



Notice of Decision

Mrs Natalie Dear
1, Bailey Lane
Radcliffe-on-Trent
Nottingham
NG12 2DA

**Town and Country Planning Act 1990
The Town and Country Planning (Development Management Procedure) (England)
Order 2015 (as amended)**

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|-------------------------|---|
| Application for: | Full Planning Permission |
| Application No: | 20/00021/FUL |
| Applicant: | Mr A Thompson & Mr A Thurlby |
| Agent: | Mrs Natalie Dear |
| Proposal: | Proposed Two Dwellings and Demolition of Existing Dwelling and Industrial Buildings |
| Site Address: | The Paddock Staythorpe Road Averham NG23 5RA |

Newark and Sherwood District Council as Local Planning Authority in pursuance of their powers under the said legislation **Grant Full Planning Permission** for the development described in the above application, subject to the following conditions.

Conditions:

01

The development hereby permitted shall not begin later than three years from the date of this permission.

Reason:

To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

02

The development hereby permitted shall not be carried out except in complete accordance with the following approved plan references:

- Site Location Plan
- 2259/2 Rev J "Proposed Site Plan"
- 2259/4 Rev B "PLOT ONE Proposed Floor Plans and Section"
- 2259/5 Rev A "PLOT ONE Proposed Elevations"

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- 2259/6 Rev C "PLOT TWO Proposed Floor Plans and Section"
- 2259/7 Rev B "PLOT TWO Proposed Elevations"

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

No development above damp proof course shall take place until manufacturers details (and samples upon request) of the materials identified below 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 unless otherwise agreed in writing by the local planning authority.

Facing materials including bricks and any stone detailing
Roofing tiles
Windows and Doors

Reason:

In the interests of visual amenity.

04

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;
car parking layouts and materials;
hard surfacing materials;

Reason:

In the interests of visual amenity and biodiversity.

05

The approved 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.

Reason:

To ensure the work is carried out within a reasonable period and thereafter properly maintained, in the interests of visual amenity and biodiversity.

06

No 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.

07

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until Parts A to D of this condition have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until Part D has been complied with in relation to that contamination.

Part A: Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health;
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
 - adjoining land;
 - ground waters and surface waters;
 - ecological systems;
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Part B: Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part C: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Part D: Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part B, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Part C.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

08

Notwithstanding the submitted plans, no part of the development hereby permitted shall be brought into use until: -

- a) the 5.25m wide access drive is surfaced in a bound material for a minimum distance of 5 metres rear of the highway boundary on Staythorpe Road; with,
- b) provision made to prevent the unregulated discharge of surface water from the access road to the public highway

in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development

Reason:

To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.), to ensure surface water from the site is not deposited on the public highway causing dangers to road users all in the interests of highway safety.

09

No part of the development hereby permitted shall be brought into use until the parking/turning areas are provided in accordance with the approved plan. The parking/turning areas shall not be used for any purpose other than parking/turning of vehicles.

Reason:

In the interests of highway safety.

010

The development hereby approved shall be undertaken in strict accordance with the Survey Recommendations outlined at section 5 of the Ecological Assessment Report - dated April 2019 and produced by BJ Collings Protected Species Surveyors LTD submitted in support of this application in that:

During construction open trenches should be closed overnight or if left open include a sloping end or ramp to allow any animals that may fall in to escape.

Any pipes over 150 mm in diameter should be capped off at night to prevent animals entering.

Any vegetation clearance should be timed to avoid the bird breeding season, which runs from mid-March to September (inclusive), if any active nests are found then vegetation clearance works are to be halted until all chicks have fledged.

Reason:

To ensure that wildlife and habitats are retained are protected, in the interests of nature conservation.

011

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (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 in respect of:

Class A: The enlargement, improvement or other alteration of a dwellinghouse, including extensions to the property and the insertion or replacement of doors and windows.

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.

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

Reason:

In order to safeguard the amenity of neighbours

Note to Applicant

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

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

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 2015 (as amended).

03

Suitable measures must be taken to minimise dust and dirt during the construction and operation of the site, including minimising any run-off or depositing of materials onto the public highway which should be maintained using best practice methods and wheel washing facilities.

A copy of the decision notice and the officer/committee report are available to view on the Council's website.

A handwritten signature in black ink, appearing to be 'A. K.', written in a cursive style.

Authorised Officer on behalf of Planning Development, Newark and Sherwood District Council

Date: 27 March 2020

Note: Attention is drawn to the attached notes.

Important note:

This permission refers only to that required under the town and country planning acts and does not include any consent or approval under any other enactment, byelaw, order or regulation, including the passing of plans for the purpose of the building regulations which requires additional approval and a separate application must be submitted.

Approval of details (Reserved Matters): Applicants who receive an approval of details, known as “reserved matters”, under previous outline permission are reminded of the requirements as to commencement of the development within the time specified in the conditions attached to the outline permission and to ensure that any other conditions attached to that outline permission are complied with.

Discharge of Conditions: Please note the Discharge of Condition incurs a nationally set fee and the service normally has 8 weeks to respond to each request from date of receipt. Further details are available on our website at:

www.newark-sherwooddc.gov.uk/planning/whathappensafterpermissionisdecided/

Appeals to the Secretary of State: If you disagree with the decision of the Local Planning Authority to grant it subject to conditions, then you can appeal to the Planning Inspectorate. It is important to note that there are different time periods in which you can appeal from the date of this notice. Please note, if you seek an inquiry you are asked to give the Planning Inspectorate and local planning authority at least 10 days’ notice that you intend to submit an inquiry appeal. Further information is available on the Planning Inspectorates website at www.gov.uk/appeal-planning-inspectorate or contact their customer support team by telephone 0303 444 5000 or email enquiries@planninginspectorate.gov.uk

Minor Amendments (not applicable to Listed Building Consent): If you wish to make alterations to a scheme after it has been granted planning approval, some minor changes to approved plans can be dealt with under an amended plan procedure. If this is an option you wish to pursue, the relevant application forms entitled “Application for a non-material amendment following a grant of planning permission” should be completed and returned to us along with scaled plans showing the proposed amendments and a fee. You can submit (and view guidance) your applications online or alternatively, please telephone our Customer Services on 01636 650000 who can arrange for a set to be posted to you.

We will in most cases accept the following as minor amendments to previously approved plans:

- Reduction in the volume/size of the building/extension
- Reduction in the height of the building/extension
- Amendments to windows/doors/openings that will not have any impact on neighbouring properties

However, this advice is given on an informal basis only and is therefore not binding on any future recommendation, which may be made to the Council or any formal decision by the Council. We consider the following to normally take a development beyond the scope of the permission and will therefore require a fresh application to be submitted:

- Significant increase in the volume of the building/extension
- Significant increase in the height of the building/extension
- Changes which would conflict with a condition on the original approval
- Additional and/or repositioned windows/doors/openings that will have an impact on neighbouring properties
- Changes which would alter the description of development from the original application
- Amendments that would warrant re-consultation either of neighbours, council departments or statutory bodies

Further details are available on our website at:

www.newark-sherwooddc.gov.uk/planning/whathappensafterpermissionisdecided/

Disposal of any building waste: If you are having any building or remedial work done on your home or constructing a new dwelling, you have a 'Duty of Care' to ensure your waste is disposed of properly. Any contractor you employ or even if you arrange to have any construction or demolition waste removed yourself, the person you give it to must be a registered waste carrier. You should ask to see their Waste Carriers Licence and obtain a receipt for any waste which is removed. To ensure they are registered, you can also check with the Environment Agency online or by telephoning 08708 506506.

Help to keep our District a cleaner and less polluted place.