

17/01855/FUL

Applicant Mr Robin Devereux

Location OS Field 0004 Partial Flintham Lane, Sibthorpe, Nottinghamshire

Proposal Erection of building for the storage of agricultural vehicles, machinery and equipment for the repair of agricultural machinery and implements

Ward Thoroton

THE SITE AND SURROUNDINGS

1. The application site is located within an agricultural holding identified as Shelton Lodge Farms. The site is part of a large field which appears to have been used for growing crops but as outlined in the application form was also used for grazing animals. The site is located adjacent to the field's northern boundary which adjoins Flintham Lane.
2. The application site is bounded by agricultural fields to the south, east and west. There is a group of agricultural buildings located to the south of the site off Longhedge Lane which currently serve the agricultural holding, used for the storage of cattle and farm equipment but have been granted prior approval for use as residential. A small number of residential properties are located to the east of the site on the western edge of the small rural settlement of Flintham, the closest of them is The Cottage, Flintham Lane approximately 45m away.
3. The site is accessed via the existing farm access off Flintham Lane. The access is not laid with hardstanding. Flintham Lane is a narrow rural lane.

DETAILS OF THE PROPOSAL

4. Full planning permission is sought for the erection of a steel portal frame building to be used for the storage of agricultural vehicles, machinery and equipment and the repair of agricultural machinery and implements. The scheme has been amended to remove the metal work, manufacturing element of the proposal. The building would measure 20m in length by 15m in depth with height to the eaves of 4.8m and 6m in height to the ridge. An area of hardstanding measuring 5m in width would surround the building. The building and hardstanding would be bounded by a timber post and rail fence with gated access to the surrounding field and the access track.
5. Hours of operation are proposed to be 0700 to 1900 Monday to Fridays, 0700 to 1200 Saturdays and at no time on Sundays and bank holidays.
6. The site would be staffed with the equivalent of 6 full time employees although as repairs to farm equipment will take place in situ there will be times during the day when the building is left unmanned. The applicant has confirmed that they do not intend to transport any Agricultural Machinery along village roads the only increase in transport will be their own car or Pick-

Up vehicle. The repair and service work for local farmer's equipment is normally carried out at their farm premises or in the fields during Tilling or Crop Harvesting when break-downs occur. The buildings function is to give a facility to store spare parts and carry out limited repairs on worn or damaged parts for Agricultural Machines that can be fitted back at the Customers Premises or work on their own vehicles and equipment. They are a Modern Blacksmith with expertise in Metal-Work and Welding and also require a secure base to store their tools and equipment. No metal work manufacturing such as security gates and feeders would take place at the premises.

7. The supporting information indicates that the use will generate the need for 5 full time and 2 part time employees, 3 additional full time and one additional part time above the level currently employed.

SITE HISTORY

8. An application for agricultural prior notification ref. 01/01407/AGRIC for an agricultural storage building was submitted on a site within the same field but it was confirmed that prior approval was needed. The decision notice advised that the proposal was considered unacceptable as the noise generated from vehicular traffic to and from the proposed building and the machinery (including grain drying) associated with the building would have a significant impact on the amenity of the dwellings to the east, contrary to Policy ENV1 of the Rushcliffe Borough Local Plan.

REPRESENTATIONS

Ward Councillor(s)

9. The Ward Councillor (Cllr Bailey) objects to the application, she highlights an application ref. 01/01407/AGRIC, the address for the land was given as C.G.Burton and Sons Ltd, Riverlands, Bottom Green, Sibthorpe, Newark, Notts, NG23 5PN for an agricultural storage building 24.4m x 18.3m. The proposal was considered unacceptable for a number of reasons. This application 17/01855/FUL gives the address as OS Field 0004 Partial, Flintham Lane, Sibthorpe, Nottinghamshire, however, it is the same site. The application is not only for the erection of a storage building, but also for a workshop. The proposed steel framed building with industrial mesh security fencing and external security lighting would be a commercial/industrial unit to be used for storage of machinery, manufacturing/repair and not directly linked to the operation of the farm. This is not a low key operation for repair of machinery used on the farm, but an engineering/manufacturing business. She has concerns about the amount of noise that would be generated by the equipment, tools and drilling machine and compressor, for up to 12 hours a day, 5 days a week plus 5 hours on a Saturday. The industrial unit would be 45 metres away from the nearest cottage boundary and 65 metres away from the cottage itself. Flintham Lane is a narrow single track lane, currently in a bad state of repair. The large barns on Longhedge Lane, Sibthorpe, 17/00085/PAQ, which Mr Richard Burton hopes to develop for residential/workshop use, are situated on a wide road with better access for large vehicles than the single track Flintham Lane. An engineering/manufacturing business would be better sited on Longhedge Lane, not on Flintham Lane.

10. In response to the amended proposal Cllr. Bailey has upheld her objection because of the unknown external noise levels. In summary she welcomes the removal of the manufacturing element of the proposal but the site is within the open countryside with neighbouring properties nearby. Cllr. Bailey remains concerned about the possible impact of noise from the workshop tools and machinery on neighbouring properties and notes Environmental Health require further information in relation to noise. The applicant was informed that a professional Environmental Noise Assessment survey would be required to assess the impact of the proposal on the amenity of the surrounding area, the applicant has not provided this.

Statutory and Other Consultees

11. Trent Valley Internal Drainage Board does not object to the application. They note the site is outside of the Trent Valley Internal Drainage Board district but within the Board's catchment. There are no Board maintained watercourses in close proximity of the site. Surface water run-off rates must not be increased as a result of the development. The design, operation and future maintenance of site drainage systems must be agreed with the Lead Local Flood Authority and Local Planning Authority.
12. Nottinghamshire County Council as Highway Authority does not object to the application. According to the submitted information, the repair and service work for local farmers equipment would normally be carried out at other farm premises or fields. This means that there is unlikely to be a large number of vehicles entering and leaving the existing vehicle access. Also, it appears as though the proposed building will not attract vehicles to be worked on at the application site. As there will be the additional staff/pick-up vehicles coming and going from the site, they recommend that the vehicle access arrangements are improved in terms of its surface and drainage facilities by planning conditions.
13. The Borough Council's Environmental Health Officer does not object to the application. In summary they are concerned that noise levels resulting from the proposed development could cause a disturbance to nearby residential properties. To ensure that this isn't the case they recommend that a condition is attached to any approval granted requiring a noise assessment to be undertaken prior to the commencement of development. In addition they recommend the inclusion of a method statement for the control of noise, dust and vibration during construction.

Local Residents and the General Public

14. Comments have been received from ten local residents objecting to the application, their grounds for objection are summarised below:
 - a. Flintham Lane is a single track with limited passing places, is poorly maintained and has no street lighting. Its width and structure are unsuitable to take additional heavy traffic and increased traffic will increase the rate of road surface and verge degradation.
 - b. Flintham Lane is frequently used by walkers, cyclists and horse riders who would be in danger from heavy traffic.

- c. An increase of traffic on Flintham Lane and through the village would be noisy and dangerous to the residents who live in that vicinity.
- d. The proposal is effectively for an industrial unit operating 12 hours per day causing noise disturbance to local residents.
- e. A similar application ref: 01/01407/FUL on the site was refused on the grounds that noise from traffic generated and the machinery associate with the building would have a significant impact on the amenity of dwellings to the east.
- f. Concerned that the building would be used for future residential development.
- g. Longhedge Lane/Blackford Bridge is a much more suitable location for additional workshop machinery storage. This site already has the necessary services, and by its nature does not pose the same problems regarding access, traffic and noise issues.
- h. There are numerous alternative locations for the business to be located without creating a new, large scale building on a green-field site near to residential properties.
- i. The owner of the land has re-entered the Defra, Agri Environment Scheme signifying that the land will be in agricultural use for five years. This specific parcel of land has until this year been in full use for arable crops, it is currently 'grassed' in preparation for the hosting of Flintham Agricultural Show, this would suggest that the land is not surplus and that the proposed development may contravene such an agreement.
- j. Lights and noise would be detrimental to wildlife, particularly birds.
- k. There are no mains drainage facilities available along the road to service any properties. What drainage facilities will be provided for the proposed development? A soak-away would be unacceptable as that would enable industrial substances to leach into the soil.
- l. Ditches along the boundary to the road and further 'downstream' towards Main Street are not regularly maintained and stagnant water gathers. Any run-off from the industrial unit would gather in the ditches and add to the extant problem.
- m. If this site was to go ahead how would this affect land between it and the main bulk of the village in terms of future development?
- n. The application is on a green-field site, outside the village boundary.
- o. Landscaping adjoining the site is not mentioned in the application and nor is the extent of the working area outside the proposed building. There is no provision for earth bunds and or tree/shrub planting to screen the site and ameliorate noises emitted by the works.
- p. The land is currently under a Countryside Stewardship Mid-tier five year agreement (2017-2022) with Natural England, Agreement ref.

107292. This is very welcome as declining farmland birds will benefit from the options taken up under the scheme. So, at present, the application area is not a 'surplus area'.

- q. The building, compound and security lighting will not be visually appealing.
 - r. The farm track mentioned is one that was created for the Flintham show in 2017. How does the one way system work? Does it mean that farm machinery will be going through the village? How is this one-way system going to be monitored/policed?
 - s. Consent given on the basis that the majority of repairs would be carried out off site would be vague and unenforceable.
 - t. If the function of the building has been reduced why hasn't the size?
 - u. It would be more appropriate for a noise assessment to be carried out prior to determination rather than commencement of development.
 - v. The increased water runoff from the site will enter the adjacent drainage ditch which won't be able to cope with the additional water and cause flood risk to property.
 - w. Relocating the building away from the edge of the village would overcome concerns.
 - x. Deliveries to storage units tend to be made either end of the working day which would cause the most disturbance to residents.
 - y. The current level of background noise in the village is very low therefore even a minor increase in noise will be harmful to local amenity.
 - z. The local soil is clay therefore a standard soakaway may not do the job; the applicant should demonstrate how the site will meet building regulations relating to drainage.
15. Comments have been received from two neighbouring farmers and a local resident in support of the application for the following reasons:
- a. Blacksmiths to aid and repair their farm machinery is essential to keeping farming going in the area.
 - b. There is currently only one blacksmith left in the area and they are on the verge of retirement.
 - c. They are limited in the area for local repairs and works to aid the farm when needed.
 - d. See the proposal as a positive move for agricultural needs in the area.
 - e. Farming is no different to any other factory, it needs machinery and, machinery breaks down occasionally and needs repairing.

- f. The workshop is for welding not mechanics or the repair of engines.
- g. The access to the local blacksmiths in Screveton is no better.
- h. There has been a recent application for a building in the village no bigger than the one applied for in this application.

PLANNING POLICY

- 16. The development falls to be determined in accordance with the Development Plan for Rushcliffe, which comprises the Rushcliffe Local Plan Part 1: Core Strategy (LPP1CS) and the 5 saved policies of the Rushcliffe Borough Local Plan 1996. Other material planning considerations include the National Planning Policy Framework (NPPF), the Planning Practice Guide and some weight should also be given to relevant policies of the Rushcliffe Borough Non Statutory Replacement Local Plan (2006) (RBNSRLP).

Relevant National Planning Policies and Guidance

- 17. The National Planning Policy Framework carries a presumption in favour of sustainable development and states that, for decision taking, this means *“approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out of date, granting permission unless:*
 - *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - *Specific policies in the Framework indicate development should be restricted”.*
- 18. One of the core strategies of the NPPF is to ensure that sufficient land is available to support growth while paragraph 28 advocates support for all types of businesses in rural areas both through conversions and well-designed new buildings. Paragraph 28 also promotes the development and diversification of agricultural and other land based rural businesses.

Relevant Local Planning Policies and Guidance

- 19. None of the 5 saved policies of the Rushcliffe Borough Local Plan are applicable to this proposal.
- 20. Policy 1 of the Local Plan Part1: Core Strategy states that there will be a presumption in favour of sustainable development that improves the economic, social and environmental conditions of the area.
- 21. Policy 5 (Employment Provision and Economic Development) states that the economy will be strengthened by, inter alia: providing a range of suitable sites for new employment that are attractive to the market in terms of accessibility, environmental quality and size and encouraging economic development of an appropriate scale to diversify and support the rural economy.

22. In the context of the RBNSRLP, the relevant policies are GP2 (Amenity and Design), EMP2b (Farm Diversification), EN20 (Protection of Open Countryside).
23. Policy GP2 requires that any developments are sympathetic to the character and appearance of neighbouring buildings and the surrounding area in terms of scale, design, materials, etc., do not have a detrimental impact on the amenity of neighbours by reason of overlooking, loss of light, overbearing impact or the type of activity proposed and a suitable means of access and parking facilities can be provided.
24. Policy EMP2b provides that farm diversification schemes for business purposes will be permitted provided that the proposal a) involves the re-use or replacement of existing buildings, b) does not result in excessive expansion or encroachment on the countryside or green belt, c) will not adversely affect the amenity of nearby residents or other occupiers, or the surrounding area.
25. Policy EN20 states inter alia, 'The open countryside comprises all land outside of the green belt but excluding rural villages within the open countryside. Outside the green belt planning permission will not normally be granted except for: a) rural activities including agriculture and forestry.'

APPRAISAL

26. The site is located outside of the main built up area of the rural village of Sibthorpe within the open countryside and it is set apart from the existing agricultural buildings serving the agricultural holding. The use of the proposed building is predominantly for agriculture through the storage of farm vehicles and machinery which will be used to farm the land surrounding the proposed building. In addition the secondary use of the building also has links to agriculture through the provision of a supporting service, the repair of farm machinery. Much of this repair work will be carried out off site but the tools used for this repair work will be stored on site. The manufacturing element of the proposal, including that of winter feeders, security gates and fences has been omitted from the scheme and it is not proposed to take place from this site. Therefore, the balance of the buildings use is weighted more towards agriculture. The erection of a new building within the open countryside other than for one of the identified uses which includes agriculture is contrary to RNSRLP policy EN20. Therefore, the principle of a building used for agricultural purposes in this location is acceptable subject to design and amenity considerations.
27. In the case of application ref: 01/01407/AGRIC for prior approval, referred to in the Site History and in the Ward Councillor comments, the proposed agricultural building was to be used for the storage of grain. This operation would have involved the use of a mobile grain dryer and would have generated heavy farm traffic to and from the site. This building would have been located approximately 45m from the house immediately to the east of the site, The Cottage, and included a new vehicle access off Flintham Lane with a turning area for farm vehicles adjacent to the private garden area of The Cottage. A large opening was proposed in the buildings east elevation which would have exacerbated the situation further.

28. The current proposal differs greatly from this scheme. It would be located approximately 83m from The Cottage, almost twice the distance of the 2001 proposal. No openings are proposed in the building's east elevation. It would utilise the existing vehicular access to the site which is located to the west of the proposed building set away from the garden area of The Cottage. The level of vehicular trips generated by the proposed uses appears to be significantly less than the 'heavy farm traffic' associated with the previous application. The noise generated by the proposed grain dryer was considered to have an unacceptable impact upon the amenity of neighbouring properties, no such conclusion has been drawn in relation to the current proposal. In this case the amenities of neighbouring properties would be safeguarded by the recommended condition for a full noise assessment.
29. The building would have a portal frame construction, the upper walls and roof would be insulated steel box section sheets coloured dark green and the lower walls would be grey concrete blocks. Roof sheeting to provide natural lighting would be included as well as steel sheeted and framed sliding doors in dark green. The hedgerow along the northern boundary of the site provides some screening and would be retained. Given the buildings size, bulk and location it would be a prominent feature within the landscape, yet the materials proposed and the existing boundary treatment would lessen its impact and it would be viewed in context of residential properties on the edge of the settlement to the east and a group of agricultural buildings to the south. The proposal also includes a post and rail fence surrounding the building as well as screen planting. This additional boundary treatment would further mitigate any potential harm and, on balance, it is considered that the proposal would not unduly harm the open character and appearance of the countryside, in accordance with RNSRLP policy GP2.
30. The building would be located on grade 2 agricultural land. RNSRLP policy EN21 - Loss of Agricultural Land states, 'Planning permission will not be granted for development involving the loss of best and most versatile agricultural land (defined as grades 1, 2 and 3a of the agricultural land classification) except where it cannot be accommodated on poorer quality land, including previously developed, or non-agricultural land, or where other sustainability considerations suggest the use of higher quality land is preferable.' It accords with NPPF Policy 9 Conserving and enhancing the natural environment which states in paragraph 112, 'Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.' The existing agricultural buildings serving the agricultural holding area are located on lower grade 3 land. It is understood that this land is not available to the applicant for purchase or lease. The building would enable the surrounding land to continue to be farmed and the footprint of the building and surrounding area of hardstanding would not constitute significant development. Therefore, it is considered that the proposal is in accordance with the aims of these policies.
31. Significant concerns have been raised by local residents that the increased vehicular movements generated by the proposed used would be detrimental to highway safety including pedestrians, equestrians and cyclists using the

lane, further damage the already potholed road surface and verge, and cause noise and disturbance to local residents especially if vehicles were to pass through the main village. Careful consideration must be given to the fact that the Local Highway Authority has raised no objection to the application and on this basis it is considered that it would not be possible to substantiate a reason for refusal on highway safety grounds.

32. The proposal does not include the transportation of agricultural vehicles to the site, they would be repaired within their own agricultural holdings. The only increase in vehicular traffic would generally be vehicles used by employees traveling to and from the site. The supporting documents suggest there would be a maximum of 7 employees. The agricultural vehicles used to farm the surrounding land will access the land directly from the proposed building without the need to use the surrounding road network. The one way track system referred to would operate within the field and it would be up to the applicant to manage this. Given the number and type of vehicles likely to be generated by the proposed use it is unlikely that they would lead to undue noise and disturbance. For this same reason it is considered that the proposal is unlikely to result in a significantly increased level of wear and tear to the road surface.
33. Local residents have also raised concerns over the level of noise generated by the proposed use, they are particularly concerned about doors and windows being kept open during warmer months and the direction of the prevailing wind carrying noise across the village. A condition has been recommended to ensure the windows and doors of the building are kept shut at any time when power tools or machinery are in use. The noise levels of the machinery proposed have been provided by the applicant but the Environmental Health Officer notes that no details of the distances at which these noise levels have been taken or the noise attenuation of the proposed building have been provided. It is noted that the Environmental Health Officer does not object to the proposal but advises that a full Noise Assessment Report would need to be undertaken prior to the commencement of development on site.
34. It is likely that the noise levels produced would be below a level considered to cause undue harm but a full Noise Assessment would be required to confirm this. It is noted that the Environmental Health Officer considers a noise assessment could be secured through a pre-commencement condition. The noise assessment may suggest the provision of noise attenuation methods including an earth bund or screen planting but it would not be expected for these features to be included in a scheme unless they were necessary. As suggested by the Environmental Health Officer, harm to the amenity of the neighbouring properties could be mitigated through a method statement for the control of noise, dust and vibration during construction, which could be secured through a planning condition.
35. The proposed building would be partially screened from the closest neighbour The Cottage by their existing boundary treatment. It is accepted that the building would be visible from this neighbour and the neighbouring properties on the opposite side of Flintham Lane, although given the separation distances between them, of at least 80m, it is considered that the building would not be overbearing or lead to undue overshadowing, loss of light or outlook. The interruption of a view across privately owned land is not

a material planning consideration and cannot be afforded any weight.

36. Low energy lighting would be fixed to the exterior of the building. On the granting of planning permission more specific details of the lighting proposed would usually be secured by a planning condition. It would be important to ensure that any external lighting was designed in a way to mitigate harm to wildlife and the amenity of neighbouring properties.
37. The scheme does not include the removal of hedgerows or trees from within the site. Reference has been made to legislation outside of the planning system for the protection of birds. Any conditions or controls in place covered by separate legislation would not be superseded by the grant of planning permission and would still need to be complied with. It is considered that the conditions and controls imposed by separate legislation will operate effectively without the need for duplication through the planning system.
38. The freestanding pole mounted transformer located adjacent to the application site was carried out by Western Power Distributions under Schedule 2, Part 15, Class B. a) of the Town and Country Planning (General Permitted Development) (England) Order 2015. It does not relate to the current planning application and is not indicative of the work that is proposed to be carried out on the site. Western Power Distribution has permitted development rights as a statutory undertaker for the electricity industry and no consultation for the work carried out by them under this legislation is necessary. It is understood that this pole is to be removed as it has since been replaced by an electricity substation. Again this work was carried out independently of this application by a statutory undertaker within their permitted development rights.
39. Concerns have been raised by local residents over the site's drainage, including that there are no mains drainage facilities available along that road to service any properties. The application form indicates that a septic tank would be used to deal with foul sewage. Another concern raised is that ditches along the boundary to the road and further 'downstream' towards Main Street are not regularly maintained and stagnant water gathers, and any run-off from the industrial unit would gather in the ditches and add to the extant problem. Trent Valley Internal Drainage Board do not object to the application but would require that surface water run-off rates must not be increased as a result of the development also that the design, operation and future maintenance of site drainage systems must be agreed with the Lead Local Flood Authority and Local Planning Authority. In relation to drainage, a concern has also been raised that given the area's soil is clay based a standard soakaway would fail to meet the "*standard soakaway percolation test*". This relates to controls covered by building regulations and is not usually a detail required at the planning application stage. As already mentioned it is expected that the conditions and controls imposed by separate legislation will operate effectively without the need for duplication through the planning system.
40. Core Strategy policy 5 Employment provision and economic development provides that 'Economic development of a lesser scale will be delivered elsewhere in sustainable locations and in accordance with the settlement hierarchy of Policy 3 to ensure a sustainable mix of uses.' The development

involves the diversification of an agricultural use to create economic development which in principle is welcomed. Although the site is not located within a sustainable location it is argued that the proposed use would serve a local rural need. Weight must be given to the potential benefits of enabling economic development by the creation of jobs, supporting other linked local businesses in a rural area.

41. It is considered that the proposal would deliver economic benefits to the area including job creation as well as supporting the local farming industry. Any potential harm resulting from the development, including potential noise and disturbance to neighbouring residential properties and the buildings impact upon the open countryside could be mitigated through the use of planning conditions. It is emphasised that the local highway authority has raised no highway safety concerns. Therefore, the proposal is considered to meet the aims of the relevant planning policies and there are no material planning considerations to outweigh this.
42. Negotiations have taken place during the consideration of the application to address adverse impacts identified by officers and to respond to concerns raised in letters of representation submitted in connection with the proposal. Amendments have been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and the recommendation to grant planning permission.

RECOMMENDATION

It is **RECOMMENDED** that planning permission be granted subject to the following condition(s)

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].

2. The development hereby permitted shall be carried out in accordance with the plans ref: Site Location Plan, Block Plan, RB316, Floor Plan of Agricultural Building and Location Plan - Store Building received on 7 August, 19 and 23 November 2017.

[For the avoidance of doubt and to comply with policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

3. Prior to the commencement of development an Environmental Noise Assessment shall be submitted to and approved by Borough Council. This assessment shall be undertaken in accordance with BS4142:2014 methods for rating and assessing industrial and commercial sound. It shall include representative monitoring positions and measurement parameters, as agreed with the Borough Council. Where noise mitigation measures are identified and required as above a sound mitigation scheme to effectively reduce the transmission of noise from the site shall be submitted to and approved by the Borough Council and fully implemented in accordance with the details

specified. Thereafter, the mitigation measures shall be retained and maintained for the life of the development.

[To protect the amenities of neighbouring properties and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan. These details need careful consideration and formally approval. The details are needed prior to the start of work so that measures can be incorporated into the build.]

4. Prior to the commencement of development, a method statement detailing techniques for the control of noise, dust and vibration during construction shall be submitted to and approved in writing by the Borough Council. The works shall be carried out in accordance with the approved method statement.

[To protect the amenities of neighbouring properties and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan. The details are needed prior to the start of work to provide protection during the construction of the development.]

5. No development, including site works, shall begin until a landscaping scheme, to include those details specified below, has been submitted to and agreed in writing by the Borough Council:

- (a) the treatment proposed for all ground surfaces, including hard areas;
- (b) full details of tree and shrub planting;
- (c) planting schedules, noting the species, sizes, numbers and densities of plants;
- (d) finished levels or contours;
- (e) any structures to be erected or constructed;
- (f) functional services above and below ground;
- (g) all existing trees, hedges and other landscape features, indicating clearly those to be removed; and,
- (h) a landscape management plan and schedule of maintenance.

The approved landscape scheme shall be carried out in the first tree planting season following the substantial completion of the development and any trees or plants which within a period of 5 years from the completion of the development 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 the Borough Council gives written consent to any variation.

[To make sure that a satisfactory landscaping scheme for the development is agreed and implemented in the interests of the appearance of the area and to comply with policy EN13 (Landscaping Schemes) of the Rushcliffe Borough Non Statutory Replacement Local Plan. The details are needed prior to the start of work so that measures can be incorporated into the build.]

6. Details of all means of enclosure to be erected on the site shall be submitted to and approved in writing by the Borough Council before development commences beyond the level of damp-proof course. The development shall not be brought into use until the approved means of enclosure have been completed, and they shall be retained thereafter.

[In the interest of amenity and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

7. No part of the development hereby permitted shall be brought into use until the vehicle access has been surfaced in a bound material (not loose gravel) for a minimum distance of 7.5 metres rear of the adopted highway boundary. The surfaced vehicle access shall thereafter be retained as such for the life of the development.

[In the interests of highway safety to reduce the possibility of deleterious material being deposited on the public highway and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

8. No part of the development hereby permitted shall be brought into use until the vehicle access has been constructed with provision to prevent the unregulated discharge of surface water from vehicle access to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

[In the interests of highway safety to ensure surface water from the site is not deposited on the public highway causing dangers to road users and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

9. No part of the development hereby permitted shall be brought into use until the vehicle access has been made available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.

[In the interests of highway safety; and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

10. The development hereby permitted shall not be commenced beyond the level of damp proof course until details of the facing and roofing materials to be used on all external elevations have been submitted to and approved in writing by the Borough Council and the development shall only be undertaken in accordance with the materials so approved. Thereafter, the development shall be maintained in accordance with the approved details.

[To ensure the appearance of the development is satisfactory and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

11. No power tools or machinery shall be operated on the premises outside of the hours of 0700 and 1900 on weekdays and 0700 and 1200 on Saturdays and at no time on Sundays or on Bank Holidays or on the open areas of the site.

[In the interest of protecting the amenity of the neighbouring properties and surrounding area and in accordance with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan.]

12. Before the use is commenced the noise levels for any externally mounted plant or equipment, together with any internally mounted equipment which vents externally, shall be submitted to and approved in writing by the Borough Council, and the plant/equipment shall be installed in accordance with the approved scheme, and retained in good working order to the satisfaction of the Borough Council.

[To protect the amenities of nearby residents and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

13. No open storage of materials, machinery, equipment, parts or refuse shall take place on any open area of the site.

[To ensure that vehicle movements are not obstructed and to ensure that the appearance of open areas of the site is acceptable and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Non-Statutory Replacement Local Plan.]

14. The external doors and windows shall remain shut at all times that machinery and power tools are in operation.

[To protect the amenities of nearby residents and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

15. Prior to the installation of security lighting/floodlighting details of any such lighting shall be submitted to and approved in writing by the Borough Council, together with a lux plot of the estimated illuminance. The lighting shall be installed only in accordance with the approved details and no other lighting shall be installed.

[To protect the amenities of the area and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the premises shall only be used for the purposes specified in the application and for no other purpose.

[This use only is permitted and other uses, either within the same Use Class, or permitted by the Town and Country Planning (GPD) Order 2015 are not acceptable to the Local Planning Authority in this location because of the site's location outside of the main built up area of the settlement and its proximity to residential properties, and to comply with Rushcliffe Non-Statutory Replacement Local Plan Policy GP2.]

Notes to Applicant

The development makes it necessary to alter a vehicular 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 Highways Area Office tel. 0300 500 80 80 to arrange for these works to be carried out.