



Report to Planning Committee 9 May 2024

Business Manager Lead: Lisa Hughes – Planning Development

Lead Officer: Helen Marriott, Senior Planner, ext. 5793

Report Summary			
Application Number	24/00281/FUL		
Proposal	5 New dwellings with parking and associate infrastructure		
Location	Land Off Church Circle, Briar Road, Ollerton		
Applicant	Mr Kevin Shutt, Newark and Sherwood District Council	Agent	Mrs Karolina Walton, Studio-G Associates LLP
Web Link	24/00281/FUL 5 New dwellings with parking spaces and communal cycle store. Land Off Church Circle Briar Road Ollerton (newark-sherwooddc.gov.uk)		
Registered	23.02.2024	Target Date	19.04.2024
Extension of Time:	10.05.2024		
Recommendation	That Planning Permission is APPROVED subject to conditions set out in Section 10		

This application is being referred to the Planning Committee for determination because Newark and Sherwood District Council is the Applicant.

1.0 The Site

1.1 The site is a rectangular shaped plot with access off Church Circle in the settlement of Ollerton. A footpath runs adjacent to the north boundary of the site and is separated from the main part of the site by a metal palisade fence. Beyond this path are a series of bungalows. A dwarf wall with a small access cut through is located around the proposed access part of the site. The remainder of the boundaries are predominately 1.8 m approx. high close boarded fences.

- 1.2 A recent housing development is located to the east and south of the site. This land and the main part of the site used to accommodate the Ollerton Miners' Welfare Centre.
- 1.3 Briar House (a care home) and non-designated heritage asset is located to the west and front of the site. St Paulinus' Church is a Grade II listed building located to the west of the site on a roundabout.
- 1.4 The site is predominately overgrown grass/shrubs. There is a large mature tree located on the boundary of the south west corner of the main part of the site. A number of smaller trees are also located within the site, especially within the proposed access part of the site.
- 1.5 The surrounding area is predominantly residential in nature albeit the doctors surgery and church are located close by.
- 1.6 The site is within Flood Zone 1, which means it is at low risk of main river flooding. It is also approximately 1.4km from the Birklands and Bilhaugh Special Area of Conservation (SAC) which is a European site, and which is notified nationally as the Birklands and Bilhaugh, and Birklands West and Ollerton Corner Sites of Special Scientific Interest (SSSIs). It also sits within the 5km buffer zone of the Potential Special Protection Area (pSPA) relating specifically to the presence of woodlark and nightjar.

2.0 Relevant Planning History

- 2.1. 06/00523/OUTM Erection of new dwellings, provision of football & bowls pitch, changing facility & alterations to welfare annex, relocation of mobile phone mast. (re-submission) – consent 15.06.2006. No reserved matters subsequently submitted and not implemented.

Adjacent land to the south and east:

- 2.2. 14/00669/FULM Erection of 88 no 2, 3, 4 bed 2 storey dwellings and ancillary works – permission 03.12.2014 (land at Ollerton and Beavercotes Miners Welfare). Implemented.

3.0 The Proposal

- 3.1 The application seeks full planning permission to erect five dwellings and a communal cycle store. Plots 1 and 2 would be 3-bed and 2-storey. Plots 4 and 5 dwellings would be 4-bed and 1.5 storey. Plot 3 would be 5-bed and 2-storey. The dwellings would be affordable homes.
- 3.2 The dwellings would all be constructed in Forterra Clumber Red Mixture or similar. Roof tiles would be Russell Grampian slate grey or similar.
- 3.3 The existing low level wall located to the north of Briar House would need to be partially demolished to enable access to the site off Church Circle. The existing palisade fencing located around the boundary of the main part of the site would be

- 0001 Rev P3 Existing Site Plan
- 0002 Rev P8 Site Plan and Site Location Plan
- 0003 Rev P3 3B5P Unit Floor Plans
- 0004 Rev P3 3B6P Unit Elevations
- 0005 Rev P3 4B6P Unit Floor Plans
- 0006 Rev P3 4B6P Unit Elevations
- 0007 Rev P3 5B8P Unit Floor Plans and Elevations
- 0008 Rev P8 Site Sections and Elevations
- 0009 Rev P3 Swept Analysis
- Design and Access Statement (February 2024)
- Arboricultural Report (February 2024)
- Preliminary Ecological Appraisal (PEA) Survey Report (August 2023)
- Habitat Regulations Assessment (19th February 2024)
- Heritage Impact Assessment

4.0 Departure/Public Advertisement Procedure

- 4.1 Occupiers of 32 properties have been individually notified by letter. A press notice has been published and a site notice has been placed adjacent to the site.
- 4.2 Site visit most recently undertaken on 09.03.2024.

5.0 Planning Policy Framework

The Development Plan

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

Spatial Policy 1 - Settlement Hierarchy
 Spatial Policy 2 - Spatial Distribution of Growth
 Spatial Policy 6 - Infrastructure for 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
 Core Policy 12 - Biodiversity and Green Infrastructure
 Core Policy 14 - Historic Environment
 ShAP1 - Role of Ollerton and Boughton

5.2. Allocations & Development Management DPD (2013)

Policy DM1 - Development within Settlements Central to Delivering the Spatial Strategy
 Policy DM2 - Allocated Sites
 PolicyDM3 - Developer Contributions and Planning Obligations
 Policy DM5 - Design
 Policy DM7 - Biodiversity and Green Infrastructure
 Policy DM9 - Protecting and Enhancing the Historic Environment

Policy DM12 - Presumption in Favour of Sustainable Development
Policy OB/Ho/3 - Ollerton & Boughton – Housing Site 3:

Land at the former Ollerton Miners Welfare at Whinney Lane has been allocated on the Policies Map for residential development providing around 70 dwellings.

In addition to the general policy requirements on the Core Strategy and the Development Management Policies in Chapter 7, with particular reference to DM2 Allocated Sites and Policy DM3 Developer Contributions, development on this site will be subject to the following:

- *The retention of the existing bowling green and associated facilities either on site as part of the layout of development, or facilitated by developer contribution through provision elsewhere within Ollerton & Boughton;*
- *Developer contributions will be required towards the provision of strategic sports infrastructure within Ollerton & Boughton;*
- *The positive management of surface water through the design and layout of development to ensure that there is no detrimental impact in run-off into surrounding residential areas or the existing drainage regime; and*
- *Developer funded improvements to ensure sufficient capacity within the public foul sewer system and wastewater treatment works to meet the needs of the development.*

5.3. The Draft Amended Allocations & Development Management DPD was submitted to the Secretary of State on the 18th January 2024. This is therefore at an advanced stage of preparation albeit the DPD is yet to be examined. There are unresolved objections to amended versions of the above policies emerging through that process, and so the level of weight which those proposed new policies can be afforded is currently limited. As such, the application has been assessed in-line with policies from the adopted Development Plan. However it should be noted that Policy OB/Ho/3 is proposed for deletion as residential units in accordance with the allocation have been completed on site.

5.4. **Other Material Planning Considerations**

National Planning Policy Framework
Planning Practice Guidance (online resource)
Housing Needs Study and Sub Area Summaries 2021
NSDC Parking Standards SPD (2021)
National Design Guide 2021
Building for a Healthy Life Birkbeck D and Kruczkowski S et al (2020)
Section 66 of Planning (Listed Buildings and Conservation Areas) Act 1990

6.0 **Consultations**

Please Note: Comments below are provided in summary - for comments in full please see the online planning file.

Statutory Consultations

6.1. Nottinghamshire County Council (Highways) –

The applicant has submitted revised site layout details to address the original concerns raised primarily in relation to the technical design of the proposed site access. The highway authority has no objection to the revised site layout subject to planning conditions relating to pedestrian splays, relocated lamp column, cycle storage and EV charging facilities.

Town/Parish Council (*received prior to the receipt of amended plans*)

6.2. Ollerton (and Boughton) Town Council – Objection on highways grounds.

Representations / Non-Statutory Consultation (*received prior to the receipt of amended plans*)

6.3. Nottinghamshire County Council (Public Rights of Way Officer) -

There is a path running adjacent to the site along the Northern border of the development, and whilst this is not a footpath recorded on the Definitive Map the same principles should apply and the path should be kept clear and not obstructed in any way.

6.4. NSDC Environmental Health (Contamination) – No observations.

6.5. NSDC Conservation Officer – No objection subject to conditions relation to materials and design details.

6.6. NSDC Tree and Landscape Officer – Future tree growth has not been anticipated and there is insufficient room to achieve any reasonable level of retention/new tree planting.

6.7. Three letters of objection received from neighbours/interest parties. Main issues raised relate to:

- Previously advised that this land would not be built on;
- Land should be grassed and left to wildlife or become a usable greenspace to benefit locals;
- Privacy issues;
- Church Circle can't take another exit (access) – limited capacity;
- Existing parking issues;
- Construction work will be disruptive – noise dust, impact on safety of children using footpath adjacent to the site, lack of privacy from construction workers using scaffolding;
- Existing dwellings will overlook the new dwellings.

7.0 Comments of the Business Manager – Planning Development

7.1. The key issues are:

- Principle of development
 - Housing Mix
 - Impact on Visual Amenity including the Local Interest Building and Setting of Listed Buildings
 - Impact upon Residential Amenity
 - Impact upon Highway Safety, Convenience and Parking
 - Impact on Trees and Ecology
- 7.2. 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 'Presumption in Favour of Sustainable Development' of the Allocations and Development Management DPD.

Principle of Development

- 7.3. The proposal site is located in Ollerton and Boughton, a Service Centre, designated for development in the Core Strategy (adopted 2019) under Spatial Policy 1 and Spatial Policy 2, within which housing growth is supported.
- 7.4. The majority of the site is also allocated within a small part of a wider allocated site for residential development, under Policy OB/Ho/3 which states that it would provide around 70 dwellings. The site-specific Policy OB/Ho/3 (stated in full in the planning policy section of this report above), sets out that development on this site will be subject to a number of criteria, including those relating to bowling green facilities, strategic sports infrastructure provision, the positive management of surface water run-off and capacity requirements of the public foul sewer system and waste water treatment works. However, it is noted that Policy OB/Ho/3 is proposed for deletion in the pending Plan Review Publication Version of the Amended Allocations & Development Management DPD (November 2022) as 'development now completed'. This is following completion of application no 14/00669/FULM for the erection of 88 dwellings on land within the majority of the allocated site to the south and east of the site.
- 7.5. As such, it is considered that the specific requirements of this policy have been met and generic site-specific considerations now apply. I note the consultation responses received stating land should be retained as open space. However, there is no protection afforded to this land for this purpose within the Development Plan. As such, the site is located in a sustainable location for new development and is acceptable in principle subject to the site-specific issues set out below.

Housing Mix

- 7.6. Core Policy 3 provides that development densities should normally be no lower than 30 dwellings per hectare net and 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. It goes on to say that the LPA will secure an appropriate mix of housing types to reflect the local housing need. The developments are being put forward as part of a five-year building programme by Newark and Sherwood Homes (NSH) to deliver new affordable dwellings across the District to directly meet affordable housing need.
- 7.7. Overall, the proposal would contribute to the need for affordable units that is required in this district as acknowledged by Core Policy 3.

Impact on Visual Amenity including the Local Interest Building and Setting of Listed Buildings

- 7.8. Core Policy 9 requires new development proposals to demonstrate a high standard of sustainable design that both protects and enhances the natural environment and contributes to and sustains the rich local distinctiveness of the District and an appropriate form and scale to its context complimenting the existing built 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. It also states that proposals creating backland development will only be approved where they would be in-keeping with the general character and density of existing development in the area, and would not set a precedent for similar forms of development, the cumulative effect would be to harm the established character and appearance of the area. Inappropriate backland and other uncharacteristic forms of development will be resisted. Policy CP14 of the Core Strategy and DM9 of the DPD require continued preservation and enhancement of heritage assets.
- 7.9. The proposed development would be situated within the setting of the Church of St Paulinus (Grade II). The church is a c.1931 parish church constructed for the Butterley Company for the expansion of the colliery village of New Ollerton. The church is designed in a Romanesque style and constructed in dark brown brick with plain tile roofs. As can be seen from Fig.1, the church was placed at the centre of a newly developing housing settlement with roads arranged around it in a radial plan form. In accordance with S66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the local planning authority must pay special regard to the desirability of preserving listed buildings, their setting and any architectural features that they possess. In this context, the objective of preservation is to cause no harm, and is a matter of paramount concern in the planning process.

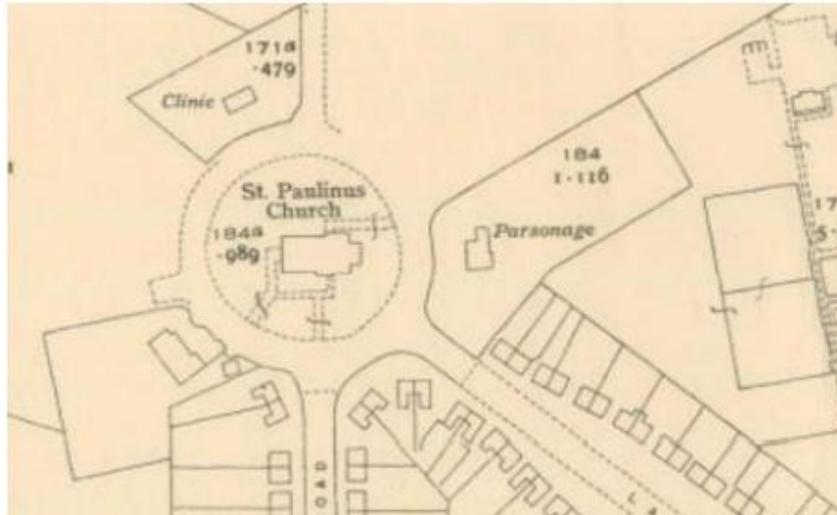


Fig.1 c.1940 OS map [online] (Notts Insight Mapping)

- 7.10. The site It is also located in the setting of Briar House (a non-designated heritage asset labelled the 'Parsonage' in Figure 1 above). Briar House is an early-20th century house, which is considered a non-designated heritage asset as it is associated with the adjacent listed church and illustrative of Arts & Crafts style which was popular in the early-20th century. As set out in the Council's 'Non-Designated Heritage Asset Selection Criteria', the building has historic association, architectural interest and representativeness. The setting is provided by the 20th century housing surrounding the building, the church at the centre of the housing development and the open field to the rear. All of this makes a positive contribution to its significance.
- 7.11. The proposed development represents a form of backland development. Views of the site from public vantage points are therefore limited albeit the site would be visible from the neighbouring dwellings and footpath running adjacent to the north side of the site. All of the land to the rear of buildings fronting Church Circle has already been developed. As such, it is not considered that the principle of a residential development on this site would be harmful to the established character and appearance of the area.
- 7.12. The creation of the access would create a break in the more traditional boundary treatments along Church Circle albeit with acknowledgement that these boundaries have been altered over the years through various developments.
- 7.13. The proposed houses would be a mixture of 1 ½ storey and 2-storey houses. The proposed external materials – red brick walling and grey tiled roofs – would be sympathetic to the surrounding historic built form.
- 7.14. The frontages of Plots 1, 2 and 3 along with parking and landscaping would be visible on entry into the site. The height and scale of the dwellings would not dominate or distract from the adjacent heritage assets, which is illustrated in the Proposed Street View below. Regarding the existing palisade fence, the applicant has confirmed that it is proposed for removal in order to make it open and safer. There would still be a new low level wall dividing footpath and new development, as indicated on the proposed site plan. Proposed landscaping and the impact on existing trees is addressed further in the 'Impact on Trees and Ecology' section below.



Proposed Street View from frontage of Briar House

- 7.15. The Conservation Officer raises no objection to the proposed development subject to conditions requiring the submission and approval of materials and design details, including details of the proposed solar panels in order to ensure that the solar farm specification blends into the backdrop of the roof on which they would sit. A condition requiring details of all proposed means of enclosure is also recommended.
- 7.16. Overall, subject to conditions the proposal would not result in harm to the setting of the listed church of the setting of Briar House and would not result in an adverse impact on the visual amenity of the area in accordance with the aims of Core Policies 9 and 14 or DM5 and 9 of the DPD.

Impact upon Residential Amenity

- 7.17. Policy DM5 requires development to be acceptable in terms of not having a detrimental impact on residential amenity both in terms of existing and future occupiers. The NPPF promotes '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'.
- 7.18. Plots 3-5 would sit back to back with the recently constructed dwellings to the east of the site with a garden depth of at least 10.5 metres. Plot 5 would have two bedroom and one bathroom window in its first floor rear elevation facing towards the rear of these existing dwellings. A 21 metre gap minimum has been provided between the rear wall of the proposed dwellings and the rear wall of the existing dwellings which is considered to be a sufficient separation gap to ensure no adverse levels of overlooking beyond typical levels experienced in typical residential areas. There would be no upper floor windows proposed in the rear elevations of Plots 3 and 4.
- 7.19. The submitted site sections show that land levels would broadly be similar and the ridge height of the proposed dwellings would sit below the height of the existing dwellings surrounding the site. As such, it is not considered that any adverse overbearing impact would result.



Rear of recently constructed dwellings to the east of the site

- 7.20. The upper floor windows of the two recently constructed dwellings located to the south of the application site serve non habitable room windows (bathrooms and landing according to the approved plans for this development). The ground floor window on the side elevation of No 8 Barley Close is a secondary window serving a kitchen/diner (according to the approved plans for this development). Plot 5 would sit side onto No 8 Barley Close with a separation of over 3 metres to the shared boundary. Plots 1 and 2 would sit rear onto No 10 Barley Close at a distance of over 15 metres away. The ground floor windows on the side elevation of No 10 Barley Close serve non habitable rooms. Plot 1 would sit side onto the rear of Briar House at a distance of over 15 metres away and would not contain any windows in its west facing side elevation. All of these relationship/separation distances are considered acceptable.



Side of recently constructed dwellings to the south of the site

- 7.21. The occupants of the proposed dwellings would be provided with adequate usable private garden areas – the relationship with trees is addressed further in the relevant section below.
- 7.22. The development would create vehicle movements past the side of Briar House. Due to the separation gap and frequency of expected movements, it is not considered that this would give rise to unacceptable levels of noise or disturbance.



Position of proposed access off Church Circle, adjacent Briar House

- 7.23. Overall, it is considered that the proposed development would not result in an adverse impact on living conditions in accordance with Core Policy 9 and policy DM5 of the DPD.

Impact upon Highway Safety, Convenience and Parking

- 7.24. Spatial Policy 7 indicates that development proposals should be appropriate for the highway network in terms of the volume and nature of traffic generated and ensure the safety, convenience and free flow of traffic using the highway are not adversely affected; and that appropriate parking provision is provided. It also requires proposals to provide safe, and attractive accesses for all, including the elderly and disabled, and others with restricted mobility. Policy DM5 of the DPD also requires the provision of safe access to new development and appropriate parking provision.
- 7.25. Parking standards would be complied with in terms of the quantum and size of proposed parking spaces. The Highways Officer raises no objection subject to a number of conditions including ensuring the access and parking are provided prior to the occupation of the proposed dwellings. The revised site layout proposes an access which meets width requirements set out in the Nottinghamshire Highway Design Guide. Adequate turning within the site is also proposed in the revised site layout plan, enabling refuse vehicles to serve the proposed development. A lamppost would require relocating, and this is a matter that would need to be agreed with Nottinghamshire County Council in order to comply with the recommended conditions.
- 7.26. Overall, it is considered that the application accords with the aims of Spatial Policy 7 of the Core Strategy and Policy DM5 of the DPD.

Impacts on Trees and Ecology

- 7.27. 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.

Trees

- 7.28. An Arboricultural Report and Impact Assessment has been submitted with the application. This identifies 14 trees located either within or close to the application site. 10 of these trees are young self set sycamore trees which have been Graded as Category C trees. The submitted report states that all of these trees are proposed for removal to facilitate the proposed access to the site. There is no objection to their loss provided that adequate replacement planting is proposed. Whilst the scope for replacement planting is somewhat limited, it is considered that the proposed site layout has sufficient space available to accommodate a suitable soft landscape scheme. This is a matter that can be dealt with by planning condition with final details to be approved in writing in consultation with the Council's Tree and Landscape Officer.



Trees proposed for removal around position of proposed access

- 7.29. There is also a Category B sycamore tree located to the front of Briar House. There are two Category B mature robinia trees located in neighbouring gardens to the rear of No 20 Alder Grove to the north which slightly overhang the proposed development site (over the footpath that runs along the north edge of the site). There is a Category C mature poplar tree located to the rear of Briar House which partly overhangs the application site.
- 7.30. None of these trees are protected and the submission documents do not propose any works to these four trees. The revised site layout plan has moved Plot 3 further away from the robinia trees in light of comments received from the Tree Officer and in order to better accommodate growth expected in their 40+ year life expectancy. Whilst the poplar tree would overhang the rear garden of Plot 1, its patio area immediately adjacent to its rear elevation would remain clear and given that this tree has a more limited life expectancy of 20-40 years, it is not considered that future growth would represent a significant issue for occupiers of this dwelling. The sycamore tree to the front of Briar House would overhang the proposed access slightly. Impacts of the construction of the proposed development in particular the need to have regard to the proposed retention of all of these trees and this is a matter than can be controlled

via a condition to ensure the submission and approval of tree protection measures prior to the commencement of development.



Mature trees on adjacent land (2 robinias to the north of the site and 1 poplar to the rear of Briar House)

Ecology

- 7.31. A Preliminary Ecological Appraisal has been submitted which concludes that the proposed development would not result in any adverse impact upon any protected species and no further surveys are recommended. Mitigation measures proposed relate to site clearance works taking place outside the bird breeding season and hedgehog friendly landscaping which can be controlled by planning condition.
- 7.32. Consideration of the potential impact of the proposed development upon the Potential Special Protection Area (pSPA) and the conservation of woodlark and nightjar would also be required.
- 7.33. This planning application was submitted prior to the mandatory requirement for 10% Biodiversity Net Gain (BNG) to be demonstrated on small scale development sites.
- 7.34. The site is located with Natural England's (NE's) Indicative Core Area (ICA) within which the need for the impact on the potential Sherwood Forest Special Protection Area (pSPA) for its breeding bird (nightjar and woodlark) needs to be considered. The Council must pay due attention to potential adverse effects on birds protected under Annex 1 of the Birds' Directive and undertake a "risk-based" assessment of any development, as advised by NE in their guidance note dated March 2014. The site is also located just over 2km to the southeast of the Birkland and Billaugh Special Area of Conservation (SAC).
- 7.35. It remains for the Council, as Competent Authority, to satisfy ourselves that the planning application contains sufficient objective information to ensure that all potential impacts on these designations including breeding nightjar and woodlark populations have been adequately avoided or minimised as far as possible using appropriate measures and safeguards. Whilst there would be no direct impacts resulting from the proposal, in terms of indirect impacts there is a potential for greater recreational pressure on these areas. It is however acknowledged that many of these areas are managed which would mean that in many cases, dog walkers etc. would keep to established routes.

- 7.36. The first stage of any Habitat Regulations Assessment (HRA) is to identify the likely significant effects (LSE) through the screening process. This is a high-level assessment enabling the assessor to decide whether the next stage of the HRA, known as the appropriate assessment, is required.
- 7.37. The application has been supported by a 'Habitat Regulations Assessment and Appropriate Assessment' and represents a shadow HRA. This has screened the proposed development and concludes that that no LSE is expected from the development. Therefore Stage 2 of the HRA: and Appropriate Assessment is not required. It is considered that adequate information been submitted and the Council has therefore adopted the submitted shadow HRA.

Overall

- 7.38. It is considered that the proposed development would not result in an unacceptable loss or damage to existing trees that cannot be mitigated through the imposition of appropriate planning conditions including the provision of a landscape scheme. Nor would the proposed development result in an adverse impact upon protected species in accordance with the aims of Core Policy 12 and Policy DM5.

8.0 Implications

- 8.1. 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

- 9.1. The site is located within Ollerton where the principle of the development can be considered acceptable. The proposed development is considered with regards to its impacts on the character of the area, tree and ecology impacts, highways impacts and impacts upon existing neighbours and future occupiers. As such, the proposed development is considered to accord with the aims of the relevant local and national planning policy.

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 plans reference:

- 0002 Rev P8 Site Plan and Site Location Plan
- 0003 Rev P3 3B5P Unit Floor Plans
- 0004 Rev P3 3B6P Unit Elevations
- 0005 Rev P3 4B6P Unit Floor Plans
- 0006 Rev P3 4B6P Unit Elevations
- 0007 Rev P3 5B8P Unit Floor Plans and Elevations

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 including the setting of the listed building.

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
- Specific details of solar panels

Reason: In the interests of visual amenity including the setting of the listed building.

05

Notwithstanding the submitted details, 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:

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.

proposed finished ground levels or contours;

lighting details;

existing and proposed boundary treatments including types, height, design and materials;

hard and soft surfacing materials.

The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species and a wildlife friendly' landscape design having regard to the recommendations set out in section 7 'Biodiversity Enhancement' of the Preliminary Ecological Appraisal (PEA) (August 2023 by Estrada Ecology).

Reason: In the interests of visual amenity and biodiversity.

06

The approved hard and soft landscaping scheme (as required by the condition above) shall be carried out within 6 months of the first occupation of any building or completion of the development, whichever is soonest. If within a period of 7 years from the date of planting any tree, shrub, hedgerow or replacement is removed, uprooted, destroyed or dies then another of the same species and size of the original shall be planted at the same place. Variations may only be planted on written consent of the District Planning Authority.

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

Notwithstanding the submitted details, no works or development shall take place until a scheme for protection of the retained trees/hedgerows has been agreed in writing with the District 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 / 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.

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 Local 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

No part of the development hereby permitted shall be brought into use until the site access and driveway/parking/turning areas are provided in accordance with the scheme illustrated on the approved site plan (drawing number 638-SGA-354-SL-DR-A-0002 Rev P7). The access/parking/driveway/turning areas shall not be used for any purpose other than movement/parking/turning/loading/unloading of vehicles.

Reason: In the interests of highways safety and 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.

10

No part of the development hereby permitted shall be brought into use until a hard surfaced dropped kerb footway crossing to serve the driveway from Church Circle is available for use and has been constructed in accordance with the Highway Authority's specification to the satisfaction of the Local Planning Authority. Such a scheme shall include relocation of the existing streetlight which results from the introduction of the proposed site access.

Reason: In the interests of highway safety.

11

No part of the development hereby permitted shall be brought into use until pedestrian visibility splays have been provided on both sides of the site access onto Church Circle in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. Such splays shall be kept clear of obstructions above a height of 0.6m above carriageway level and shall be maintained for the life of the development.

Reason: In the interests of highway safety.

12

No part of the development hereby permitted shall be brought into use until the driveway is surfaced in a bound material, along the full width of the driveway for a minimum length of 8m within the site measured from the highway boundary, in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. This area of driveway shall be maintained in the bound material for the life of the development.

Reason: To ensure deleterious material from the site is not deposited on the public highway causing dangers to road users in the interests of highway safety.

13

No part of the development hereby permitted shall be brought into use until provision has been made within the application site for the secure parking of cycles, provision of secure cycle equipment storage facilities and electric vehicle charging facilities in accordance with the approved plans. The approved facilities shall not thereafter be used for any other purpose and shall be maintained for the life of the development.

Reason: To promote sustainable travel.

14

No gates shall be erected at the vehicular access to the development.

Reason: In the interests of highway safety.

15

No site clearance shall be undertaken during the bird nesting period (beginning of March to end of August inclusive). This is unless the site is first inspected by a suitably qualified ecologist and a report submitted and approved in writing by the Local Planning Authority prior to such works taking place.

Reason: To ensure that adequate provision is made for the protection of nesting birds and/or protected species on site.

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

Suitable measures must be taken to minimise dust and dirt during the construction and operation of the site using best practice methods.

04

There is a path running adjacent to the site along the Northern border of the development. Whilst this is not a footpath recorded on the Definitive Map the same principles should apply and the path should be kept clear and not obstructed in any way.

05

You are advised that you may require building regulations approval in addition to the planning permission you have obtained. East Midlands Building Control operates as a local authority partnership that offers a building control service that you may wish to consider. You can contact them on via email at info@eastmidlandsbc.com via phone on 0333 003 8132 or via the internet at www.eastmidlandsbc.com

06

The development makes it necessary to alter a vehicular crossing and relocate a streetlight on Church Circle. These works shall be constructed to the satisfaction of the Highway Authority. The developer is required to contact the Highway Authority's agent, VIA East Midlands (Tel. 0300 500 8080), to arrange for these works to be designed and implemented.

BACKGROUND PAPERS

Application case file.

Committee Plan - 24/00281/FUL

