

20/01615/FUL

Applicant Mr Andrew Gatehouse

Location Garages South Of 15 Orchard Close Orchard Close Barnstone Nottinghamshire

Proposal Demolition of existing garages and erection of two no. 2 storey houses with associated parking. Creation of an area of hard-standing for use for 9 car parking spaces.

Ward Thoroton

THE SITE AND SURROUNDINGS

1. The application relates to a garage site which currently consists of 10 garages at the end of a cul de sac within the main built up residential area of Barnstone. To the south-east is an additional communal parking area for the residents of Orchard Close. Out of the 10 garages that exist on the site, 9 are occupied and 1 is unoccupied. The communal area provides 9 existing parking bays.
2. Residential properties adjoin the application site to the south-east, north and north-west with open countryside directly to the south. There is a mixture of two-storey dwellings and bungalows within the immediate area. Directly to the north-west is a bungalow. The site is separated by a parcel of land to the north-east from residential properties at The Brambles.
3. There is an existing access to horse shelters and paddocks in the fields to the south of the application site. Access to the site is off Orchard Close.

DETAILS OF THE PROPOSAL

4. Planning permission is sought to demolish existing garages and erect a semi-detached pair of 2 storey houses with associated parking for four vehicles to the front of the properties. The proposal includes the creation of an area of hard-standing for use for 11 car parking spaces for the residents of Orchard Close.
5. The proposed dwellings would consist of two-storey semi-detached properties. The semi-detached properties would have an overall width of 14m, overall depth of 7.065m, overall eaves height of 5.015m and overall ridge height of 7.79m.
6. The gardens to the properties would be enclosed by 1.8m high close boarded timber fencing, with the exception of the south east boundary to plot 1 and a section of the north west boundary to the front of the properties which would comprise 1.8m close boarded fencing topped with trellis having overall height of 2.1m. A 0.9m high railing fence with an 'anti trap bow' is proposed along the pedestrian access to the south-east of the application site.

7. Off street parking spaces (x2 for both dwellings) would be provided to the front of the two dwellings. Nine additional car parking spaces would be provided in the area to the south-west of proposed dwellings.
8. The materials proposed would consist of red brick and slate to match the adjacent dwellings.
9. There is an access road to the east of the dwellings for the existing farm; this would be accessed through the application site. The owner of the adjacent fields has been made aware of this and correspondence was sent on the 12th August 2020.
10. A Transport Assessment, Ecology Report, Tree Report, Site Investigation Report, Planning Statement, Bat Survey, Land and Utility Survey and a Domestic Asbestos Demolition Survey Report were submitted with the application.
11. Following a consultation with Highways, further supporting information has been submitted on the 21st September 2020 relating to highway matters. A revised site location plan was submitted on the 17th September 2020 which illustrates proposed x4 off street parking spaces for two dwellings outside of the red line.

SITE HISTORY

12. No relevant site history

REPRESENTATIONS

Ward Councillor(s)

13. One Ward Councillor (Cllr S Bailey) objects to the proposed development and the comments are outlined below:
 - a. Car parking has not been addressed.
 - b. Disabled parking spaces are required by residents.

Town/Parish Council

14. Barnstone Parish Council object to the proposed development for the following reasons:
 - a. Inadequate parking provision.
 - b. Concerns over access for emergency services.
 - c. New homes are not needed.
 - d. Proposed access path to the horse shelter and paddocks are inadequate.

Statutory and Other Consultees

15. Nottinghamshire County Council - Archaeology have commented raising no objections.

16. RBC Environmental Sustainability Officer has commented raising no objections to the proposal. The Officer has recommended informatives relating to protected species to be attached to any forthcoming permission.
17. RBC Environmental Health have commented raising no objections to the proposal. The Officer has recommended pre-commencement conditions to be attached to any forthcoming permission.
18. Nottinghamshire County Council as Highways Authority has commented raising concerns regarding future parking provision for the existing dwellings on Orchard Close and the existing turning head at the end of Orchard Close. Further justification was required to be submitted for further consideration.
19. In this instance, further supporting information was submitted which includes census data providing a detailed breakdown of car ownership by dwelling type, size and tenure for a broad geographical area (merge wards) and a high-level overview at a fine geographical area (output area). The data shows that the average car ownership for the area is 1.79 cars/household. The applicant states that this however is unrepresentative for Orchard Close on the grounds of tenure and size of dwellings, and with adjustment suggests car ownership is in the region of 1.1 to 1.3 cars/household. Based on the available data, the Highways Authority considered this to be a reasonable assumption.
20. Highways also advised that the likely car ownership levels, and the additional unallocated and on-plot parking proposed, it is considered that the proposal is unlikely to result in a significant impact on the public highway over the current situation. It is noted that on-street parking already takes place on Orchard Close and Main Street, and a small amount of displaced parking is considered unlikely to result in a highway safety concern.
21. A Stopping-Up Plan was also submitted which includes a plan detailing the extent of highway to be stopped up. Highways advised that a condition would be required to ensure no part of the public highway is obstructed until it has been formally stopped-up.
22. There have been no further objections or concerns raised from the Highways Authority in this instance. Highways requested conditions and informatives to be attached to any forthcoming permission.

Local Residents and the General Public

23. 38 written representations have been received from local residents objecting to the scheme. The comments can be summarised as follows:
 - a. Concerns regarding security of rear garden of adjacent dwelling (no.15 orchard Close) as a result of the demolition of the garages.
 - b. Adjacent outbuildings will be damaged as a result of the proposed demolition.
 - c. Over intensive use of the site.
 - d. Insufficient parking provision.

- e. Concerns with overflow of vehicles within the cul de sac.
- f. View from upstairs window will be blocked.
- g. Replacing existing fence line to the south of application site is totally unacceptable.
- h. Development is a detriment to the residents of Orchard Close.
- i. Building of two dwellings will cause anger and stress to residents.
- j. Reduction in car spaces and loss of local storage.
- k. Nine car spaces is insufficient to cover the residents needs.
- l. Concerns over emergency services gaining access.
- m. Create more congestion and parking pressures.
- n. Creating dangerous overspill parking on the main road.
- o. Should development go ahead, this would cause considerable hurt to enjoyment of the surrounding environment.
- p. Parking on the main road will lead to accidents.
- q. Orchard Close not wide enough for bin lorries.
- r. Concerns regarding noise, dust disturbance and vibration.

PLANNING POLICY

24. The development plan for Rushcliffe consists of the Rushcliffe Local Plan Part 1: Core Strategy and the Local Plan Part 2: Land and Planning Policies. Other material considerations include the National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG) and the Rushcliffe Residential Design Guide (RRDG). Any decision should be taken in accordance with the adopted development plan documents.

Relevant National Planning Policies and Guidance

25. The relevant national policy considerations for this proposal are those contained within the National Planning Policy Framework (NPPF) and the proposal should be considered within the context of a presumption in favour of sustainable development as a core principle of the NPPF.
26. Local planning authorities should approach decisions on proposed development in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development. Decision-makers at every level should seek to approve applications for sustainable development where possible.

27. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
- a) an economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - b) a social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
 - c) an environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
28. In paragraph 15 the NPPF states that the planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings.
29. As such, the following national policies in the NPPF with regard to achieving sustainable development are considered most relevant to this planning application:
- Section 5: Delivering a Sufficient Supply of Homes
 - Section 6: Building a strong, competitive economy
 - Section 9: Promoting Sustainable Transport
 - Section 12: Achieving well designed places
30. Section 5 - 'Delivering a sufficient supply of homes' states that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.
31. Section 6 - 'Building a Strong and Competitive Economy' states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.

32. Section 9 - 'Promoting Sustainable Transport' states that it should be ensured that safe and suitable access to the site can be secured for all users, going on to identify in paragraph 109 that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
33. Section 12 - 'Achieving Well Designed Spaces' states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 127 states that planning policies and decisions should ensure that developments, inter alia:
- a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
34. In line with paragraph 130 of the NPPF, permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Relevant Local Planning Policies and Guidance

35. The Rushcliffe Local Plan Part 1: Core Strategy sets out the overarching spatial vision for the development of the Borough to 2028. The following policies in the Rushcliffe Local Plan Part 1: Core Strategy are relevant:
- Policy 1: Presumption in Favour of Sustainable Development
 - Policy 3: Spatial Strategy
 - Policy 10: Design and Enhancing Local Identity
36. Policy 1 highlights that when considering development proposals the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.
37. Policy 3 outlines the distribution of development in the Borough during the plan period. It ensures the sustainable development of Rushcliffe will be achieved through a strategy that promotes urban concentration by directing the majority of development towards the built up area of Nottingham and the Key Settlements.
38. Policy 10 (Design and Enhancing Local Identity) states that all new development should be designed to make; a positive contribution to the public realm and sense of place; create an attractive, safe, inclusive and healthy

environment; and reinforce valued local characteristics; reflect the need to reduce the dominance of motor vehicles.

39. The Rushcliffe Local Plan Part 2: Land and Planning Policies was adopted in October 2019 and sets out non-strategic allocations and detailed policies for managing development. The following policies in the Rushcliffe Local Plan Part 2 are relevant:
- Policy 1: Development Requirements
 - Policy 11: Housing Developments on Unallocated Sites within Settlements;
 - Policy 12: Housing Standards;
 - Policy 38: Non-Designated Biodiversity Assets and the Wider Ecological Network.
40. Policy 1 sets out that planning permission for new development will be supported provided that where relevant, a list of criteria are met. This list includes aspects such as suitable access being provided, sufficient amenity spaces for end users, the relationship with nearby uses in terms of the amenity of future occupants and aspects such as ensuring no significant impact on wildlife, landscape character.
41. Policy 11 states that permission will be granted where inter alia, the proposal does not conflict with the spatial strategy, has a high standard of design that does not adversely affect the character or pattern of development in the area, and would not have a significant adverse impact on the amenities of surrounding residents.
42. Policy 12 – ‘Housing Standards’ identifies that all new dwellings will be required to meet the higher optional technical standard for water consumption of no more than 110 litres per day.
43. Policy 38, where appropriate, seeks to achieve net gains in biodiversity and improvements to the ecological network through the creation, protection and enhancement of habitats, and the incorporation of features that benefit biodiversity.
44. The Rushcliffe Residential Design Guide (RRDG) states that building designs should contribute to an active and attractive street environment. A positive design approach to the local context does not mean a repetition of what went before. Fenestration, the proportions of the building and use of related materials are all design matters that should take their lead from the neighbouring properties. Contemporary and innovative solutions which successfully address all of these issues are to be encouraged. Guidance on garden sizes and separation distances are included. The RRDG states that new developments should seek to provide garden depths of 10m, and garden sizes for semi-detached properties of 90 square metres, with smaller 2 bedroom or less properties to have a minimum of 55 square metres. It does however accept a variety of sizes will be required to meet a variety of needs, and notes that access to public open spaces, privacy of space and orientation of spaces can all contribute to the appropriateness of a gardens size to provide adequate amenity for future occupants.

APPRAISAL

45. The main considerations when determining this application relate to the principle of development, assessing any design and amenity impacts of the proposal, assessing appropriate access and highway safety matters and the consideration of nature conservation.

Principle of Development

46. The proposed development site is located within the built-up part of Barnstone. The proposal would not result in the built-up area of the settlement being extended. The principle of residential development on the site accords with the spatial strategy contained within Policy 3 of the Core Strategy subject to other issues including residential amenity, parking/access, visual amenity and density.

Design and Impact on neighbouring amenity

47. In terms of design, the proposal falls under the criteria of Policy 1 Development Requirements of the Local Plan Part 2: Land and Planning Policies. Particular consideration whereby development should be sympathetic to the character and appearance of the surrounding area. The scale, density, height, massing, design and layout of the proposal all need to be carefully considered and should not lead to an over-intensive form of development.
48. It is considered the proposed design of the dwellings would be in sympathetic to the neighbouring properties. There is a mixture of two storey dwellings and bungalows within the immediate vicinity and it is considered that the proposed semi-detached dwellings would be in keeping with the design of the adjoining properties. It is also noted that the materials proposed would match those of the adjacent properties.
49. The rear amenity spaces for the proposed dwellings would result in an overall area of 55 square metres or more. This would provide adequate amenity space for future occupants of the dwellings. It is considered that the proposal would accord with design standards as set out in the Rushcliffe Residential Design Guide.
50. Impact on neighbouring amenity has been carefully considered. It is noted that the distance from the proposed rear elevation to the shared boundary to the north-east would be approx. 8m. The dwelling (1 The Brambles) located directly to the north-east is a single storey dwelling which is set in approximately 23m from the shared boundary with the application site. The proposed boundary treatments to the north-east and north-west would consist of 1.8m high close boarded timber fencing and 2.1m high closed boarded timber fencing with trellis on top to the south-east boundary of plot 1. No windows are proposed on the northern elevation of plot 2, facing onto the adjacent bungalow to the north. There would also be a 4.4m separation distance from plot two to this neighbouring property to the north. Overall, it is considered given the orientation of the application site, the proposed development would have no undue impact in terms of overlooking, overbearing or overshadowing on neighbouring amenity to the north-east and north-west.

51. Given the overall distance of approximately 35m from neighbouring properties to the south-west, it is considered that there would be no undue impact in terms of overbearing, overshadowing or overlooking on these neighbouring properties.

Impact on the character of the Area

52. It is considered that the proposed development would have no undue impact on the character of the area given the location of the application site. The proposed dwellings would not be visually prominent within the streetscene. The design and materials proposed would match those of the dwellings within the immediate vicinity.

Parking matters and Highway Safety

53. It is noted that a transport appraisal and a parking survey were submitted in support of this application. It has been demonstrated that Metropolitan Housing Trust (MTVH) would provide alternative garage facilities elsewhere to compensate for the loss of garage space for the occupants of the existing garages on Orchard Close. It should also be noted that 11 parking spaces would be maintained within the proposed scheme, being relocated elsewhere within the site.
54. Whilst the scheme would result in the loss of garages as well as the hardstanding to the front, leading to potential overflow of vehicles parking on the kerbside, the existing 11 marked parking bays would be retained. 2 additional parking spaces for each of the proposed dwellings would also be provided.
55. Following a consultation with the Highways Authority, further supporting information has been submitted. A revised site location plan was submitted on the 17th September illustrating the provision for a further four off street parking spaces for two properties that are outside the red line. The two properties are in the ownership of MTVH and two off street parking spaces would be provided to the front of these properties.
56. The proposals would reduce on-street parking demand whilst increasing the available supply of off-street unallocated parking within the cul de sac. The proposals would make the road layout at the end of Orchard Close more resilient in terms of access and servicing by providing a larger turning head that is less likely to be blocked by on-street car parking.
57. The comments from Highways are noted and conditions and informatives would be attached should planning permission be forthcoming.
58. Overall, it is considered that the scheme along with the amendments to the parking provision within the cul de sac and the application site would have no undue detrimental impact on highway safety. It is also considered that there would be ample off street parking provision provided for the existing residents of Orchard Close.

Land Contamination

59. The comments from Environmental Health are noted. It has been advised that

further testing is required to establish the arsenic levels within the soils and therefore, a pre-commencement condition has been recommended should planning permission be forthcoming.

Biodiversity

60. The comments from the Environmental Sustainability Officer are noted, given the nature of the proposed development and the location of the site, it is considered that there would be no undue impact on biodiversity. Informatives would be attached to any forthcoming permission.

Conclusions

61. Given all the matters as considered above and having assessed the development proposal against the policies set out in the development plan for Rushcliffe, the scheme is considered to be acceptable. Therefore, it is recommended that planning permission is granted.
62. The application was subject of pre-application discussions. However, amendments have been made to the scheme during the application process addressing identified adverse highway impacts. The scheme is therefore now considered acceptable.

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 strictly in accordance with the Planning Statement, Transport Appraisal ref: SP/JW/21332-05c, Tree Report ref: SJA482.100 Rev E, Ecology Report ref: 551330LTJUNE20FV03_Orchard_CL_PEA, Bat Survey ref: 551330LTJUNE20FV03_Orchard_CL_BATS, Land and Utility Survey ref: 919336 S1, Asbestos Demolition Survey Report ref: J187308, details outlined in the Garages Occupancy Data and Parking Survey submitted on the 7th August 2020, details outlined in supporting information received on the 15th and 21st September 2020, revised site plan received on the 17th September 2020 ref: 100-663/(P) 052 Rev M, Stopping Up Plan received on the 21st September 2020 ref: 100-663/(P) 054, layout and elevations plan submitted with the application on the 7th July 2020 ref: 100-663(P) 053 Rev A and boundary treatment plan submitted with the application on the 7th July 2020 ref: 100-663/(P) 056 Rev C.

[For the avoidance of doubt and to comply with Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

3. The development hereby permitted shall not proceed above foundation level 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.

[To ensure the appearance of the development is satisfactory having regard to Policy 10 of the Rushcliffe Local Plan Part 1: Core Strategy and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

4. Before development is commenced, a Contaminated Land Report shall be submitted to and approved in writing by the Borough Council. As a minimum, this report will need to include a Desktop Study documenting historical uses of the site and its immediate environs, site specific interpretation and a conceptual site model explaining results. Where the Desktop Study identifies potential contamination a Detailed Investigation Report will also be required, including a site investigation documenting the characteristics of the ground, an evaluation of all potential sources of contamination and a risk assessment, together with an updated conceptual model. In those cases where a Detailed Investigation Report confirms that contamination exists, a remediation report and validation statement confirming the agreed remediation works have been completed, will also be required. All of these respective elements of the report will need to be submitted to and approved in writing by the Borough Council, prior to development commencing, and the development shall be carried out in accordance with the approved details.

[This condition is pre-commencement to ensure adequate controls are in place prior to works starting in order to protect the amenities of neighbouring residents and the wider area and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

5. The dwellings hereby permitted shall be designed to meet the higher 'Optional Technical Housing Standard' for water consumption of no more than 110 litres per person per day.

[To promote a reduction in water consumption and to comply with criteria 3 of Policy 12 (Housing Standards) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

6. Notwithstanding the provisions of Schedule 2, Part 1 Class A & B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) there shall be no enlargement or alteration of the proposed dwellings, no additional windows and no additions to the roof without the prior written approval of the Borough Council.

[The development is of a nature and density whereby future development of this type should be closely controlled to protect the amenities of neighbouring residents and future occupiers alike, and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

7. The development will require the stopping up of the public highway and no part of that development hereby permitted (or any temporary works or structures) shall obstruct the public highway until the areas of public highway as shown on Plan Ref 100-663/(P) 054 – Orchard Close – Stopping-Up Plan have been

formally stopped up.

[In the interests of highway safety and to protect the amenities of neighbouring residents and future occupiers alike, and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

8. No part of the development hereby permitted shall be brought into use until the site access works as shown indicatively on Plan Ref 100-663/(P) 052 L have been provided 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 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

9. No part of the development hereby permitted shall be brought into use until the parking and turning area is provided and surfaced in a bound material with the parking bays clearly delineated in accordance with the approved plans. The parking and turning area shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking/turning/loading and unloading of vehicles.

[In the interests of highway safety and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

10. No part of the development hereby permitted shall be brought into use until the parking and turning area is constructed with provision to prevent the unregulated discharge of surface water from the parking and turning area to the public highway in accordance with details first submitted to and approved in writing by the LPA. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

[To ensure surface water from the site is not deposited on the public highway causing dangers to road users and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

11. No part of the development hereby permitted shall be brought into use until the additional on-plot parking for existing properties no. 10 and 15 Orchard Close as shown indicatively on the approved plans has been provided, surfaced in a hard-bound material and suitably drained to prevent the unregulated discharge of surface water to the public highway.

[In the interests of highway safety and to protect the amenities of neighbouring residents and future occupiers alike, and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

Notes to Applicant

Please be advised that all applications approved on or after the 7th October 2019 may be subject to the Community Infrastructure Levy (CIL). The Borough Council considers that the approved development is CIL chargeable. Full details of the amount payable, the process and timescales for payment, and any potential exemptions/relief

that may be applicable will be set out in a Liability Notice to be issued following this decision. Further information about CIL can be found on the Borough Council's website at <https://www.rushcliffe.gov.uk/planningandgrowth/cil/>

Good practice construction methods should be adopted including:

- Advising all workers of the potential for protected species. If protected species are found during works, work should cease until a suitable qualified ecologist has been consulted.
- No works or storage of materials or vehicle movements should be carried out in or immediately adjacent to ecological mitigation areas or sensitive areas (including ditches).
- All work impacting on vegetation or buildings used by nesting birds should avoid the active bird nesting season, if this is not possible a search of the impacted areas should be carried out by a suitably competent person for nests immediately prior to the commencement of works. If any nests are found work should not commence until a suitably qualified ecologist has been consulted.
- Best practice should be followed during building work to ensure trenches dug during works activities that are left open overnight should be left with a sloping end or ramp to allow animal that may fall in to escape. Also, any pipes over 200mm in diameter should be capped off at night to prevent animals entering. Materials such as netting and cutting tools should not be left in the works area where they might entangle or injure animals. No stockpiles of vegetation should be left overnight and if they are left then they should be dismantled by hand prior to removal. Night working should be avoided.
- Root protection zones should be established around retained trees / hedgerows so that storage of materials and vehicles, the movement of vehicles and works are not carried out within these zones.
- Pollution prevention measures should be adopted

You are advised to ensure disturbance to neighbours is kept to a minimum during construction by restricting working hours to Monday to Friday 7.00am to 7.00pm, Saturday 8.00am to 5.00pm and by not working on Sundays or Bank Holidays. If you intend to work outside these hours you are requested to contact the Environmental Health Officer on 0115 9148322.

The Borough Council is charging developers for the first time provision of wheeled refuse containers for household and recycling wastes. Only containers supplied by Rushcliffe Borough Council will be emptied, refuse containers will need to be provided prior to the occupation of any dwellings. Please contact the Borough Council (Tel: 0115 981 9911) and ask for the Recycling Officer to arrange for payment and delivery of the bins

Condition 5 requires the new dwellings to meet the higher 'Optional Technical Housing Standard' for water consumption of no more than 110 litres per person per day. The developer must inform their chosen Building Control Body of this requirement as a condition of their planning permission.

It is possible that the roofspace, and/or behind the soffit, fascia boards, etc. may be used by bats. You are reminded that bats, their roosts and access to roosts are protected and it is an offence under the Countryside and Wildlife Act 1981 to interfere with them. If evidence of bats is found, you should stop work and contact English Nature on 01476 584800.

You are advised that the demolition and disposal of asbestos requires special measures. Further advice can be obtained from Nottinghamshire County Council (0115 977 2019). Alternatively, you can obtain an asbestos fact sheet from their website www.nottinghamshire.gov.uk

The applicants should consult Severn Trent Water Limited who should be satisfied that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate additional flows, generated as a result of the development, without causing pollution.

Section 278 Agreement (Highways Act 1980).

In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact the County Highway Authority for details.

The deposit of mud or other items on the public highway, and/or the discharge of water onto the public highway are offences under Sections 149 and 151, Highways Act 1980. The applicant, any contractors, and the owner / occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc. is washed onto the highway, from the site. Failure to prevent this may force the Highway Authority to take both practical and legal action (which may include prosecution) against the applicant / contractors / the owner or occupier of the land.

The proposed development requires a Stopping-Up Order. No part of the development hereby permitted or any temporary works shall obstruct the public highway until an Order has been secured.