



Bassetlaw
DISTRICT COUNCIL
— North Nottinghamshire —

Mr Jeffrey Brabban
5 Glover Road
Totley Rise
Sheffield
South Yorkshire
S17 4HN

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

Application For: Full Planning Permission

NOTICE OF DECISION

Application No: 23/00199/FUL

Applicant: Mr Byron Foster

Agent: Mr Jeffrey Brabban

Proposal: Demolition of an Existing Derelict Bungalow and Erection of a Detached House and Garages with New Vehicular Access

Site Address: Littlewood House Wheatley Road Sturton Le Steeple 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 must begin no later than the expiration of three years beginning with the date of this permission.

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans published by the Authority:

- Site Location Plan
- Garage Details (Floorplans and Elevations) and Site Plan Drawing 2301.28.03 Rev A

- Proposed Floorplans Drawing 23.01.28.01 Rev A
- Proposed Elevations Drawing 23.01.28.02 Rev A

Reason: For the avoidance of doubt.

3. Development shall not commence above damp proof course until such time as samples of the facing and roofing materials to be used in the development hereby permitted have been submitted to and agreed in writing by the Authority.

Reason: To ensure the satisfactory appearance of the completed development.

4. Prior to the dwelling being occupied the driveway shall be surfaced in a bound material (not loose gravel) for a minimum distance of 6.0m from the highway boundary, shall be drained to prevent the unregulated discharge of surface water onto the public highway, and a dropped vehicular footway/verge crossing shall be provided as detailed on Drawing Number 2301.28.03 Rev A.

Reason: To ensure appropriate access and parking arrangements are available, to reduce the possibility of deleterious material being deposited on the public highway (loose stones etc), to minimise the chance of highway flooding and severe icing, and in the interest of highway safety.

5. The dwelling shall not be brought into use until such time as full details of boundary treatments are submitted to the Authority and agreed in writing.

Reason: In the interest of visual amenity and character of the area.

6. The existing trees and hedgerows on site identified in drawing 23.01.28.03 Rev A shall be retained for the lifetime of the development. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within 5 years of the development hereby approved shall be replaced by trees or shrubs of a size and species similar to those originally required to be planted.

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

7. No development shall commence above damp proof course level (DPC) until a scheme for the provision of bird and bat boxes within the development 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 dwellings hereby permitted are first occupied.

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

8. Notwithstanding the provisions of Schedule 2 Part 1, Classes A, B or C of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking and re-enacting that Order), no external alterations shall be undertaken in respect of these classes within the curtilage of this property unless a formal application is submitted and approved in writing by the Local Planning Authority

Reason: The erection of extensions etc. as "permitted development" may create difficulties both in terms of the overall appearance of the extended dwelling and the relationship with its neighbours.

9. (i) Except in case of emergency, noisy operations should not take place on site other than between the hours of 08:00 - 18:00 Monday to Friday and between 09:00 - 13:00 on Saturdays. There should be no working on Sundays or Public Holidays. At times when operations are not permitted work shall be limited to maintenance and servicing of plant or other work of an essential or emergency nature. The Local Planning Authority should be notified at the earliest opportunity of the occurrence of any such emergency and a schedule of essential work shall be provided.
- (ii) Heavy goods vehicles should only enter or leave the site between the hours of 08:00 - 18:00 on weekdays and 09:00 - 13:00 Saturdays and no such movements should take place on or off the site on Sundays or Public Holidays (this excludes the movement of private vehicles for personal transport).

Reason: In the interest of residential amenity.

10. If, during the development, land contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further works shall be carried out until a method statement detailing a scheme for dealing with the contamination has been submitted to and agreed with the Authority in writing.

Reason: To ensure that the site, when developed, is free from contamination, in the interests of safety.

11. All waste arising from the demolition and building process is removed from site for proper disposal and is not burned on site.

Reason: To avoid nuisance to neighbouring properties.

12. Notwithstanding the development hereby approved, the labelled 'east' and 'west' side elevation windows proposed at first floor level on drawings 23.01.28.01 Rev A and 23.01.28.02 Rev A shall be obscurely glazed and retained so in perpetuity.

Reason: In the interest of neighbouring amenity.

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.

3. Any works to a shared boundary may require agreement in accordance with The Party Wall Etc Act 1996.
4. A licence will be required to be able to construct the vehicular crossing on Wheatley Road. Applications can be made here:

www.nottinghamshire.gov.uk/transport/roads/request-a-dropped-kerb

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 April 2023**



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: 23/00199/FUL

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.