



Report to Planning Committee 06 October 2022
 Business Manager Lead: Lisa Hughes – Planning Development
 Lead Officer: Helen Marriott, Senior Planner, ext. 5793

Report Summary			
Application Number	22/00891/FUL		
Proposal	Demolition of five existing garages and erection of one 2-bed bungalow with two parking spaces		
Location	Land Off Manor Close, Walesby		
Applicant	Newark & Sherwood District Council (NSDC) - Mr Kevin Shutt	Agent	SGA Llp - Mrs Karolina Walton
Web Link	22/00891/FUL Demolition of five existing garages and erection of one 2-bed bungalow with two parking spaces Land Off Manor Close Walesby (newark-sherwooddc.gov.uk)		
Registered	10.05.2022	Target Date	05.07.2022
		Extension of Time	09.09.2022
Recommendation	Approve, subject to conditions		

This application is presented to Planning Committee at the discretion of the Business Manager – Planning Development due to the applicant being NSDC, notwithstanding this being a Housing Revenue Account application.

1.0 The Site

The application site is a rectangular shaped garage site containing a mix of garages/sheds and hardstanding within the settlement of Walesby. It is located south of the main part of Manor Close, at the end of a cul-de sac containing two storey semi- detached dwellings. 20th Century dwellings are located to the north, east and west of the site. Close boarded fencing separates the site from the dwellings to the north and west.

The site is also located adjacent to and west of electric gates which form the entrance to Firs Farm located to the south of the site (also defined by a brick wall). The south side of the site also forms the boundary of the conservation area (the site falls just outside of this boundary).

An electrical transformer operated by Western Power is located to the rear of the site and shares access through the site.

2.0 Relevant Planning History

No planning history.

3.0 The Proposal

The proposal seeks permission for the demolition of the existing garages located on the site and their replacement with one 2-bed bungalow. Solar panels would be located on part of the roof slope on its front elevation.

Plans have been amended during the lifetime of the application to reduce the size of the bungalow to address conservation concerns i.e. it was originally submitted as a 4-bed dormer bungalow.

It would measure 9.9m by 9.1m by 6.2m to the ridge and 2.5m to the eaves. The dwelling would be served by two parking spaces and garden area to the rear.

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

- Site Block Plan and Site Location Plan – 589 SGA 221 SL DR A 00001 Rev P10;
- Proposed Elevations and General Arrangement Plans – 589 SGA 221 XX DR A 00002 Rev P4;
- Existing Site Plan – 589 SGA 221 SL DR A 00004 Rev P1;
- Proposed Images – 589 SGA 221 XX DR A 00003 P3;
- Updated Car Parking Statement – dated June 2022;
- Heritage Statement – dated May 2022;
- Arboricultural Report – May 2022;
- Design and Access Statement - dated April 2022.

4.0 Departure/Public Advertisement Procedure

Occupiers of 13 properties have been individually notified by letter. A site notice was posted and an advert placed in the local newspaper.

5.0 Planning Policy Framework

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

Spatial Policy 1 - Settlement Hierarchy

Spatial Policy 2 - Spatial Distribution of Growth

Spatial Policy 3 - Rural Areas

Spatial Policy 5 - Delivering the Strategy

Spatial Policy 7 - Sustainable Transport

Core Policy 1 - Affordable Housing Provision

Core Policy 3 - Housing Mix, Type and Density

Core Policy 9 - Sustainable Design
Core Policy 10 - Climate Change
Core Policy 14 - Historic Environment

Allocations & Development Management DPD

DM5 – Design
Policy DM9 - Protecting and Enhancing the Historic Environment
DM12 – Presumption in Favour of Sustainable Development

Other Material Planning Considerations

- National Planning Policy Framework
- Planning Practice Guidance
- Housing Needs Study and Sub Area Summaries 2021
- Residential Cycle and Car Parking Standards & Design Guide SPD June 2021

6.0 Consultations

Walesby Parish Council – this is yet another 2bed bungalow in a village which needs 3-4 bed properties.

Comments received prior to the amended plans being received stated:

The area is currently used for parking; residents pay Newark and Sherwood District Council (NSDC) for the spaces and use of the garages. It will therefore lead to a loss of parking for these residents. It is a concern that the property will be out of keeping with the area especially due to the proximity of the site to the conservation area. This area of the village is known to have bats living in it therefore any loss of potential habitat and shelter (by removal of trees) for these protected species is of concern. This proposal will not solve any housing issues for Walesby and in fact will adversely affect residents of Manor Close, by not only increasing the issues with the amount of parking, it could potentially reduce clear access to existing properties not only directly from the proposal itself but also from knock-on parking issues it may cause. It would be more beneficial to the residents of Manor Close to improve the area for parking rather than building a residential property which will only add to the parking issues.

NCC Highways – No objection subject to conditions.

NSDC Environmental Health Officer – No objection subject to a condition requiring a fully phased contaminated land assessment.

NSDC Conservation Officer - Previous Conservation comments (dated 09/06/22) raised concerns with the proposed design and palette of materials of the dwelling and the impact this would have on the setting and significance of the adjacent Conservation Area. The design has, subsequently, been amended to a single storey bungalow which would lessen the visual prominence on the setting of the Conservation Area. Further options have been provided on the external materials, but these details could be conditioned and agreed at a later date. The

proposed development would have a negligible impact on the setting of the Conservation Area and its significance would be conserved (par.197 of NPPF). Therefore, there are no objections from a conservation perspective.

5 letters of representation has been received from neighbours/interest parties which are summarised as follows:

- Lack of parking in the area likely to cause stress and friction, yellow lines restrict parking, pedestrians have to walk on the road due to parking on pavements
- Parking should be provided for existing residents and visitors
- Parked cars hinder access to the farm, emergency vehicles and delivery vans and loss of site would leave no room to turn
- No room for construction vehicles
- Noise/dust would cause distress to pets and nearby horses
- Disruption to children and being able to comfortably use garden and open windows/doors
- Damage to habitats
- Overlooking
- Subsidence in the area/damage to property during construction
- Drainage issues
- Garages are relied on for storage
- The new dwelling should be in keeping with the street and not have a dormer
- The house will be sold off and used for monetary gain by NSDC
- The submission documents are inaccurate:
 - the existing garages do not experience any anti social behaviour issues
 - plots are rented for parking
 - garages are needed by residents of Manor Close

7.0 Comments of the Business Manager – Planning Development

The National Planning Policy Framework (NPPF) promotes the principle of a presumption in favour of sustainable development and recognises the duty under the Planning Acts for planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. The NPPF refers to the presumption in favour of sustainable development being at the heart of development and sees sustainable development as a golden thread running through both plan making and decision taking. This is confirmed at the development plan level under Policy DM12 of the Allocations and Development Management DPD.

Principle of Development

The settlement hierarchy for the district is set out in Spatial Policy 1 whilst Spatial Policy 2 deals with the distribution of growth for the district. This identifies that the focus of growth will be in the Sub Regional Centre, followed by the Service Centres and Principal Villages. At the bottom of the hierarchy are 'other villages' which do not have defined built up areas in terms of village boundaries. Consequently given its location in a rural area, the site falls to be assessed against Spatial Policy 3 (Rural Areas) of the Core Strategy. This provides that local

housing need will be addressed by focusing housing in sustainable, accessible villages. It states that 'Beyond Principal Villages, proposals for new development will be considered against the following criteria' then lists location, scale, need, impact and character for consideration as set out below.

Location

The first criterion 'Location' states 'new development should be in villages, which have sustainable access to Newark Urban Area, Service Centres or Principal Villages and have a range of local services themselves which address day to day needs'. The policy further states that 'within settlements which do not meet the locational criterion of this policy but are well related to villages that do, consideration will be given to the infilling of small gaps with 1 or 2 dwellings so long as this does not result in the joining of outlying areas into the village in question, or the coalescence with another village'. The site is located within the built-up area of the village of Walesby which contains some services to meet day to day needs.

Scale

New development should be appropriate to the proposed location and be small in nature. This criterion relates to both the amount of development and its physical characteristics, the latter of which is discussed further in the Character section below. One additional dwelling is considered small scale in numerical terms and as such is unlikely to detrimentally affect local infrastructure such as drainage and sewerage systems.

Need

The development forms part of a five year building programme by NSDC to deliver approximately 360 new affordable dwellings across the District to directly meet affordable housing need. Core Policy 3 also states that the LPA will seek to secure new housing which adequately addresses the housing need of the district, namely family housing of 3 bedrooms or more, smaller houses of 2 bedrooms or less and housing for the elderly and disabled population. The proposed dwelling would contribute to the need for smaller affordable units that is required in this District and would also support community services and facilities in the area.

Impact

New development should not generate excessive car-borne traffic from out of the area. New development should not have a detrimental impact on the amenity of local people and not have an undue impact on local infrastructure, including drainage, sewerage systems and the transport network.

Character

Policy SP3 states new development should not have a detrimental impact on the character of the area. This matter is dealt with in the relevant section below.

Impact on Visual Amenity and the Character and Appearance of the adjacent Conservation Area

Core Policy 9 requires new development proposals to demonstrate a high standard of sustainable design that both protects and enhances the natural environment. Policy DM5 requires the local distinctiveness of the District's landscape and character of built form to be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development.

Policy CP14 of the Core Strategy requires continued preservation and enhancement of heritage assets and Policy DM9 of the DPD states that development proposals should take account of the distinctive character and setting of individual Conservation Areas including open spaces and natural features and reflect this in their layout, design, form, scale, mass, use of materials and detailing. Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Council has a duty to have special regard to the desirability of preserving or enhancing the character and appearance of the Conservation Area.

The site is located in a residential area with a mix of 20th Century houses but also Firs Farm which is a historic farmstead within Walesby Conservation Area. The Conservation Area is typically characterised by their vernacular appearance, constructed in brick walling and pantile roofs, with the exception of Church of St Edmund (Grade II*) to the north-east of the village.

The setting of the Conservation Area has already been significantly eroded by the 20th century infill development to Manor Close, which includes modern semi-detached houses. These houses are not characteristic of the form and style of historic buildings in Walesby and do not make a positive contribution to the Conservation Area setting.

The site is currently enclosed by a large boundary wall and there are single storey garages on the site, which are predominantly flat roofed. Due to the openness of the site and low-scale buildings, views of the traditional buildings in the Conservation Area (notably Firs Farm to the south) over these modern structures are still attainable.

The principle of development on this site has the potential to encroach upon and further erode the setting of the Conservation Area. Nevertheless, this setting has already been considerably diminished by the 20th century housing along Manor Close and it is considered that the reduced size dwelling which would be low-rise in height and massing in comparison to the adjacent buildings, would not dominate over the adjacent historic buildings or distract from views of or within the Conservation Area. The Conservation Officer raises no objection to the proposed development subject to conditions requiring the submission of and approval of materials and details to ensure that the bungalow would be in keeping with the surrounding vernacular. Overall, the proposal would result in no harm to the character and appearance of the Conservation Area in accordance with the policies identified above.

Impact upon Residential Amenity

Policy DM5 states that the layout of development within sites and separation distances from neighbouring development should be sufficient to ensure that neither suffers from an

unacceptable reduction in amenity including overbearing impacts, loss of light and privacy. As the proposed dwelling would be a bungalow, due to the intervening boundary treatments, separation distances and layout, it is not considered that any unacceptable overbearing or overlooking impacts would result for existing or future residents.

The bungalow would be afforded an area of private amenity space to the rear of the dwelling which would be modest in extent but sufficient for the needs of a 2 bed unit.

Due to the amount of garden and space available for the property, it is appropriate to consider removal of certain permitted development rights for extensions to the building. Those suggested for removal are Class A (extensions); B (roof alterations); D (porches) and E (outbuildings). Other permitted development rights are not considered would result in either harm to neighbouring amenity or have implications in terms of the outdoor amenity space provided to occupants of the dwelling.

Overall, it is not considered that any adverse impact upon living conditions would result, in accordance with the aims of Core Policy 9 and Policy DM5.

Impact upon Highway Safety

Spatial Policy 7 of the Core Strategy seeks to ensure that vehicular traffic generated does not create parking or traffic problems and Policy DM5 of the DPD requires the provision of safe access to new development and appropriate parking provision.

The NSDC Parking SPD recommends that 2 bed properties within Walesby should have 2 parking space that should measure 5.5m x3m, the site plan shows that these can be achieved thereby meeting the requirements of the SPD. It also requires for electric vehicle charging facilities to be provided. Building regulations require new dwellings to have these facilities and it is not therefore considered necessary to condition this requirement in this instance.

The proposed development would potentially result in a loss of off street parking provision in the area through the loss of the garages and hardstanding. Supporting information submitted with the application confirms that the use of the current garages is as follows:

Plot	Current use	Rental address
1 (garage)	Storage - Contains household & builders items	Manor Close, Walesby
2 (garage)	Storage - Contains household & builders items	Warsop
3 (garage)	Storage	Boughton
4 (garage)	Storage	Boughton
5 (garage)	Storage	Manor Close, Walesby
6 (grassed area)	Parking	Manor Close, Walesby

Evidence suggests that none of the garages are used for the parking of vehicles currently, albeit it is also noted that this is disputed by local residents to some extent. Only two out of five of the garages are rented by local residents but are used for storage purposes as opposed to the parking of vehicles (at the time of the survey). The SPD states that a single garage space

should measure 3.3m x 6m with a minimum door width of 2.4m. None of the garages appear to fully meet these guidelines and are not therefore considered ideal in terms of meeting the size requirements of a modern car.

The applicant has advised that the owner/occupier of number 12 currently parks a car on the hardstanding without permission - they park in an area which has a western power easement running through it for 24hr access. Number 16 rents plot 6 as a parking area – this is in addition to off street parking spaces on their driveway. There is an existing shared off street parking area located at the Manor Close junction (to the north of the application site) which is likely to be in lawful use due to the passage of time this land has been used for this purpose. This area is not formally marked out for parking and whilst it can accommodate 3 spaces, it is often used for less. I note that NSDC own this land and the Applicant has stated that they intend to formally mark one of these bays and allocate it specifically to No 16. However, this is not a matter that can be controlled by planning condition as it relates to a parcel of land located off site – nor is it considered necessary since this area is already used for parking and the LPA is entitled to work on the understanding that as a public authority, the Council will act responsibly in the public interest.

The Applicant also advised that they had intended to provide a vehicle access gate to the frontage of No 12. However, NCC Highways raised concern that this could potentially create vehicle conflicts (from vehicles reversing in and out). These gates were subsequently removed from the plans.

I note that all of the dwellings on this part of Manor Close (with the exception of No 12 and No 18) have some off street parking provision. The current use of the application site for parking of vehicles (with or without consent of the landowner) would likely mean that there would be a small amount of displaced parking as a result of the development (albeit existing off street parking provision in the vicinity and the 3 off street bays could also be utilised in this regard). Whilst not deemed necessary by the Highways Officer, the parking spaces to serve the proposed bungalow face side onto the road so that on street parking immediately opposite No 14 is retained. The Highways Officer raises no objection to the proposed development on highway safety or loss of parking grounds. This is subject to conditions including the creation of a new dropped kerb and surfacing.

Overall, the proposal is not considered likely to result in any adverse impact upon highway safety in accordance with Policy DM5 and SP7.

Impact on Ecology / Trees

Core Policy 12 requires proposals to take into account the need for continued protection of the District's ecological assets. Policy DM5 of the DPD states that natural features of importance within or adjacent to development sites should, wherever possible, be protected and enhanced.

The proposal would involve the removal of a small hedgerow located adjacent to the proposed site frontage. Due to its small size and relatively low amenity value, it is not considered that its loss represents a constraint to development. The Agent has confirmed that the hedge that runs along the boundary with number 12 falls outside of the application boundary.

A Tree Survey has been submitted with the application. This identifies that two trees are located within the application site (T3 and T4). They are both identified at Category C trees of low amenity value. T3 (Elder) is slightly smaller than T4 (Cherry) and would require removal to facilitate the development. Contrary to the view in the Tree Survey, the cherry tree is considered to have some amenity value and is visible from Manor Close. It was originally shown for removal however revised plans now show its retention within the rear garden of the proposed bungalow. To facilitate its retention, the applicant's arboriculturist has recommended a crown reduction by 30% removing up to 1.5m lateral growth and reducing it by up to 3m in height, back to suitable points, to create a balanced crown form. An additional tree would also be planted in the front garden area of the bungalow to mitigate the loss of soft landscaping on the site and would be required by planning condition - ideally, a greater level of soft planting to ensure no net loss of biodiversity should be secured. However, given existing site constraint and the dominance of hard landscaping on the existing site, it is considered that the impact on natural features taking into account the mitigation proposed is acceptable in this instance.

It is considered unlikely that the existing garages/sheds would be capable of supporting protected species such as bats (given their flat roof design and/or nature of construction). In addition, the Tree Survey confirms that if surveyed trees on site were assessed to contain negligible roost suitability for bat.

Overall, the scheme is unlikely to cause any harm to protected species and the proposal accords with the policies identified.

8.0 Implications

In writing this report and in putting forward recommendations officers have considered the following implications; Data Protection, Equality and Diversity, Financial, Human Rights, Legal, Safeguarding, Sustainability, and Crime and Disorder and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

9.0 Conclusion

The site is located within Walesby and the principle the development of the site to provide an affordable dwelling is considered acceptable. Subject to conditions, the proposed development would have no adverse impact on the character or appearance of the conservation area, trees or highway safety. The proposed development would not result in any adverse impact upon residential amenity or ecology.

10.0 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 except in complete accordance with the following plans, reference numbers:

- Site Block Plan and Site Location Plan – 589 SGA 221 SL DR A 00001 Rev P10;
- Proposed Elevations and General Arrangement Plans – 589 SGA 221 XX DR A 00002 Rev P4;

Reason: So as to define this permission and for the avoidance of doubt following the submission of amended plans.

03

No development above damp proof course shall take place until manufacturers details (and samples/sample panels upon request) of all the external facing materials (including colour/finish and brickwork jointing and pointing) have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out and retained in accordance with the approved details.

Reason: In the interests of visual amenity including the character and appearance of the adjacent Conservation Area.

04

No development shall be commenced in respect of the features identified below, until details of the design, specification, fixing and finish in the form of drawings and sections at a scale of not less than 1:10 have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be undertaken and retained for the lifetime of the development in accordance with the approved details.

- Ridge, verge and eaves details
- Details of solar panels
- Details of any external flues/vents

Reason: In the interests of visual amenity including the character and appearance of the adjacent Conservation Area.

05

The occupation of the site shall not take place until:

a) a dropped kerb vehicle access over the footway is provided and both the access and the driveway are widened to a minimum of 6.0 metres for a minimum distance of 7.0 metres behind the highway boundary and 3.7 metres width thereafter.

b) the private driveway is surfaced in a suitably bound material (not loose gravel) for a minimum distance of 7.0 metres behind the highway boundary. The surfaced driveway shall

then be maintained in such hard-bound material for the life of the development.

Reason: To enable vehicles to enter and leave the public highway in a slow and controlled manner, to prevent deleterious material from being discharged onto the public highway, in the interest of highway safety.

06

No part of the development hereby permitted shall be brought into use until the parking and turning areas are provided in accordance with the submitted plans and are surfaced in a suitably bound material (not loose gravel). The parking and turning areas shall not be used for any purpose other than parking and turning of vehicles and shall be maintained for the life of the development.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.

07

No works or development shall take place until an arboricultural method statement and scheme for protection of the retained trees/hedgerows has been agreed in writing with the Local Planning Authority. This scheme shall include:

- a. A plan showing details and positions of the ground protection areas.
- b. Details and position of protection barriers.
- c. Details of construction and working methods to be employed for any works (including removal of existing buildings/surfacing) within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- d. Details of timing of works or development in the context of the tree/hedgerow protection measures.

All works/development shall be carried out in full accordance with the approved tree/hedgerow protection scheme. The protection measures shall be retained during the development of the site.

Reason: To ensure that existing trees and hedges to be retained are protected, in the interests of visual amenity and nature conservation.

08

During the construction period the following activities must not be carried out under any circumstances:

- a. No fires to be lit on site within 10 metres of the nearest point of the canopy of any retained tree/hedgerow on or adjacent to the proposal site.
- b. No equipment, signage, fencing etc shall be attached to or be supported by any retained tree on or adjacent to the application site,
- c. No temporary access within designated root protection areas without the prior written approval of the District Planning Authority.

- d. No mixing of cement, dispensing of fuels or chemicals within 10 metres of any retained tree/hedgerow on or adjacent to the application site.
- e. No soak-aways to be routed within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- f. No stripping of top soils, excavations or changing of levels to occur within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- g. No topsoil, building materials or other to be stored within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- h. No alterations or variations of the approved works or protection schemes shall be carried out without the prior written approval of the District Planning Authority.

Reason: To ensure that existing trees and hedges to be retained are protected, in the interests of visual amenity and nature conservation.

08

Prior to first occupation of the development hereby approved full details of soft landscape works shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include full details of every tree, shrub, hedge to be planted (including its proposed location, species, size and approximate date of planting) and details of tree planting pits including associated irrigation measures, tree staking and guards, and structural cells. The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species.

Reason: In the interests of visual amenity and biodiversity.

09

The approved soft landscaping shall be completed during the first planting season following the first occupation/use of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees/shrubs which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. All tree, shrub and hedge planting shall be carried out in accordance with BS 3936 -1992 Part 1-Nursery Stock-Specifications for Trees and Shrubs and Part 4 1984-Specifications for Forestry Trees ; BS4043-1989 Transplanting Root-balled Trees; BS4428-1989 Code of Practice for General Landscape Operations. The approved hard landscaping scheme shall be completed prior to first occupation or use.

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

10

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until Parts A to D of this condition have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until Part D has been complied with in relation to that contamination.

Part A: Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's ['Land contamination risk management \(LCRM\)'](#)

Part B: Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part C: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning

Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Part D: Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part B, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Part C.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

11

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 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 D: The erection or construction of a porch outside any external door of a dwellinghouse.
- Class E: Buildings etc incidental to the enjoyment of a dwellinghouse.

Reason: To ensure that any proposed further alterations or extensions do not adversely impact upon the openness of the countryside.

Informatives

01

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/cil/

The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.

02

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).

03

The development makes it necessary to amend an existing vehicular crossing. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Agent, Via East Midlands to arrange for these works to be carried out. Email: licences@viaem.co.uk Tel. 0300 500 8080 and further information at: <https://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activitie>

BACKGROUND PAPERS

Application case file.

Committee Plan - 22/00891/FUL

