



Notice of Decision

BHA - Steve Beck
2A Grange Avenue
Nottingham
NG9 1GJ

**Section 73 of the Town and Country Planning Act 1990
The Town and Country Planning (Development Management Procedure) (England)
Order 2015 (as amended)**

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|-------------------------|---|
| Application for: | Section 73 Application |
| Application No: | 20/01846/S73 |
| Applicant: | Mr & Mrs Grant |
| Agent: | BHA - Steve Beck |
| Proposal: | Variation of conditions 2 and 10 attached to planning permission 20/00493/S73 to amend the approved plans |
| Site Address: | Land Adjacent Roewood Lodge Bleasby Road Thurgarton |

Newark and Sherwood District Council as Local Planning Authority in pursuance of their powers under the said legislation **Grant Section 73 Application** for the development described in the above application, subject to the following conditions.

Conditions:

01

The development hereby permitted shall not be carried out other than in complete accordance with the following approved plans:

- Site plan, street-scene and block plan, 1923 P10 Rev D
- Plans and elevations of dwelling and store, 1923 P11 Rev B
- Comparative Elevations 1923 P12 Rev A
- Topographical Survey, 1923 P13
- Site Location Plan, 1923 OS
- Tree Protection Measures 1923 P14 Rev A
- Design Statement, dated 18.03.2020
- Tree Location Plan, 1923 T1
- Planting Plan, V1 Rev B
- GGL EDJ 0114 1101,

- 1923 B17 Rev A
- 1923 B18
- 1923 B16
- 1923 B15

Reason:

So as to define this permission.

02

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (and any order revoking, re-enacting or modifying that Order), other than development expressly authorised by this permission, there shall be no development under Schedule 2, Part 1 of the Order in respect of:

Class AA: Enlargement of a dwellinghouse by construction of additional storeys.

Class A: The enlargement, improvement or other alteration of a dwellinghouse, including extensions to the property and the insertion or replacement of doors and windows.

Class B: The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

Class C: Any other alteration to the roof of a dwellinghouse.

Class D: The erection or construction of a porch outside any external door of a dwellinghouse.

Class E: Development within the curtilage of a dwellinghouse.

Reason:

To ensure that the local planning authority retains control over the specified classes of development normally permitted under the Town and Country Planning (General Permitted Development) Order 2015 or any amending legislation in the interests of protecting the character and amenity of the area.

03

No part of the development hereby permitted shall be brought into use until the access to the site has been completed and surfaced in a hard bound material (not loose gravel) for a minimum distance of 5m behind the highway boundary. The surfaced drive shall then be maintained in such hard bound material for the life of the development.

Reason:

To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.)

04

No part of the development hereby permitted shall be brought into use until a dropped vehicular verge crossing is available for use and constructed in accordance with the Highway Authority's specification to the satisfaction of the Local Planning Authority.

Reason:

In the interests of highway safety.

05

No part of the development hereby permitted shall be brought into use until the access drive is constructed with provision to prevent the unregulated discharge of surface water from the access drive to the public highway in accordance with details shown on drawing no 1923 P10B. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

Reason:

To ensure surface water from the site is not deposited on the public highway causing danger to road users.

06

No part of the development hereby permitted shall be brought into use until the visibility splay shown on drawing no.1923/P10 Rev B has been provided on site and thereafter shall be kept free of all obstructions, structures or erections exceeding 0.6 metres in height above carriageway level for the life of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of highway safety.

07

The existing trees shown to be retained as part of this application shall be protected with appropriate tree protection fencing (to British standards BS5827:2012 or subsequent amendments) and this fencing shall remain in place during the construction phase of the development.

Reason:

In the interests of visual amenity and biodiversity and in order to afford adequate tree protection.

08

The approved landscaping as shown on drawing numbers 1923/P10 Rev d and the landscaping drawing V1 rev B shall be completed during the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the local planning authority. Any trees/shrubs which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless otherwise agreed in writing by the local planning authority. . The approved hard landscaping shall be implemented on site prior to first occupation.

Reason:

To ensure the work is carried out within a reasonable period and thereafter properly maintained, in the interests of visual amenity and biodiversity.

09

The external store building as shown on drawing no. 1923/P10 Rev C and 1923/P11 Rev B shall be constructed in accordance with the details contained within the application; namely using a suspended ground floor supported onto mini screw type piles (to avoid the tree roots) and not using traditional trench foundations.

Reason:

In order to protect the roots of the Cedar Tree in line with the submissions.

Note to Applicant

01

The applicant is reminded of their responsibility to create a dropped kerb access to the site; this will require a licence in advance to carry out these works because it involves work on the public highway and this is separate to the planning process. All associated costs will be borne by the applicant. The application process can be found at:<http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities>
Email: licences@viaem.co.uk Tel. 0300 500 8080.

02

This application has been the subject of discussions during the application process to ensure that the proposal is acceptable. The District Planning Authority has accordingly worked positively and pro-actively, seeking solutions

to problems arising in coming to its decision. This is fully in accord Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

03

The applicant is advised that all planning permissions granted on or after the 1st December 2011 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at www.newark-sherwooddc.gov.uk/cil/

The proposed development has been assessed and it is the Council's view that CIL is not payable on the development given that there is no net additional increase of floorspace as a result of the development.

A copy of the decision notice and the officer/committee report are available to view on the Council's website.



Authorised Officer on behalf of Planning Development, Newark and Sherwood District Council

Date: 10 December 2020

Note: Attention is drawn to the attached notes.

Important note:

This permission refers only to that required under the town and country planning acts and does not include any consent or approval under any other enactment, byelaw, order or regulation, including the passing of plans for the purpose of the building regulations which requires additional approval and a separate application must be submitted.

Approval of details (Reserved Matters): Applicants who receive an approval of details, known as “reserved matters”, under previous outline permission are reminded of the requirements as to commencement of the development within the time specified in the conditions attached to the outline permission and to ensure that any other conditions attached to that outline permission are complied with.

Discharge of Conditions: Please note the Discharge of Condition incurs a nationally set fee and the service normally has 8 weeks to respond to each request from date of receipt. Further details are available on our website at:

www.newark-sherwooddc.gov.uk/planning/whathappensafterpermissionisdecided/

Material samples: Physical samples of materials for applications should not be submitted to the Council. Photographs, brochures/weblinks and detailed product specifications should provide sufficient detail for assessment by officers. If an actual sample is needed, your case officer will contact you to arrange how they wish to view it.

Appeals to the Secretary of State: If you disagree with the decision of the Local Planning Authority to grant it subject to conditions, then you can appeal to the Planning Inspectorate. It is important to note that there are different time periods in which you can appeal from the date of this notice. Please note, if you seek an inquiry you are asked to give the Planning Inspectorate and local planning authority at least 10 days’ notice that you intend to submit an inquiry appeal. Further information is available on the Planning Inspectorates website at www.gov.uk/appeal-planning-inspectorate or contact their customer support team by telephone 0303 444 5000 or email enquiries@planninginspectorate.gov.uk

Minor Amendments (not applicable to Listed Building Consent): If you wish to make alterations to a scheme after it has been granted planning approval, some minor changes to approved plans can be dealt with under an amended plan procedure. If this is an option you wish to pursue, the relevant application forms entitled “Application for a non-material amendment following a grant of planning permission” should be completed and returned to us along with scaled plans showing the proposed amendments and a fee. You can submit (and view guidance) your applications online or alternatively, please telephone our Customer Services on 01636 650000 who can arrange for a set to be posted to you.

We will in most cases accept the following as minor amendments to previously approved plans:

- Reduction in the volume/size of the building/extension
- Reduction in the height of the building/extension
- Amendments to windows/doors/openings that will not have any impact on neighbouring properties

However, this advice is given on an informal basis only and is therefore not binding on any future recommendation, which may be made to the Council or any formal decision by the Council. We consider the following to normally take a development beyond the scope of the permission and will therefore require a fresh application to be submitted:

- Significant increase in the volume of the building/extension
- Significant increase in the height of the building/extension
- Changes which would conflict with a condition on the original approval
- Additional and/or repositioned windows/doors/openings that will have an impact on neighbouring properties

- Changes which would alter the description of development from the original application
- Amendments that would warrant re-consultation either of neighbours, council departments or statutory bodies

Further details are available on our website at:

www.newark-sherwooddc.gov.uk/planning/whathappensafterpermissionisdecided/

Disposal of any building waste: If you are having any building or remedial work done on your home or constructing a new dwelling, you have a 'Duty of Care' to ensure your waste is disposed of properly. Any contractor you employ or even if you arrange to have any construction or demolition waste removed yourself, the person you give it to must be a registered waste carrier. You should ask to see their Waste Carriers Licence and obtain a receipt for any waste which is removed. To ensure they are registered, you can also check with the Environment Agency online or by telephoning 08708 506506.

Help to keep our District a cleaner and less polluted place.