

PLANNING COMMITTEE – 5 OCTOBER 2021

Application No:	21/01667/FUL
Proposal:	Erection of dwelling and detached garage (Revised application of 21/01250/FUL)
Location:	Plot 3, Land At 10 Epperstone Road, Lowdham, NG14 7BU
Applicant:	Mr Chris Pycroft - CP Developments (Nottingham) Ltd
Agent:	Mr Anthony Northcote
Registered:	03.08.2021 Target Date: 28.09.2021
	Extension of Time Agreed Until 08.10.2021
Website Link:	21/01667/FUL Erection of dwelling and detached garage (Revised application of 21/01250/FUL) Plot 3 Land At 10 Epperstone Road Lowdham NG14 7BU (newark-sherwooddc.gov.uk)

This application is being referred to the Planning Committee for determination by the local ward member Cllr Wendels on the grounds of over intensive use of the site and impact on the residential amenity of neighbours.

The Site

The application site relates to an irregularly shaped plot of land approximately 0.06 hectares in extent. The site originally formed the extended residential curtilage of no. 10 Epperstone Road. It falls within the village envelope of Lowdham.

The site location plan shows the adjacent land also within the ownership of the applicant which as explored further below is currently being developed in line with recent planning approvals on the site.

The wider site is surrounded entirely by residential curtilages. Land to the north east (intervened by the curtilage of 12 Epperstone Road) was allocated in the Development Plan for around 5 dwellings which have now been built (Lo/Ho/2).

The original host dwelling, 10 Epperstone Road, is currently undergoing renovation having been vacant for some time. The site has recently been entirely cleared with aerial imagery showing it was previously heavily vegetated.

The gradient of the site rises significantly from the highway in a north eastwards direction with the rear of the site being around 3m higher than the road boundary. The original host dwelling is built on the higher ground and accessed by steps towards the front of the site. There is a grass verge in front of the host dwelling but this is outside of the application site.

The south eastern boundary is shared with 8 Epperstone Road. The north eastern boundary with 12 Epperstone Road is formed by a hedge.

The site is within Flood Zone 1 according to the Environment Agency maps.

Relevant Planning History

21/01250/FUL - Erection of dwelling and detached garage. *Application refused under delegated powers for the following reason:*

The proposed development site sits adjacent to and would be read in the context of a recently approved residential scheme for 4 residential units. The proposed development for a two storey dwelling has failed to appropriately respond to the site specific constraints leading to a contrived design which would appear odd and overly cramped adjacent to the previously approved plots. Moreover, the two storey height of the proposed dwelling, with a blank rear elevation at first floor would lead to unacceptable amenity impacts to the existing neighbouring plots namely an overbearing impact and at the very least a perceived loss of privacy through overlooking from the first floor side windows.

The benefits of the proposal, namely the delivery of additional housing in a sustainable settlement are not considered to outweigh the identified harm.

The proposal is contrary to Core Policy 9 (Sustainable Design) of the Amended Core Strategy 2019 and Policy DM5 (Design) of the Allocations and Development Management DPD as well as the overall design intentions of the NPPF which form a material planning consideration.

20/02253/FUL - Application for 4 no. residential units along with associated parking, amenities, access road and boundary treatments (Resubmission of 20/02024/FUL). *Application approved 2nd February 2021.*

20/02199/HOUSE - Proposed first floor extension to rear and internal alteration (resubmission of 20/01654/HOUSE) Render of existing house and proposed extension. *Application approved 10th December 2020.*

20/01654/HOUSE - First floor rear extension and internal alterations *Application withdrawn.*

20/02024/FUL - Application for 7 no. residential units along with associated parking, amenities, access road and boundary treatments. *Application withdrawn.*

The following application relates to land to the north east referred to above as housing allocation Lo/Ho/2:

16/01501/FUL - *Proposed* erection of 3no. 2-bedroom dwellings and 2no. 4-bedroom dwellings. *Application approved December 2016 and now built on site.*

The Proposal

The application seeks full planning permission for 'Plot 3', referred to as such in acknowledgment of the above planning history whereby the consideration of this plot was removed during the life of the application reference 20/02253/FUL. More recently and as detailed above, planning permission has been refused for a two storey dwelling on the plot. The current application forms a re-submission in an attempt to overcome the previous reason for refusal.

The plot is positioned in the north eastern corner of what was originally an extensive residential curtilage for 10 Epperstone Road but is now a development site under construction.

The dwelling proposed is a chalet bungalow with a bedroom; en-suite and dressing area served by roof lights and a gable end window on the south western gable end.

The dwelling proposed is two stories with four bedrooms with a total floor area of approximately 139m². The maximum pitch height proposed would be around 6.3m with an eaves height of around 2.9m. Materials proposed are predominantly white render with red brick detailing and a slate grey roof tile.

A single detached garage is also proposed.

The application has been considered on the basis of the following plans and documents:

- Existing Site/Block Plan and Location Plan – 2119(08)001;
- Proposed Floor Plans, Elevation & Proposed Detached Garage – 2119(08)003 Rev. H;
- Proposed Street Context – 2119(08)005 Rev. F;
- Topographical Survey – 2018(08)006;
- Drainage Layout – LV019-CIV-500 Rev. C;
- Planning Statement dated July 2021;
- Materials Schedule dated 26th July 2021;
- Landscaping Schedule received 11th August 2021.

Departure/Public Advertisement Procedure

Occupiers of 25 properties have been individually notified by letter.

Planning Policy Framework

The Development Plan

Newark and Sherwood Amended Core Strategy DPD (adopted March 2019)

Spatial Policy 1 - Settlement Hierarchy
Spatial Policy 2 - Spatial Distribution of Growth
Spatial Policy 7 - Sustainable Transport
Core Policy 3 – Housing Mix, Type and Density
Core Policy 9 -Sustainable Design
Core Policy 10 – Climate Change
Core Policy 10A – Local Drainage Designations
Core Policy 12 – Biodiversity and Green Infrastructure

Allocations & Development Management DPD

Policy Lo/HN/1 – Lowdham Housing Need
DM1 – Development within Settlements Central to Delivering the Spatial Strategy
DM3 – Developer Contributions and Planning Obligations
DM5 – Design
DM7 – Biodiversity and Green Infrastructure
DM12 – Presumption in Favour of Sustainable Development

Other Material Planning Considerations

National Planning Policy Framework 2021

Planning Practice Guidance (online resource)

National Design Guide – Planning practice guidance for beautiful, enduring and successful places
September 2019

Consultations

Lowdham Parish Council – Object. Council believe that the proposed dormer bungalow is too large for this plot.

NSDC planners should inspect the almost completed dormer bungalow at 72 Main Street which is of a similar height to the one proposed to see how overbearing a bungalow of this nature can be on adjacent residential properties. The site at 10 Epperstone Road already appears cramped and overcrowded as a result of the 4 additional properties currently under construction. The proposed dormer bungalow would be too overbearing on adjacent properties.

It is, as we decided in relation to the main application, an over intensive development of a site at the edge of the village. We object to this on the same basis, together with the overbearing nature of the proposed building so close to the boundary.

We suggest that the planning committee be consulted.

Also, we ask that planning / building control follow up over the narrow pavement as it was required to be made wider.

NCC Highways Authority – No objections subject to conditions.

NSDC Environmental Health – Advisory note in relation to potentially radon affected area.

Ramblers Association – No comments received.

Trent Valley Internal Drainage Board – No Board watercourses in close proximity to the site.

In relation to the original plans, representations were received from 6 local residents/interested parties which can be summarised as follows:

- The re-submissions are getting tiresome – it needs sorting once and for all;
- Previous comments have not been taken on board;
- It will look the same visually to the neighbours as the previous application that was refused;
- The dwelling is closer to the neighbouring boundary than the previous application;
- The neighbouring property will be looking at a gable end which is a solid brick wall and as high as a house;
- The dwelling will be overbearing and affect sunlight;
- It should be a small bungalow to match plots 4 and 5;
- The property will stand out at the edge of the Green Belt;
- The roof should be lower and hipped so it's less intrusive and less over bearing;
- The property would be an over intensification of the site;

- The developer has created an eyesore with a lack of space around the properties and a lack of green space where once there was plenty;
- The land should be used for a block of garages for the properties which don't have them;
- The development has been a disaster for Lowdham and ruined the village character;
- The builder is welcome to look from the neighbouring garden;
- There is road safety / congestion near the school and the bus stop;
- The ill thought out development impacts negatively on the previously tranquil and peaceful part of the village;
- The plans are lacking in important measurements;
- The real need in Lowdham is affordable housing;
- The plans show the house closer to the boundary of no.12 and will have the same overbearing impact to the last application which was refused;
- Plots 4 and 5 are already too close to the boundary and sound can be heard;
- The planners are bending over backwards to help and advise the builder with very little support for surrounding residents;
- Climate change has been underestimated in terms of the adequacy of drainage in future years;
- Kitchen window will be 2ft from a fence and 8ft from the other fence leading to a claustrophobic plot;
- Comments regarding the design and construction of Plots 1 and 2;
- The hedge will be sandwiched between fences;
- Not enough parking;
- The Council has declared a climate change emergency and this development should never have been allowed;
- There are cars parked on the pavement with no space to park legally;
- Lowdham PC are to ask NCC to put double yellow lines down to prevent parking;
- There will be extra drainage adding to the already overloaded system;
- Loss of privacy to 2 Pasture View and 12 Epperstone Road;
- Site does not complement surrounding properties.

A further round of consultation has been undertaken on the revised plans received 2nd September 2021 (showing the part hipped roof). A total of 4 letters of representation have been received which can be summarized as follows:

- Slight improvement to the roofline;
- What are the measurements from buildings to boundaries – Plot 3 is closer to the boundary of no. 12 than Plots 4 and 5 but it should be further away;
- It is not necessary to erect a garage;
- The property is still too large and the site would only suit a small bungalow;
- Objecting because it's closer to the neighbouring boundary;
- The previous application was further away from the boundary;
- Will still add to the crowding of the site and parking issues;
- Overdevelopment;
- Overcrowding;
- Overbearing;
- Too close to boundary plot 4 and 8 Epperstone Road no amenity;
- Out of character;
- Urbanisation;
- Cars will have to park on Epperstone Road causing blind spots;

- Three roads exits on top of one another;
- Too near a school;
- Footings already dug for a four bed house, even though no planning permission;
- Plans and drawings are artistic license;
- Noise and carbon footprint.

Comments of the Business Manager

Preliminary Matters

As above, the application forms a re-submission of a recently refused scheme. There are elements of the appraisal below which remain unchanged from the assessment of the previous scheme but have nevertheless been repeated given that this application must be considered on its own merits.

There is a suggestion from a neighbouring party that the design presented for consideration has already been refused. To confirm, whilst a similarly proposed dwelling was originally presented through application 20/02253/FUL, 'Plot 3' was removed from consideration during the life of the application and therefore the design of the dwelling now proposed for consideration has not previously been formally considered.

Principle of Development

The starting point for development management decision making is S.38(6) of the Planning and Compulsory Purchase Act 2004, which states that determination of planning applications must be made in accordance with the development plan unless material considerations indicate otherwise.

The Adopted Development Plan for the District is the Core Strategy DPD (2019) and the Allocations and Development Management Policies DPD (2013). The adopted Core Strategy details the settlement hierarchy which will help deliver sustainable growth and development in the District. The intentions of this hierarchy are to direct new residential development to the Sub-regional Centre, Service Centres and Principal Villages, which are well served in terms of infrastructure and services. Spatial Policy 1 (Settlement Hierarchy) of the Council's Core Strategy defines Lowdham as a Principal Village which is expected to act as a secondary focus for service provision.

The principle of residential development within the site is therefore acceptable subject to an assessment against the remainder of the Development Plan.

Housing Mix, Type and Density

Policy Lo/HN/1 confirms that the majority of new housing on windfall sites in Lowdham should be two bed units to meet the needs of the community. Essentially, due to the constraints which affect Lowdham (notably the adjacent Green Belt designation and large areas at risk of flooding) it is not possible to accommodate the amount of housing development required for the village. This makes it all the more important to ensure that any windfall sites contribute towards the needs of the village. It is notable that a village specific housing need policy only exists for two settlements in the whole District (Southwell and Lowdham) and therefore it must be given due weight and consideration.

The proposed dwelling would have three bedrooms, rather than the previously refused scheme which was for four bedrooms and therefore would still be contrary to Policy Lo/HN/1. The Planning Statement contends that the evidence base for this policy is now out of date and

therefore cannot credibly be relied upon. Irrespective of this local policy, the Council has recently published up to date housing needs information for the District which is split into sub-areas. Lowdham falls within the Nottingham fringe sub area where the majority need (46.7%) is for 3 bed houses. There is a meaningful need (22.7%) for four bed houses.

It is notable that the previous scheme for four dwellings is set to deliver 3 two bedroom dwellings (and 1 three bedroom dwelling). If this plot had been included as part of the wider development then the percentage delivery of 2 bed units would be 60% and therefore the majority. Given the close association with the wider development it is not considered reasonable to resist the current application purely on the basis of a lack of compliance with Policy Lo/HN/1.

Comments have been received from neighbouring parties and the Parish Council regarding the density of development. Whilst this application is for a single dwelling, again it is considered appropriate to consider the site as part of the wider recently approved development.

The area within the applicant's ownership amounts to approximately 0.21 hectares. If this application were to be approved then the total area would accommodate 6 dwellings which would represent an approximate density of 29 dwellings per hectare.

Core Policy 3 seeks to secure densities of around 30 dwellings per hectare (higher for the Strategic Sites). Although the proposal would be marginally below these aspirations, given the site specific circumstances (namely that the site is landlocked by residential curtilages over a varying gradient) the density is considered acceptable.

There is nevertheless a requirement to assess the character implications of the additional dwelling proposed.

Impact on Character and Design

The NPPF states that good design is a key aspect of sustainable development and new development should be visually attractive. Core Policy 9 states that new development should achieve a high standard of sustainable design that is of an appropriate form and scale to its context complementing the existing built and landscape environments. Policy DM5 of the DPD states that local distinctiveness should be reflected in the scale, form, mass, layout, design and materials in new development.

Although the development of the site would represent backland development which is generally resisted by Policy DM5, I am conscious that this has already occurred in the immediate vicinity of the site to a degree that the precedent has already been set (and indeed the aforementioned allocated site is also a backland plot). The risk of further development would be restricted by the Green Belt constraint surrounding the village and therefore the backland nature of the proposal is not considered harmful in character terms.

The recent planning approval has already been commenced on site allowing a thorough character assessment as to how 'Plot 3' as it is referred to would fit into the overall site context.

As is detailed in the description of the site above, there are significant gradient changes across the site. The submitted topographical survey shows that the steepest gradient rise is towards the front of the site with the host dwelling being approximately 2.5m higher than the edge of the highway. The back of the site, where development is proposed is relatively flat.

The previous application for a two storey dwelling was refused on the basis of its contrived design (notably the blank second storey gable to the north eastern elevation) which was considered overly cramped in the context of the surrounding development.

The dwelling now proposed is a chalet bungalow which would sit alongside the bungalows at Plots 4 and 5 with a marginally higher roof by around 0.65m (albeit the same angle pitch) as shown on the submitted section below:



SECTION THRU' SHARED DRIVE LOOKING TOWARDS PLOTS 3-5

The dwelling would however have a greater footprint than the approved plots 4 and 5 and sit further south westwards within the site. Nevertheless the reduced scale in terms of height and mass leads me to conclude that the dwelling would not appear overly cramped in the plot.

The revised scheme now shows a part hipped roof to the rear which would have a materially different impact to the previous refused scheme (the agent has been asked to provide the below extracts to scale for a comprehensive comparison):



SECTION TO REAR GARDEN PLOTS 3-5
Refused application



SECTION TO REAR GARDEN PLOTS 3-5

The revised design is a far less contrived approach. Whilst the part hipped / part gable roof design is unusual, the north eastern elevation would be facing towards the neighbouring boundary and would not be visible in the street scene. To some degree even the south western elevation with the window on the gable end (as per street scene extract above) would be discrete in the wider surroundings given that it would be positioned behind Plot 2 in the corner of the wider site.

Officers remain of the view that a bungalow replicating the design of Plots 4 and 5 would be the preferable option for Plot 3 but clearly the application must be assessed on its own merits. It is not appropriate to refuse an application purely because a better design solution may exist. The proposal as submitted is considered acceptable in design and character terms against Core Policy 9 and Policy DM5 and has therefore successfully overcome the previous reason for refusal in this respect.

Impact on Amenity

Policy DM5 of the DPD states that development proposals should ensure no unacceptable reduction in amenity including overbearing impacts and loss of privacy upon neighbouring development.

Amenity is clearly a cause for concern locally as was the case with the recent approval on the wider site. The advantage of the recent approval being under construction is that it is possible to assess the amenity implications as built and in doing so gain a better understanding for how this plot would sit within the wider site context.

In reaching an amenity judgement, Officers have taken the opportunity to visit the neighbouring garden to the north east (12 Epperstone Road) at the request of the neighbouring occupier. This property already shares a boundary with the rear boundaries of the single storey Plots 4 and 5.

The orientation of 12 Epperstone Road is such that the principal elevation faces north westwards. There are two small windows at first floor on the side elevation of no. 12 (one at high level) but these both appear to be secondary.

The dwelling now proposed would be closer to the shared boundary with no. 12 at approximately 8.2m away (the refused two storey dwelling would have been around 10m away). However, the schemes are clearly materially different evidenced through the comparisons included above (which would be the elevation visible from the neighbouring garden. The dwelling would broadly follow the rear building line established by Plots 4 and 5 adjacent.

Whilst on face value it appears that the dwelling would affect the least sensitive part of the neighbouring plot (i.e. their very rear garden) in reality it is clear that this part of the neighbouring garden is actively used for amenity purposes (there are two different areas where at the time of the Officer site visits tables and chairs were positioned).

The scheme has been revised during its lifetime to revise the roof to a part hip, part gable end. Although this is slightly odd in design terms it does have the advantage that the impact on neighbouring amenity would now be similar to that established by the roof design of Plots 4 and 5. The reason the whole roof cannot be hipped is because it would compromise the internal layout and mean that the bedroom would not be able to be served by the gable end window which is a necessary feature in terms of adequate amenity for the proposed occupiers.

The lower eaves height and part hipped roof would mean that there would be notably less built form in comparison to the previously refused scheme and in my view this tips the scheme to no longer having a detrimental overbearing impact on 12 Epperstone Road which would justify refusal of the scheme.

The proposal would feature a total of 5 roof lights. The agent has been asked to provide a section through the dwelling to understand the impact that these rooflights would have on neighbouring amenity (noting that the dressing area would be entirely reliant on these). The section shows that the rooflights would be above 1.7m in height from the floor level which would give them minimal outlook.

The dwelling would be less than a metre away from the shared boundary with 8 Epperstone Road. However, it would be adjacent to the rear extremes of their garden some distance from the rear elevation of the dwelling. Moreover, the pitched roof design would mean that the closest element would be the eaves height with the main height moving away from the boundary. There are ground floor windows proposed on the elevation facing towards the shared boundary (one obscurely glazed bathroom window and one secondary kitchen window) but these would be largely screened by the 1.8m close boarded fence along the boundary.

The south westward elevation would be orientated towards Plot 2 on the previously approved scheme. The main window serving the first floor bedroom would be on this elevation. The distance between the plots would be just 11m. However the design of Plot 2 is such that the elevation facing towards the proposed dwelling features only one small roof light window in a steeply pitched roof to serve a landing area. There is a door at ground floor with a glazed element but this would serve a utility. The relationship between the proposed dwelling and Plot 2 is therefore considered acceptable.

On the basis of the above assessment, the proposal is considered to have overcome the previous reason for refusal in respect to amenity for both the existing adjacent dwellings and the proposed occupiers. The proposal as now submitted is therefore compliant with the relevant amenity provisions of Policy DM5.

Impact on Highways

Spatial Policy 7 of the Core Strategy seeks to ensure that vehicular traffic generated does not create parking or traffic problems. Policy DM5 of the DPD requires the provision of safe access to new development and appropriate parking provision and seeks to ensure no detrimental impact upon highway safety. The LPA have recently adopted a Supplementary Planning Document on cycle and residential car parking.

The dwelling would be served by three car parking spaces including a garage space. On the whole the spaces would meet the requirements of the emerging SPD however one of the spaces would fall marginally short in its length. Nevertheless the appropriate measurements could be achieved largely within the site and any overhang onto the private driveway would be extremely marginal. On this basis it is not considered that the parking arrangements would lead to on street parking to the detriment of highways safety.

NCC Highways as the Highways Authority have been consulted on the scheme due to concerns which they originally raised with the previous application (which were resolved prior to determination). Their comments acknowledge the site history and that the previous application has approved the access which would serve this development. No objection is raised subject to conditions.

Impact on Trees / Landscaping

Aerial imagery and previous site photographs show that the site was, up until recently, densely vegetated. However, the site has recently been cleared to bare ground with only boundary hedgerows remaining (and the grass bank in front of the host dwelling but this is outside of the applicant's ownership). Clearly it would have been preferable to see a development come forward which respected and took account of existing vegetation but the trees were not protected and it was therefore within the applicant's gift to remove them. Given the constrained size of the plot, it is not considered reasonable in this application to seek additional planting.

Impact on Drainage

The site is within Flood Zone 1 at the lowest risk of flooding from rivers and watercourses. Epperstone Road is however at risk of surface water flooding. Moreover Core Policy 10A refers to recent flood events which have occurred in Lowdham making an assessment of drainage all the more important.

The application submission includes drainage details which correspond with those approved through a recent discharge of condition application on the wider site. Colleagues at NCC have reviewed the submitted details as the flood authority and confirmed that as the proposals would connect in upstream to the rest of the development there are no issues in respect to surface water drainage.

Other Matters

The plan shows boundary treatments and where bins could be kept within the plot (a bin collection plot was included towards the front of the site on the previous approval). Clarification has been sought for the species of the new hedge shown at the end of the rear garden for the plot to avoid the need to provide details by condition. This has been provided during the life of the application through a revised plan and associated landscape schedule.

It is noted that the Parish Council comments have made reference to the required widening of the footway at the front of the site. Notwithstanding that this is a requirement of a previous application and therefore not materially relevant to the current determination, the condition is worded so that these works must be undertaken prior to occupation rather than prior to commencement. To my knowledge, none of the previously approved dwellings have yet been occupied.

The latest comments received from neighbouring parties has referenced the dwelling being moved closer to the shared boundary. For the avoidance of doubt, this is taken as a point of comparison between the current scheme and the previously refused scheme for a two storey dwelling rather than the revised plans compared to the original plans for this application. The suggestion to move the dwelling away from the boundary would not be plausible as it would infringe on the available parking space and in any case as discussed above, the amenity relationship is now considered to be acceptable.

Conclusion

The proposal represents an infill plot which was previously withdrawn from a wider residential proposal in the applicant's ownership. More recently, an application for a two storey dwelling on the plot was refused on the basis of design and amenity impacts.

Whilst Officers remain of the view that it would have been favourable to see a dwelling identical in design to Plots 4 and 5 come forward, the dwelling as proposed has satisfactorily overcome the previous reason for refusal and no specific harm has been identified through the current proposal which would justify refusal.

The proposal would lead to additional housing delivery on a windfall site in a sustainable settlement and is therefore recommended for approval subject to the conditions outlined below.

RECOMMENDATION

That planning permission is approved subject to the following conditions:

01

The development hereby permitted shall not begin later than three years from the date of this permission.

Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

02

The development hereby permitted shall not be carried out except in complete accordance with approved proposed plans and documents reference:

- Proposed Floor Plans, Elevation & Proposed Detached Garage – 2119(08)003 Rev. H;
- Drainage Layout – LV019-CIV-500 Rev. C;
- Materials Schedule dated 26th July 2021.

Reason: So as to define this permission.

03

The proposed hedge shown along the north eastern boundary on plan reference Proposed Floor Plans, Elevation & Proposed Detached Garage – 2119(08)003 Rev. H shall be planted in accordance with the Landscaping Schedule received 11th August 2021 within 6 months of the occupation of the dwelling or completion of the development, whichever is soonest. If within a period of 7 years from the date of planting the hedgerow is removed, uprooted, destroyed or dies then another of the same species and size of the original shall be planted at the same place. The approved hard landscaping scheme shall be carried out prior to first occupation.

Reason: To ensure the work is carried out within a reasonable period and thereafter properly maintained, in the interests of visual amenity and biodiversity

04

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and any order revoking, re-enacting or modifying that Order), other than development expressly authorised by this permission, there shall be no development to any unit approved under this permission under Schedule 2, Part 1 of the Order in respect of:

Class A: The enlargement, improvement or other alteration of a dwellinghouse.

Class B: The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

Class C: Any other alteration to the roof of a dwellinghouse.

Class E: Buildings etc. incidental to the enjoyment of a dwellinghouse.

Reason: To ensure that the Local Planning Authority retains control over the specified classes of development normally permitted under the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any amending legislation) and in order to safeguard the amenity of neighbours

05

Prior to the occupation of the dwelling hereby approved, the boundary treatments as shown on plan reference Proposed Floor Plans, Elevation & Proposed Detached Garage – 2119(08)003 Rev. H, shall be implemented on site and shall then be retained for a minimum of five years.

Reason: In the interests of visual and residential amenity.

06

Occupation of the development hereby approved shall not take place until:

- a) the access and the driveway are widened to a minimum of 5.0 metres for a minimum distance of 5.0 metres behind the highway boundary as shown on the approved plan ref. drawing no. 2018(08)007 rev. A, titled: Proposed swept path fire appliance and SUV, dated: 13/01/2021 attached to the planning permission ref. 20/02253/FUL.
- b) the access is constructed with a gradient not exceeding 1 in 20 for a distance of 5.0 m from the rear of the highway boundary and 1 in 12 thereafter as shown on the approved plan ref. drawing no. 2018(08)007 rev. A, titled: Proposed swept path fire appliance and SUV, dated: 13/01/2021 attached to the planning permission ref. 20/02253/FUL.
- c) the private driveway shall be surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary. The surfaced driveway shall then be maintained in such hard-bound material for the life of the development.
- d) the access driveway is constructed with provision to prevent the discharge of surface water from the driveway to the public highway. The provision to prevent the discharge of surface water to the public highway shall then be retained for the life of the development.
- e) any proposed soakaway is located at least 5.0m to the rear of the highway boundary in line with the approved drawing ref. drawing no. 2018(08)007 rev. A, titled: Proposed swept path fire appliance and SUV, dated: 13/01/2021 attached to the planning permission ref. 20/02253/FUL.
- f) the parking areas are provided in accordance with approved plan ref. Proposed Floor Plans, Elevation & Proposed Detached Garage – 2119(08)003 Rev. H. The parking/turning areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking/turning/loading and unloading of vehicles.
- g) the turning areas are provided in accordance with approved plan ref. drawing no. 2018(08)007 rev. A, titled: Proposed swept path fire appliance and SUV, dated: 13/01/2021 attached to the planning permission ref. 20/02253/FUL. The turning areas shall be maintained

in the bound material for the life of the development and shall not be used for any purpose other than the turning of vehicles.

- h) the visibility splays of 2.4m x 43m at the access are provided in accordance the approved plan ref. drawing no. 2018(08)007 rev. A, titled: Proposed swept path fire appliance and SUV, dated: 13/01/2021 attached to the planning permission ref. 20/02253/FUL. The area within the visibility splays referred to in this Condition shall thereafter be kept free of all obstructions, structures or erections exceeding 0.6 metres in height.
- i) pedestrian visibility splays of 2.0 meters x 2.0 meters are provided on each side of the vehicle access as shown on the approved plan ref. drawing no. 2018(08)007 rev. A, titled: Proposed swept path fire appliance and SUV, dated: 13/01/2021 attached to the planning permission ref. 20/02253/FUL. These measurements are taken from and along the highway boundary. The area of land within these splays shall be maintained free from all obstruction over 0.6 meters above the carriageway level at all times.
- j) the existing footway fronting the site is widened to 2.0m wide as shown for indicative purposes only on the approved plan ref. drawing no. 2018(08)007 rev. A, titled: Proposed swept path fire appliance and SUV, dated: 13/01/2021 attached to the planning permission ref. 20/02253/FUL in accordance with the Highway Authority's specification to the satisfaction of the Local Planning Authority.

Reason: In the interest of the highway safety.

07

No part of the development hereby permitted shall be brought into use until a 5.0m wide vehicular crossing over the existing highway verge is available for use and constructed in accordance with the Highway Authority's specification to the satisfaction of the Local Planning Authority.

Reason: To enable the vehicles to enter and leave the site in a slow and controlled manner and in the interest of general highway safety.

Notes to Applicant

01

To avoid nuisance complaints the applicant should have regard to the following:

1. Except for emergency works, to protect the amenities of occupiers of other premises in the vicinity, the hours for deliveries or for the construction of the development should be restricted to: Monday to Friday 08:00 to 18.00hrs, Saturday 08:00 to 13.00hrs and no works on site on Sundays/Bank Holidays.
2. Suitable measures must be taken to minimise dust and dirt during the construction and operation of the site using best practice methods.

02

The applicant is advised that all planning permissions granted on or after the 1st December 2011 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at www.newark-sherwooddc.gov.uk

The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved as is detailed below. Full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website: www.newark-sherwooddc.gov.uk/cil/ or from the Planning Portal: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

03

Please note that the District Council no longer provides wheeled bins for residential developments free of charge. Wheeled bins can be purchased from the District Council or any other source provided they conform to appropriate standards and requirements of the Council. Enclosed is a leaflet from the District Council's Waste Management Section entitled 'Guidance for New Development – Waste Storage and Collection' which sets out these standards and requirements. If you wish to purchase wheeled bins or discuss this matter further please contact the Waste Management Officer on 01636 655677 or email: waste.management@nsdc.info.

04

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

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

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

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

The applicant should consider the use of flood resilient construction techniques and materials where possible.

05

This application has been the subject of pre-application discussions and has been approved in accordance with that advice. The District Planning Authority has accordingly worked positively and pro-actively, seeking solutions to problems arising in coming to its decision. This is fully in accordance with Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

06

The proposed development is in a potentially Radon Affected Area*. These are parts of the country where a percentage of properties are estimated to be at or above the Radon Action Level of 200 becquerels per cubic metre (Bq/m³). Given the above I advise that it would be prudent for the applicant to investigate if the proposed development will be affected by radon and incorporate any measures necessary into the construction to protect the health of the occupants. Further information is available on the council's website at: <http://www.newark-sherwooddc.gov.uk/radon>

*based on indicative mapping produced by the Public Health England and British Geological Survey
Nov 2007.

07

Access and footway widening:

The development makes it necessary to widen a vehicular access over a verge of the public highway and widen the existing public footway along the site's frontage. These works shall be constructed to the satisfaction of the Highway Authority. You are therefore required to contact the County Council's Highway Management Section on 0300 500 8080 to arrange for these works to be carried out.

Building Works shall not project over the highway

No part of the proposed building/wall or its foundations, fixtures and fittings shall project forward of the highway boundary.

Prevention of Mud on the Highway

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

Background Papers

Application case file.

For further information, please contact Laura Gardner on extension 5907.

All submission documents relating to this planning application can be found on the following website www.newark-sherwooddc.gov.uk.

Lisa Hughes
Business Manager – Planning Development