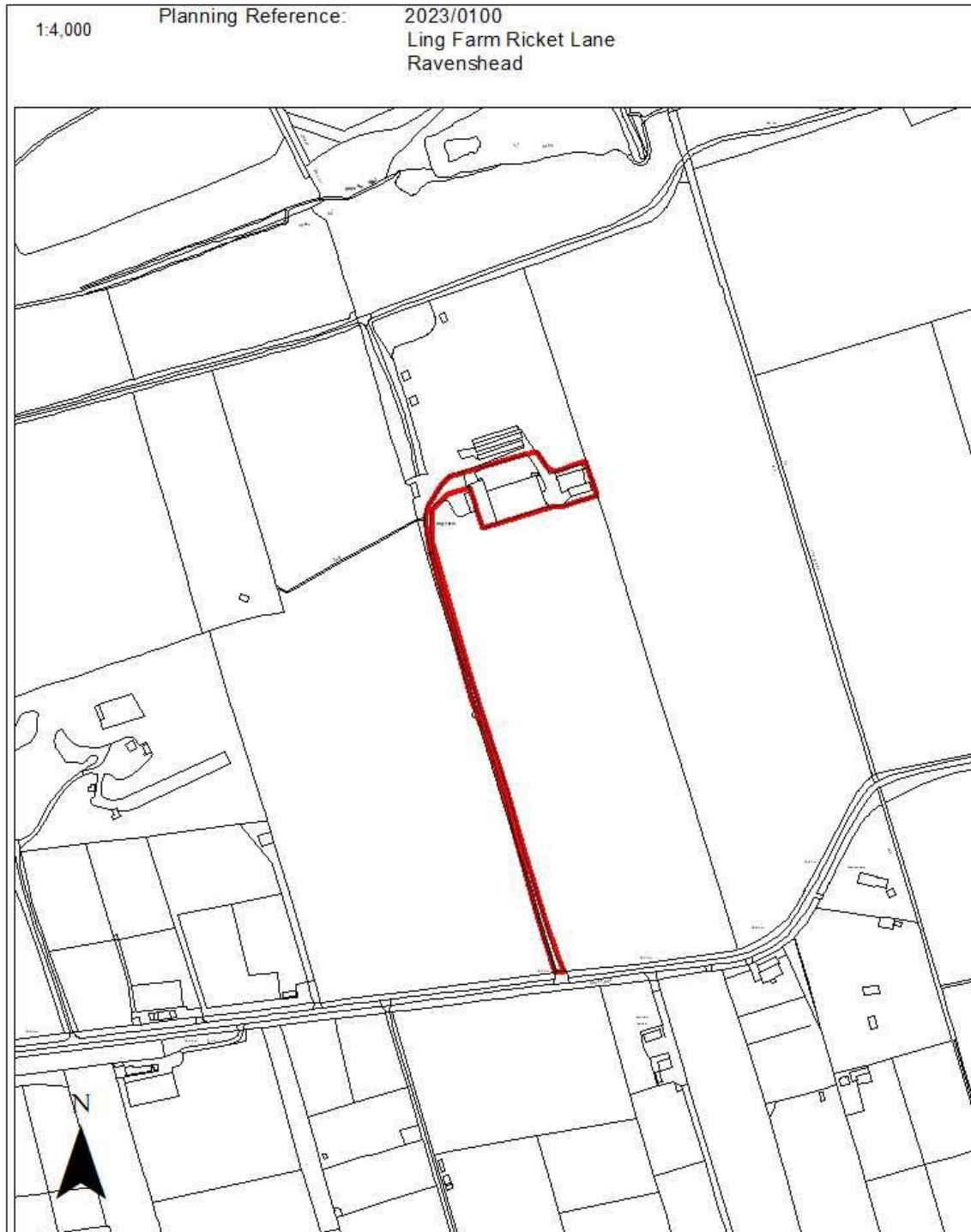




Planning Report for 2023/0100



NOTE This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.
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Report to Planning Committee

Application Number:	2023/0100
Location:	Ling Farm, Ricket Lane, Ravenshead NG21 0NG
Proposal:	Conversion of two agricultural buildings to create 5 dwellings.
Applicant:	Star Farming
Agent:	Acorus Rural Property Services Ltd
Case Officer:	Cristina Dinescu

This application has been referred to Planning Committee to accord with the Constitution as a Section 106 Agreement is required.

1.0 Site Description

- 1.1 The application site, Ling Farm, is comprised of two agricultural barns set within agricultural fields, served off a long dirt track which ensures access to Ricket Lane to the south. The site is located to the north of Ravenshead within the Nottinghamshire Green Belt.

2.0 Relevant Planning History

- 2.1 2022/1059 – Permission was refused for conversion of two agricultural buildings to create 5 dwellings and erection of car port/garage blocks on the following grounds:

'It is considered, given the amount of adaptations and alterations proposed including residential curtilages, detached garage blocks and improvements to the access, the proposed development would result in inappropriate development in the Green Belt which by definition harms openness without demonstrable very special circumstances. The proposed development is contrary to section 13 of the NPPF and policy LPD 12 of the Local Planning Document.'

- 2.2 2020/1182 – Prior Approval granted for residential development comprising the conversion of Barn A to four new houses.
- 2.3 2020/1183 – Prior Approval granted for residential development comprising conversion of Barn D to one new house.
- 2.4 2019/0583PN – Prior Approval was refused for the conversion of Barn D to one dwellinghouse. The reasons for refusal were as follows:

1. *The location of the barn in relation to the adopted highway would result in a significant carry distance for refuse bins. The collection point would be approximately 500 metres from the dwelling at the entrance to the site as a refuse vehicle cannot enter the site. This would result in an unacceptable form of development to the detriment of the residential amenity of the future occupiers of the residential property. As such it is considered that the location and siting of the building so far from the adopted highway makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses). Taking the above into account the proposal does not accord with the limitations of Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as Amended) and is therefore not permitted development.*

2. *By virtue of the substantial and significant nature of the works required as part of the development to create dwelling(s) based on the supporting information and the assessment against the requirements of Class Q it is considered that the works proposed go beyond what is reasonably necessary, and are significant and substantial alterations more akin to a new build. Therefore it is concluded that the building is not suitable for conversion. Taking the above into account the proposal does not accord with the limitations of Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as Amended) and is therefore not permitted development.*

2.5 2019/0585PN – Prior Approval was refused for the conversion of Barn A to 4 new dwellinghouses and demolition of Barns B and C. The reasons for refusal were as follows:

1. *The location of the barn in relation to the adopted highway would result in a significant carry distance for refuse bins. The collection point would be approximately 500 metres from the dwelling at the entrance to the site as a refuse vehicle cannot enter the site. This would result in an unacceptable form of development to the detriment of the residential amenity of the future occupiers of the residential property. As such it is considered that the location and siting of the building so far from the adopted highway makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses). Taking the above into account the proposal does not accord with the limitations of Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as Amended) and is therefore not permitted development.*

2. *No specific information has been provided in relation to the construction of the mezzanine floor to Barn A to demonstrate that significant structural works are not required to facilitate this. By virtue of the substantial and significant nature of the works required as part of the development to create dwelling(s) based on the supporting information and the assessment*

against the requirements of Class Q it is considered that the works proposed go beyond what is reasonably necessary, and are significant and substantial alterations more akin to a new build. Therefore it is concluded that the building is not suitable for conversion. Taking the above into account the proposal does not accord with the limitations of Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as Amended) and is therefore not permitted development.

3. The location of the existing dwelling in relation to Barn A would result in significant overbearing to the detriment of the reasonable residential amenity of the future occupiers of dwellinghouse 4. As such it is considered that the location and siting of Barn A makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses). Taking the above into account the proposal does not accord with the limitations of Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as Amended) and is therefore not permitted development.

Both decisions above (2019/0585PN & 2019/0583PN) were appealed to the Planning Inspectorate – ref. no's APP/N3020/W/20/3244145 (lead case) and APP/N3020/W/20/3244146. The appeals were dismissed on the following grounds:

APP/N3020/W/20/3244145 (2019/0585PN) – In relation to the first reason for refusal – specific issues of refuse collection at the site, the Inspector concluded that the location or siting of the building would not make it otherwise impractical or undesirable for the building to change from agricultural use to dwellings as some arrangement would be made to store the bins for the dwellings close to the highway, avoiding the need for the unlikely scenario of occupants moving refuse bins up and down from the properties for collection.

In relation to the second reason for refusal – substantial and significant level of works, the Inspector concluded that the mezzanine floor and the level of works would constitute building operations reasonably necessary allowed by paragraph Q.1(i)(i).

In relation to the third reason for refusal – unacceptable relationship with the farm building, the farm building was demolished under planning permission ref.no. 2016/1034 and the building works for the replacement dwelling and detached garage were commenced. The replacement dwelling is to be constructed further away from the common boundary with Barn A.

The Inspector concluded that the demolition of Barns B and C would be extensive and would fall outside of the limitations of paragraph Q.1(i)(ii) which allows only partial demolition to the extent reasonably necessary to carry out the building operations allowed by paragraph Q.1(i)(i). The proposal therefore failed to comply with the conditions or restrictions applicable to development permitted and appeal A therefore fails.

APP/N3020/W/20/3244146 (2019/0583PN) – In relation to the first reason for refusal – specific issues of refuse collection at the site, the Inspector concluded that the location or siting of the building would not make it otherwise impractical or undesirable for the building to change from

agricultural use to dwelling as some arrangement would be made to store the bins for the dwelling close to the highway, avoiding the need for the unlikely scenario of occupants moving refuse bins up and down from the property for collection.

In relation to the second reason for refusal - the Inspector concluded that the proposed development associated with Barn D would comply with the conditions, limitations and restrictions applicable to development permitted. However, in light of the findings in relation to Appeal A (APP/N3020/W/20/3244145 – Barn A), Barn D would remain situated next to a substantial farm complex and although there is no certainty the complex would remain in active agricultural use, it is likely that the farming activities associated with the farm complex would render the location and siting of the building impractical and undesirable to change use to a dwelling. For this reason Appeal B fails.

2.6 2019/0147PN – Prior Approval was refused for the conversion of agricultural buildings to 5no. dwellinghouses. The reasons for refusal were as follows:

1 *'The location of the barns in relation the adopted highway would result in a significant carry distance for refuse bins. The collection point would be approximately 500 metres from the dwellings at the entrance to the site as a refuse vehicle cannot enter the site.*

This would result in an unacceptable form of development to the detriment of the residential amenity of the future occupiers of the residential properties. As such it is considered that the location and siting of the buildings so far from the adopted highway makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses).

Taking the above into account the proposal does not accord with the limitations of Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as Amended) and is therefore not permitted development.'

2 *'The proposal would require replacement of the cladding on all walls and roof. Additionally, no specific information has been provided in relation to the construction of the mezzanine floor to Barn A to demonstrate that significant structural works are not required to facilitate this.*

By virtue of the substantial and significant nature of the works required as part of the development to create dwelling(s) based on the supporting information and the assessment against the requirements of Class Q it is considered that the works proposed go beyond what is reasonably necessary, and are significant and substantial alterations more akin to a new build. Therefore it is concluded that the building is not suitable for conversion.

Taking the above into account the proposal does not accord with the limitations of Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as Amended) and is therefore not permitted development.'

3 *'The close proximity of the existing dwelling to Barn A and specifically proposed dwelling 4 would result in an unacceptable impact on the amenity of the future occupiers of proposed Barn 4. It would result in an*

overbearing outlook from the property to the detriment of reasonable residential amenity. As such it is undesirable for Barn A to be occupied as a dwelling(s).

As such it is considered that the location and siting of Barn A makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses). Taking the above into account the proposal does not accord with the limitations of Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as Amended) and is therefore not permitted development.'

4 *'The location of Barn A coupled with numerous windows proposed in the western elevation at ground and first floor facing both the existing dwelling and associated garden area on site and the revised location of this dwelling and associated garden area as approved by planning permission 2016/1034 would result in significant overlooking and loss of privacy to the detriment of the reasonable residential amenity of the occupiers of the property.*

As such it is considered that the location and siting of Barn A makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses). Taking the above into account the proposal does not accord with the limitations of Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as Amended) and is therefore not permitted development.'

The decision to refuse prior approval was not appealed to the Planning Inspectorate.

- 2.7 2017/1182 – Certificate of Lawfulness Existing for Barn D used as storage of hay balls – granted 20th November 2017.
- 2.8 2016/1034 – Replacement Dwelling – granted 28th November 2016.
- 2.9 2016/0756 – Certificate of Lawfulness Proposed to erect Barn A – granted 10th August 2016.

3.0 Proposed Development

- 3.1 The application seeks planning permission to convert the barns (barns A and D) to 5no. residential units. The scheme comprises the barns to be converted to residential, the units within Barn A would have curtilages to the east, Barn D would be converted into one residential unit, and a shared access driveway that would ensure access to Ricket Lane.
- 3.2 The conversion of the barns is identical in terms of internal layout and external design with the two prior approvals granted recently – 2020/1182 and 2020/1183. The external materials would be as follows:
 - existing colour coated profiled metal cladding colour greed
 - new colour coated aluminium windows & doors – RAL 7021
 - timber cladding panel with window frame / opening vent

- stained timber / composite cladding
- gray, RAL 7021 colour coated rainwater gutters & downpipes
- gray, RAL 7021 aluminium louvers
- standing seam roof cladding - RAL 7005
- rendered blockwork

4.0 Consultations

- 4.1 The Highways Authority – The geometry of the access is sufficient to accommodate the anticipated level of traffic. It is not envisaged the proposal will change the existing situation. We therefore do not wish to raise an objection subject to a condition requiring the access to be hard surfaced for the first 5 metres behind the highway boundary.
- 4.2 Ravenshead Parish Council – No objections to this application subject to Green Belt regulations.
- 4.3 Parks and Street Care Team – At 4324sqm the site falls within the Council's adopted policy New Housing Development, supplementary planning guidance for open space provision which is partly referenced in the supporting information. Given the location of the site, an off-site Open Space Contribution of £12,209.25 is sought.
- 4.4 Scientific Officer – This application includes the construction/conversion of new residential dwellings on a former farmyard. Agriculture is a potentially contaminative land-use and such land can possibly be used for a wide variety of potentially contaminative activities including: non-bunded fuel storage, repair and maintenance of agricultural machinery/vehicles, storage of silage and other feed, slurry tanks/lagoons, disposal of animal waste and disposal of asbestos. There is clearly the potential for the site to have been contaminated from this former use. As it appears that no desktop study/preliminary risk assessment has been submitted prior to, or with the planning application, then I would request that our standard phased contamination conditions (CONLAND 01) are attached to the planning consent. The assessment should be carried out in line with current guidance and the appropriate British Standards (i.e. BS10175).
The proposed development constitutes a **small** development for the purpose of the *Air Quality and Emissions Mitigation - Guidance for Developers* document, which relates to Policy LPD11 of the Local Development Plan 2018.
Under the provisions of this guidance **small** developments are required to provide an exposure assessment and Type 1 mitigation.
- 4.5 Adjoining Neighbours have been notified by letter and a Site Notice and Press Notice posted. Two letters of representation were received as a result raising the following concerns:
- if this development is allowed, future development will follow on Green Belt land;
 - there is a rifle range in close proximity and the noise factor should be considered when deciding this application.

5.0 Relevant Planning Policy

- 5.1 The following policies/documents are relevant to this proposal:
- National Planning Policy Framework (2021): 12.Achieving well-designed places; 13.Protecting Green Belt land.
 - Gedling Borough Aligned Core Strategy: Policy 3 – The Green Belt; Policy 10 – Design and Enhancing Local Identity and Policy 19: - Developer Contributions
 - Parking Provision for Residential and Non-Residential Development: Supplementary Planning Document (February 2022). - New Housing Development Supplementary PPPlanning Guidance for Open space Provision.
- 5.2 The Local Planning Authority adopted the Local Planning Document (LPD) on the 18th July 2018. The relevant policies to the determination of this application are as follows:
- LPD 7 – Land Contamination;
 - LPD 11 – Air Quality;
 - LPD 12 – Reuse of Buildings within the Green Belt;
 - LPD 13 – Extensions to Buildings within the Green Belt;
 - LPD 21 – Provision of New Open Space;
 - LPD 32 – Amenity;
 - LPD 57 – Parking Standards;
 - LPD 61 – Highway Safety.

6.0 Planning Considerations

- 6.1 In making a recommendation in relation to this application, regard has been given to the above legislation and policy and as a result it has been determined that the main planning considerations in relation to this proposal are: -
- i. Whether the proposed development would be inappropriate development in the Green Belt (compliance with Green Belt policy);
 - ii. Impact on visual amenity;
 - iii. Off-street parking provision and highway safety;
 - iv. Impact on residential amenity;
 - v. Air quality and land contamination;
 - vi. Developer contributions.

Green Belt

- 6.2 Paragraph 137 of the NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 138 goes on to state the five purposes of Green Belt:
- a) to check the unrestricted sprawl of large built up areas;
 - b) to prevent neighbouring towns merging into one another;
 - c) to assist in safeguarding the countryside from encroachment;

- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

- 6.3 Paragraph 147 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 6.4 The proposed development comprises the conversion of Barns A and D to a total of 5 residential units. The units in Barn A would be set on two storeys and the floor space of all units proposed would be approximately 636sqm which would represent an increment of 37.66% of additional floor space above that of the original Barn A. For the avoidance of doubt, the increase in floor space would be internal alterations and not extensions. The proposed conversion of Barn D would not involve any extensions or additional floor space. The barns have been assessed and found to be structurally sound and capable of conversion with the amount of alterations proposed to be identical to the works approved under the prior approvals under Class Q of the GPDO – ref. no's 2020/1182 and 2020/1183.
- 6.5 Both barns are buildings of permanent construction and structurally sound, as confirmed by the Structural Engineers' Report. Given the materials and the amount of alterations proposed which would involve works mainly to the inside of the barns, it is considered the barns are capable of re-use without major alterations, adaptations and reconstruction. Given the percentage of additional floor space to Barn A which would not exceed the threshold set by policy LPD 13, it is considered the proposed conversion would be appropriate development in the Green Belt.
- 6.6 The proposal would involve improvements to the access point in the form of hard surfacing of the first 5 metres behind the highway boundary. These improvements are identical to the works approved under the prior approvals under Class Q of the GPDO – ref. no's 2020/1182 and 2020/1183. The works required would constitute an engineering operation which is listed as an exception in paragraph 150 b) of the NPPF and would be appropriate development within the Green Belt provided that they would preserve its openness and would not conflict with the purposes of including land within it. Given the existing access and driveway are not hard surfaced at the moment as they serve an agricultural site, the proposed improvements would result in a hard surfaced area that would reduce the openness of the Green Belt by way of encroachment into the countryside and therefore the works required to the access point would be inappropriate development in the Green Belt. Given the size of the hard standing area and its location, it is considered the impact on the openness of the Green Belt would be limited in this instance. Nevertheless, inappropriate development is harmful to the Green Belt by definition can only be approved in very special circumstances.
- 6.7 It is considered the extant prior approvals ref. no's 2020/1182 and 2020/1183 represent a valid fall-back position in relation to the proposed scheme as the details of the conversion are identical to the details of the prior approvals, including the improvements required to the access point. As such, it is considered that very special circumstances exist that would outweigh the

limited harm to the openness, given the planning history of the site. The proposal is therefore in accordance with Section 13 of the NPPF; policy 3 of the ASC and policies 12 and 13 of the LPD.

Visual amenity

- 6.8 The proposed scheme comprises the conversion of agricultural barns to residential units. The proposal would broadly retain the agricultural appearance of the buildings which is respectful of this rural location. As such, it is considered, the proposed development would be in keeping with the character and appearance of the immediate area. The proposal is in accordance with Section 12 of the NPPF and policy 10 of the ACS.

Off-street parking provision and highway safety

- 6.9 Each proposed unit would be served by a minimum of 2 parking spaces. Given the rural location and number of bedrooms proposed, it is considered the proposed scheme would provide sufficient off-street parking spaces, in line with the Council's Parking Provision for Residential and Non-Residential Development: Supplementary Planning Document.
- 6.10 Given the comments received from the Highways Authority, should planning permission be forthcoming, the condition regarding the access point to be hard surfaced would be attached. The proposal would be acceptable from a highway safety perspective and it would be in accordance with policies LPD 57 and LPD 61.

Impact upon residential amenity

- 6.11 The proposed scheme would provide 5 residential units in a rural area where neighbouring residential properties are located at considerable distance to the south, east and west and given the distance between Barn A and Barn D, it is considered the proposal would be acceptable from an impact on residential amenity perspective. Concern has been raised about the proximity of a rifle range to the application site, which is to the west; however, it is a considerable distance away, in the region of 200m, and would have no discernible impact on the amenity of proposed occupiers. The proposal is in accordance with policy LPD 32 of the Local Planning Document.

Air quality and land contamination

- 6.12 A condition requiring the proposed dwellings to be equipped with an Electric Vehicle charging point is necessary to ensure that the proposed development would not have a detrimental impact on air quality in the area and in fact have the potential to have a positive impact on air quality. The application is therefore considered to comply with Policy LPD 11.
- 6.13 Given the small scale of the development it is considered it would not be necessary to require the development to be undertaken in accordance with a Construction Emission Management Plan as the extent and duration of the build is likely to be limited. The application is therefore considered to comply with policy LPD11

- 6.14 Conditions would be attached, should planning permission be forthcoming to deal with land contamination. The application is therefore considered to comply with policy LPD 7.

Developer contributions

- 6.15 The application meets the trigger for public open space as outlined in policy LPD21 in that the application site covers an area of over 0.4 of a hectare. Given that the site is an isolated location on-site provision would not be acceptable therefore a contribution in lieu of such provision, to be spent within the Parish of Ravenshead, would be appropriate. The contributions sought are outlined below:
- Parks and Street Care - note that on-site public open space would not be appropriate therefore a contribution of £12,209.25 in lieu of such provision is sought, which would include new provision and its maintenance. The money would need to be spent within the Parish of Ravenshead.
 - A monitoring fee for the planning obligations may be sought and in line with Council's Section 106 and Unilateral Undertaking Monitoring Fee Policy Statement, which calculates a figure based on the number of relevant triggers. The monitoring fee is subject to annual indexation, therefore the final sum will be determined at such time as the legal agreement is in an agreed form and ready to be completed;
- 6.16 There is a requirement for contributions sought to comply with Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) which identifies the tests required to seek a planning obligation. Paragraph 57 of the NPPF also identifies three tests that would need to be complied with; firstly, necessary to make the development acceptable in planning terms; secondly, directly related to the development and; thirdly, fairly and reasonably related in scale and kind to the development. Policy ACS19 is also pertinent. All of the above contributions are considered to comply with relevant guidance in respect of being pertinent to the application under consideration.
- 6.17 These planning obligations would need to be secured by way of a Section 106 Agreement, which shall be completed prior to determination of the planning application.

Conclusion

- 6.18 Taking the above into account, it is considered that the proposal would be appropriate development in the Green Belt in that very special circumstances can be demonstrated to outweigh the limited harm to the openness that additional improvements to the access point would have. The proposal would be acceptable from a visual amenity, residential amenity, highway safety, air quality and land contamination aspect and, therefore, it would be in accordance with Sections 12 and 13 of the NPPF, Policies 3,10 and 19 of the ACS; policies LPD 11, LPD 12, LPD 13, LPD 21, LPD 32, LPD 57 and LPD 61 of the Local Planning Document and the Parking Provision for Residential and

Non-Residential Development: Supplementary Planning Document, and planning permission should be granted.

7.0 Recommendation: GRANT Planning Permission subject to conditions:

Conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 This permission shall be read in accordance with the application form and deposited plans, drawing no's 00027/P6, 00105/P1, 00038/P4 and 00034/P3, received on 1st February 2023, and drawing no. 18-0708/001/A received on 6th June 2023. The development shall thereafter be undertaken in accordance with these plans/details.
- 3 No part of the development hereby permitted shall be brought into use until the access driveway has been implemented in accordance with drawing no. 18-0708/001/A, received on 6th June 2023. The access drive shall be surfaced in a hard bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and constructed with provision to prevent the discharge of surface water from the access to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.
- 4 No part of the development hereby permitted shall be brought into use until a vehicular crossing is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.
- 5 No part of the development hereby permitted shall be brought into use until a bin collection point has been provided within 15 metres of the public highway to the satisfaction of the Local Planning Authority. The bin collection point shall be retained for the life of the development.
- 6 Prior to the commencement of development the following shall be submitted to and approved in writing by the Local Planning Authority: Site Characterisation An assessment of the nature and extent of any potential contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include; a survey of the extent, scale and nature of contamination and; an assessment of the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. Submission of Remediation Scheme Where required, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of

remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures.

- 7 In the event that remediation is required to render the development suitable for use, the agreed remediation scheme shall be implemented in accordance with the approved timetable of works. Prior to occupation of any building(s) a Verification Report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved in writing by the Local Planning Authority.
- 8 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements above, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.
- 9 From the date of first occupation each dwelling shall be provided with access to electric vehicle (EV) charge point(s) in line with Part S of the Building Regulations. All EV charging points shall meet relevant safety and accessibility requirements and be clearly marked with their purpose; which should be drawn to the attention of new residents in their new home welcome pack / travel planning advice.
- 10 Before development hereby approved is first commenced full details of both soft and hard landscape works shall be submitted to and approved in writing by the Local Planning Authority. The detailed landscape plans and particulars shall include: (a) details of size, species, positions and densities of all trees, hedges and shrubs to be planted; (b) details of the boundary treatments, including those to individual plot boundaries; (c) the proposed means of surfacing access roads, car parking areas, and the frontages of properties such as driveways and footpaths to front doors, and (d) a programme of implementation. The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development.
- 11 If within a period of five years beginning with the date of the planting of any tree or shrub, approved in relation to or Condition 13, that tree or shrub, or any tree or shrub that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Local Planning Authority seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless otherwise prior agreed in writing by the Local Planning Authority.
- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional mezzanine floor and no development falling within Classes A, B, C, D, E, F of Part 1 of Schedule 2 to that Order shall be carried out.

- 13 No development shall take place until full details of finished floor levels, above ordnance datum, of the ground floors of the proposed dwellings and all hard landscaped surfaces, in relation to existing and proposed ground levels and cross sections of the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels.

Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.
- 3 In the interest of highway safety.
- 4 In the interest of highway safety.
- 5 In the interest of highway safety.
- 6 To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 178 of the National Planning Policy Framework and policy LPD7 of the Local Planning Document.
- 7 To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 178 of the National Planning Policy Framework and policy LPD7 of the Local Planning Document.
- 8 To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 178 of the National Planning Policy Framework and policy LPD7 of the Local Planning Document.
- 9 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Local Planning Document.
- 10 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy.
- 11 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy.
- 12 To protect the openness of the Green Belt.
- 13 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy.

Reasons for Decision

It is considered that the proposal would be appropriate development in the Green Belt and very special circumstances can be demonstrated to outweigh the limited harm to the openness the additional improvements to the access point would have. The proposal would be acceptable from a visual amenity, residential amenity, highway safety, air quality and land contamination and therefore it would be in accordance with Sections 12 and 13 of the NPPF, Policies 3, 10 and 19 of the ACS, and policies LPD 7, LPD 11, LPD 12, LPD 13, LPD 21, LPD 32, LPD 57 and LPD 61 of the Local Planning Document.

Notes to Applicant

Positive and Proactive Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework. During the processing of the application there were no problems for which the Local Planning Authority had to seek a solution in relation to this application.

All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015) and The Electric Vehicles (Smart Charge Points) Regulations 2021.

The proposal makes it necessary to construct a vehicular footway crossing over the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Customer Services, on telephone 0300 500 80 80, to arrange for these works to be carried out.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.