



Bassetlaw
DISTRICT COUNCIL
— North Nottinghamshire —

Mr B Winslade
5 Yews Drive
Worrall
Sheffield
S35 0BH

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

Application For: Variation of Condition

NOTICE OF DECISION

Application No: 22/00728/VOC

Applicant: Mr Omalley

Agent: Mr B Winslade

Proposal: Vary Condition 2 of P.A. 20/00859/FUL For a Revised House Type to Plot 8

Site Address: Land Including Folly Nook House Folly Nook Lane Ranskill Retford Nottinghamshire

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

CONDITIONS:

1. The development hereby permitted shall be in accordance with details and specifications included on the submitted application form and shown on the following approved plans:
 - Site Plan Drawing No. 07-0218-OSX, received on 16 July 2020;
 - Location Plan Drawing No. 07-0218-OS3D, received on 25 May 2022;
 - Road Legal Plan Drawing No. 07-0218-OS1K, received on 29 July 2021;
 - House Type B Drawing No. 07-0218-WD1E, received on 16 July 2020;
 - House Type B Drawing No. 07-0218-WD1G, received on 16 July 2020;
 - House Type C Drawing No. 07-0218-SK6.1, received on 16 July 2020;
 - House Type C Drawing No. 07-0218-SK6.1B, received on 16 July 2020;
 - House Type D Drawing No. 07-0218-TYPE-C2E, received on 29 July 2021;
 - Plot 8 Revised Layout Drawing No. 07-0218-SK7.100, received on 25 May 2022.

Reason: To ensure the development takes the agreed form envisaged by the Local Planning Authority when determining the application and for the avoidance of doubt

2. No dwelling shall be occupied until such time as the access and parking area to that dwelling has been provided in a bound material (not loose gravel) 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

3. No dwellings shall be occupied until the road and footways affording access to those dwellings have been completed up to binder course level.

Reasons: To ensure that the roads serving the development are sufficiently completed and are available for use by the occupants and other users of the development in the interest of highway safety.

4. The existing hedges and trees on the boundaries of the application site shall be retained. No part of the hedges or trees shall be removed unless that removal is authorised as part of this grant of planning permission or is the subject of written agreement by the Local Planning Authority.

Reason: To ensure the satisfactory overall appearance of the completed development and to help assimilate the new development into its surroundings.

5. No construction works shall take place outside 8:00am - 6:00pm Monday to Friday, 9:00am - 1:00pm on Saturday and not at all on Sundays or Bank and Public Holidays.

Reason: To safeguard the amenities of dwellings located in the vicinity of the application site.

6. The agreed EV charge points shall be provided prior to the occupation of each of the dwellings and shall be maintained and retained as such for the lifetime of the properties.

Reason: To comply with the requirements of paragraph 110(e) of the NPPF.

7. The dwelling on plot 8 shall not be occupied until an EV fast charging point has been installed for that dwelling (minimum specification - 7w Mode 3 with Type 2 connector, 230v AC 32 Amp single phase dedicated supply) in accordance with details and a location to be first submitted to and approved by the Local Planning Authority.

Reason: To comply with paragraph 112 of the National Planning Policy Framework and in the interest of sustainable transport.

8. Notwithstanding the submitted drawings, no vehicular or pedestrian gates shall be erected on the access road onto Folly Nook Lane.

Reason: In the interests of highway safety.

9. No development shall commence above damp proof course level (DPC) until a scheme for the provision of bird and bat boxes units within the dwelling on plot 8 has been submitted to and agreed in writing with the Local Planning Authority. The approved bird and bat boxes shall be completed and available before the dwelling hereby permitted are first occupied.

Reason: To ensure that the optimal benefits of biodiversity are achieved.

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 www.bassetlaw.gov.uk/everything-else/planning-building/community-infrastructure-levy

It is the Council's view that CIL MAY BE PAYABLE on the development hereby approved as is detailed below. If CIL IS LIABLE 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, extension or annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website:

www.bassetlaw.gov.uk/everything-else/planning-building/community-infrastructure-levy

or from the Planning Portal:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

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.

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: **18 July 2022**



John Krawczyk
Development Team 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: 22/00728/VOC

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.