



Rushcliffe
Borough Council

RUSHCLIFFE BOROUGH COUNCIL
Rushcliffe Arena, Rugby Road, West Bridgford, Nottingham, NG2 7YG

NOTICE OF PLANNING PERMISSION

TOWN & COUNTRY PLANNING ACT 1990

c/o Agent
c/o Mr Nick Grace
GraceMachin Planning & Property
2 Hollowstone
The Lace Market
Nottingham
NG1 1JH

REFERENCE NO : 20/02783/FUL
APPLICANT : c/o Agent
DEVELOPMENT : Erection of detached dwelling incorporating former electricity sub-station building, and detached car port
LOCATION : Land Adjacent To 35 Kirk Lane Ruddington NG11 6NN Nottinghamshire

RUSHCLIFFE BOROUGH COUNCIL having considered an application, which was validly submitted on 17 November 2020, for the above development hereby in pursuance of their powers under the above-mentioned Act,

GRANT PLANNING PERMISSION

For the development as described in the application, subject to compliance with the following conditions:

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

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

- 2. The development hereby permitted shall be carried out in accordance with the following approved plans;**

- location plan 395 P 18 B revised on 11.02.2021
- block plan 395 P 17 A revised on 11.02.2021
- proposed site plan 395 P 03 B revised on 09.03.2021
- GA (floor) plans 395 P 10 A dated Oct 20

- elevations 395 P 11 A dated Oct 20
- elevations 395 P 12 A dated Oct 20
- proposed car port 395 P 13 dated Oct 20

[For the avoidance of doubt and to comply with Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy and Policy 1 (Development Requirements) of the Local Plan Part 2: Land and Planning Policies].

3. The dwelling and carport hereby approved shall not be constructed above damp proof course level until details of the facing and roofing materials to be used on all external elevations of both, together with details of the door and window frames of the proposed dwelling, have been submitted to and approved in writing by the Borough Council. The dwelling and car port shall only be constructed in accordance with the materials so approved.

[To ensure the appearance of the development is satisfactory and preserves the character of the Conservation Area, to comply with Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy and Policies 1 (Development Requirements) and Policy 28 (Conserving and Enhancing Heritage Assets) of the Local Plan Part 2: Land and Planning Policies].

4. Prior to the commencement of development, a statement detailing the methods by which the existing trees and hedges on and adjacent to the site will be protected during construction, shall be submitted to and approved in writing by the Borough Council. The development shall only be carried out in accordance with the approved method statement.

[This is a pre-commencement condition to ensure that appropriate controls to protect trees and hedges are secured prior to development commencing, to protect the health of existing trees and to comply with Policy 37 (Trees and Woodland) of the Local Plan Part 2: Land and Planning Policies].

5. The dwelling hereby approved shall not be constructed above damp proof course level until a hard and soft landscaping scheme for the site, including the provision of a close boarded fence to the northern boundary, and the provision of a new native hedge to the southern site frontage, has been submitted to and approved in writing by the Borough Council. The hard landscaping shall be completed prior to the occupation of the dwelling hereby approved. The soft landscape planting shall be completed no later than the first planting season following occupation of the dwelling hereby approved.

[To ensure the appearance of the development is satisfactory, preserves the character of the Conservation Area, and protects the living conditions of neighbouring occupiers. To comply with Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy and Policies 1 (Development Requirements) and Policy 28 (Conserving and Enhancing Heritage Assets) of the Local Plan Part 2: Land and Planning Policies].

6. The dwelling hereby approved, shall not be occupied until the access driveway as shown on the approved site plan referred to under condition 2 of this approval has been surfaced in a bound material for a minimum distance of 5m behind the highway boundary, and which shall be constructed so as to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.

Reason: In the interest of highway safety.

7. The dwelling hereby approved shall not be occupied until the access driveway is fronted by a vehicle crossing constructed to the satisfaction of the Highways Authority.

Reason: In the interest of highway safety.

8. The development hereby approved shall be carried out in accordance with the recommendations as set out in section 7 of the Preliminary Ecological Appraisal by Brindle & Green dated October 2020. If the development of the site does not begin within twelve months of the Preliminary Ecological Appraisal initial survey carried out on 3rd August 2020, then a further additional bat survey shall be carried out, the results and recommendations of which shall be submitted to the Borough Council for approval prior to development commencing. The development shall be carried out in accordance with the conclusions and recommendations of the updated survey report.

[To ensure that protected species and their habitats are enhanced as a result of the development, in accordance with Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Local Plan Part 2: Land and Planning Policies].

9. The dwelling hereby approved shall not be constructed above damp proof course level until details of an integrated bat box such as a Schwegler 1F Bat tube, or similar, has been submitted to and approved in writing by the Borough Council. (This should be positioned on a southern elevation, over a height of 5 metres, ideally close to the eaves of the new build. The flight line to the box should be unobstructed by vegetation or other structures.) The approved bat box shall be installed within the fabric of the new dwelling during its construction, and retained and maintained as such thereafter.

[To ensure that protected species and their habitats are enhanced as a result of the development, in accordance with Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Local Plan Part 2: Land and Planning Policies].

10. Development shall not commence until a Contaminated Land Report has been submitted to and approved in writing by the Borough Council. As a minimum, this report will need to include a Desktop Study. Where the Desktop Study identifies potential contamination, a Detailed Investigation Report will also be required. In those cases where the Detailed Investigation

Report confirms that "contamination" exists, a remediation report and validation statement will also be required. In such instances, all of these respective elements of the report will need to be submitted to and approved in writing by the Borough Council prior to development commencing.

[This is a pre-commencement condition to ensure that the site is suitably free from contamination in order to protect the living conditions of future residents, and to comply with Policy 40 (Pollution and Land Contamination) of the Local Plan Part 2: Land and Planning Policies].

11. The dwelling and carport hereby approved shall not be constructed above damp proof course level until a scheme for the provision of an electric vehicle charging point has been submitted to and approved by the Borough Council. The scheme shall provide details of the provision of an electric vehicle charging point to serve the development on site. Thereafter, unless it has been demonstrated that the provision of an electric vehicle charging point is not technically feasible, the dwelling shall not be occupied until such time as the site has been serviced with the appropriate electric vehicle charging infrastructure, in accordance with the approved scheme. The electric vehicle charging infrastructure shall thereafter be retained and maintained for the lifetime of the development.

[To ensure the development is capable of promoting sustainable modes of transport and to comply with Policy 41 (Air Quality) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

12. The residential dwelling hereby permitted shall be designed to meet the higher 'Optional Technical Housing Standard' for water consumption of no more than 110 litres per person per day.

[To promote a reduction in water consumption and to comply with criteria 3 of Policy 12 (Housing Standards) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

13. The development shall not commence until details of the finished ground and floor levels of the proposed dwelling, in relation to an existing datum point, existing site levels and adjoining land, shall be submitted to and approved in writing by the Borough Council. The development shall only be undertaken in accordance with the details so approved.

[This is a pre-commencement condition to ensure that the houses are constructed at an appropriate level, in the interests of visual and residential amenity, in accordance with Policy 1 (Presumption in Favour of Sustainable Development) of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land & Planning Policies].

14. Notwithstanding the provisions of Schedule 2, Part 1 Classes A, B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) there shall be no additional windows inserted within the first floor walls of any elevation of the dwelling hereby approved, nor any insertion of windows (including roof lights and dormers) within any part of

the roof of the dwelling hereby approved, nor any alterations to any part of the roof of the dwelling hereby approved.

[In order to protect the living conditions of surrounding occupiers from unacceptable levels of overlooking and loss of privacy, and to comply with Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy and Policy 1 (Development Requirements) of the Local Plan Part 2: Land and Planning Policies].

- 15. The first floor windows in the eastern elevation of the proposed development shall be permanently fixed shut and fitted with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent. Thereafter, the windows shall be retained to this specification unless otherwise approved in writing by the Borough Council.**

[In order to prevent unacceptable levels of overlooking towards neighbouring properties, and to comply with Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy and Policy 1 (Development Requirements) of the Local Plan Part 2: Land and Planning Policies].

Note:-

The application was not the subject of pre-application discussions. However, negotiations have taken place during the course of the application with the applicant and the agent. Revised plans have subsequently been submitted, resulting in an improved scheme, which, on balance, is considered acceptable, subject to conditions.

Having regard to the above and having taken into account matters raised there are no other material considerations which are of significant weight in reaching a decision on this application.

NOTES TO APPLICANT

Please be advised that all applications approved on or after the 7th October 2019 may be subject to the Community Infrastructure Levy (CIL). Further information about CIL can be found on the Borough Council's website at <https://www.rushcliffe.gov.uk/planningandgrowth/cil/>

This permission does not give any legal right for any work on, over or under land or buildings outside the application site ownership or affecting neighbouring property, including buildings, walls, fences and vegetation within that property. If any such work is anticipated, the consent of the adjoining land owner must first be obtained. The responsibility for meeting any claims for damage to such features lies with the applicant.

You are advised to ensure disturbance to neighbours is kept to a minimum during construction by restricting working hours to Monday to Friday 7.00am to 7.00pm, Saturday 8.00am to 5.00pm and by not working on Sundays or Bank Holidays. If you intend to work outside these hours you are requested to contact the Environmental Health Officer on 0115 9148322.

During and post construction, a sensitive lighting scheme should be implemented to prevent disturbance to commuting and foraging bats in the local area. Lighting should be directed away vegetative features within the site and along boundaries, and light overspill of over 1lux should be avoided within these vegetated areas.

If bats are found on site after works have commenced all works must cease and the advice of a suitably qualified ecologist be sought.

The development makes it necessary to construct a vehicular crossing over a footway/verge of the public highway which is land over which you have no control. These works shall be constructed to the satisfaction of the Highway Authority. You are therefore required to contact Via East Midlands (in partnership with Nottinghamshire County Council) to ensure the necessary approvals are in place. Please ring 0300 500 8080 for details or at licences@viaem.co.uk

The Borough Council is charging developers for the first time provision of wheeled refuse containers for household and recycling wastes. Only containers supplied by Rushcliffe Borough Council will be emptied, refuse containers will need to be provided prior to the occupation of any dwellings. Please contact the Borough Council (Tel: 0115 981 9911) and ask for the Recycling Officer to arrange for payment and delivery of the bins

For further information on the content of Contaminated Land Reports, please refer to the Council's Publication "A Guide to Developing Land Within Nottinghamshire". This booklet is available from Rushcliffe Borough Council's website www.rushcliffe.gov.uk (use the A-Z search for Contaminated Land) or via the following link:
<https://www.rushcliffe.gov.uk/media/1rushcliffe/media/documents/pdf/environmentandwaste/environmentalhealth/protectionandsafety/Notts%20developers%20guide%202013.pdf>

Any site notice displayed for the purpose of this application may be removed following the issuing of this decision. If the site notice is still on display, this should be removed by the applicant. The location of any notices displayed can be viewed on the Council's website at <http://planningon-line.rushcliffe.gov.uk>



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Authorised Officer on behalf of Rushcliffe Borough Council
11th March 2021

When carrying out building works you are advised to use door types and locks conforming to British Standards, together with windows that are performance tested (i.e. to BS 7950 for ground floor and easily accessible windows in homes). You are also advised to consider installing a burglar alarm, as this is the most effective way of protecting against burglary. If you have not already made a Building Regulations application we would recommend that you check to see if one is required as soon as possible. Help and guidance can be obtained by ringing 0115 914 8459, or by looking at our web site at www.rushcliffe.gov.uk/buildingcontrol