

PLANNING COMMITTEE - 23 JULY 2019

Application No:	19/00594/FUL
Proposal:	Erection of 4 houses consisting of 2 No. 3 Bed semi-detached houses and 2 No. 2 Bed semi-detached bungalows (Re-submission of application 18/00792/FUL)
Location:	188 London Road, Balderton, Newark, NG24 3BN
Applicant:	Mr Craig Bell
Registered:	01 April 2019 Target Date: 27 May 2019
	Extension of time agreed until: 30 July 2019

This application is being presented to the Planning Committee in line with the Council's Scheme of Delegation as the Parish Council has objected to the application which differs to the professional officer recommendation. This follows a Member site visit carried out on 2nd July.

The Site

The site is approximately 0.15 hectares in area of overgrown former garden plot to the rear of no. 186 and 188 London Road. The site is located within the Newark Urban Area (NUA) as defined within the Allocations and Development Management DPD.

The site is currently only accessible on foot through the neighbouring car garage/workshop Grove Autos.

The area is defined by a mixture of 1.8m high fencing and hedging/overgrown shrubs to the eastern boundary and part of the north and southern boundaries. However the site is so overgrown it is difficult to ascertain the extent of it in visual terms.

The site contains some trees to the west and northern boundaries of the site.

The neighbouring land uses comprise of single and two storey residential properties and associated gardens to the east, west, north and south and a car vehicle repair business to the south-east.

Relevant Planning History

18/00792/FUL - Construct 4 houses (2 x semi-detached) on land previously used as a large garden.
Withdrawn 18.07.2018

The Proposal

The proposal comprises of the resubmission for planning permission following the withdrawal of a previous scheme, for the erection of 4 houses.

Following amendments to the scheme (all 4 units were previously proposed with 3 bedrooms) the proposal is now for two semi-detached 3 bedroomed properties and two semi-detached 2 bedroomed bungalows. All 4 would be located on land to the rear of 188 London Road, utilising and widening the existing vehicular access serving no.188.

Plots 1 and 2 are now 2 bedroomed bungalows. The approximate dimensions of the revised scheme are;

- 12m (width) x 11.6m (depth) x 7.0m (ridge) x 2.8 (eaves)
- Accommodation on the ground floor comprises of, an open plan kitchen/diner/living room, 2 bedrooms and a bathroom.

Plots 3 and 4 are two storey 3 bedroomed dwellings. The approximate dimensions are;

- 11m (width) x 8.5m (depth) x 8.8m (ridge) x 5.1m (eaves)
- Accommodation on the ground floor comprises of an open plan kitchen and living room with a separate WC. On the first floor there are 3 bedrooms (one en-suite) and a bathroom.

Each plot would have two off-street parking spaces provided immediately adjacent to their frontages.

A bin collection point is provided to the east of the site at the junction with London Road on the private driveway. The garage serving no.188 London Road is to be demolished and 2 parking spaces have been provided to the east (front) of no.188 London Road which is also within the control of the applicants.

The proposal relates to the following documents:

- DRWG no. L(03)07 Existing and proposed Option 6;
- Planning Statement;
- BJ Collins Primary Ecological Survey June 2019;

Departure/Public Advertisement Procedure

Occupiers of twelve properties have been individually notified by letter.

Planning Policy Framework

Development Plan

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

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
NAP1 Newark Urban Area

NSDC Allocations and Development Management DPD (July 2013) (ADMDDPD)

DM1 Development within Settlements Central to Delivering the Spatial Strategy

DM5 Design

DM7 Biodiversity and Green Infrastructure

DM12 Presumption in Favour of Sustainable Development

Other Material Considerations

National Planning Policy Framework 2019

Planning Practice Guidance 2014

Consultations

Balderton Parish Council – Object to the proposal.

Members are concerned about the impact of additional vehicles using the access located on a very busy stretch of London Road between a garage business and a care home, in addition to the Primary School located next to the care home. It is considered to be over intensive and will have an adverse impact upon neighbouring properties.

Drainage and flooding issues are a real concern from this potential development. There is a very large open pond on the site which may be naturally sourced from a spring. The pond is a haven to a considerable number of amphibious creatures including some rarer species. An ecological survey should be undertaken to assess this before the habitat is lost.

Members of the Planning Committee are urged to attend the site at either school start or finish time to fully appreciate the potential impact of this development proposal.

Nottinghamshire County Council Highways – Further formal comments are awaited including conditions, albeit they have verbally advised they have no objections to the scheme.

24/04/2019 - The plan now demonstrates adequate manoeuvring space behind the parking spaces for House 1 and 2. However, I still have concerns over the additional room (dressing room) on the first floor and its possible use as an additional bedroom. In this location, with such a wide footway/cycle route, there is always the temptation to park a vehicle on London Road, something which I'm trying to avoid. Could the internal layout be altered to ensure only 3 bedrooms are provided?

Previous comments received 03/04/2019 - This application is the resubmission of application 18/00792/FUL. The development is to be served by a private drive which is shown on plan L(03)06 Rev. B has having a width of 5.5m for a distance of 10m from the edge of carriageway. The minimum width required is 5.25m for a minimum distance of 5 metres from the back edge of highway (in this instance, back of footway).

The following should be addressed:

- A 6m manoeuvring space is required behind the parking spaces. Whilst Houses 3 and 4 are acceptable, Houses 1 and 2 show less than this.

- Houses 1 and 2 have 2 bedrooms on the ground floor with a further bedroom on the first floor and a 'store' room. This room is assessed as an additional bedroom, therefore, 3 parking spaces per unit are required. Only 2 spaces per unit have been provided, which could result in parking on the highway.

It is recommended that the above issues are addressed prior to providing final highway observations.

NSDC Access & Equalities officer – Observations

Trent Valley Internal Drainage Board – The site is within the Trent Valley Internal Drainage Board district. There are no Board maintained watercourses in close proximity to the site.

The Board's consent is required for any works that increase the flow or volume of water to any watercourse or culvert within the Board's district (other than directly to a main river for which the consent of the Environment Agency will be required). Surface water run-off rates to receiving watercourses must not be increased as a result of the development. The design, operation and future maintenance of site drainage systems must be agreed with the Lead Local Flood Authority and Local Planning Authority.

Lincolnshire County Council Archaeology – No archaeological input required.

Eight letters of representations have been received from local residents or other interested parties; 7 letters of objection and one letter of support. The objections are on the following grounds;

- Overlooking;
- Loss of property value;
- Security issues due to the siting of the driveway;
- Noise, pollution and dust increase;
- Who will maintain the boundaries?
- New access will cause a potential hazard to pedestrians from masking the exit/entrance;
- Light pollution;
- Drainage concerns;
- Impact on wildlife especially newt, frogs and toad habitat;
- Impact on local facilities i.e. an already stretched hospital;
- No safe place to pass being a single driveway;
- All dwellings are 3 beds with 2 parking spaces per dwelling, no space for visitors, other sources of parking will be sourced;
- Buildings would be visually overbearing and out of keeping;
- Too many houses being built in Balderton/Fernwood/Newark already;
- Suggestion of double yellow lines on Hawton Lane junction onto London Road up to John Hunt School;
- Lower level bungalows would be more acceptable;
- Loss of mature trees;
- Impact on the natural well located close to the site, could become contaminated;
- Naturally high water level, and a known possible flood risk;
- Who's responsibility will it be to pay for major construction to the area in order to allow the water to run-off safely with SUDS and improvements to sewerage system?
- Already been the removal of some trees;
- What is the consideration of emergency services access?

- The junction nearby is a red warning area for accidents as is outside the school, is it a good idea to create a turning point for cars with a single access point with multiple blind spots access across a pedestrian and cycle path?;
- Bin store next to London Road is inadequate;
- Where is the visiting car parking area?;
- We all feel vulnerable especially due to the increased crime rate;

One letter of support stated the following:

- Building on this land would greatly enhance the area and would not be classed as intensive overcrowding;
- The land is overgrown and the mature trees would not be affected by the building works;
- Welcomed new hedging to benefit the wildlife;
- Beneficial use of land.

Comments of the Business Manager

Principle of Development

The adopted 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.

The Amended Core Strategy outlines the intended delivery of growth within the District including in terms of housing. Spatial Policy 1 sets out a hierarchy which directs development toward the Sub-regional Centre (Newark Urban Area), Service Centres and Principal Villages before confirming and finally 'other villages' in the District. Balderton is within the defined Newark Urban Area (NUA) and has facilities and services to support further residential development. Therefore on this basis I am satisfied that the proposal, in theory, due to the siting within the Urban Boundary, is acceptable. There are however other material considerations which will need to be taken in to account of and these are outlined in the following sections of this report.

Design and character impact

Policy DM5 of the ADMDPD states that the character of the area and the District's local distinctiveness should be reflected in the built form through scale, form, mass, layout, design, materials and detailing of proposals. 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 precedence for similar forms of development, the cumulative effect of which would be to harm the established character and appearance of the area.

Paragraph 124 of the NPPF (2019) states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 127 goes on to state that the LPA should ensure developments create places that are safe, inclusive and accessible.....with a high standard of amenity for existing and future users....optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and support local facilities and transport networks.

The parcel of land in question is a redundant area of land which was former garden land to 188 London Road, but which has not been used as such for a substantial number of years. The general grain of the immediate area features single dwellings sited in long rectangular plots fronting London Road. However to Hawton Lane and further south and east of the site the grain/character changes to a mixture of house types, layout and plot sizes. Nonetheless within the area backland development is not uncommon and there are other examples of such development meaning this proposal would, in my opinion, not harm the general character or grain of development within the vicinity.

It is considered that the layout of the properties and the density make the most effective use of the site and the amendments to the proposal, especially amending plots 1 and 2 to single storey 2 bedroomed bungalows offer an acceptable mix of properties to the market within the site. The appearance of the dwellings is relatively standard and would reflect the appearance and scale of dwellings nearby.

I therefore consider that the design and layout of the amended scheme is acceptable and accords with policy DM5 of the DPD and the NPPF.

Impact on Amenity

Policy DM5 seeks to provide a high standard of amenity to residents. Consideration needs to be given to the amenity of the current residents of the neighbouring properties and that of future occupants of the proposed new builds.

Concern has been raised in the consultation process that the proposal would result in an unsatisfactory impact upon neighbour amenity due to the siting of the dwellings, especially no.1 and 2, which are now as a result of those comments, single storey bungalows.

House no. 1 and 2 have no first floor accommodation or windows which would overlook existing properties. They are sited approximately 12m away from the southern boundaries which in turn adjoin the rear boundaries of no. 6 and 10 Hawton Lane. Subsequently they are, due to the length of the gardens at Hawton Lane, approximately 39m from the nearest built property on Hawton Lane. Plots 1 and 2 are also located approximately 34m west from the nearest property fronting London Road. On this basis I consider that these units would not result in harm to amenity to the surrounding residential occupiers.

House no. 3 and 4 are located to the west of the site and are two storey in height with no accommodation within the roofspace. These are located at 90 degrees to house no. 1 and 2 and approximately 38m from the nearest property on Hawton Lane. Whilst these properties abut existing gardens I consider that their proximity and the design of them would not result in harm to the enjoyment of the neighbouring amenity space, namely at no.184 London Road, whose garden runs the entire length of the northern boundary of the site. I have considered the relationship of these properties to all other surrounding occupiers and I consider that due to the juxtaposition and the extent of gardens and the proximity, there would be no direct harm to amenity from house no. 3 and 4. I appreciate there are windows at first floor however these serve a bathroom and can be conditioned appropriately to ensure obscure glazing and top opening only as is shown on drawing no. L(03)07.

The scale and siting of the properties within the site, I consider would also be acceptable and would not result in harm from loss of light or overbearing impacts and overall, the proposal complies with the requirements of Policy DM5 of the DPD in respect to residential amenity.

Impact on Highway Safety

Policy DM5 requires the provision of safe access to the highway and indicates that parking provision should be based on the scale and location of the specific location of the development.

The access onto Main Street is as existing in principle but is to be widened to 5.5m, 10m from the back of the public footpath and then 4.2m thereafter with an additional 1m wide footpath to the north of it. The access road would serve all 4 properties plus the existing property at no.188. This widening work needs to be secured by condition (see no. 10) to ensure this happens.

Nottinghamshire County Council colleagues have not raised any objections to the amended scheme now that the internal parking arrangements have been amended. Final comments and recommended conditions are awaited which will be reported to Members as a late item, albeit in the absence of these I recommend conditions 9 and 10.

The parking provision within the site curtilage is considered sufficient for the size of development however comments have been raised that there is no parking for visitors or additional parking for residents who use more than 2 cars and therefore residents could choose to park on the highway or the wide footpath adjacent to London Road. Whilst this could be an issue for the future, prospective residents would be aware of this parking situation when occupying the properties and whilst there is no provision for visitors parking, this is not something which the LPA could reasonably control in any case. I therefore consider that the parking provision and layout is acceptable and would not result in an overly dominating parking layout. The provision of this is a matter which I consider should be required and retained such that a condition (no. 9) has been recommended to deal with this.

Concern has also been expressed that the proposal would result in vehicles crossing the footpath and resulting in highway safety concerns especially due to the proximity to the school and care home. Whilst this is understandably a concern, such situations as this are common along London Road and visibility within the area is generally good in both directions. Whilst cars park on the highway, which is unrestricted in the immediate vicinity, this is often for sporadic periods and I do not consider this is a justifiable reason to refuse the application, especially whereby Highways colleagues are satisfied with the relationship.

Therefore taking the above factors in to consideration the proposal to intensify the access with four additional properties and widen the access appropriately, is considered acceptable and would not result in a detrimental impact upon highway safety and would accord with Spatial Policy 7 and DM5 of the DPD.

Ecology

Core Policy 12 of the Amended Core Strategy seeks to secure development that maximises the opportunities to conserve, enhance and restore biodiversity. DM7 reflects and elaborates on this.

An overgrown site can often provide a habitat for a variety of species, some of which may be protected by law and indeed concern has been expressed by residents that the site does contain such species. Therefore the applicant has undertaken an Ecology report to establish the impact of the development upon potential inhabitants of the site.

Paragraph 175 of the NPPF (2019) states that when determining application, authorities should apply the following principles;

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

A preliminary ecological appraisal has been undertaken in June 2019 following the concerns raised during the consultation process of the application, namely to the siting of the nearest pond in the grounds of no. 188 London Road.

Data gathered for the survey showed that bats were evidenced in the area although the site does not support roosting habitats. Hedgehogs are also recorded within 1km of the site and notably within adjoining gardens. There are no records of reptiles or badgers but invasive plant species of Japanese Knotweed is recorded within the area although not on site.

The report concluded that the main impacts from the development would be from the site clearance in that due to the overgrown nature of the site, it has potential to support/house hedgehogs and contain nesting/breeding birds. Therefore a precautionary approach is advised at site clearance stage for hedgehogs and no clearance between March-September. It is also advised that mitigation measures are proposed to house hedgehogs and provide access through any fencing.

As it has been raised about the siting of a nearby pond, the ecologist reviewed this and considered that it had minimal potential for amphibians to be present on site however should they be then they recommend a procedure in order to resolve it (paragraph 5.10 of Ecology Report).

Therefore although the comments raised during the consultation process have been taken in to account, the ecology survey carried out does not conclude that the site is of such ecological value that it is not able to be developed upon without mitigation measures resolving such factors. I consider that the ecological impact of the development is acceptable and would result in no harm to the surrounding ecology subject to the mitigation measures proposed as outlined in Section 5 of the Ecology Survey. Such mitigation measures and methods and timings for site clearance would be controlled by condition on any approval. In addition to mitigation, in line with the NPPF and the DPD it is considered that ecological enhancements should be sought through appropriate soft landscaping and bird/bat boxes within the site. As such the proposal is considered to accord with policy DM7 of the ADMDPD and the Chapter 15 of the NPPF (2019).

Trees

Policy DM5 of the ADMDPD states that natural features of importance within or adjacent to development site should, wherever possible, be protected and enhanced.

There are some trees to the west of the site which are shown on the site plans as being a conifer and a chestnut tree, the remainder of the site is overgrown shrubs. I note the concerns of residents with regard to the loss of trees. However the proposed dwellings are to be retained and in any case are located approximately 16m from the tree trunk and 11m from the canopy. I do not consider the proposal would have any impact upon the siting or longevity of the existing trees on the site.

Due to the location of the trees they are not located within the public realm or specimens which would be worthy of imposition of a Tree Preservation Order for their retention. They are also not located within a defined conservation area which ensures them sufficient protection. However should Members resolve to approve the application then a condition could be imposed to ensure the trees are protected during construction works and this is listed within the suite of conditions in the recommendation section of this report.

It is therefore considered that the proposal would not have a harmful impact upon the longevity of the trees or the character of the area and the proposal accords with policy DM5 of the ADMDPD.

Other matters

Due to the size of the surrounding amenity space and the ability to extend in to the roofspace of the bungalow, I consider it necessary to restrict development under Class A (extensions/alterations), Class B (extensions to the roof), Class C (other works to the roof) and Class E (outbuildings) of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), to ensure the dwellings retain a reasonable amount of amenity space and the erection of extensions to the roof do not result in neighbour amenity impacts and minimise parking issues.

Conclusion

The principle of new housing within this sustainable settlement is considered acceptable and in line with the Development Plan. The revised proposal is considered to provide adequate amenity to existing and future occupants and adequate access, parking and turning can be provided within the site. The proposal is also acceptable in terms of residential amenity, ecology and design and accords with the Councils Development Plan DPDs and the NPPF and PPG which are material considerations.

RECOMMENDATION

That planning permission is approved subject to the following conditions:

Conditions

01

The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004.

02

The development hereby permitted shall be carried out in complete accordance with the following approved plan references:

DRWG no. L(03)07 Existing and proposed Option 6;

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

Before any construction occurs above slab level, samples or detailed specifications of all external materials (bricks and tiles) to be used on the development hereby permitted shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the agreed materials.

Reason: In the interests of visual amenity.

04

No part of the development shall be brought into use until details of all the boundary treatments proposed for the site including types, height, design and materials, have been submitted to and approved in writing by the local planning authority. The approved boundary treatment for each individual plot on site shall be implemented prior to the occupation of each individual dwelling and shall then be retained in full for the life of the development unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of residential and visual amenity.

05

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. The 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.

car parking layouts and materials;

existing and proposed floor levels;

Reason: In the interests of visual amenity and biodiversity.

06

The approved soft landscaping shall be completed during the first planting season following the commencement 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. The approved hard landscaping shall be completed prior to first occupation unless otherwise agreed in writing by the Local 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

Prior to any landscape work being undertaken a landscape management plan, including long term objectives, management responsibilities and maintenance schedule for all landscape areas, other than privately owned, domestic gardens, has been submitted to and approved in writing by the local planning authority. The landscape management plan shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: There are some areas of the site that sit outside of defined residential curtilages and this condition is necessary to ensure that the work is carried out within an agreed appropriate period and thereafter properly maintained in the interests of visual amenity and biodiversity.

08

The first floor bathroom window openings on the north and south elevations of the two storey properties (houses 3 and 4) shall be obscured glazed to level 3 or higher on the Pilkington scale of privacy or equivalent and shall be non-opening up to a minimum height of 1.7m above the internal floor level of the room in which it is installed. This specification shall be complied with before the development is occupied and thereafter be retained for the lifetime of the development.

Reason: To safeguard against overlooking and loss of privacy in the interests of amenity of occupiers of neighbouring properties

09

Prior to each dwelling being first brought into use, the associated off street parking spaces as shown on drawing no. L(03)07 shall be provided and shall thereafter be retained for parking for the lifetime of the development unless otherwise agreed by a separate application.

Reason: To ensure that adequate parking provision is provided at an appropriate time and retained to avoid on-street parking in the interests of highway safety and amenity.

010

No part of the development hereby permitted shall be brought into use until the private driveway has been widened as shown on drawing no. L(03)07 to the satisfaction of the Local Planning Authority.

Reason: To ensure that an appropriate vehicular access is provided in the interests of highway safety.

011

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

- a. No fires to be lit on site within 10 metres of the nearest point of the canopy of any retained tree/hedgerow on or adjacent to the proposal site.
- b. No equipment, signage, fencing etc shall be attached to or be supported by any retained tree on or adjacent to the application site,
- c. No temporary access within designated root protection areas without the prior written approval of the District Planning Authority.
- d. No mixing of cement, dispensing of fuels or chemicals within 10 metres of any retained tree/hedgerow on or adjacent to the application site.
- e. No soak-aways to be routed within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- f. No stripping of top soils, excavations or changing of levels to occur within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- g. No topsoil, building materials or other to be stored within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- h. No alterations or variations of the approved works or protection schemes shall be carried out without the prior written approval of the District Planning Authority.

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

012

Unless otherwise agreed in writing by the local planning authority, no machines shall be used and only hand digging shall be undertaken when excavating beneath the crown spread of any trees on site. Any roots exposed over 25mm diameter, shall be retained, undamaged and protected i.e. from unnecessary damage and drying out. All backfilling over exposed roots shall be of top soil or

washed sand, carefully tamped by hand around and over all roots before continuing to backfill with other materials required for the finished treatment.

Reason: To ensure that adequate protection is afforded to the existing vegetation and trees to remain on site, in the interests of visual amenity and biodiversity.

013

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (and any order revoking, re-enacting or modifying that Order), other than development expressly authorised by this permission, there shall be no development under Schedule 2, Part 1 of the Order to House no. 1 and 2 (bungalows only) in respect of:

Class A: The enlargement, improvement or other alteration of a dwellinghouse.

Class B: The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

Class C: Any other alteration to the roof of a dwellinghouse.

Class E: Buildings etc incidental to the enjoyment of a dwellinghouse.

Unless consent has firstly be granted in the form of a separate planning permission.

Reason: To ensure that the local planning authority retains control over the specified classes of development normally permitted under the Town and Country Planning (General Permitted Development) Order 1995 or any amending legislation) and in order to safeguard the amenity of neighbours and to prevent parking issues.

014

No clearance of vegetation or tree management works within the site shall take place during the bird nesting season (beginning of March to end of August inclusive) unless otherwise agreed in writing by the local planning authority. If such works are required with such period specified then a detailed nesting bird survey should be carried out prior to any such works taking place by a suitably qualified ecologist in accordance with paragraph 5.12 of the Ecology Survey dated June 2019 by BJ Collins the findings of which shall be submitted to and agreed in writing by the Local Planning Authority.

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

015

No building on site shall be occupied until details of bat/bird boxes/bricks and hedgehog houses/access gap measures have been submitted to and approved in writing by the local planning authority. The nest boxes/bricks shall then be installed, prior to occupation of each property, 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 maintain and enhancing biodiversity.

016

The development shall be undertaken in full accordance with the recommendations contained within Chapter 5 of the Ecology Survey dated June 2019 by BJ Collins particularly paragraphs 5.5, 5.6, 5.7, 5.8 (hedgehogs), 5.10 (amphibians and reptiles) and 5.12 (further surveys) unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of maintain and enhancing biodiversity.

017

No development shall be commenced until details of the means of foul drainage and surface water disposal have been submitted to and approved in writing by the local planning authority. The development shall be carried out thereafter in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

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

018

Prior to the occupation of the first dwelling, details of the bin store to London Road shall be submitted to and approved in writing by the local planning authority. The bin store shall thereafter be constructed in accordance with the details submitted and retained for the life of the development unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity

Notes to Applicant

01

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).

02

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

The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved as is detailed below. Full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the

Council's website: www.newark-sherwooddc.gov.uk/cil/ or from the Planning Portal: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

BACKGROUND PAPERS

Application case file.

For further information, please contact Lynsey Preston on ext 5329.

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

Matt Lamb
Director of Growth & Regeneration

Committee Plan - 19/00594/FUL

