the Environment Agency have considered development on the site as “Danger to Most” in the event of both a major flood and the adjacent railway line either collapsing or water dissipating through the embankment. They recommend that a Flood Evaluation Plan be submitted and approved by the Local Planning Authority. Given that this application is in outline form meaning that we are only considering the principle of development and access (as a reserved matter), there is no design or layout to consider and subsequently the exact content of a Flood Evaluation Plan cannot be assessed at this time. They therefore agree with the approach to secure this by condition to ensure that it is approximately considered at the reserved matters stage when the details of layout and design would be submitted.
97. Nottinghamshire County Council as the Lead Local Flood Authority (LLFA) has also reviewed the application and have no objection to the proposals subject to a condition requiring a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority and needs to include Evidence of how the on-site surface water drainage systems

shall be maintained and managed after completion and for the lifetime of the development.

98. Similarly, Severn Trent Water do not object to the proposals in principle but recommend conditions relating to the submission of a drainage strategy that should be submitted to and approved in writing by the Local Planning Authority in consultation with them.
99. In conclusion, based on the information provided, and the specialist advice given from statutory consultees, it is considered that the proposals to include up to 200 units and 3ha of employment land on the site would not increase flood risk elsewhere and would include mitigation measures (as far as possibly can be considered in this outline application) which protect the site and manage any residual flood risk. As such the development therefore complies Criterion c) of Policy 2 of the Core Strategy, Policy 17 of Local Plan Part 2, together with paragraph 167 of the NPPF.

Access and Highway Safety

100. Access is a reserved matter being considered as part of the determination of this application. The proposed access is the formation to 2 T-junctions on the north side of Nottingham Road. Whilst an illustrative masterplan has been submitted, it is logical to assume that they would be serve both the proposed 200 housing units and the 3 hectares of employment land.
101. The design of the new junction would be in the form of a pair of ghost island right turn junctions formed onto Nottingham Road.
102. To improve pedestrian connectivity to Radcliffe on Trent and the local bus services, pedestrian access to the site would be improved by a widened of the footway along the site frontage and further widening of the existing footway to the east of the development site. Additionally, a new section of footway is proposed on the southern side of Nottingham Road to provide access to the proposed bus stop opposite the site.
103. Both the proposed development accesses and footway extension are currently located within the derestricted (60mph) section of Nottingham Road. The Highway Authority have requested this be made into a 30mph speed limit for safety reasons. This is not disputed by the applicant and can be secured by condition and via a S278 application with the Highway Authority.
104. Whilst there are currently no proposals to improve pedestrian / cycle connectivity to the west, the indicative the illustrative masterplan indicates that a 'possible' cycle route leading out of the north of the site connecting to Holme Lane shown on the proposed masterplan. The Highways Authority have comments that this route would offer a connection to the newly completed cycle route along the former mineral railway line into Cotgrave which not only offers an attract leisure facility but also a connection to the newly created industrial / business units on the former Colliery site.
105. In terms of layout, the illustrative masterplan indicates an indicative framework of road hierarchy, but the Highway Authority have commented that it contains insufficient detail for the them to provide meaningful comment.

106. In terms of the potential impact the proposed development would have on the wider road network, the applicant has submitted a Transportation Assessment (TA) in support of the proposals (which was revised to take account in the change of the description of development). It states that the anticipated vehicle trip generation and distribution associated with the development suggests that the proposed development would generate a total of 321 trips in the AM peak and 256 in the PM peak.
107. The anticipated traffic distributions detailed in the TA indicate that most of the traffic associated with the proposed development heads in and out of the development from the east via Nottingham Road and the A52. As a result, the largest traffic impacts are likely to be felt on the A52 and the adjacent RSPCA junction. As both of these falls under the auspices of Highways England, we would defer to their judgement as to the acceptability of the developments impact on the Trunk Road.
108. Highways England have responded to confirm no assessment of traffic impacts or delivery of improvements on the Strategic Road Network would be required that they do not object to the proposals in the context of the on-going improvements to the A52. They however request a contributions per dwelling towards them under the A52/A606 Improvement Package Developer Contributions Strategy Memorandum of Understanding (MoU) and the Rushcliffe Core Strategy Policy 18, which the applicant is agreeable to.
109. Given there should be consideration to how the proposed development would impact on the existing RSPCA junction just to the west of the site, the Highway Authority requested further detail be provided to consider and ensure that queues from the trunk road junction do not extend back along Nottingham Road back as far as the proposed site accesses. An addendum to the TA was subsequently submitted considering the junction capacity at both new access points on Nottingham Road and Shelford Road mini-roundabout. The modelling which has been undertaken on the Shelford Road / Main Road / Hunt Close mini-roundabout in the centre of Radcliffe Village. This that shows the addition of the development traffic to the junction in AM peak only results increase to the average queue length of circa 3 vehicles. The Highway Authority state that such an impact cannot be considered severe.
110. The Highway Authority comments that one minor area of concerns is the sites proximity of the application site to the narrow Lee's Barn Road, and the potential for rat running between the site and the A52. The applicant has sought to address this issue by restricting right turning from the A52. This measure should reduce the potential for conflict between vehicles heading on opposite directions on what would be considered a very narrow road. The Highway Authority have not objected to this approach but confirmed that in order to achieve the proposed restriction, a traffic regulation order (TRO) would be required.
111. There had been a request from Members to consider a roundabout to access the site, however the Highway Authority comments that the submitted TA has demonstrated that the proposed accesses operate within capacity. They consider that the construction of the roundabout would almost certainly require land and the permission of both landowners, thereby putting making both

developments reliant on each other and that there was “no valid highways safety or planning reason” under which we could force the developer to change their plans.

112. A Travel Plan Statement has also been submitted in support of the application with the aim of “minimising single-occupancy car trips by promoting and supporting alternative modes”. The Highway Authority have no comment to make with regard to its content but require a planning condition to ensure that the implementation, delivery, monitoring and promotion of the sustainable transport initiatives set out in the Travel Plan Statement are maintained.
113. In summary, the proposed access arrangements for the application are therefore considered to accord with the requirements of Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies which seeks to secure a suitable means of access for all new developments without detriment to the amenity of adjacent properties or highway safety and the parking provision in accordance with the advice provided by the Highway Authority.

Landscape / Visual Amenity

114. Consideration has also been given to the impact of the access arrangements on the visual amenity of the area. The trees along the frontage of the site (facing Nottingham Road) are subject to a Tree Preservation Order that predominantly consist of mature Lime and Sweet Chestnut trees. The applicant has submitted an updated Tree Survey (November 2019) which considers that the proposed access onto Nottingham Abbey Road would result in the need to remove a category A tree (Sweet Chestnut). The trees at either side would be to be crown lifted to ensure the appropriate visibility splay is achieved and maintained.
115. Whilst the removal of the category A tree is not ideal from a public amenity perspective, there is clear logic and benefits in creating a new access. It is considered that the need to provide additional dwellings within the Borough overrides the limited loss of a single tree.
116. The Borough Council’s Design and Landscape Officer has been consulted and comments that given a development of this scale, they do not object to the loss of one protected tree on the frontage to enable access and that a crown lift to the adjacent trees would not harm their overall appearance. They confirm that a suitable replacement could be considered at the reserved matters stage and the illustrative masterplan indicates new roadside planting to the south of the employment area.
117. The applicant has also confirmed that the levels around the roadside trees would not need to change and that the group of Pine tree (within the site) could therefore be retained.
118. In respect of the adjacent footpath on Nottingham Road being widened to 2m, the Borough Council’s Design and Landscape Officer recommends that the exiting trees would need to be protected during construction and therefore a condition requiring a detailed design and method statement for construction within the root protection areas of adjacent trees is required.

119. It should be noted that the landscaping of the wider site remains a reserved matter for consideration at a later date.
120. The application is therefore considered to accord with the requirements of Policy 16 of the Rushcliffe Local Plan Part 1: Core Strategy and with Policies 1 (Development Requirements) and 37 (Trees and Woodland) of the Rushcliffe Local Plan Part 2: Land and Planning Policies which seeks to secure a suitable means of access for all new developments without detriment to the amenity of adjacent properties or highway safety and also avoid adverse impacts through the loss of trees on site.

Design and neighbouring amenity

121. It should be acknowledged that this application is for outline planning permission with appearance, landscaping, layout and scale reserved for subsequent approval. It is considered the application has demonstrated that the proposed development can be accommodated on the site and achieve high quality design and, therefore, is in accordance with the Framework. Careful consideration of layout and design will be given at the reserved matters application stage. It is considered that the proposed development can be designed to ensure that it would not result in any material overbearing, overlooking or overshadowing impact on neighbouring residential amenity due to the scale of the properties and their relationship with neighbouring dwellings. It is, therefore, considered that the indicative details and the information within the Planning Statement, Design and Access Statement and Design Code relating to development and design objectives would ensure that the amenity of neighbouring properties is not unduly and unacceptably affected.
122. Information has been submitted by the applicant to demonstrate that a development of potentially around 200 dwellings and 3ha of employment land could be accommodated on the site and provide the gardens, adequate car parking provision and general amenity space. Thus, it is considered that the application accords with Policy 10 of the Core Strategy, 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.
123. In respect of noise and disturbance, a noise assessment has been submitted to consider the potential impact the neighbouring RSPCA facility would have on future residential, primarily the impact on barking dogs and other animals. The conclusion was that to adequately reduce noise levels from dog barks to within the adopted limits for the site, the construction of a 3m high acoustic barrier would be necessary along the northern and eastern boundaries of the RSPCA animal shelter that would ensure that noise levels would be below the required target criteria. Further (optional) mitigation could include incorporating standard thermal double glazing with a high acoustic performance coupled with acoustic trickle ventilators. Consideration would also be given to the orientation of the individual properties at the detailed design stage. It should be noted that the illustrative masterplan details that there would be a screen around the RSPCA facility and that the proposed employment uses would be alongside it.
124. The Borough Council's Environmental Health Officer agrees with the findings

of the noise assessment but due to potential changes in traffic levels and resulting noise from the A52 dual carriageway trunk road to the south of the site, and in order to ensure that noise measurements are representative of these local sources, they recommend an additional noise survey be carried out as part of the design and layout of site. The assessment would also need to consider potential noise from the proposed employment area to the south west of and electricity pylons on the development site. Furthermore, as the application includes outdoor areas for residential use, a noise attenuation scheme would also be required to adequately protect the outdoor amenity space. These matters can be secured by condition.

125. The Environmental Health Officer also requested that in order to control and manage noise, dust emissions and overall air quality during the construction phase of the development conditions be imposed requiring a Construction Management Plan, together with details for the control of noise, dust and vibration from piling works. Restricted demolition and construction hours are also suggested. Conditions are also requested to limit noise and disturbance from the proposed employment area given the potential proximity of neighbouring dwellings.
126. It is considered that these suggested are justified would provide measures to protect neighbouring amenity to accord with the broad policy requirement to ensure that there is no significant adverse effect upon the amenity, particularly residential amenity of adjoining properties or the surrounding area as detailed in Policy 1 – Development Requirements of the adopted Rushcliffe Local Plan Part 2: Land and Planning Policies.

Contamination

127. 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.
128. A Phase One Geo Environmental Assessment has been submitted in support of the application. It concludes that “there are no significant potentially contaminative former uses of the site and that “based on the findings of this assessment the site is not considered to be at risk from coal mining or other mineral extraction”.
129. However, it also states that there may be pollutant linkages between ground gases from on and offsite and future site users and buildings, and that there is the potential for pesticides to have been used on the site which could impact upon future residents through dermal contact, ingestion and inhalation of contaminated dust, therefore an intrusive investigation should be completed to confirm the prevailing ground conditions and to determine the presence of any contamination.
130. The Borough Councils Environmental Health Officer therefore recommends that if permission is to be granted, conditions be imposed to ensure that an intrusive Phase II Investigation Report shall be submitted to and approved by the Local Planning Authority and if the Report confirms that "contamination" exists, a remediation report and validation statement will also be required. In addition, they recommended that if any 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.

131. It is therefore considered that the site can be developed subject to any potential remediation and conditions are proposed in respect of this. This is not unusual, and it is not considered that this prevents residential development on the site and will ensure compliance with the requirements of Policy 14 (Environmental Protection) of the Local Plan Part 2 Land and Planning Policies and with Section 15 of the NPPF.

Ecology

132. To consider the potential impact the proposed development may have on species and habitats present at the site, the applicant has submitted an ecological appraisal, a bat survey report and a breeding birds survey.
133. The ecological appraisal concluded that the survey area was dominated by arable farmland and poor semi-improvement grassland which offer habitats little floristic interest as the species present were neither notable nor particularly rare. Some of the mature trees were noted as having ecological value by offering sheltering and foraging resources to insects, birds and potentially bats. Foraging bats were also detected within the site and a separate bat survey would be required. No evidence of reptiles was found but it was considered that the site offered suitable habitat for wintering and nesting birds and that a further bird survey was required. The report sets out mitigation measures including the retention of trees formation of grassland, new planting and the provision of bat and bird boxes.
134. The Environmental Sustainability Officer reviewed the ecological appraisal and commented that it appears to have been carried out to best practice and that addition surveys are required in relation to birds and bats. In relation to the species and habitats, the Environmental Sustainability Officer notes that protected terrestrial mammals were identified on the site and that the site is likely to have use for roosting and foraging wild birds and foraging bats. Whilst the proposed development is unlikely to have a material impact on the favourable conservation status of a European protected species, if developed sensitively and has the potential to provide a net gain for biodiversity. It is recommended that all of the mitigation and enhancement measured within the ecological appraisal be secured.
135. Subsequently, a bird survey was submitted which concluded that a total of 26 species were recorded. The arable habitat present on site was considered to be of no more than "Local Importance". The assemblage of breeding birds recorded the hedgerows, mature trees and scrub areas of the sites were typical of these habitats and comprised a number of 'notable' but common and widespread species. These habitats were therefore considered to be only of Local importance. No protected or notable species associated with the waterbodies located at the nearby Holme Pierrepont, Netherfield Lagoons and Colwick Country Park were recorded onsite during the breeding bird survey.
136. As part of the survey, the site was assessed against published criteria for Local Wildlife Site selection (Nottinghamshire LWS Handbook Guidelines for the selection of Local Wildlife Sites in Nottinghamshire Part 2A – Local Wildlife

Sites selection criteria: species. Produced by the Nottinghamshire Local Sites Panel 1st Edition - March 20141) and were not found to meet the criteria for its breeding bird assemblage.

137. It concludes that the loss of open arable field habitats is considered unlikely to have a significant negative impact and that retained mature trees, hedgerow and scrub habitats, however, would continue to provide shelter, nesting and foraging opportunities for the majority of species recorded. New planting would enhance existing habitats as well as provide new features such as gardens, balancing ponds and marginal vegetation. Once matured there is potential for the site to become more favourable to species already present such as song thrush and dunnock whilst providing additional opportunities for species of conservation concern not previously recorded during the breeding season.
138. Separately, a Bat Survey Report was also submitted in support of the application. It states that 5 bat species were recorded at the site mainly along the hedgerows and trees which form the northern boundary of the site and within the site itself. It is recommended that the mature trees and hedgerows within the site be retained and buffered by green corridors and / or green spaces. It also recommends that lighting of the site be managed during and post development to prevent disturbing foraging bats.
139. The Environmental Sustainability Officer was also consulted in relation to this updated survey and confirmed that they do not materially change the previous comments made, and that a biodiversity net gain / loss should be carried out and supplied by the applicant, to judge if a net gain is likely to be achieved.
140. It should be noted that the trees relating to the bat activity are not those along the frontage of the site which would be affected by access. Separately, the layout and landscaping of the site is not being considered at this stage and therefore it is not possible to provide a biodiversity net gain / loss assessment without first knowing the entirety of the development proposals.
141. A badger survey was also submitted highlighting that the site has the potential for Badger Setts and any future development should avoid existing badger setts.
142. Whilst the application is in outline only, the Ecological Mitigation recommendations within the ecological reports provide for ecological enhancement on the site. It is recommended that the mitigation measures as detailed in the ecological appraisal and by the Environmental Sustainability Officer be included at the reserved matters stage and form part of a biodiversity enhancement plan which shall also include biodiversity net gain calculations. This approach would be supported by Core Strategy policy 17 that requires development to contribute towards the conservation, enhancement or restoration of biodiversity and ecological networks throughout the landscape. Subject to this condition, the proposal would, therefore, accord with the aims of Paragraph 174 of the Framework and the provisions of Policy 17 of the Core Strategy.

Heritage and Archaeology

143. In relation to designated heritage assets the conservation officer states that the proposal site is located over 1km away from the Grade I listed Holme Pierrepont Hall and its associated listed structures. Given the distance and the intervening vegetation, the proposal would not harm the significance of the Hall and its setting. It is noted that a small number of listed churches and dwellings are located in Radcliffe itself, to the east of the proposal site, but these are experienced within the general setting of built development, and the proposed development would not alter the character of that setting and as such, the proposal would not affect any heritage assets.
144. In order to ascertain the potential for archaeological assets within the site, which could potentially be permanently damaged or destroyed during the construction phase, the applicant has submitting a Written Scheme of Investigation has been submitted which concludes that the application site contains important archaeological remains and subsequent magnetometer survey is required over the entire area of the proposed development to establish the precise location of any potential archaeological assets and if necessary further trial trenches.
145. Subsequently, a magnetometer survey was carried out that identified a number of anomalies relating to the areas agricultural past outlined by the archaeological report. Former field boundaries and areas of ridge and furrow cultivation suggest that the survey area was used as agricultural land during the medieval period. A number of other anomalies have been identified that may be of archaeological origin, but this cannot be stated with any degree of confidence. There are areas in the site where anomalies cannot be seen as the sensors have been saturated by overhead cables. It is also possible that the ridge and furrow and modern agricultural activity has damaged any earlier archaeology to the point a point that it cannot be seen. The report concludes that “the majority of the anomalies identified within the survey area are not likely to be of archaeological significance. There are a number of anomalies relating to post-1950s structures and evidence of modern agricultural cultivation. Two underground services have also been identified running down the western edge of the site. The remaining anomalies relate to ferrous structures, such as fencing or pylons, and modern ferrous debris.”
146. The conservation officer noted in relation to Archaeology that the planning statement confirms that both a geophysical survey and trial trenching have been undertaken. A Written Scheme of Investigation and the results of geophysical survey have been provided however nothing has been provided concerning the results of physical trial trenching on the site. They suggested that a report produced following trial trenching could have been submitted in support of this application as it would have allowed full consideration the investigations which have been undertaken to date. It is considered that given this application is in outline form and that the proposed layout is a reserved matter, a planning condition could ensure that the results of physical trial trenching on the site be provided at that stage.

Health and Wellbeing

147. 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.

148. The provision of open and green space is proposed as part of the development, which would support these policy ambitions. Improvements to existing bus facilities will also support the ability of less mobile members of the population to visit community facilities as required and to access the facilities within Radcliffe on Trent.

Planning Obligations

149. 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 requirements are set out as statutory tests in the Community Infrastructure Levy Regulations 2010 and as policy tests in the National Planning Policy Framework. Attached to this report is a table which sets out the contributions being sought by infrastructure providers or equivalent and the Borough Council's considered position on this, as local planning authority.
150. 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 Table. In relation to the S106 contributions sought, consideration has been given to the potential pooling of contributions. The financial contributions relate to contributions required as a direct result of the development for education, health, bus route and bus stop improvements, highway improvements, waste and library improvements, together with the provision of 30% affordable housing on site.
151. National Rail have requested that some contributions are requested towards station improvements but provided no justification why they are required, the amount, timescale of delivery or where exactly where improvements would be made. As such no request has been made as their consultation response fails to 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.

Conclusion

152. 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 conditions.

153. The principle of the development of this allocated site is acceptable subject to conditions. Notwithstanding the submitted illustrative layout and design code, matters of internal layout and details, together with the impact of adjacent residential amenity, will be considered fully at the reserved matters stage.
154. 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 planning obligation to mitigate impacts of the proposal. This has ultimately resulted in a favourable recommendation to the Planning Committee.

RECOMMENDATION

It is **RECOMMENDED** that planning permission be granted subject to the following condition(s)

1. Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved. Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission. The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51(2) of the Planning and Compulsory Purchase Act 2004.

2. The development authorised by this permission shall be carried out in complete accordance with the approved drawings and specification listed below:
 - Site Location Plan Ref: 13.053-01 Rev A (Scale 1:5000)
 - Existing Site Plan Ref: MI-2718-03-AC-002 (Scale 1:500@A3)
 - Proposed Access Layout Plan Ref: 209738-Q-001 (Scale 1:1000 @A3)
 - Framework Travel Plan by Waterman Transport & Development Limited dated May 2019
 - Ecological Appraisal by JJH Consulting Ltd dated September 2018
 - Badger Report by JJH Consulting Ltd dated September 2018
 - Bat Survey by JJH Consulting Ltd dated October 2018
 - Breeding Bird Survey Report by Ecology Resources Limited dated June 2019 (Ref: 18103)
 - Phase One Geo Environmental Report by BWB Consulting dated January 2010
 - Tree Survey by AT2 Tree Surveys dates 21 November 2019
 - Transportation Assessment and associated addendums by Waterman Transport & Development Limited (Ref: 209738)
 - Flood Risk Assessment by Capital dated March 2020 (Ref: CS098437)

Reason: To define the permission, for the avoidance of doubt having regard to Policy 10 of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).

3. The development shall not be brought into use unless or until the following highway improvement works have been provided in accordance with plans previously submitted and approved in writing to the satisfaction of the Local Planning Authority:
 - a) Two new accesses including ghost island right turn facilities as shown indicatively on drawing 209738-Q-001 Rev A.
 - b) A scheme to prevent right turn movements into Lee's Barn Road from the A52 Grantham Road;
 - c) Extension of the existing 30 mph speed limit on the Nottingham Road in a western direction as far as the boundary of the trunk road network.

Reason: In the interest of Highway safety, to ensure adequate and safe access is provided to the development, having regard to Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).

4. The development shall not be brought into use unless or until the following sustainable transport improvements have been provided in accordance with plans previously submitted and approved in writing to the satisfaction of the Local Planning Authority:
 - a) Widening of the existing footway to provide a minimum width of 2.0m wherever possible from the development site in an east bound direction from the site to a point where it meets the existing widened footway outside No. 10 Nottingham Road.
 - b) Provision of a new cycle / footway connection in a west bound direction from the development site to a point where it meets the existing cycle facility on the A52 trunk road.
 - c) Provision of a new cycle/ footway link within the development site connecting to Holme Lane.
 - d) Improvements to the two bus stops on Nottingham Road closest to the development site including new shelters, real time displays, lighting, hardstanding's and road markings along with associated footway links and crossing points on Nottingham Road.

Reason: 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).

5. There shall be no excavation or other groundworks, (except for archaeological investigative works) 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. All details shall comply with the County Councils current Highway Design Guides and include:

- a) tactile paving,
- b) vehicular, cycle, and pedestrian accesses
- c) vehicular and cycle parking (surfaced in a bound material vehicular turning / manoeuvring arrangements;
- d) access widths,
- e) gradients
- f) surfacing
- g) street lighting;
- h) structures,
- i) visibility splays and
- j) highway drainage details

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 have been constructed in accordance with the approved drawings and are available for use.

Reason: In the interest of Highway Safety to ensure the roads serving the development are designed and constructed to an appropriate standard having regard to Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).

6. No development shall take place until the details of a Construction Management Plan is submitted and approved in writing by the Local Planning Authority The statement shall have regard for the following items:

- a) Access and parking of vehicles of site operatives and visitors
- b) Loading and unloading of plant and materials
- c) Storage of plant and materials used in constructing the development;
- e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- f) Wheel washing facilities
- g) Measures to control the emission of noise, dust, dirt and vibration during construction
- h) A scheme for recycling/disposing of waste resulting from construction works
- i) Hours of operation (including demolition, construction and deliveries)
- j) A scheme to treat and remove suspended solids from surface water run-off during construction.
- k) An earthworks strategy to provide for the management and protection of soils.
- l) 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
- m) Scheme for temporary signage and other traffic management measures, including routing and access arrangements. The agreed access shall be provided before development commences.
- n) The routing of deliveries and construction vehicles to/ from the site and any temporary access points

Reason: In the interests of Highway safety and to minimise disruption to users of the local highway network adjacent to the development site having regard to

Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).

7. Prior to first occupation of any dwelling or employment unit hereby approved, 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.

Reason: To promote sustainable travel and to encourage the use of alternative transport to the car having regard to Policy 14 (Managing Travel Demand) of the Rushcliffe Local Plan Part 1: Core Strategy (2014).

8. The Travel Plan Coordinator pursuant to condition 7 shall within 6 months of first occupation of the development 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.

Reason: To promote sustainable travel and to encourage the use of alternative transport to the car having regard to Policy 14 (Managing Travel Demand) of the Rushcliffe Local Plan Part 1: Core Strategy (2014).

9. 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 Detailed 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.

Reason: To promote sustainable travel and to encourage the use of alternative transport to the car having regard to Policy 14 (Managing Travel Demand) of the Rushcliffe Local Plan Part 1: Core Strategy (2014).

10. 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 requirements of condition 3b above, and the provisions of the A52/A606 Improvement Package Developer Contributions Strategy Memorandum of Understanding.

Reason: To ensure that the A52 trunk road continue 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 interest of road safety, and having regard to Policy 14 (Managing Travel Demand) of the Rushcliffe Local Plan Part 1: Core Strategy (2014).

11. The development shall be carried out in accordance with the submitted flood risk assessment (Ref; Land off Nottingham Road, Radcliffe on Trent, Flood Risk Assessment, CAPITA, June 2020) and the following mitigation measures it details:

- a) Finished floor levels shall be set no lower than 22.11 metres above Ordnance Datum (AOD) as stated within section 5 of the FRA.
- b) Development platform heights shall be set no lower than 20.9 metres above Ordnance Datum (AOD) as stated within section 5 of the FRA.

Reason: To ensure that the development hereby approved is in compliance with Policy 17 (Managing Flood Risk) and 18 (Surface Water Management) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Paragraphs 167 and 169 of the National Planning Policy Framework (July 2021) and to minimise the risk from flooding to future occupiers of the development.

12. No part of the development hereby approved shall commence until a detailed foul and surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy 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 and be thereafter retained. The scheme to be submitted shall also evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development.

Reason: To ensure that all major developments have sufficient surface water management are not at increased risk of flooding and do not increase flood risk off-site, and to comply with 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 167 and 169 of the National Planning Policy Framework (July 2021).

13. Before development commences, an Environmental Noise Assessment shall be submitted to and approved by the Local Planning Authority. This assessment shall be undertaken in accordance with current planning policy guidance for noise. It shall include where necessary:

- a) Representative monitoring positions and measurement parameters, to be agreed with the Local Planning Authority.
- b) A sound insulation scheme to effectively reduce the transmission of noise from external sources shall be submitted to and approved by the Local Planning Authority.
- c) A noise attenuation scheme to adequately protect the outdoor amenity of future residents having regard to BS 8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings.
- d) All noise mitigation measures shall be installed prior to any use commencing or occupation of any dwelling.

Reason: To ensure that future occupiers of the development hereby approved are not adversely affected by unacceptable noise pollution from nearby sources 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) and paragraphs 185 and 187 of the NPPF (July 2021).

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

Reason: To protect the amenities of nearby residential properties at for the duration of the construction of the development hereby permitted, having regard to having regard to Policy 10 (Design and Enhancing Local Identify) 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).

15. Before development is commenced, a Phase II Investigation Report shall be submitted to and approved by the Local Planning Authority. If this report confirms that "contamination" exists, a remediation report and validation statement will also be required. In such instances, all of these respective elements of the report will need to be submitted to and approved by the Local Planning Authority before the development is occupied.

Reason: To ensure that a satisfactory assessment of any land contamination and an appropriate strategy for its remediation from the site is carried out to ensure that the site is suitable for the approved development without resulting any unacceptable risk to the health of any construction workers, future users of the site, occupiers of nearby land or the wider environment having regard to Policy 1 (Presumption in Favour of Sustainable Development) of the Rushcliffe Local Plan Part 1: Core Strategy (2014), Policies 39 (Health Impacts of Development) and 40 (Pollution and Land Contamination) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Paragraphs 183 and 185 of the National Planning Policy Framework (July 2021).

16. 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 Local Planning Authority. Laboratory 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.

Reason: To ensure that all aggregate materials bought onto the site are free from contamination so that the site is suitable for the approved development without resulting any unacceptable risk to the health of any construction workers, future users of the site, occupiers of nearby land or the wider environment having regard to Policy 1 (Presumption in Favour of Sustainable Development) of the Rushcliffe Local Plan Part 1: Core Strategy (2014), policies 39 (Health Impacts of Development) and 40 (Pollution and Land Contamination) of the Rushcliffe

Local Plan Part 2: Land and Planning Policies (2019) and Paragraphs 183 and 185 of the National Planning Policy Framework (July 2021).

17. The proposed non-residential units forming the employment area shall not be occupied until a scheme has been submitted to and approved by the Local Planning Authority to include:
- a) hours of operation of those premises;
 - b) details of delivery handling equipment and industrial processes to be undertaken;
 - c) noise levels for any externally mounted plant or equipment, together with any internally mounted equipment which vents externally, that is to be installed, along with details of the intended positioning of such in relation to the development in accordance with BS 4142:2014: Methods for rating and assessing industrial and commercial sound. It shall include measures to ensure that any plant/equipment is capable of operating without causing a noise impact on neighbouring properties);
 - d) associated structural planting and external and internal buffer zones to mitigate any noise generated; and
 - e) hours of deliveries taken at/discharged from those premises and waste collection arrangements. The units shall thereafter be used, and any plant/equipment shall be installed and retained in accordance with the approved scheme.

Reason: To protect the amenities of nearby residential properties at for the duration of the construction and operation of the development hereby permitted, and to ensure that the appearance of the development is satisfactory having regard to Policy 10 (Design and Enhancing Local Identify) 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).

18. There shall be no outside operation or processes and no goods shall be stored externally of any commercial buildings without details being first submitted to and approved by the Local Planning Authority.

Reason: To protect the amenities of nearby residential properties at for the duration of the construction and operation of the development hereby permitted, and to ensure that the appearance of the development is satisfactory having regard to Policy 10 (Design and Enhancing Local Identify) 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).

19. Prior to the installation of any security lighting/floodlighting, the applicant should submit full details of the lighting to be installed, together with a lux plot of the estimated illuminance, to the Local Planning Authority for approval in writing. Thereafter, the installation of the lighting shall only be carried out in accordance with the approved details.

Reason: To ensure that the occupiers of neighbouring properties are not adversely affected by unacceptable light pollution from the development hereby permitted, having regard to Policies 1 (Development Requirements) and 39 (Health Impacts of Development) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).

20. If pile driven foundations are to be used for the construction of the development, a method statement detailing techniques for the control of noise, dust and vibration from piling works shall be submitted and approved by the Local Planning Authority prior to the development commencing. The method statement shall have regard to the guidance given in: BS 5228-1:2009+A1:2014 - Code of practice for noise and vibration control on construction and open sites. The control of dust and emissions from construction and demolition. Best Practice Guidance; Greater London Authority, November 2006. Thereafter the works shall be carried out in accordance with the approved method statement.

Reason: To ensure that the occupiers of neighbouring properties are not adversely affected by unacceptable vibration and noise pollution from the development hereby permitted, 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).

21. No development shall take place until a Biodiversity Net Gain Assessment has been submitted to and approved by the Local Planning Authority based on an updated Ecological Appraisal, Badger Report, Bat Survey and Breeding Bird Survey Report that takes account of the present ecological value of the site at the point of submission of any future reserved matter application. Following, a Biodiversity Enhancement Plan shall be submitted to and approved by the Local Planning Authority and shall include all of the biodiversity enhancements and protection measures set out within the updated Reports. Thereafter, the approved biodiversity improvements must be retained and be appropriately maintained on the site throughout the lifetime of the development.

Reason: 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 (July 2021).

22. The development hereby permitted must not commence and no preparatory operations in connection with the development hereby permitted (including demolition, site clearance works, felling, soil moving, temporary access construction and / or widening, or any operations involving the use of motorised vehicles or construction machinery) shall take place on the site until a detailed Arboricultural Method Statement (AMS) prepared in accordance with BS5837:2012 'Trees in relation to design, demolition and construction – Recommendations', has been submitted to and approved in writing by the Local Planning Authority and all protective fencing has been erected as required by the AMS. The AMS must include full details of the following:

- a) The timing and phasing of any arboricultural works in relation to the approved development;
- b) Detailed tree felling and pruning specification in accordance with BS3998:2010 Recommendations for Tree Works;
- c) Details of a Tree Protection Scheme in accordance with BS5837:2012 which provides for the retention and protection of trees, shrubs and hedges growing

- on or adjacent to the site which are to be retained or which are the subject of any Tree Preservation Order;
- d) Details of any construction works required within the root protection area as defined by BS5837:2012 or otherwise protected in the Tree Protection Scheme;
 - e) Details of the location of any underground services and methods of installation which make provision for protection and the long-term retention of the trees on the site. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, no services shall be dug or laid into the ground other than in accordance with the approved details;
 - f) Details of any changes in ground level, including existing and proposed spot levels, required within the root protection area as defined by BS5837:2012 or otherwise protected in the approved Tree Protection Scheme;
 - g) Details of the arrangements for the implementation, supervision and monitoring of works required to comply with the AMS.

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

Reason: 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 (July 2021).

23. All works to existing trees shall be carried out in accordance with British Standard BS 3998:2010 Tree work (or any equivalent British Standard if replaced).

Reason: To ensure that the work is carried out to satisfactory standard to minimise any adverse impact on the health of the tree having regard to Policy 37 of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).

24. As part of the proposed landscaping scheme pursuant any future reserved matter, detailed plans showing the location of all new and replacement trees and shrubs to be planted, including the number and/or spacing of shrubs in each shrub bed or hedgerow shall be provided and shall also include:

- a) A schedule of the new trees and shrubs (using their botanical / Latin names) to be planted including their size at planting (height or spread for shrubs, height or trunk girth for trees);
- b) Plans showing the proposed finished land levels/contours of landscaped areas;
- c) Details of all proposed hard surfaces areas, retaining structures, steps, means of enclosure, surface finishes and any other hard landscaping features;
- d) Details of the protection measures to be used of any existing landscape and ecological features to be retained.

Reason: To ensure the development creates a visually attractive environment and to safeguard against significant adverse effects on the landscape character of the area having regard to Policy 10 (Design and Enhancing Local Identity) of

the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapter 12 (Achieving Well-designed Places) of the National Planning Policy Framework (July 2021).

25. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the uses within the 3ha of employment land must only be used for purposes falling within either Class B8 (Storage and Distribution) or Class E(g) (Commercial, Business and Service Uses) and for no other purpose whatsoever, including any other purpose within Use Class E (Commercial, Business and Service Uses) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or any provision equivalent to that class in any Statutory Instrument revoking and/or re-enacting that Order with or without modification) without express planning permission from the Local Planning Authority.

Reason: In order that the Local Planning Authority may retain control over any future use the land and buildings due its particular character and location, having regard to Policy 5 (Employment Provision and Economic Development) and Policy 6 (Role of Town and Local Centres) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) which requires a sequential site approach to retail development and also to provide a robust assessment of impact on nearby centres, and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2 :Land and Planning Policies (2019), and Policy 1: Village Centre First, Policy 3 Main Road Regeneration Area, and Policy 5 Local Leisure Provision of the adopted Radcliffe on Trent Neighbourhood Plan (2017).

26. Prior to the commencement of the development, 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, number and location of the proposed EVCP apparatus. If any plots are not to be served by an EVCP then it must be demonstrated why the provision of an EVCP would be not be technically feasible. None of the dwellings on the site shall be occupied until an EVCP serving it has been installed in accordance with the approved scheme. Thereafter an EVCP must be permanently retained on each dwelling in accordance with the approved scheme throughout the lifetime of the development.

Reason: To promote sustainable transport measures that will help lead to a reduction in carbon emissions within the Borough and help contribute towards a reduction in general air quality having regard to Policy 2 (Climate Change) of the Local Plan Part 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 (July 2021).

27. Notwithstanding the Written Scheme of Investigation (Geophysical Survey dated May 2013) and the Geophysical Survey Report (dated June 2013), development must not commence and no preparatory operations in connection with the development (including demolition, site clearance works, fires, soil moving, temporary access construction and / or widening, or any operations involving the use of motorised vehicles or construction machinery) shall take place on the site until a Written Programme of Archaeological Investigation (WPAI) has been

submitted to and approved in writing by the Local Planning Authority. The WPAI must include the following:

- a) a methodology for site investigation and recording of archaeological items and features;
- b) a timetable for carrying out such investigations on the site;
- c) a programme for post investigation assessment;
- d) provision for the analysis of the site investigations and recordings;
- e) provision for the publication and dissemination of the analysis and records of the site investigations;
- f) provision for the archive deposition of the analysis and records of the site investigation;
- g) nominate the qualified archaeologist or archaeological group who will undertake the works set out in the WPAI.

The development hereby permitted must be carried out and completed in accordance with the approved WPAI and it must not be occupied or brought into use until a written report detailing the results and post investigation assessments of any archaeological works that have been undertaken on the site has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any archaeological items and/or features are recorded in a manner proportionate to their significance and to make the recorded evidence (and any archive generated) publicly accessible, having regard to Policy 11 (Historic Environment) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); and Policies 28 (Historic Environment: Conserving and Enhancing Heritage Assets) and 29 (Development Affecting Archaeological Sites) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (July 2021).

28. Notwithstanding the description of development and details provided, the principle of providing open space is established but the size, location, design and management of on-site open space does not form part of this permission and consideration of it will form part of any future reserved matters application.

Reason: To define the permission and to ensure that the design and layout of the proposed open space is considered as part of the layout of the proposed development and comply with Policy 16 – Green Infrastructure, Landscape, Parks and Open Space of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements), Policy 11 (Recreational Open Space) and Policy 39 (Health Impacts of Development) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).

Informatives

1. In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) (Order) 2010, as amended, and the National Planning Policy Framework 2021, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.

2. The applicant is reminded that this permission is also subject to a planning obligation made under the provisions of Section 106 of the Town and Country Planning Act 1990 (as amended) the purpose of which is to exercise controls to secure the proper planning of the area. The planning obligation runs with the land and not with any person or company having an interest therein.
3. 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 the County Highway Authority for details.
4. In order to discharge the obligations in relation to sustainable transport improvements. Technical approval (or equivalent) under S38 of the Highways Act will be required. The Highway Authority advice to expedite this process they recommended such approval sought prior to submission of any reserved mattered application.
5. The Highway Authority advise that the speed limit change on Nottingham Road required by this consent, will require a Traffic Regulation Order to legally enact the new speed limit. The developer should note that the Order can be made on behalf of the developer by Nottinghamshire County Council at their expense. However, this is a separate legal process, and the Applicant should contact the County Highway Authority for details.
6. The requirement to stop a right turn on Lee Barn Road contained as part of the sustainable transport improvements will also require a Traffic Regulation Order. As the road improvement relates to a Trunk Road, its implementation falls within the remit of Highways England, the applicant should contact them directly to discuss how best the works can be implemented.
7. 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.
8. The proposed development will involve works within close proximity to an ordinary watercourse, as such we advise the applicant to seek consultation with the Lead Local Flood Authority (Nottinghamshire County Council) to find out if they require any permission or consents.
9. The Environment Agency do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Their involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network.

10. If the use of a crusher is required, this should be sited as far as possible from nearby properties and be operated in accordance with its process permit.
11. The applicants should consult Severn Trent Water Limited who should be satisfied that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate additional flows, generated as a result of the development, without causing pollution.
12. All demolition and construction work, including deliveries, shall be restricted to the following times, to cause the minimum amount of disturbance to neighbouring residents: Monday-Friday: 0700 - 1900 hours, Saturday: 0800 - 1700 hours, Sunday/Bank Holidays: No work activity.
13. Radcliffe on Trent Neighbourhood Plan forms part of the development plan and therefore the proposed design, layout and landscaping will need to take account of its policies.