



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

Rushcliffe
Borough Council

NOTICE OF PLANNING PERMISSION

TOWN & COUNTRY PLANNING ACT 1990

J Palmer and J Howard
c/o Mr Nick Grace
GraceMachin Planning & Property
2 Hollowstone
The Lace Market
Nottingham
NG1 1JH

REFERENCE NO : 23/01252/FUL

APPLICANT : J Palmer and J Howard

DEVELOPMENT : Demolition of existing building. Construction of new dwelling and detached car port, including construction of a new access provision and landscaping

LOCATION : The Gables Main Street Scarrington Nottinghamshire NG13 9BQ

RUSHCLIFFE BOROUGH COUNCIL having considered an application, which was validly submitted on 30 June 2023, 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 must be carried out strictly in accordance with the following approved plans and documents**

- **Plan Ref. 220526-102.07 Block Plan**
- **Plan Ref. 220526-104.04 Proposed Layout**
- **Plan Ref. 220526-105.04 Proposed Elevations**
- **Updated Nocturnal Bat Survey Report by Fauna Forest Ecology**

[For the avoidance of doubt having regard to Policy 10 of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019).

3. **The development hereby permitted must not proceed above the damp proof course level until full details of the specifications, texture, finish and colour of the materials to be used in the construction of the exterior of the development, including the car port, have been submitted to and approved in writing by the Local Planning Authority. The development must only be constructed in accordance with the approved materials.**

[To ensure a satisfactory appearance having regard to Policy 1 (Development Requirements) and Policy 28 (Conserving and Enhancing Heritage Assets) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

4. **The development hereby permitted must not be occupied or first brought into use until a written scheme detailing the hard and soft landscaping of the site (including the location, number, size and species of any new trees/shrubs to be planted) and has been submitted to and approved in writing by the Local Planning Authority.**

Thereafter the scheme must be carried out and completed in accordance with the approved details no later than during the first planting season (October - March) following either the substantial completion of the development hereby permitted or it being brought into use, whichever is sooner.

If, within a period of 5 years of from the date of planting, any tree or shrub planted as part of the approved scheme is removed, uprooted, destroyed, dies or become diseased or damaged then another tree or shrub of the same species and size as that originally planted must be planted in the same place during the next planting season following its removal.

Once provided, all hard landscaping works shall thereafter be permanently retained throughout the lifetime of the development.

[To ensure the development creates a visually attractive environment and to safeguard against significant adverse effects on the landscape character of the area having regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapter 12 (Achieving Well-designed Places) of the National Planning Policy Framework (2023)].

5. **The development hereby approved shall be carried out in accordance with the reasonable avoidance measures and recommendations contained within section 4 of the Updated Bat Survey by Fauna Forest Ecology.**

[To ensure the protection of Local wildlife and protected species having regard to Policy 17 (Biodiversity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019); Chapter 15 (Conserving and enhancing the natural environment)].

6. **The dwelling hereby permitted must not be first occupied until an Electric Vehicle Charging Point (EVCP) has been installed in accordance with the approved details. Thereafter an EVCP must be permanently retained on the site in accordance with the approved scheme throughout the lifetime of the development.**

[To promote sustainable transport measures that will help lead to a reduction in carbon emissions within the Borough and help contribute towards a reduction in general air quality having regard to Policy 2 (Climate Change) of the Local Plan Part 1: Core Strategy (2014) and Policy 41 (Air Quality) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

7. **The dwelling hereby permitted must not be occupied until the optional requirement for water efficiency (i.e: not exceeding 110 litres per person per day) set out at Regulation 36(2)(b) of the Building Regulations 2010 (as amended)(or any equivalent regulation revoking and/or re-enacting that Statutory Instrument) has been complied with. Thereafter this water efficiency standard must be retained throughout the life of the dwelling.**

[To promote a reduction in water consumption having regard to Policy 12 (Housing Standards) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

8. **The development hereby permitted must not be occupied or first brought into use until the site has been remediated in accordance with the approved Remediation Statement (RS) from Oakshire Environmental dated 20th October 2022, and a written Verification Report (VR) confirming that all measures outlined in the approved RS have been successfully carried out and completed has been submitted to and agreed in writing by the Local Planning Authority. The VR must include, where appropriate the results of any validation testing and copies of any necessary waste management documentation.**

[To ensure that the site is safe and suitable for residential use having regard to Policy 1 (Presumption in Favour of Sustainable Development) of the Rushcliffe Local Plan Part 1: Core Strategy (2014), Policies 39 (Health Impacts of Development) and 40 (Pollution and Land Contamination) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Paragraphs 178 and 179 of the National Planning Policy Framework].

9. **Any topsoil (natural or manufactured), or subsoil that is to be imported onto the site must be assessed for chemical or other potential contaminants in accordance with a written scheme of investigation which shall be submitted to and approved in writing by the local planning authority prior to the material being brought onto the site. Only material that has been tested in accordance with the approved investigation scheme shall be imported onto the site.**

[To ensure that the site is safe and suitable for residential use having regard to Policy 1 (Presumption in Favour of Sustainable Development) of the Rushcliffe Local Plan Part 1: Core Strategy (2014), Policies 39 (Health Impacts of Development) and 40 (Pollution and Land Contamination) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Paragraphs 178 and 179 of the National Planning Policy Framework].

10. Development shall be undertaken in accordance with the submitted archaeological report dated 23/6/23

[In the interests of preserving the historic environment and to accord with policy 28 of the LPP2].

11. The proposed upper storey windows serving the dressing room and ensuite to the northern facing elevation shall be obscure glazed to Group 5 level and fixed non-opening, and they (and any subsequent replacement windows) shall be retained at that specification for the life of the development.

[To preserve the amenities of neighbouring properties, having regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

12. Prior to the development hereby permitted proceeding beyond damp proof course level, details of surfacing and drainage measures to prevent surface water run-off onto the adjacent public highway of the new vehicular access and all hard surfaces within the site shall be submitted to the Borough Council and agreed in writing. The surfacing and drainage measures must be completed prior to the first occupation of the dwelling and must thereafter be retained throughout the life of the development.

[To prevent surface water or deleterious material discharging onto the public highway in the interests of highway safety having regard to Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

13. Prior to the development hereby permitted proceeding beyond damp proof course level, full details, including materials, finishes, and dimensions, of the proposed means of enclosure of all the boundaries of the site shall be submitted to the Borough Council and agreed in writing. The agreed means of enclosure shall be installed in accordance with the agreed details.

[To ensure the development creates a visually attractive environment and to safeguard against significant adverse effects on the landscape character of the area or on amenity, having regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

14. Notwithstanding the proposed site plan, no gate shall be installed unless full details of dimensions, siting, materials, style and colour have been submitted to the Borough Council and agreed in writing. Notwithstanding the proposed site plan, gates installed across the vehicular access must be set back a minimum distance of 5 metres into the site as measured from the near edge of the highway and must be hung to open inwards only. Thereafter any gate or gates must be permanently retained to this specification and location throughout the lifetime of the development.

[To ensure that vehicles entering the site can pull clear of the adopted highway in the interests of highway safety having regard to Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

15. The development hereby permitted must not be occupied or first brought into use until visibility splays have been provided on either side of the vehicular access in accordance with the details shown on the submitted drawing site and block plan Dwg No. 102.06. The visibility splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.

[In the interests of highway safety having regard to Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

16. Prior to the commencement of development all hedgerows on the site (except that required to be removed to create the access and associated visibility splay hereby approved) and any tree on or neighbouring the site whose root protection area falls within the proposal site shall be protected by fencing that accords with BS5837:2012, and the protection shall remain throughout the duration of the development.

[This is pre-commencement to ensure the adequate protection of the existing trees and hedgerows on or with root protection areas on the site during the construction of the development having regard to regard to Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014); Policies 37 (Trees and Woodlands) and 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) and Chapter 15 (Conserving and Enhancing the Natural Environment) of the National Planning Policy Framework].

Note:-

Negotiations have taken place during the consideration of the application to address adverse impacts identified by officers. Amendments have been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and the grant of planning permission.

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/>

Condition 7 requires the new dwellings to meet the higher 'Optional Technical Housing Standard' for water consumption of no more than 110 liters per person per day. The developer must inform their chosen Building Control Body of this requirement as a condition of their planning permission.

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

In order to prevent nuisance to neighbours, you are advised to agree with the Borough Council's Head of Environmental Health, a method statement detailing techniques for the control of noise, dust and vibration during construction. If the use of a crusher is required, this should be sited as far as possible from nearby dwellings and be operated in accordance with its process authorisation.

In the interests of amenity, all demolition and construction works, including deliveries, shall be restricted to the following times, to cause the minimum amount of disturbance to neighbouring residents:

- o Monday - Friday 0700 - 1900 hours
- o Saturday 0800 - 1700 hours
- o Sunday/Bank Holidays No work activity

Good practice construction methods should be adopted including:

- o Advising all workers of the potential for protected species. If protected species are found during works, work should cease until a suitable qualified ecologist has been consulted.
- o No works or storage of materials or vehicle movements should be carried out adjacent to sensitive areas, including ditches.
- o All work impacting on vegetation or buildings used by nesting birds should avoid the active bird nesting season, if this is not possible a search of the impacted areas should be carried out by a suitably competent person for nests immediately prior to the commencement of works. If any nests are found work should not commence until a suitably qualified ecologist has been consulted.
- o Best practice should be followed during building work to ensure trenches dug during works activities that are left open overnight should be left with a sloping end or ramp to allow animal that may fall in to escape. Also, any pipes over 200mm in diameter should be capped off at night to prevent animals entering. Materials such as netting and cutting tools should not be left in the works area where they might entangle or injure animals. No stockpiles of vegetation should be left overnight and if they are left then they should be dismantled by hand prior to removal. Night working should be avoided.
- o Root protection zones should be established around retained trees / hedgerows so that storage of materials and vehicles, the movement of vehicles and works are not carried out within these zones.
- o Pollution prevention measures should be adopted

OFFICIAL

Consideration should be given to energy efficiency, alternative energy generation, water efficiency, travel sustainability including electric vehicle charging points and cycle storage, management of waste during and post construction and the use of recycled materials and sustainable building methods.

The use of external lighting (during construction and post construction) should be appropriate to avoid adverse impacts on bat populations, see http://www.bats.org.uk/pages/bats_and_lighting.html for advice

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
20th October 2023

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