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| Application No: | 17/02105/FUL | |
| Proposal: | Erection of 9 bungalows | |
| Location: | Majeka Wellow Road Ollerton | |
| Applicant: | Mr J Pitkin | |
| Registered: | 08.12.2017 | Target Date: 02.02.2018 |
| | | Extension of Time Agreed: 09.03.2018 |

This application is being referred to the Planning Committee in line with the adopted scheme of delegation as the officer recommendation differs from the views of Ollerton Town Council.

The Site

The site is an area of open paddock located to the rear of a line of housing development fronting the south side of Wellow Road on the south eastern edge of Ollerton. The site includes the curtilage of the property known as ‘Majeka’ a single storey detached dwelling with access from Wellow Road only gained through the property curtilage. The site sits opposite the new development on Kingfisher Way granted consent in 2015 for 147 new dwellings. The site is approximately 0.5 hectares and ‘L shaped’ widening at its southernmost point. It is flat and open, laid to rough grass and demarcated by hedge planting to its east and west boundaries and post and wire fencing to its southern boundary. Adjoining the site to the east and west is further paddock land; to the north are the rear gardens of the residential properties fronting Wellow Road and to the south open countryside.

The site is located within, but on the southern edge of, the Ollerton settlement urban boundary as identified in the Allocations and Development Management DPD with agricultural land bounding to the south. The site is designated as being within Flood Zone 1 in accordance with Environment Agency mapping and is detailed as being prone to surface water flooding.

The land contains a timber stable building and dilapidated garage building on the north western boundary and the site is currently used to graze a horse. A high voltage power line runs across the field from east to west. There are two storey properties to the east and west of the site and new residential properties are currently under construction opposite the site on Kingfisher Way. Properties in the vicinity are constructed from a variety of materials, however predominantly red brick and pantiles.

Relevant Planning History

16/00815/RMA - Reserved matters application for Plot 1 (Access, Appearance, Landscaping, Layout and Scale) – Approved 2016 not implemented but extant until July 2018

16/00814/FUL - Householder application for demolition of annex, alterations to dwelling and erection of detached garage to front and creation of new vehicular access. Approved 2016

11/00704/OUT - Erection of 5no 1.5 storey detached dwellings. Refused 2012 due to inappropriate density but allowed on appeal in 2013

The Proposal

The proposal seeks full planning permission for the construction of 9 single storey properties. Plans have been revised during the lifetime of the development reducing the garaging for the properties from double to single garages.

The dwellings are all detailed as being 3 bed units with a mix of integral and stand-alone garaging. It is proposed that the dwellings be constructed of a mix of red bricks with concrete roof tiles.

The single storey annexe building to the front of Majeka and approximately 2m of the western gable wall of the host dwelling itself would be demolished to facilitate the construction of the new access on the western boundary of the site. In addition the garage to the rear of the property and the existing stable would be demolished to accommodate the development. A new garage was granted consent for construction to the front of Majeka in 2016. The existing high voltage power line would be re-routed underground and a small electricity sub-station provided with the site to the southern boundary of the host dwelling.

The application is supported by an ecology assessment and a contaminated land assessment.

Departure/Public Advertisement Procedure

Occupiers of 11 properties have been individually notified by letter.

Planning Policy Framework

The Development Plan

Newark and Sherwood Core Strategy DPD (adopted March 2011)

Spatial Policy 1: Settlement Hierarchy

Spatial Policy 2: Spatial Distribution of Growth

Spatial Policy 7: Sustainable Transport

Core Policy 3: Housing Mix, Type and Density

Core Policy 9: Sustainable Design

Core Policy 10: Climate Change

Core Policy 12 Biodiversity and Green Infrastructure

Core Policy 13: Landscape Character

Allocations & Development Management DPD

Policy DM1 – Development within Settlements Central to Delivery the Spatial Strategy

Policy DM5 – Design

Policy DM7 – Biodiversity and Green Infrastructure

Policy DM12 – Presumption in Favour of Sustainable Development

Other Material Planning Considerations

- National Planning Policy Framework 2012
- Planning Practice Guidance 2014

Consultations

Ollerton Town Council – Objection

At the meeting of the Town Council's Planning Committee last night, following careful consideration the members voted unanimously to object to the proposal on the following grounds:

1. Highways

Highways - This development will add to the existing traffic problems on Wellow Road, in particular due to the access being in close proximity to the housing development on the opposite side of Wellow Road.

2. Location

Site - further objections were raised due to this being a backland development.

The members of Ollerton & Boughton Town Council strongly request that these comments be taken into account when the application is considered by members of NSDC Planning.

NCC Highways Authority – No objection subject to conditions.

This proposal is for the construction of 9 dwellings with associated garages served by a new access onto Wellow Road, which is subject to a 30mph speed limit. The provision of the access will require alterations to 'Majeka'. Adequate visibility splays are provided on dwg. no. 186.12.02 Rev. D. It is recommended that a suitable wheeled bin storage area be provided close to but not on Wellow Road.

There are no highway objections to this proposal subject conditions.

NSDC Waste, Litter & Recycling – No response received

NSDC Environmental Health (contaminated land) – No objection

With reference to the above development, I have received a Combined Phase I Desk Study and Phase II Exploratory Investigation report submitted by the consultant (Geodyne Ltd) acting on behalf of the developer.

This includes an environmental screening report, an assessment of potential contaminant sources and a description of the site walkover.

The report then describes the intrusive sampling that was carried out and confirms from the results obtained that the site can be considered uncontaminated.

I generally concur with the findings of the assessment. Should you wish to discuss the above comments further I can be contacted on extension 5430.

NSDC Access and Equalities Officer – Observations in relation to Building Regulations.

NCC Ecology - I have had a look at the Extended Phase 1 Ecological Assessment report (dated August 2017). Overall, the site appears to be of fairly low ecological value, but as you have identified, the report has recommended further surveys for reptiles and bats. It is always difficult to go against recommendations made in reports such as these, where I have no direct experience of the application site. However, a few thoughts as follows:

As a general rule, surveys for protected species should not be conditioned, as per paragraph 99 of Government Circular 06/2005. This states (with my emboldening): ***“It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted. However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development. Where this is the case, the survey should be completed and any necessary measures to protect the species should be in place, through conditions and/or planning obligations, before the permission is granted. In appropriate circumstances the permission may also impose a condition preventing the development from proceeding without the prior acquisition of a licence under the procedure set out in section C below”***. In this case, the fact that the report has indicated that further surveys are required represents a ‘reasonable likelihood’ of the species being present.

That said, it would appear that the majority of the site does not represent suitable habitat for reptiles, being short-grazed paddock; reptile habitat appears to be limited to longer vegetation along the western boundary, beyond which there is a (currently undeveloped) area of rough grassland and scrub. I suspect that, should reptile surveys take place and reptiles be found to be present, only a small population would be recorded, and that mitigation recommendations would centre on a passive displacement exercise, whereby site clearance is undertaken in such a way that any reptiles present are encouraged to move off into the area to the west. Therefore, I would not be unduly concerned by a condition requiring the submission of a Reptile Method Statement setting out how a prior to commencement development passive displacement exercise will take place, and in the absence of further surveys.

Bats present more of an issue to my mind, as the report is rather vague about the roosting potential offered by the buildings present on site, stating *“A number of buildings were located to the north of the site, in addition to neighbouring residential properties. Though signs and evidence of bat activity were not observed on the site, these features hold potential for bat roosting”*. It is therefore unclear which buildings are deemed to have potential for roosting bats, and why - I would normally expect the buildings to be described, and for potential roost features to be clearly identified. Given that bats are a European Protected Species and subject to the strictest level of protection (in contrast to reptiles occurring in Nottinghamshire which are protected under domestic legislation and only from ‘deliberate killing’), I think further consideration of this matter is required at this stage. I would therefore suggest that a more detailed assessment of these buildings is undertaken, prior to the determination of the application, in the form of a Preliminary Bat Roost Assessment (carried out by a bat ecologist). Such an assessment can be carried out at any time of year, but it should be noted that if evidence of, or potential for roosting bats is found, then emergence re-entry surveys may well be required, which are seasonally constrained.

In addition, I have attached some standing advice, of which some (e.g. protection of retained hedgerows during construction, landscaping including new hedgerows, and provision of integrated nest boxes) is relevant in this case.

One letter of correspondence received neither objecting nor supporting raising the following points:

- The boundary hedging is important for wildlife, the plans indicate no changes to this boundary and it is important that it remains.

Comments of the Business Manager

Principle of Development

Paragraph 14 of the NPPF confirms that a presumption in favour of sustainable development is at the heart of the document, outlining that for decision-taking this means “*approving development proposals that accord with the development plan without delay*”.

It is relevant to acknowledge that at the present time, the LPA is well advanced in the process of a plan review and is currently awaiting the outcome of the hearing undertaken at the beginning of the month. For the avoidance of doubt the Council does currently have a 5 year housing land supply against the only OAN available and produced independently by consultants and colleague Authorities. I do not consider it necessary to rehearse the full position in respect of this matter given the support for additional housing in Ollerton in principle. Whilst the NPPF identifies that there is a presumption in favour of sustainable development, this does not automatically equate to the development being granted as other material considerations need to be taken into account.

The Allocations & Development Management DPD was adopted in July 2013 and, together with the Core Strategy DPD (Adopted 2011), forms the Local Plan for Newark & Sherwood. Ollerton is designated as a Service Centre within the Settlement Hierarchy set out under Spatial Policy 1 of the Core Strategy. Spatial Policy 2 of the Core Strategy sets out that 40% of housing growth within Service Centre’s will be focused in Ollerton. The principle of new housing development on land considered to be on the edge of but within the main built up area of the settlement is therefore appropriate subject to any proposals having regard to the current use of the site and according with wider local and national planning policy considerations which are discussed further below.

Notwithstanding the above position, it is notable that the outline consent granted in 2013 by the inspectorate for 5 No. 1 ½ storey dwellings remains extant until July 2018 given the granting of consent for the reserved matters for 1 of the plots in July 2016.

Design/Density/Impact on Character of the Area

Core Policy 9 states that new development should achieve a high standard of sustainable design and layout 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. The NPPF states that good design is a key aspect of sustainable development and new development should be visually attractive as a result of good architecture and appropriate landscaping.

Density

The 5 1 ½ storey dwellings were previously refused outline consent by Members who considered that 5 units across the 0.5ha site resulted in an insufficient site density; 10 dwellings per hectare. The decision was appealed by the applicant and the subsequent inspector raised no objection to this proposed density and the scheme was duly approved. The current scheme of 9 single storey units represents the same site area of 0.5ha as that previously considered, however the footprints of the dwellings and site layout have been revised to accommodate 9 units, resulting in approximately 18 dwellings per hectare density. Whilst this density still falls short of the 30 dwellings per hectare outlined in Core Policy 3, it is acknowledged that the scheme proposes single storey units and that a density of 10 dwellings/ha has previously been considered to be acceptable by the inspectorate. It is therefore considered that the proposed density is acceptable and would not appear out of keeping with the surrounding area and would provide a transition from the lower density on the proposed development site on the southern side of Ollerton Road in comparison to the higher density of new build properties on Kingfisher Way to the north.

Design

With regards to design; the layout shows 2 different styles of bungalow across the site notably 7 x Haselmere and 2 x Salisbury, with 8 x single detached garages and 1 of the properties benefiting from integral garaging. The variation in design and orientation of the properties is considered to result in sufficient design interest and the plot spacing appears satisfactory to avoid an overly dense site layout. Materials proposed are red brick and tile which would blend in with that of surrounding dwellings. The proposed development is therefore not considered to detract from the character of the area.

Mix

Requests have been made to the applicant to amend the mix of dwellings on the site to incorporate some 2 bed units. However, the applicant has responded to state that the inclusion of 2 bed units on the site would result in viability issues and that they have already received significant interest in the units with approximately half of them sold subject to planning being granted.

In accordance with the Sub Area Housing Report of 2014, Ollerton resides within the Sherwood sub area where the largest demand shown is for 3 bed units (247) followed by 2 bed (177) and 4 bed (65). Furthermore the report showed the highest demand to be for bungalows (408) followed by detached and semi-detached properties. It therefore is considered unreasonable given the scale of the site as a whole and the findings of the sub area report to seek the inclusion of smaller units across the site and therefore in this instance the provision of nine 3 bed single storey properties is considered to be acceptable.

Limited landscaping and boundary treatment information has been provided as part of the submitted documentation and therefore in the interests of ensuring a satisfactory finish to the scheme it is recommended that further information is sought in relation to these two elements which can be secured by way of condition.

The comments from the town council in relation to backland development are noted; however it is considered that the principle of development on the site has been established by the 2013 appeal decision and the proposed site footprint for this development broadly aligns with that of the scheme previously deemed acceptable by the inspectorate.

The proposed development is not considered to detract from the character of the area and would accord with policy DM5 of the DPD.

Impact on Neighbouring Amenity

Policy DM5 of the DPD states that development proposals should ensure no unacceptable reduction in amenity. New development that cannot be afforded an adequate standard of amenity should also be resisted. The NPPF seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings.

The proposed layout offers a satisfactory degree of amenity for future residents on the basis that the proposed dwellings would be single storey in their construction, with reasonable separation distances and garden areas between the plots. Furthermore, the dwellings would be situated a sufficient distance away from existing neighbouring properties to ensure that they would not result in overlooking, overbearing or loss of light. The closest amenity relationship would be that between the host dwelling known as Majeka and Plot 1 of the proposed development. The window to window distance of these plots would be approximately 22m which is considered an adequate distance in the context of single storey development.

As such it is considered that the proposed development would offer a satisfactory degree of amenity for existing & future residents. On this basis the proposal is considered compliant with the relevant elements of Policy DM5.

Highway Matters

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.

The proposal would result in the demolition of the building contained to the front of Majeka and part of the dwelling itself to facilitate the provision of the new access. Whilst the objections raised by the Town Council are noted in relation to traffic volumes being increased by the proposed development, NCC Highways have reviewed the proposed layout and have raised no objection subject to the imposition of a number of conditions.

The proposed layout has been revised following comments from NCC Highways to provide a bin collection point within proximity to the highway boundary and an access gate has been removed. However, it is notable that the access width is not sufficient for the access road to be adopted meaning that bin collection lorries will not be able to maneuver within the site. This creates an issue for the proposed occupiers particularly towards the south of the site where they would have to walk some distance to place their bin at the appropriate point close to the site access. Despite consultation no response has been received from the Waste Team albeit it is evident that this would be an undesirable aspect of the development. Officers have carefully considered whether it would be reasonable to insist on revised access arrangements (previously raised as an issue at pre-application stage) or indeed resist the application purely on this basis. However, given the extant permission on the site where the Inspector allowed a similar arrangement (i.e. plots towards the south of the site served by a narrow access) it is not considered reasonable to refuse (and potentially be required to defend at appeal) the proposal purely on this basis.

The site as proposed would provide a single garage for each property with space for a further 2 vehicles to the front of the garage areas. Satisfactory turning facilities have also been provided within the site to ensure the development would not result in any highway safety concerns. The proposed development is therefore considered acceptable and would accord with the requirements of Spatial Policy 7 and DM5 of the Core Strategy and DPD respectively.

Flooding/Drainage

Policy DM5 and Core Policy 9 require that proposals pro-actively manage surface water and Core Policy 10 seeks to mitigate the impacts of climate change through ensuring that new development proposals taking into account the need to reduce the causes and impacts of climate change and flood risk.

The site is located with Flood Zone 1 on the Environment Agency's mapping relating to flooding from rivers and sea and therefore under the definitions within the NPPF in an area of low probability for flood risk. Given the site is less than 1Ha no flood risk assessment has been submitted in support of the application. However, the site is shown as being within an area prone to surface water flooding. Drainage details have been provided as part of the application documentation and subject to the imposition of the measures outlined it is not considered that the proposal would result in any surface water management concerns.

Ecology

The site is grassed with trees & hedging marking the boundaries. The application has been supported with an Extended Phase One Ecological Assessment dated August 2017 and a follow on Bat Building Assessment undertaken by Ramm Sanderson dated February 2018. The initial survey concluded that the site could demonstrate potential for reptiles and bats to be present and requests that further survey work be undertaken. In accordance with paragraph 99 of Government Circular 06/2005 any survey work should be undertaken prior to the determination of any application.

I am however mindful that an extant consent exists on the site for 5 x 1 ½ storey dwellings and no reference to ecology was made in the determination of this application. I have sought further comments from ecology colleagues at NCC who have reviewed the initially undertaken survey. They have concluded that the site in the majority does not appear to represent suitable habitat for reptiles and in this instance would be satisfied for further survey work and if required displacement mitigation to be submitted post decision of the application. Colleagues did however feel that insufficient information had been presented in relation to the presence of bats on the site. At the request of the applicant a follow on survey has been undertaken by Ramm Sanderson to assess bat potential from the buildings contained on the site. This survey concluded that of the 4 buildings on site; the annexe building to the front of Majeka and the garage building to the rear (buildings 2 & 3) which are proposed to be demolished to facilitate the construction of the new access road present negligible interest to bats. The host property Majeka (building 1) would have a small section of the western gable wall demolished and the property as a whole represents low potential with the open stable (building 4) to the rear demonstrating moderate potential. Whilst the dwelling and stable respectively demonstrate low and moderate potential no evidence of bats was discovered as part of the assessment.

Notwithstanding this the survey recommends that an ecologist be present on site should any bats be discovered in the process of demolishing the section of the western gable wall of Majeka and that further nocturnal surveys are undertaken in relation to the stable. As detailed above it is always advised that surveys in relation to protected species be undertaken prior to the determination of an application. However, I am mindful of the information presented within the recommendation section of the report and that the site benefits from an extant consent and am therefore confident that in this instance a suitably worded condition could be attached to any consent to allow works on site to commence with the stable retained until such time as further surveys can be undertaken in April/May. Should any bats be discovered on site mitigation could be provided within that area of the development site (plot 9) which would not prohibit the delivery of the scheme proposed as a whole.

In addition to the above, paragraph 118 of the NPPF includes that opportunities to incorporate biodiversity in and around developments should be encouraged. With this in mind, it is recommended that new habitats be provided as part of the future development of the site through appropriate planting and installation of bat and bird boxes which shall be secured by way of condition.

Subject to condition it is not considered that the development of the site would result in significant harm to ecological interest and the proposal would accord with the requirements of policy DM7 of the DPD.

Contaminated Land

An assessment of the land for contaminants has been undertaken which has been reviewed by colleagues within Environmental Health. No concerns in relation to land contamination have been raised and as such it is considered unlikely that the proposal would result in concerns relating to land contamination.

Affordable Housing

The Council's Core Strategy (2011), Affordable Housing SPD (June 2013) and Developer Contributions and Planning Obligations SPD (2013) will seek to secure the provision of 30% on site affordable housing where the thresholds are met. In this instance given that the proposal is for a net increase of 9 dwellings with a combined floor space of less than 1000m² the threshold has not been met and no affordable housing contributions are being sought.

CIL

The application site falls within a zeroing charging area for CIL and as such the development is exempt from any contributions in this respect.

Overall Balance and Conclusions

The proposal relates to the opportunity to deliver 9 single storey properties within an area shown as part of the sub regional housing report to be in need of such properties within an identified sustainable location. Subject to condition the proposed development is not considered to result in harm to the character of the area, residential amenity, highway safety, flood risk nor ecological interest. It is not considered that there are any further material considerations that would warrant refusal of the application.

RECOMMENDATION

That full planning permission is approved subject to the conditions and reasons shown 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 complete accordance with the following approved plans reference:

- Site plan Dwg No. 186.12.02 Rev E received 2/2/18
- Single garage Rev A received 19/1/18
- Bungalow type: Salisbury 3B16G + single garage Rev A received 19/1/18
- Bungalow type Haselmere 3B14V Rev A received 19/1/18
- Bungalow type: 3B16R detached garage Rev C received 19/1/18

unless otherwise agreed in writing by the local planning authority through the approval of a non-material amendment to the permission.

Reason: So as to define this permission.

03

The development hereby permitted shall be constructed entirely of the materials details submitted as part of the planning application and as illustrated on material details plan received on 16/11/17 unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity.

04

The shared private driveway shall be laid out to a width of not less than 4.8 metres and shall provide for vehicle parking and turning areas in accordance with dwg. No. 186.12.02 Rev. E. The vehicle parking and turning areas shall not be used for any purpose other than the turning and parking of vehicles.

Reason: In the interests of highway safety.

05

No part of the development hereby permitted shall be brought into use until the access is surfaced in a bound material for a minimum distance of 5m rear of the highway boundary for the life of the development in accordance with details to be first submitted to and approved in writing by the LPA.

Reason: To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc).

06

No part of the development hereby permitted shall be brought into use until the visibility splays of 2.4m x 43m are provided in accordance with dwg. no. 186.12.02 Rev. E. The area within the visibility splays referred to in this Condition shall thereafter be kept free of all obstructions, structures or erections exceeding 0.6 metres in height.

Reason: To maintain the visibility splays throughout the life of the development and in the interests of general highway safety.

07

No part of the development hereby permitted shall be brought into use until the pedestrian visibility splays of 2m x 2m are provided in accordance with dwg. no. 186.12.02 Rev. E. The areas of land forward of these splays shall be maintained free of all obstruction over 0.6m above the carriageway level at all times.

Reason: In the interests of highway safety.

08

Prior to the occupation of any dwelling hereby permitted, details of the wheelie bin collection point as detailed on site plan Dwg No. 186.12.02 Rev E shall be provided to and approved in writing by the LPA. The approved details shall thereafter be retained for the life of the development.

Reason: In the interests of highway safety.

09

No part of the development hereby permitted shall be brought into use until the existing site access that has been made redundant as a consequence of this consent is permanently closed and the access crossing reinstated as footway in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be retained for the life of the development.

Reason: In the interests of highway safety.

10

Development shall be undertaken in accordance with the details contained on External Works and Private Drainage Layout plan Dwg No. 186.12.20 Rev A unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the provision of satisfactory means of foul sewage/surface water disposal on the site.

11

Prior to the commencement of development the site shall be assessed for the presence of reptiles and a reptile method statement submitted to and approved in writing by the local planning authority setting out how any reptiles discovered would be passively displaced from the site. Development shall thereafter be undertaken in accordance with the submitted survey and agreed detail.

Reason: In the interests of maintaining and enhancing biodiversity.

12

No development shall commence until such time as an Ecological Watching Brief in relation to the partial demolition of 'Majeka' has been submitted and agreed in writing with the Local Planning Authority. Development shall thereafter proceed in accordance with the recommendations of the brief.

Reason: in the interests of maintaining and enhancing biodiversity.

13

No development shall commence in relation to the area of land proposed to be occupied by plot 9 as identified on Site Plan Rev E received 2/2/18 until such time as the stable identified as B4 in the in the Bat Building Assessment undertaken by Ramm Sanderson February 2018 has been the subject of two nocturnal bat surveys, undertaken by a suitably qualified ecologist as per the recommendations detailed on page 14 of the above report. Should any bats be discovered during the surveys, an appropriate scheme of mitigation shall be submitted to and agreed in writing by the Local Planning Authority. Development shall thereafter proceed in accordance with the recommendations of the undertaken surveys and reports.

Reason: in the interests of maintaining and enhancing biodiversity.

14

No building on site shall be occupied until details of bat and bird boxes and/or bricks have been submitted to and approved in writing by the local planning authority. The nest boxes/bricks shall then be installed, prior to occupation, in accordance with the approved details and retained thereafter for the lifetime of the development unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of maintaining and enhancing biodiversity.

15

No hedge or tree that is to be removed as part of the development hereby permitted shall be lopped, topped, felled or otherwise removed during the bird nesting period (beginning of March to end of August inclusive) unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that adequate provision is made for the protection of nesting birds on site.

16

No development shall be commenced until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include:

a schedule (including planting plans and written specifications, including cultivation and other operations associated with plant and grass establishment) of trees, shrubs and other plants, noting species, plant sizes, proposed numbers and densities. 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 and hedgerows, which are to be retained pending approval of a detailed scheme, together with measures for protection during construction.

means of enclosure;
details of the proposed electricity substation building;
car parking layouts and materials;
hard surfacing materials;

Reason: In the interests of visual amenity and biodiversity.

17

The approved landscaping scheme shall be carried out within 6 months of the first occupation of any building or completion of the development, whichever is soonest, unless otherwise agreed in writing with the District Planning Authority. 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.

18

No development shall take until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The Statement shall provide for;

- i. access and parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate,
- v. wheel washing facilities,
- vi. measures to control the emission of noise, dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from construction works
- viii. hours of operation
- ix: a scheme to treat and remove suspended solids from surface water run-off during construction

The approved Statement shall be adhered to throughout the construction period.

Reason: To ensure amenity of neighbouring residential properties is maintained throughout construction.

Notes to Applicant

01

The applicant is advised that all planning permissions granted on or after 1 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 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 accordance with Town and Country Planning (Development Management Procedure) Order 2010 (as amended).

03

The development makes it necessary to construct a vehicular crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact VIA, in partnership with Notts County Council, tel: 0300 500 8080 to arrange for these works to be carried out.

04

The minor access reinstatement works referred to in Condition 9 above involves work on the highway and as such requires the consent of the Highway Authority. Please contact 0300 500 8080 to arrange for these works to be carried out.

BACKGROUND PAPERS

Application case file.

For further information, please contact James Mountain on ext. 5841.

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

Matt Lamb
Business Manager – Growth & Regeneration

Committee Plan - 17/02105/FUL



