



RUSHCLIFFE BOROUGH COUNCIL
Rushcliffe Arena, Rugby Road, West Bridgford, Nottingham, NG2 7YG

NOTICE OF REFUSAL OF PLANNING PERMISSION

TOWN & COUNTRY PLANNING ACT 1990

Mr R Morley
Redhill Marina,
West Leake
Nottinghamshire
NG11 0EB

REFERENCE NO : 25/00888/FUL
APPLICANT : Mr R Morley
DEVELOPMENT : Proposal for existing boat and marina car park
LOCATION : Red Hill Marine Ltd Redhill Marina Ratcliffe On Soar
Nottinghamshire NG11 0EB

RUSHCLIFFE BOROUGH COUNCIL having considered an application, which was validly submitted on 16 May 2025, for the above development hereby in pursuance of their powers under the above-mentioned Act,

REFUSE PERMISSION

for the development described in the application for the reasons set out below:-

1. The car park would constitute an engineering operation (as per limb h)ii) of para 154 of the NPPF) but it does not preserve the openness of the green belt. The development would therefore not fall within any of the exceptions to inappropriate development in the Green Belt listed under paragraph 154 of the NPPF. The development would utilise Grey Belt land but the applicant has failed to demonstrate that the proposal would meet an unmet need as required by criteria (b) of paragraph 155 of the NPPF. The car park constitutes an inappropriate development and is therefore a harmful form of development for which 'very special circumstances' have not been demonstrated to clearly outweigh the harm arising by reason of its inappropriateness, or any other harm resulting from the proposal. A decision to refuse planning permission would accord with paragraph 153 of the NPPF which states that "Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances". The application is therefore contrary to Policy 21 of the Rushcliffe Local Plan Part 2 (2019) and the National Planning Policy Framework Section 13, particularly paragraphs 142, and 153 through to 155.

2. The application site falls within a high flood risk area (Flood Zone 2 and 3), The submitted FRA does not comply with the requirements for site-specific Flood Risk Assessments, as set out in paragraphs 20 and 21 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to:
- o The FRA does not confirm whether ground levels have been raised at the car parks. It is important that ground levels are not raised so there is no loss of floodplain storage at the site.
 - o The FRA does not discuss safe access and egress or an emergency plan.

In the absence of an appropriate and acceptable site-specific FRA, it is not possible to assess the flood risk to people and property, how residual risks would be safely managed, appropriate flood resistance/resilience measures and the provision of safe access and escape routes.

The application does not therefore comply with paragraph 181 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 [footnote 63]. 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."

The submitted FRA also does not adequately demonstrate that the proposed car parking area could not be located in a sequentially preferable location (e.g. Flood Zone 1). The FRA is therefore considered to be insufficient and would not comply with paras 173 and 174 of the NPPF which states:

Para 173:

'A sequential risk-based approach should also be taken to individual applications in areas known to be at risk now or in future from any form of flooding, by following the steps set out below.

Para 174:

Within this context the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a

lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test.'

The development would also be contrary to Policy 2 of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 17 of the Local Plan Part 2: Land and Planning Policies (2019)

- 3. It has not been demonstrated , in accordance with paras 207 of the NPPF , that the development would not affect archaeology that may exist in the area. It is understood that there is a strong possibility of the site containing remains of archaeological importance and the application is not supported by a desk-based assessment or any archaeological evaluation. In addition harm to the significance of the Schedule Ancient Monument cannot be adequately considered due to the lack of information provided. A decision to refuse the proposal would be in accordance with Chapter 16 (Conserving and enhancing the historic environment) of the NPPF, Policy 11 (Historic Environment) of Rushcliffe Local Plan Part 1: Core Strategy and Policies 28 (Conserving and enhancing heritage assets) and Policy 29 (Development affecting archaeological sites) of Rushcliffe Local Plan Part 2: Land and Planning Policies.**

The proposal is presented for planning permission on a retrospective basis, the need for planning permission has been highlighted to the applicant. There is a fundamental objection to the retention. Negotiations have not been initiated in this instance in order to allow the decision to be issued.

Any site notice displayed for the purpose of this application may be removed following the issuing of this decision. The location of any notices displayed can be viewed on the Council's website at <http://planningon-line.rushcliffe.gov.uk>



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Authorised Officer on behalf of Rushcliffe Borough Council
7th October 2025