



Report to Planning Committee 10 November 2022
 Business Manager Lead: Lisa Hughes – Planning Development
 Lead Officer: Honor Whitfield, Planner, ext. 5827

Report Summary			
Application Number	22/01328/FUL		
Proposal	Conversion to 5 no. flats. Remodelling of outbuilding. New secured bin storage. Communal garden area and 7no parking spaces.		
Location	94 North Gate, Newark On Trent, Nottinghamshire, NG24 1HF		
Applicant	Newark & Sherwood District Council - Mr Kevin Shutt	Agent	SGA Mrs Karolina Walton
Web Link	22/01328/FUL Conversion to 5 no. flats. Remodelling of outbuilding. New secured bin storage. Communal garden area and 7no parking spaces. 94 North Gate Newark On Trent Nottinghamshire NG24 1HF (newark-sherwooddc.gov.uk)		
Registered	13.07.2022	Target Date:	07.09.2022
		Extension Agreed To:	17.11.2022
Recommendation	That Planning Permission is <u>APPROVED</u> subject to the Conditions detailed at Section 10		

This application is before the Planning Committee for determination, in accordance with the Council’s Constitution, because the Applicant is Newark & Sherwood District Council.

1.0 The Site

The application site comprises 94 North Gate which is a large dwelling in multiple occupation (HMO) that lies to the NW side of the plot enclosed by boundary fencing to the sides and rear and an approx. 2m high boundary wall to the highway on Lovers Lane. On Lovers Lane the area is predominately residential in nature with no prevailing uniformity in the street scene. Residential properties also exist to the NE on Edwin Place. However, to the west is a large commercial unit occupied by Halfords with other commercial uses to the north. Whilst no. 94 is visible in glimpses from the Halfords car park it is not immediately visible from Lovers Lane given the setback positioning and trees/vegetation present within the eastern side of the site.

No. 94 is a traditional style dwelling which has architectural merit and is considered to be a non-designated heritage asset (NDHA).

It is understood that no. 94 is currently used as an 8 bed HMO property but was formerly operated as a guest house. The site lies within land identified as Flood Zone 2 by the Environment Agency Flood Maps. Approx. 28m to the NW is the boundary of Newark Conservation Area.

2.0 Relevant Planning History

No relevant site history.

3.0 The Proposal

The application seeks permission for the conversion of the existing building to 5 no. 1 bed 2-person (1B2P) flats. The scheme includes the remodelling of the existing outbuildings on the NE side of the property including a new secure bin store 2.4m x 2.1m, 2.7m to ridge and 1.7m to eaves. A communal garden area would be provided to the front of the building in addition to 7 parking spaces. The existing access would be widened to 6m wide with the existing gates permanently fixed open.

External alterations to the main building on site are limited to the insertion of 2 rooflights in the rear (NW) elevation to serve Flat 5.

For the avoidance of doubt, the assessment outlined below is based on the following plans and supporting information:

- Design & Access Statement
- Arboricultural Report
- Flood Risk Assessment
- Site Location and Block Plan – Ref. 0001 P8
- Existing Ground and First Floor Plans – Ref. 0002 P1
- Existing Second Floor and Roof Plan – Ref. 0003 P1
- Existing Front and Side Elevations – Ref. 0004 P1
- Existing Rear and Side Elevations – Ref. 0005 P1
- Existing Illustrative Images – Ref. 0006 P1
- Proposed Ground and First Floor Plans – Ref. 0007 P1
- Proposed Second Floor and Roof Plans – Ref. 0008 P2
- Proposed Elevations Front and Side – Ref. 0009 P1
- Proposed Elevations Rear and Side – Ref. 0010 P2
- Proposed Illustrative Images – Ref. 0011 P1
- Flat 5 Kitchen Extension Proposal – Ref. P0012 P1
- Existing Site Plan – Ref. 0013 P1
- Trees Constraints Plan – Ref. 0015 P3
- Amended Proposed Street Lighting and Doors to Outbuildings – Ref. 0019 P2
- Amended Proposed Plans and Elevations Outbuildings – Ref. 0017 P2
- Boundary Wall Details – Ref. 0018 P2

4.0 Departure/Public Advertisement Procedure

Occupiers of 57 properties have been individually notified by letter.

Earliest Decision Date: 05.08.2022

Site Visit undertaken: 03.05.2022

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 7 - Sustainable Transport

Core Policy 3 – Housing Mix, Type and Density

Core Policy 9 – Sustainable Design

Core Policy 12 – Biodiversity and Green Infrastructure

Core Policy 14 – Historic Environment

NAP1 – Newark Urban Area

Allocations & Development Management DPD

DM1 – Development within Settlements Central to Delivering the Spatial Strategy

DM5 – Design

DM7 – Biodiversity and Green Infrastructure

DM9 - Protecting and Enhancing the Historic Environment

DM12 – Presumption in Favour of Sustainable Development

Other Material Planning Considerations

National Planning Policy Framework 2021

Planning Practice Guidance (online resource)

Section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990

Residential Cycle and Car Parking Standards & Design Guide SPD June 2021

Housing Needs Survey 2020

6.0 Consultations

NB: Comments below have been summarised. Full Consultee comments can be found on the online planning file.

Newark Town Council – Support the application.

NSDC Conservation Officer – No objection subject to conditions.

NSDC Tree Officer – No objection subject to conditions.

NCC Highways – No objection subject to conditions.

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 Adopted Development Plan for the District is the Core Strategy DPD (2019) and the Allocations and Development Management Policies DPD (2013). The 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 2 (Spatial Distribution of Growth) of the Council's Core Strategy sets out the settlements where the Council will focus growth throughout the District.

The site is within the urban boundary of Newark, the 'Sub-Regional Centre' of the district and therefore the principle of residential development or use on this site is acceptable. In addition, the provision of much needed affordable housing is welcomed in line with CP1.

Housing Mix and Density

The application is for the conversion of an existing building to apartments, all of which would be 1B2P units. The site falls within the Newark sub area where the predominant affordable housing need (42%) is for 2 bed bungalows followed by 1 bed bungalows (32%). Whilst the 1 bed flats proposed would not align with the greatest affordable need in the Newark Area there is an 11% need overall in this sub area for 1 bed affordable flats and thus the development proposed would still contribute to meeting an identified need in the sub area.

Impact on the Character and Appearance of the Area

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. Chapter 11 of the NPPF also emphasises the importance of making effective use of land (and underutilised land), advising that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions (para. 117).

94 North Gate is considered to be a Non-Designated Heritage Asset (NDHA) and following a public consultation that was carried out earlier the year with regards to proposed extension of the Newark Conservation Area, including extension along Lover's Lane (see Appendix 1 – Newark Conservation Area Review document), the proposal would also be situated in the forthcoming extension of Newark Conservation Area boundary. With regards to the proposed Conservation Area boundary extension, no.94 North Gate, its boundary walls and trees within the grounds will make a positive contribution to the character and appearance of the Conservation Area. Policies CP14 and DM9 of the Council's LDF DPDs, amongst other matters, also seek to protect the historic environment and ensure that heritage assets are managed in a way that best sustains their significance. The importance of considering the impact of new development on the significance of designated heritage assets, furthermore, is expressed in section 16 of the National Planning Policy Framework (NPPF). The NPPF makes it clear that protecting and enhancing the historic environment is sustainable development (paragraph 8.c).

The alterations proposed are limited to the addition of two rooflights in the rear elevation and the re-modelling of the existing outbuildings on the NE side of the building which would see the removal of a small section of external wall and replacement with a small-scale outbuilding to provide secure bin storage within an internal courtyard area. The proposed outbuilding would be small scale and reflective of the architectural style of the main building. It would also be discrete and screened by the main building from any public vantage point. Alterations are also proposed to the site access which would see the widening of the existing gated access into the site and pinning back of the access gates. An area for parking would be provided within the front garden area along with a communal garden for future residents. To accommodate this, several smaller ornamental trees within the front garden would require removal.

The Conservation Officer (CO) has reviewed the application and advised that the proposed conversion and alterations to the building would sustain the architectural significance of the NDHA. They note that the proposal includes the partial demolition of the boundary wall along the highway to widen the access and provide visibility splays, given this boundary wall has some historic character this would result in a more suburban appearance which could result in a minor degree of harm on the setting and significance of the NDHA. They also note that the removal of vegetation within the centre of the site for parking provision would result in a loss of some greenery which makes a positive contribution to the secluded setting of the NDHA, however larger trees to the edges of the site would be maintained which would help retain the overall sense of seclusion. The CO concludes that the proposed development would have a minor harmful impact on the setting and significance of the Non-Designated Heritage Asset, however on balance, the historic and architectural integrity of the building would be maintained, and the proposed reuse would help conserve the building for future generations (in accordance with para. 203 of the NPPF and policy DM9 of the ADMDPD). As such they raise no objection to the proposal subject to conditions.

Overall, whilst the proposal would have a minor harmful impact on the setting of 94 Northgate as an NDHA, when considering this on balance it is considered that the overall historic and architectural integrity of the building would be maintained, and the proposed reuse would help conserve the building for future generations. More broadly it is not

considered that the proposed development would result in any adverse impact on the character or appearance of the area and therefore, given the assessment above, the proposal is considered to be acceptable in accordance with policies DM5 and DM9 of the ADMDPD and CP9 and CP14 of the Core Strategy in addition to the heritage advice contained within Section 16 of the NPPF.

Impact upon Residential Amenity

The NPPF seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. 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 and requires development to be acceptable in terms of not having a detrimental impact on residential amenity both in terms of existing and future occupiers.

In terms of amenity provision for the proposed occupiers, internally the units would accord with the recommended 'Technical housing standards – nationally described space standard' (March 2015) for the type and size of unit proposed (50m² for 1B2P units). Externally the occupants would also share a communal garden area within the site and would have access to other areas of public green space within the town. All of the units would be served by adequate sources of natural light, noting that roof lights are proposed to be added to improve natural light provision for Flat 5 (which would be served by dormer windows in addition to roof lights). As such it is considered that the proposal would be acceptable in relation to the amenity of future occupiers.

Furthermore, given the existing separation distances with development and the application building (which is already understood to be in residential use) it is not considered that there would be any unacceptable overlooking impacts. It is noted that the area has a mix of uses including commercial businesses, however residential use is not uncommon in this location and any future occupier would be aware of this situation prior to occupation. The building has also previously been used for residential accommodation as a HMO with no complaints in relation to noise. Overall, I therefore consider the proposal to accord with policy DM5 in this regard.

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. 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.

In terms of vehicular access, the existing site access off Lovers Lane would be utilised and widened by approx. 1.5m with the access gates pinned back. The site lies in the area identified as 'Inner Newark' within the Council's Parking Design SPD which means there is a requirement for 1 vehicular and 1 cycle parking space on site per residential dwelling. The 5 flats would be served by 7 onsite parking spaces which exceeds the requirements of the SPD with space for secure cycle storage also within the site.

The Highway Authority (HA) have commented on the application raising no objection subject to conditions. The HA noted that width of the access shown on the proposed plans would need to be increased by 0.2m to accord with the highway design guide and this has been amended on the proposed plans. They also commented that whilst details of visibility splays have not been provided, given the proposed use would not generate a significant amount of additional traffic compared with the current use, and that the access is proposed to be increased, the scheme would result in a betterment in terms of vehicular and pedestrian visibility. The HA made further recommendations as to how visibility splays could be further improved, however given the Conservation Officer has raised concerns with any significant removal of the existing boundary wall this has not been pursued. It is also noted that the HA have not required this alteration and state that the access as amended (a minimum width of 5.8m) is acceptable.

It is therefore considered that the development would accord with policies SP7 and DM5 in this regard, subject to conditions.

Impact on Flood Risk

Core Policy 10 requires development to be adequately drained and Policy DM5 relates to flood risk and water management. The NPPF states when determining planning applications, the Local Planning Authority should ensure flood risk is not increased elsewhere. It is stated that decision makers should only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the sequential test, and if required the Exception Test, it can be demonstrated that development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location and development is appropriately flood resilient and resistant.

The site lies within Flood Zone 2 meaning it has a medium risk of flooding from fluvial sources. Residential development is defined as 'more vulnerable' within Table 2 of the Technical Guidance to the NPPF. The NPPG advises that the Sequential Test is not applicable for applications of change of use and as such the conversion of the existing building to 5 flats does not require the application of the Sequential Test in this case, however the PPG is clear that applications still need to demonstrate how future occupiers would be kept safe from flood risk through a Flood Risk Assessment (FRA).

As such the applicant has submitted a Flood Risk Assessment to accompany the application which considers the risk to users of the site and third parties. It is not considered that the proposal at hand would result in an increased flood risk to third parties given the level of additional development is minimal, the existing site context and use, in addition there would remain ample amounts of permeable surfacing on the wider site for water to permeate. Overall, it is not considered that the proposed development is likely to result in any increased levels of flood risk for users of the site or elsewhere subject to the incorporation of the flood resilience measures outline on page 20 of the FRA. Subject to a condition requiring the inclusion of flood resilience measures I consider the development would be in accordance with Policy DM5, Core Policies 9 and 10 and the aims of the NPPF in this regard.

Impact upon Ecology

Core Policy 12 of the Core Strategy seeks to secure development that maximises the opportunities to conserve, enhance and restore biodiversity. Policy DM5 of the DPD states that natural features of importance within or adjacent to development sites should, wherever possible, be protected and enhanced. Paragraph 118 of the NPPF includes opportunities to incorporate biodiversity in and around developments should be encouraged.

During the course of the application's consideration, a number of small ornamental trees within the front garden area of the building have been removed to facilitate the clearance of the site. Consent was not required for their removal given the site does not currently lie within a Conservation Area and none were protected by TPO. Nevertheless, these trees were not visually imposing trees to the character of the surrounding area compared to the larger trees which are sited around the boundary of the site and shown to be retained.



Given the level of vegetation here the loss of the smaller ornamental trees within the site has not had any perceivable impact on the character and appearance of the area. Since these works the Council's Tree Officer has confirmed that they raise no objection to the development. They have however suggested that given detail within the tree report is lacking in relation to tree protection measures, arboricultural method statement, soft landscaping etc. a number of conditions are attached to the permission.

Overall, I consider subject to conditions, the proposal would comply with Policy DM7 of the DPD and Core Policy 12 of the Core Strategy in this regard.

8.0 Implications

In writing this report and in putting forward a recommendation, 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 referred to these implications and added suitable expert comment where appropriate.

9.0 Conclusion

The principle of the conversion of the building to flats is considered to be acceptable in this sustainable location and would make efficient use of an existing building whilst adding to the much-needed affordable housing stock in a form that would align with the local affordable housing need. The alterations proposed to the site would be sympathetic to its character and appearance and would respect the building's NDHA status as well as preserving the character and appearance of the area. There would be no undue harm to residential living conditions, ecology, flood risk or highway safety. I therefore recommend this application be approved.

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 out except in complete accordance with the following approved plan references:

- Site Location and Block Plan – Ref. 0001 P8
- Proposed Ground and First Floor Plans – Ref. 0007 P1
- Proposed Second Floor and Roof Plans – Ref. 0008 P2
- Proposed Elevations Front and Side – Ref. 0009 1
- Proposed Elevations Rear and Side – Ref. 0010 P2
- Flat 5 Kitchen Extension Proposal – Ref. P0012 P1
- Amended Proposed Street Lighting and Doors to Outbuildings – Ref. 0019 P2
- Amended Proposed Plans and Elevations Outbuildings – Ref. 0017 P2
- Boundary Wall Details – Ref. 0018 P2

Reason: So as to define this permission.

03

No development above damp-proof course shall take place until manufacturers details (and samples upon request) of the external facing materials (including colour/finish) 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 visual amenity.

04

Prior to first occupation of the development hereby approved, 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:

- i) 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;
- ii) measures for the protection of existing tree and hedgerows shown as being retained on approved plan no. 0001 Rev. P8 during construction;
- iii) means of enclosures (including details of access gates);
- iv) hard surfacing materials and construction specification (including specifications, where applicable for: a) permeable paving b) tree pit design c) underground modular systems d) Sustainable urban drainage integration e) use within tree Root Protection Areas (RPAs)).

Reason: In the interests of visual amenity and biodiversity.

05

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 unless otherwise agreed in writing by the local planning authority. 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.

06

No trees within the site which are shown as being retained within the Site Location & Site Block Plan - Ref. 609 SGA 352 SL DR A 0001 Rev. P8 shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed.

Reason: To ensure the existing trees, shrubs and or hedges are retained and thereafter properly maintained, in the interests of visual amenity and biodiversity.

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 and position of underground service runs and working methods employed should these runs be within the designated root protection area of any retained tree/hedgerow on or adjacent to the application site.
- d. Details of any special engineering required to accommodate the protection of retained trees/hedgerows (e.g. in connection with foundations, bridging, water features, hard surfacing).
- e. Details of construction and working methods to be employed for the installation of drives and paths within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- f. Details of working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- g. Details of any scaffolding erection and associated ground protection within the root protection areas
- h. Details of timing for the various phases 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 Local Planning Authority.

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

09

The development hereby permitted shall incorporate the flood resilience and resistance measures detailed at Section 9 (page 20) of the Flood Risk Assessment dated August 2022 submitted with this application. These measures shall be implemented prior to the commencement of the use hereby permitted and shall be retained for the lifetime of the development.

Reason: To safeguard users of the site against the risk of flooding.

10

Prior to first occupation of the development hereby approved:

- a) the access and driveway shall be widened to 5.8 metres for a minimum distance of 8.0 metres behind the highway boundary in accordance with the approved drawing no. 0018 P2.
- b) the private driveway shall be surfaced in a bound material (not loose gravel) for a minimum distance of 8.0 metres behind the highway boundary. The surfaced driveway shall then be maintained in such hard-bound material for the life of the development.
- c) the access driveway shall be constructed with provision to prevent the discharge of surface water from the driveway to the public highway with any proposed soakaway (if applicable) located at least 5.0m to the rear of the highway boundary. The provision to prevent the discharge of surface water to the public highway shall then be retained for the life of the development.
- d) the parking areas shall be provided in accordance with approved drawing no. 0001 P8. The parking areas shall be maintained for the life of the development and shall not be used for any purpose other than the parking and turning of vehicles.
- e) The gates at the access point shall be fixed back, i.e. for decorative purpose only, in accordance with the approved plans and shall be retained fixed back for the life of the development.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.). To ensure surface water from the site is not deposited on the public highway causing dangers to road users. To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems in the area., all in the interests of Highway safety. In the interests of the safety of users of the Highway using the footway immediately adjacent to the boundary wall.

11

The outbuildings as shown on approved drawing no. 0017 P2 shall be provided and made available for use for cycle and bin storage prior to the first occupation of the flats hereby permitted in accordance with the approved details and retained for the lifetime of the development.

Reason: To ensure that adequate bin and secure cycle storage is provided for occupiers in the interests of visual amenity and encouraging sustainable transport.

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 Councils 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

Notes from the Highway Authority:

Access widening: The widening of the existing dropped kerb crossing requires works in the highway, which is land outside the applicant's control. Please note that a planning consent is not a permission to work on or from the public highway. In order to ensure all necessary licenses and permissions are in place you must contact licences@viaem.co.uk before any off-site works commence.

Building Works shall not project over the highway: No part of the proposed 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.

04

The following British Standards should be referred to:

- a) BS: 3882:2015 Specification for topsoil
- b) BS: 3936-1:1992 Nursery Stock - Part 1: Specification for trees and shrubs
- c) BS: 3998:2010 Tree work – Recommendations
- d) BS: 4428:1989 Code of practice for general landscaping operations (excluding hard surfaces)
- e) BS: 4043:1989 Recommendations for Transplanting root-balled trees
- f) BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations
- g) BS: 7370-4:1993 Grounds maintenance part 4. Recommendations for maintenance of soft landscape (other than amenity turf).
- h) BS: 8545:2014 Trees: from nursery to independence in the landscape – Recommendations
- i) BS: 8601:2013 Specification for subsoil and requirements for use

BACKGROUND PAPERS

Application case file.

Committee Plan - 22/01328/FUL

