



Committee Report – 06 October 2022

Business Manager Lead: Lisa Hughes – Planning Development

Lead Officer: Julia Lockwood, Senior Planner, julia.lockwood@nsdc.info

Report Summary			
Application Number	22/00489/FUL		
Proposal	Proposed erection of 2 flats and additional parking provision (following demolition of garage block)		
Location	Land at Alliance Street, Newark On Trent		
Applicant	Newark and Sherwood District Council – Mr Kevin Shutt	Agent	SGA Llp – Mrs Karolina Walton
Web Link	https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=R8DLIWLBJW900		
Registered	17 March 2022	Target Date Extension of time	6 May 2022 10 October 2022
Recommendation	That full planning permission is approved, subject to conditions set out in Section 10 below		

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 relates to a small garage/parking area, 0.04 ha in area, owned by the District Council and situated on the northern side of Alliance Street. The site accommodates a terrace of 9 garages set back at the rear of the site with a hard surfaced forecourt. There are 5 parking spaces marked out (although one space is covered in rubble and unusable) perpendicular to the frontage along Alliance Street along which are small concrete bollards. The whole site uses a single vehicular access point from Alliance Street, which is a single width, double yellow lined, tarmacked road with narrow footways each side, the majority of which have a dropped kerb along its length. The existing ground level of the site at its eastern end is approx 1m higher than the land on which the terraced houses to the east are grounded.

Nestled within traditional terraced housing on three sides and a pair of semi-detached houses and detached garage to the east, the site is also bounded to the rear by a vehicle repair garage which has its access from North Gate to the north. There is an existing tree to the north-east corner of the site which the applicant has confirmed is located outside the application site itself as well as ivy and other greenery that appears to be growing on existing garage structures.

Alliance Street is situated to the west of North Gate train station, to the rear of terraces fronting Lincoln Street and to the south of North Gate. The site is within the Newark Urban Area, within the town's defined Historic Core but outside the designated Conservation Area. It is also included within the Northgate Station Policy Area (Policy NUA/Tr/1) which seeks to prepare a comprehensive regeneration scheme to improve the physical environment, linkages and transport and car parking provision as well as enhancing heritage assets.

2.0 Relevant Planning History

PREAPP/00366/21 – Proposed 2 dwellings advice offered 19.01.2022

3.0 The Proposal

The development is part of the Council's Housing Revenue Account schemes. Full planning permission is sought for the erection of a two storey building to accommodate 2 no. 1 bed flats (one on each floor) on the western part of the site. The eastern part of the site is laid out as a communal garden (approx. 11m x 11m). The building measures approx 9.2m wide by 8m deep, 5.5m high to eaves level and 8.3m to ridge. The building is red brick with grey slate roof, front gable feature and wrap around canopy over front doors. Solar panels are proposed on both pitches of roof slope with cycle storage rack and bin storage facilities to the front of the building.

The building is set back from the back edge of the footway by 8.7m which allows for two parking spaces (3m x 5.5m) to be provided to the front of the flats, perpendicular to the road, one space allocated to each flat. A further 4 car parking spaces (2.5m x 5.5m) are provided along the remainder of the road frontage and stated on the plan to be allocated for Alliance Street residents only, in compensation for the loss of the garages and existing off-street parking facilities. A new 1.8m high close boarded timber fencing is proposed around the side and rear boundaries of the site with a low retaining wall and metal railings above enclosing the communal garden. The existing tree outside the application site in the north-east corner of the site is shown as being retained.

A Garage Usage Report has been submitted with the application which in summary states there are 8 garage plots and 5 car parking spaces

Garage 1 – storage use by NSDC;

Garage 2 – storage use by resident of property on Appleton Gate;

Garage 3 – storage use by resident of property on Beacon Hill Road;

Garage 4 – storage use by resident of property on Lawrence Street;

Garage 5 – storage use by resident of property on Warburton Street;

Garage 6 – suspected storage use by resident of property on North Gate;

Garage 7 – storage use by business on North Gate;

Garage 8 – currently vacant;

Of the 5 car parking bays managed by NSDC housing services, 2 are unusable due to fly tipping of rubble, they do not meet the current parking standards and are intended for NSDC HRA tenants. There are no HRA tenants who live on Alliance Street and therefore it implies cars that do park there are unauthorised.

The Usage Report concludes by stating that the survey demonstrates that the potential future development of this site would not displace any cars on to the adjacent highway.

The originally submitted scheme showed two bungalows on the site with parking along the frontage, however due to concerns relating to impact on amenity of occupiers of those bungalows and the cramped appearance dominated by hard surfaced frontage street parking, the scheme has been amended to the current two storey flats.

The following plans and documents have been considered under this application:-

- Site Location and Site Block Plan (Drawing No: 00001 Rev P11);
- Existing Site Plan (Drawing No: 00004 Rev P1);
- Proposed Floor Plans (Drawing No: 00002 Rev P4);
- Proposed Elevations (Drawing No: 00003 Rev P5);
- 3D Illustration received 22.09.2022;
- 3D Illustration received 22.09.2022;
- Design and Access Statement;
- Garage Usage Report;
- Bicycle Storage Rack details received 17.08.2022.

4.0 Departure/Public Advertisement Procedure

Occupiers of 18 properties have been individually notified by letter. A site notice has also been displayed near to the site.

5.0 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 1 – Affordable Housing Provision
Core Policy 3 – Housing Mix, Type and Density
Core Policy 9 -Sustainable Design
Core Policy 10 – Climate Change
NAP1 - Newark Urban Area

Allocations & Development Management DPD

NUA/Tr/1 – Northgate Station Policy Area
DM1 – Development within Settlements Central to Delivering the Spatial Strategy

DM4 – Renewable and Low Carbon Energy Generation

DM5 – Design

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
- Affordable Housing SPD 2013
- Housing Needs Survey by ARC4
- Residential Cycle and Car Parking Standards & Design Guide SPD June 2021

6.0 Consultations

Newark Town Council – No objection.

NCC, Highway Authority – No objection subject to conditions relating to, provision of the car and secure cycle storage, scheme to prevent discharge of surface water onto the highway and Construction Method Statement.

NSDC, Environmental Health (Contaminated Land) – No objection subject to the imposition of the standard phased contamination condition.

NSDC, Environmental Health (Noise) – No objection.

Three letters of representations have been received (one anonymous) objecting to the application which can be summarised as follows:-

- Car park and garages are essential for residents of Alliance Street;
- Car park was put in place when the Council decided to restrict parking with double yellow lines on Alliance Street due to its narrow width;
- Garage Usage Report is totally inaccurate on many points – my wife rents a garage (lives in Alliance Street) used partly for storage and partly to park my motorcycle;
- A neighbour rents a garage;
- One is used by a gentleman to store his classic car;
- One is used on a daily basis to store a tree shredding trailer to prevent it being stolen;
- One garage stores a VW car while the owner is abroad looking after a poorly relative;
- Four of the car parking spaces are rented by residents of Alliance Street and used on a daily basis but commonly used by residents of Lincoln Street;
- The railway station causes issues with parking in the area – people park in the area early Monday travel to London and return Friday evening, or Saturday morning; this has since stopped however, due to a drop pin, bollards and signs being installed, which works well;
- All other parking in the area is enforced by Nottinghamshire Parking Partnership, but not Alliance Street;
- The soil/rubble and other storage is theirs and will be removed when work to their property is completed;

- Residents have added floral tubs to improve the look of the area and maintain/clean the area themselves;
- The narrowness and the sharp bend of Alliance Street makes it very dangerous with cars travelling at high speed in both directions (2 way street);
- The road is used as a short cut/cut through to the railway station;
- Reversing in and out of the parking spaces will be dangerous;
- Alliance Street should be made one way as vehicles have to mount the pavement to pass one another and vehicles wanting to stop park on the pavement blocking the path;
- There can be 7 to 10 cars parked in the site at night as people that live/visit Alliance Street park courteously with each other and have done for the last 15 years and all these will be displaced to somewhere else in the area leaving residents to struggle with unloading shopping, difficult for the elderly/disabled to be dropped off/picked up at their home etc;
- Four new parking spaces need a parking permit to be issued and a removable bollard to prevent unauthorised parking;
- It would lead to people being tempted to park on the side of the road, which would block the road and footpath, block emergency services getting through and make the road even more dangerous;
- There would be nowhere close by for residents of Alliance Street to park as it is either permit parking only or double yellow lines;
- If the parking bays are substandard then residents have been paying for substandard parking but have not complained as it meets residents' needs;
- The report states that no NSDC HRA tenants rent the bays, but that is because properties on Alliance Street are privately (non-Council) owned;
- Concerns raised regarding fencing, chaos, noise, disruption, dust and air issues during building work and impact it would have on health issues of local residents;
- Loss of privacy, loss of light and over-bearing impact;
- More intrusive than 2 bungalows which would have been more suited to the area;
- New fence to enclose their property or metal security barriers need to be installed prior to demolition works to make their garden and property secure;
- Concern relating to subsidence in the area;
- Blocked and broken drainage pipes need to be repaired by the Council before additional properties are added.

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 site is located in the Newark Urban Area which according to Spatial Polices 1 and 2 of the Amended Core Strategy is the focus of housing growth in the District. As such the site is considered to be in a sustainable and suitable location for new dwellings. The proposal would provide for 2 no. 1 bedroom flats which would help address the District's housing need in line with Core Policy 3, which states that particular emphasis will be placed on securing smaller units of 2 bedrooms or less.

In the district wide Housing Needs Survey by Arc4 dated 2020, the Newark Sub Area identifies there is need for mainly 3 bedroom (30.7%), 4 bedroom or more (25.5%), with 1 to 2 bedroom (19.5%) houses being the next most needed in the private market sector. However, the scheme would contribute to the Council's supply of affordable housing units, for which there is significant need (11 No. 1 bed flats per annum) identified by Arc4 in this area which weighs heavily in favour of the scheme. The proposal is therefore acceptable in principle subject to an assessment of site specific impacts.

Impact on Character and Visual Amenities of the Area

Core Policy 9 states that the Council expects that all new development should achieve a high standard of sustainable that protects and enhances its context complementing the existing built environment. Policy DM5 states that the rich local distinctiveness of the District's character of built form should be reflected in the scale, form, mass, layout, design, materials and detailing of proposal for new development.

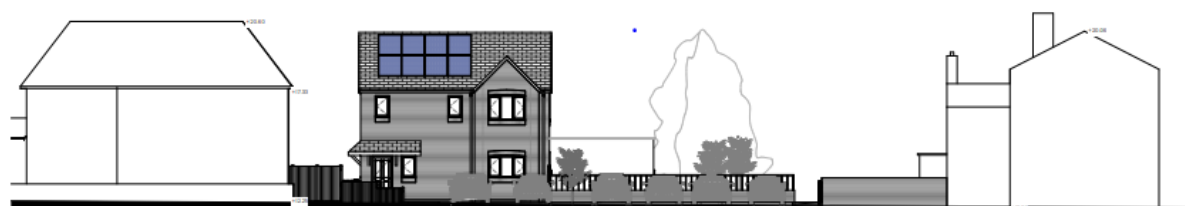
The application site is surrounded by very dense, tightly knit, traditional terraced properties. The proposed two storey building would reflect the neighbouring development in terms of the surrounding two storey houses, and a streetview elevation has been submitted showing the proposed front elevation relative to the adjacent to dwelling to the west, which shows the proposed ridge at a lower level relative to this existing one.

The setting back of the built form behind the building line of the dwelling to the west would not be reflective of the character of the area, but is required to allow for the on site parking required for the flats (in addition to the other replacement parking for other existing residents in Alliance Street).

Although the immediate road frontage would be dominated by hard surfacing and car parking, which is not ideal and weighs negatively in terms of visual amenity, some positive weight can be given to firstly, the fact that this hard surfacing dominance is already currently the case and secondly, the proposed green garden area (which although for use by the flat occupiers only) can be appropriately soft landscaped and together with the improved space for the existing tree on the adjacent site but close to the common boundary which would be better appreciated following the removal of the garages, would provide some wider visual benefit over and above the existing appearance of the site.

The proposed parking spaces, being so prominent, would be overlooked by both existing and proposed residential units, providing reasonable levels of natural surveillance.

The proposal provides a covered cycle rack and bin storage facilities at the front of the building which is not ideal in visual terms but a condition has been imposed to require details of how this area is to be enclosed, so that the visual appearance can be mitigated.



Street View

The above street scene has been submitted showing the size and scale relative to existing built form. This does not account for the difference in existing ground levels at the eastern end of the site, relative to Lincoln Street properties, although the plans clearly state that a retaining wall would be built along the western boundary, indicating that the garden area would remain at an approx. 1m higher level. This is not considered to be an issue over and above the existing situation but a levels condition has been imposed to clarify this aspect in plan form.

Whilst it is recognised that the layout of the proposal is not ideal in terms of set back of built form and dominance of frontage parking, some positive weight can be given to the addition of softer green areas and assessment must also be made in the light of the limited contribution the site currently makes to the visual amenity of the area (which is currently attempted to be softened by small planting pots put on the site by local residents).

Impact upon Residential Amenity

Policy DM5 requires 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 over-bearing impacts, loss of light and privacy.

There would be a distance of approx 24m between the proposed flats and the rear of dwellings fronting North Gate to the north. The first floor flat would have a kitchen window and secondary living area window facing north which would result in an increased level of overlooking to the rear of these existing properties, which is not ideal. However given the length of these rear gardens, and that the overlooking impact would be more intrusive at the far southern extremities of the gardens away from the dwellings, where the degree of privacy expected would be less, this is considered to be an acceptable back to back relationship. Given these distances there is not considered to be unacceptable overbearing or loss of light implications.

Immediately to the north of the site is a commercial garage. There are several other properties on Lincoln Street and North Gate that back onto this existing business use, however the proposed flats would be the closest residential development. As a vehicle repair garage (Class B2) it is acknowledged that the use is likely to produce certain levels of noise and the proposal should not prejudice the future continued operation of this existing and

established business. The garage opens to the other side onto North Gate to the north so the flats, although positioned very close (1m) to the common rear boundary, the walls of the garage buildings and the proposed new close boarded timber fence would some level of barrier to any potential noise disturbance for future residents. The Council's Environmental Health colleagues confirm that they have not received any complaints relating to the commercial garage use in the last 3 years.

Properties in Lincoln Street to the east that back onto the site are traditional terraced houses, the majority of which have single storey rear extensions that accommodate windows serving bathrooms. There would be a distance of approx. 21m between the proposed side elevation in which there are windows serving habitable rooms and the main rear elevation of dwellings fronting Lincoln Street which also contain habitable room windows. This distance and relationship are considered to be reasonable and would not result in unacceptable impacts in terms of loss of privacy, light or over-bearing impacts to these existing occupiers.

On the opposite side of Alliance Street are a pair of semi-detached dwellings that front onto the site and sit at the back edge of the pavement. There would be a distance of approx. 14.5m from the front elevation of the proposed flats to the front elevation of these neighbouring properties. This distance between front habitable room windows is somewhat limited, although, the new window at first floor level would serve a bedroom rather than daytime rooms. Therefore, it is considered that this relationship would not result in unacceptable impacts on the amenities of these existing occupiers in terms of loss or privacy, light or over-bearing impacts to warrant refusal of planning permission.

In relation to existing dwelling to the west of the site, the only window proposed in the side elevation facing this neighbour is a ground floor window serving a bathroom, which would be obscurely glazed. It is considered there would be no unacceptable degree of overlooking to this existing neighbour to the west. This existing dwelling sits much closer to the Alliance Street frontage. This property has a large window in the side elevation nearest Alliance Street, facing the site, but as the proposed building is set much further back on the site, there would be limited impact to this existing opening from the new built form. This dwelling also has windows within a rear projection which face onto the site, one serving an upstairs landing and one serving a ground floor kitchen. Again the set back of the proposed building within the site would remove the direct side to side relationship between these windows and the new building, although it is acknowledged that the proposal would be visible. It is not considered that any impact on the landing window would be fatal however, the impact on the kitchen window is of more concern. There would be a distance of approx. 8.5m between the side elevation of the proposed building and this rear projection, the majority of which is the garden of the occupier to the west, as the proposed two storey structure would sit a minimum of approx. 1.2m off the common boundary. The proposal would therefore have some over-bearing impact on the both the kitchen window and the rear garden area with the potential for some over-shadowing of the latter early in the morning. The rear garden immediately adjacent to the site currently accommodates a single storey garage, with the majority of the usable amenity space further to the west, although there is a rear yard area between the garage and the house, although it is currently occupied by a caravan. The overbearing impact and sense of enclosure on the kitchen window and rear yard area is a negative impact that needs to be weighed in the overall planning balance.

In terms of the amenity for the proposed occupiers, the gross internal floorspace for the two flats are 52 sqm and 59 sqm. The national Government published minimum gross internal space standards states that for a 1 bed, 2 bed person in a single storey unit there should be a minimum floor space of 50 sqm. Both units exceed this and as such is considered to be acceptable. The ground floor flat has a bedroom window in the rear elevation (north facing) that sits 1m away from the rear boundary. The outlook from this window would therefore be very poor, looking out onto the proposed boundary timber fence and higher commercial garage building beyond, giving a sense of being enclosed and the resulting light implications. Although this is a bedroom used predominantly for sleep, this is far from ideal and weighs negatively against the proposal in the overall planning balance. The commercial garage in such proximity has the potential to create noise and disturbance issues for future residents, although this has not been shown to be the case for existing residents. The external garden area to serve both flats is welcomed. Although it would be somewhat overlooked by properties in Lincoln and Alliance Street, this is not considered fatal to the scheme.

The impacts on residential amenity have been found to be largely acceptable although harm has been identified in relation to over-bearing impacts on the existing dwelling to the west and poor outlook/sense of enclosure to the bedroom serving the proposed ground floor bedroom, which need to be weighed in the overall planning balance.

Impact upon Highway Safety and Parking

Spatial Policy 7 states that development proposals should provide safe, convenient and attractive access for all and minimise the need for travel. In addition, proposals should be appropriate for the highway network in terms of volume and nature of traffic generated and ensure the safety, convenience and free flow of traffic using the highway are not adversely affected; provide appropriate and effective parking provision, and vehicular servicing arrangements in line with Highway Authority's best practice; and ensure that vehicular traffic generated does not create new or exacerbate existing on street parking problems, nor materially increase other traffic problems. Policy DM5 states that parking provision for vehicles and cycles should be based on the scale and specific location of the development and development resulting in the loss of parking provision will require justification.

There are a number of challenges to this development in highway terms including the narrow, single width, double yellow lined but two-way nature of Alliance Street, the lack of off street parking for some existing residents and the issues with commuter parking given the proximity to North Gate Station and rat run traffic at certain peak times. All these local issues have been set out as concerns within in representations received from local residents.

The Newark and Sherwood Cycle and Car Parking Standards SPD requires that 1 bed dwellings in the Newark Urban Area provides for one car parking space per dwelling and safe cycle storage, both of which have been provided. 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 4 additional parking spaces have been provided in compensation for the loss of the 4 open on-site parking that currently exist on the site in a row fronting Alliance Street. There has been clarification from the applicant that the 4 parking bays are rented out on a very loose local government agreement to non HRA residents who live on Alliance Street and it has been

confirmed that this would continue to be the case, managed by the District Council. Whilst the comments of local residents have been noted in relation to the submitted Garage Usage Report, the dimensions of the existing garages make them too small to be usable spaces and therefore their loss is not considered to be fatal in highway safety terms.

Nottinghamshire County Council as Highway Authority have considered the proposal. They state *“It is understood that whilst the two spaces located immediately in front of the proposed flat building will be allocated to those residents, the remaining on plot spaces are to be made available to current users of the site following investigations into current site usage. As such, the Highway Authority are content that sufficient on-site parking is being provided for future residents, as well as current site users.”*

The Highway Authority therefore do not object to the quantum of parking spaces or the manoeuvring arrangements required to access and egress them, subject to conditions relating to provision of the parking and secure cycle storage, scheme to prevent discharge of surface water onto the highway and Construction Method Statement. As such, whilst the concerns raised by local residents have been taken into account, there is no grounds on highway safety grounds to refuse the application, subject to the imposition of conditions.

The proposal is therefore considered to be in accordance with the general expectations of SP7 and DM5 in respect of highway safety and parking matters.

8.0 Conclusion

The proposal for two new flats is acceptable in principle by virtue of its sustainable location in the Newark Urban Area and it would help address the District’s affordable housing need for smaller dwellings, which should be given significant weight and is a positive of the scheme.

It is considered that the proposed built form would be visually acceptable, and would even bring limited wider improvements compared to the existing scenario, which is a limited positive benefit. The proposal would result in some identified harm in terms of over-bearing impact to existing occupiers to the west of the site and the bedroom accommodation created in the ground floor flat which would weigh moderately against the proposal. No highway safety harm has been identified and therefore is neutral in the overall planning balance.

When balancing all matters, it is considered that the positives marginally outweigh the negatives identified, not least in being able to provide two affordable housing units to meet an identified housing need. As such the recommendation to Members is to approve planning permission.

9.0 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.

10.0 Recommendation

That planning permission is approved subject to the conditions set out below.

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 accordance with the following approved plans,

- Site Location and Site Block Plan (Drawing No: 00001 Rev P11);
- Proposed Floor Plans (Drawing No: 00002 Rev P4);
- Proposed Elevations (Drawing No: 00003 Rev P5);
- 3D Illustration received 22.09.2022;
- 3D Illustration received 22.09.2022;
- Bicycle Storage Rack details received 17.08.2022.

Reason: So as to define this permission.

03

No development above damp proof course shall take place until manufacturers details (including samples) of all the external facing materials have been submitted to and approved in writing by the local planning authority. Development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area.

04

No part of the development shall be commenced until details of the existing and proposed ground and finished floor levels of the site and approved building have been submitted on a single plan/or document and approved in writing by the Local Planning Authority. The development shall be carried out thereafter in accordance with the approved details.

Reason: In the interests of residential and visual amenity.

05

Prior to commencement of development, full details of both hard and 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;
- existing trees which are to be retained pending approval of a detailed scheme, together with measures for protection during construction;
- hard surfacing materials.

Reason: In the interests of visual amenity and biodiversity.

06

The approved soft landscaping shall be completed during the first planting season following the first occupation/use of the development. 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.

07

No flat shall be occupied until the bin storage facilities shown on Site Location and Site Block Plan (Drawing No: 00001 Rev P11) have been provided in accordance with details of enclosure that have first been submitted to and approved in writing by the Local Planning Authority. The bin storage facilities shall be provided prior to occupation of any of the flats in accordance with the approved details and retained for the lifetime of the development.

Reason: To ensure that adequate bin storage is provided for occupiers in the interests of residential and visual amenity.

08

Prior to first occupation of the flats hereby approved, the on-plot car and cycle parking provision should be installed as shown on drawing number 608-SGA-13-SL-DR-A-00001 P11 with provision to prevent the discharge of surface water to the public highway in accordance

with details first submitted to and approved in writing by the Local Planning Authority. The provision to prevent the discharge of surface water to the public highway shall then be retained 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, in the interests of sustainable travel, in line with the Newark & Sherwood Local Development Framework Residential Cycle and Car Parking Standards & Design Guide Supplementary Planning Document dated June 2021 and to ensure surface water from the site is not deposited on the public highway causing dangers to road users.

09

No development shall take place, including any works of demolition or site clearance, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- wheel washing facilities
- measures to control the emission of dust and dirt during construction
- a scheme for recycling/disposing of waste resulting from demolition and construction works
- hours of construction on the site and hours of deliveries to the site.

Reason: - In the interests of the safety of users of the Highway immediately adjacent to the site boundary and residential amenity.

010

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.

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 understanding that CIL may not payable on the development hereby approved as the development is made up entirely of Social Housing provided by local housing authority, registered social landlord or registered provider of social housing and shared ownership housing. It is necessary to apply for a formal exemption to confirm this view, which must be made to the Council prior to the commencement of development on CIL 4 form which is also available on the Council's website.

02

This application has been the subject of discussions during the application process to ensure that the proposal is acceptable. 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 accord Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

03

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.

Committee Plan - 22/00489/FUL

