



Bassetlaw
DISTRICT COUNCIL
— North Nottinghamshire —

Mr Musson
UKSD Developments Limited
Sparkhouse Studios
Rope Walk
Lincoln
LN6 7DQ

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

Application For: Outline Planning Application

NOTICE OF DECISION

Application No: 19/01082/OUT

Applicant: Mr Musson

Agent:

Proposal: Outline Planning Application with Some Matters Reserved (Approval Being Sought for Access) for Residential Development Consisting Of Up To 9 Dwellings

Site Address: Land At Orchard Lodge Southgore Lane North Leverton DN22 0AA

The Council have considered the application and hereby **GRANT OUTLINE PLANNING PERMISSION** subject to the conditions which have been imposed for the reasons set out below:

CONDITIONS:

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:
 - a) the expiration of three years from the date of this permission: or
 - b) the expiration of two years from the final approval of the reserved matters or, in the case of approval of the reserved matters on different dates, the final approval of the last such matter to be approved.

Reason: To comply with section 92 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning & Compulsory Purchase Act 2004.

2. The scale and appearance of the building(s), the layout and the landscaping of the site shall be only as may be approved in writing by the Local Planning Authority before any development commences.

Reason: This permission is granted in respect of an outline application which did not contain details of the matters hereby reserved for approval.

3. The development hereby permitted shall be in accordance with the following approved plans:

Site Location Plan drawing no. UKSD P2-08-0001 rev A.00 received on 16 August, 2019

Existing Block Plan/Topographical Survey drawing no. UKSD P2-08-0002 rev A.00 received on 16 August, 2019

Proposed Outline Site Masterplan drawing no. UKSD P2-08-0003 Rev A.00 received on 16 August, 2019

Proposed Access Detail drawing no. UKSD P2-08-0004 Rev A.00 received on 30 May, 2019

Reason: For the avoidance of doubt.

4. The reserved matters for the development hereby permitted shall include detailed plans and particulars relating to the following items:

(i) A detailed layout plan (for the avoidance of doubt the submitted masterplan reference: UKSD-P2-08-0003 Rev A.00 shall be considered to be for indicative purposes only) shall be accompanied by a swept path analyses of an 11.5m refuse vehicle throughout;

(ii) Details of the proposed arrangements and plan for future management and maintenance of the proposed streets including associated drainage contained within that phase of development;

(iii) Details of the proposed arrangements and plan for future management and maintenance of any hedgerows and other vegetation located between roads, both existing and proposed, and the site boundary;

Thereafter, the scheme shall be implemented in full accordance with the approved details.

Reason: To ensure the development is designed and constructed to adoptable standards and appropriately maintained in the interest of highway safety.

5. No dwelling shall be occupied until such time as the access and parking arrangements to that dwelling has been provided in a bound material (not loose gravel) for a minimum distance of 5.0m from the plot boundary and which shall be drained to prevent the unregulated discharge of surface water onto adjacent roads and footways.

Reason: To ensure appropriate access and parking arrangements are available.

6. Development shall not commence until such time as full details of the manner in which foul sewage and surface water are to be disposed of from the site have been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason: To ensure that the site is drained in a satisfactory manner.

7. Development shall not commence until a scheme for the treatment of the site and plot boundaries has been submitted to and agreed in writing by the Local Planning Authority, with particular regard to trespass proof fencing along the southern railway boundary. The agreed scheme shall be fully implemented before the occupation of the dwelling(s) hereby permitted.

Reason: To ensure the satisfactory, overall appearance of the completed development and in the interests of railway safety.

8. All works and ancillary operations shall be carried out only between the following hours: 08:00 Hours and 18:00 Hours on Mondays to Fridays and 08:00 and 13:00 Hours on Saturdays and; at no time on Sundays, Bank Holidays and Public Holidays. Deliveries of goods to and from site including the removal of plant, equipment, machinery and waste must only take place within the permitted hours detailed above. Personnel are allowed to arrive onsite at 07:00 hours to prepare for the days work but no noisy operations should start until 08:00 hours. There shall be no burning of waste on site at any time.

Reason: To safeguard the amenities of local residents during the construction phase.

9. No development shall commence until such time as the proposed provision for electric vehicle charging has been submitted to and agreed in writing by the Local Planning Authority.

Reason: To comply with the requirements of paragraph 110(e) of the NPPF which relates to the provision of infrastructure for EV and ULEV charging.

10. No development shall take place until the method of working during the construction phase, in the form of a construction and environmental management plan, to include:
 - a) Parking of vehicles on site, of operatives and visitors
 - b) Details of loading and unloading of plant and materials
 - c) Storage of plant and materials used in constructing the development
 - d) Measures to control the emission of dust and dirt during construction
 - e) A scheme for recycling/disposing of waste resulting from demolition and construction works
 - f) Control of noise and vibration
 - g) Details of wheel washing facilities

has been submitted to and approved in writing by the Local Planning Authority. All subsequent construction shall be undertaken in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the reasonable residential amenity of nearby occupiers.

NOTES

1. The applicant is advised that all planning permissions granted on or after the 1st September 2013 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at <http://www.bassetlaw.gov.uk/everything-else/planning-building/community-infrastructure-levy.aspx>

The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved. The actual amount of CIL payable will be calculated when a decision is made on the subsequent reserved matters application.

2. The Council have granted this permission / consent subject to conditions which are considered essential. Where conditions require the agreement of certain details this agreement should be the subject of an application for those conditions to be discharged. Where conditions require agreement of any matter prior to certain works being carried out, the 'Discharge of Condition' application should be submitted and the conditions discharged before those works are carried out on site. FAILURE TO DO SO COULD INVALIDATE THE PLANNING PERMISSION. The Council reserve the right to refuse permission for the retention of development not carried out in accordance with the conditions and to take enforcement action to secure compliance with the conditions.

Your right to appeal to the Secretary of State for the Environment against any condition is indicated on the reverse side of the decision notice.

3. The County Highway Authority has requested that the following notr to applicant be included:-

Section 38 Agreement (Highways Act 1980)

The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible. Please contact Martin Green on to discuss the necessary highways legal agreements telephone number 0115 9773963

4. A copy of a reply from Network Rail giving observations on this application is attached.

STATEMENT

The application as submitted was acceptable and did not require the Local Planning Authority to work positively and proactively with the applicant to seek solutions to problems arising from the application.

Date: **13 July 2021**



John Krawczyk
Planning Development Manager
Authorised Officer on behalf of Planning Services
Bassetlaw District Council

Note: Attention is drawn to the Notices attached

Grant of Planning Permission

Application Number: 19/01082/OUT

This permission/approval/consent is given only under the Town and Country Planning Acts. It does not give approval under the Building Regulations.

If you are aggrieved by the decision of the District Planning Authority to grant permission/approval/consent subject to conditions, then you can appeal to the Secretary of State for the Environment.

If you want to appeal and your application was not for *householder development, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. An appeal in respect of an advertisement application must be made within eight weeks.

If you wish to appeal for a *householder development, you must do so within 12 weeks of the date of this notice.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider the appeals solely because the local planning authority based its decision on a direction given by him.

If either the District Planning Authority or the Secretary of State for the Environment grants permission/approval/consent subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonable beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 or Section 32 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in Section 114 and related provisions by the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

* Householder application means – (a) an application for planning permission for development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse or (b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development, **but does not include** – an application for change of use; an application to change the number of dwellings in a building.

Other Acts and non-planning legislation may apply for example Right to Light or Party Wall Act etc. 1996, it is your responsibility to comply.