



Bassetlaw
DISTRICT COUNCIL
North Nottinghamshire

Miss Becky Lomas
Johnson Mowat
Coronet House
Queen Street
Leeds
LS1 2TW

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

Application For: Outline Planning Application

NOTICE OF DECISION

Application No: 19/00876/OUT

Applicant: Barratt David Wilson Homes

Agent: Miss Becky Lomas

Proposal: Hybrid Application For Outline Planning Permission For The Residential Development Of Approximately 650 New Homes (Approval Being Sought For Access), Public Open Space, Landscaping And Associated Infrastructure With Access Into The Site Included. Full Planning Application (Phase 1) Include Development Of 161 New Homes, Open Space, Landscaping And Associated Infrastructure (Resubmission of P.A. 17/01728/OUT)

Site Address: Land South Of Tickhill Road Harworth Doncaster South Yorkshire

The Council have considered the application and hereby **GRANT OUTLINE PLANNING PERMISSION** subject to the conditions which have been imposed for the reasons set out below:

CONDITIONS:

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

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

2. The development hereby permitted shall be in accordance with details and specifications included on the submitted application form and shown on the following approved plans:
- i.) Location Plan, Drawing No. P15:1960:02 received on 28 June 2019
 - ii.) Phase 1 Red line Plan, Drawing No. 15:1960:43 received on 28 June 2019
 - iii.) Proposed Site Layout Drawing No. P15:1960:01-L received on 27 August 2019
 - iv.) Landscape Master Plan, Drawing No. P15:1960:100 received on 27 August 2019
 - v.) Elevation Drawing Nos. P15:1960:04, P15:1960:10, P15:1960:11, P15:1960:12, P15:1960:13, P15:1960:14, P15:1960:15, P15:1960:16, P15:1960:17, P15:1960:18, P15:1960:19, P15:1960:20, P15:1960:21, P15:1960:22, P15:1960:23, P15:1960:24, P15:1960:25, P15:1960:26, P15:5156:27, P15:1960:28, P15:1960:29, received on 4 July 2019.

Reason: To ensure the development takes the agreed form envisaged by the Local Planning Authority when determining the application and for the avoidance of doubt.

3. No one phase of development shall be commenced until details of the proposed arrangements and plan for future management and maintenance of the proposed streets including associated drainage and highway soft landscaping contained within that phase of development have been submitted to and have been approved by the Local Planning Authority. The streets, drainage, and highway soft landscaping shall for the lifetime of the development be maintained in accordance with the approved private management and maintenance details unless an agreement has been entered into under Section 38 of the Highways Act 1980 at which point those areas to be adopted in accordance with the Section 38 agreement will not be subject to the approved management and maintenance details.

Reason: To ensure that the road infrastructure is maintained to an appropriate standard

4. No dwellings within each phase of the development shall be occupied until the roads and footways affording access to those dwellings have been completed up to binder course level.

Reasons: To ensure that the roads serving the development are sufficiently completed and are available for use by the occupants and other users of the development in the interest of highway safety.

5. Prior to commencement of the development hereby permitted details of wheel washing facilities and street cleansing (including full details of its specification and siting) that maybe varied from time to time with the approval of the District Council and as made necessary by the works or ground conditions shall be submitted to and be approved by the District Council.

Reason: To minimise the chance of mud and debris being carried onto the public highway.

6. Prior to the occupation of each dwelling the driveway associated with that dwelling shall be surfaced in a bound material (not loose gravel) for a minimum distance of 5.0m from the back edge of footway and the plot shall be drained to prevent the unregulated discharge of surface water onto the adjacent highway.

Reason: To ensure satisfactory access arrangements are provided from the outset.

7. Prior to the occupation of dwellings associated with Phase 1 of the development:
- The Bawtry Road junction arrangements shall be in place as approved by the Local Planning Authority in consultation with Doncaster Metropolitan Borough Council under planning application reference 19/01575/FUL or via any subsequent approval;
 - All driveways serving more than one dwelling shall include bin storage areas.

Reason: To ensure multiple bins do not block accesses, footways, and visibility and the site has a satisfactory access in the interest of highway safety.

8. The 300th dwelling on any part of the application site shall not be occupied unless or until a permanent connection to the B6463 Tickhill Road has been established and is open to all traffic including the provision of a ghost island right turn lane generally in accordance with plan reference LTP/2236/P1/01.01 and which shall include a footway connection to the existing footway to the south of the junction on the B6463 Tickhill Road, refuges on both sides of the ghost island, and the relocation of the 30mph speed limit and Harworth gateway features to the north of the junction, and the provision of street lighting.

Reason: To facilitate the provision of a bus route, to evenly distribute traffic throughout the development in the interest of highway network capacity and sustainable travel, to ensure that the site has alternative access arrangements in case of emergency or essential maintenance, and in the interest of highway safety.

9. The development shall be carried out in accordance with the Travel Plan reference A631 Harworth TP Final Issue 1A and dated August 2018.

Reason: In the interest of sustainable travel.

10. No residential development shall take place until details of the bus routes through the site and location of bus stops to achieve the standard set out in the Nottinghamshire Highway Design Guide and Public Transport Planning Obligations Funding Guidance for Prospective Developers have been submitted to and approved in writing by the County Council.

Reason: To promote sustainable travel.

11. No development shall commence above damp proof course (DPC) level, until details of the facing and roofing materials to be used in the development hereby permitted have been submitted to and agreed in writing with the local planning authority. The development shall be carried out only in accordance with the agreed facing and roofing materials.

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

12. The screen fence/walls on plots 4, 5, 9, 19, 25, 40, 44, 64, 65, 75, 76, 96, 97 105, 106, 127, 133, 140 and 159 shall be constructed, in accordance with the details and in the positions shown on the submitted drawings, before occupation of the houses to which each relates.

Reason: To ensure both the satisfactory appearance of the completed development and an adequate level of amenity for the houses in question.

13. Notwithstanding the submitted drawings, plots 141-158 and 162, shall not be occupied until such a time as a scheme for the treatment of the northern boundaries of these plots has been submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out only in accordance with the agreed details.

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

14. Development shall not commence until such time as full details of the manner in which foul sewage and surface water are to be disposed of from the site have been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason: To ensure that the site is drained in a satisfactory manner.

15. Prior to the commencement of development, a Construction Environmental Management shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include;

i.) A working methodology to be followed by site contractors.

ii.) Supervision of all site clearance and removal of vegetated habitats by a qualified ecologist.

iii.) Mitigation for, bats, birds newts, reptiles and hedgehogs;

iv.) The implementation of suitable stand-offs with appropriate protection measures for all retained hedgerows.

v.) Measures to minimize the creation and impact of noise, smoke, dust and artificial lighting.

Once approved, the Construction Environmental Management Plan shall be adhered to at all times unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development is carried out in a way which safeguards protected species, hedgerows and trees.

16. A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority before development commences. The approved scheme shall be fully implemented within nine months of the date when the last dwelling on the site is first occupied. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced in the following planting season by trees or shrubs of a size and species similar to those originally required to be planted.

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

17. The existing boundary hedges within the application site shall be retained. No part of the hedges shall be removed unless that removal is authorised as part of this grant of planning permission or is the subject of written agreement by the Local Planning Authority.

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

18. The ecological enhancement and mitigation measures shall be carried out in accordance with the details and timetable outlined in the 'Brooks Ecological' Landscape and Ecological Management Plan July 2018.

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

19. Bird and bat boxes shall be incorporated into the development in accordance with the 'Brooks Ecological' Landscape and Ecological Management Plan July 2018, prior to the occupation of the dwellings to which they relate.

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

20. All site clearance work shall be undertaken outside the bird-breeding season (March - September inclusive). If clearance works are to be carried out during this time, a suitably qualified ecologist shall be on site to survey for nesting birds in such manner and to such specification as may have been previously agreed in writing by the Local Planning Authority.

Reason: To ensure that birds nests are protected from disturbance and destruction.

21. No works relating to site preparation or construction shall take place outside 8:00am - 6:00pm Monday to Friday, 8:00am - 1:00pm on Saturday and not at all on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the dwellings located in the vicinity of the application site.

22. No development shall take place within the application site until the details of a scheme for a programme of archaeological investigation and mitigation have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented in full accordance with the approved details.

Reason: To ensure that any features of archaeological interest are protected and recorded.

23. Prior to the commencement of works to construct any of the dwellings on site, details of the provision made for Electric Vehicle (EV) and Ultra Low Emission Vehicle (ULEV) charging points within each dwelling shall be submitted to and agreed in writing by the Local Planning Authority. The EV and ULEV charge points shall be provided prior to the occupation of each of the dwellings and shall be maintained and retained as such for the lifetime of the properties.

Reason - To comply with the requirements of paragraph 110(e) of the NPPF which relates to the provision of infrastructure for EV and ULEV charging.

24. Details of the appearance, landscaping, layout and scale (hereinafter called 'the reserved matters') of each phase of the development (as defined within the Section 106 Planning Obligation) shall be submitted to and approved in writing by the Local Planning Authority before any development in that phase begins. The development shall be carried out as approved.

Reason: This permission is granted in respect of an outline application which did not contain details of the matters hereby reserved for approval.

25. Application for the approval of reserved matters must be made no later than 2 years beginning with the date of this permission for phase 1 (as approved within the Section 106 Planning Obligation) and the development must be begun not later than the expiration of 2 years from the final approval of reserved matters for that phase, or in the case of approval of reserved matters on different dates, the final approval of the last such matter to be approved. The reserved matters for any subsequent phase shall be submitted prior to the completion of the previous phase and the development commenced within 2 years of the approval of the final reserved matter for each phase. The reserved matters for the final phase shall be submitted no later than 10 years from the date of this decision.

Reason: To comply with section 92 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning & Compulsory Purchase Act 2004.

26. The Reserved Matters submitted in accordance with this consent shall include:
- a. details of bin storage areas adjacent shared private drives;
 - b. a minimum width 6.75m bus route between the hereby approved Phase 1 layout and the B6463 Tickhill Road junction;
 - c. a tracking exercise of an 11.5m refuse vehicle throughout and a 12m coach along the main spine road (bus route);
 - d. bus stop locations along the bus route generally within 400m of dwellings forming part of this development and including a minimum footway width of 3m for a distance of 8m at each location;

Reason: In order to allow bus penetration through the site to encourage sustainable travel, to distribute traffic as widely as possible to minimise the traffic impact of the development, and to ensure adequate provision has been made for refuse collection.

27. No more than 170 dwellings on any part of the site shall be occupied unless and until the off-site highway mitigation works to the A631 Bawtry Road/Stripe Road/Blyth Road junction, as agreed with Doncaster Council, in accordance with plan 'A631 Bawtry Road/B6436 Stripe Road/ Blyth Road Proposed Junction Improvement' (drawing no. 19078/GA/01 Rev A) are delivered and operational.

Reason: To ensure that the development would not have a significant impact on the local highway network, in accordance with paragraph 109 of the NPPF (Feb 2019).

28. The 300th dwelling on any part of the application site shall not be occupied unless or until a permanent connection to the B6463 Tickhill Road has been established and is open to all traffic including the provision of a ghost island right turn lane generally in accordance with plan reference LTP/2236/P1/01.01 and which shall include a footway connection to the existing footway to the south of the junction on the B6463 Tickhill Road, refuges on both sides of the ghost island, and the relocation of the 30mph speed limit and Harworth gateway features to the north of the junction, and the provision of street lighting.

Reason: To facilitate the provision of a bus route, to evenly distribute traffic throughout the development in the interest of highway network capacity and sustainable travel, to ensure that the site has alternative access arrangements in case of emergency or essential maintenance, and in the interest of highway safety.

29. The development shall be carried out in accordance with the Travel Plan reference A631 Harworth TP Final Issue 1A and dated August 2018.

Reason: In the interest of sustainable travel.

30. Development shall not commence until such time as full details of the manner in which foul sewage and surface water are to be disposed of from the site have been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason: To ensure that the site is drained in a satisfactory manner.

31. Prior to the commencement of development, a Construction Environmental Management shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include;
Measures to minimize the creation and impact of noise, smoke, dust and artificial lighting. Mitigation for, bats, birds newts, and hedgehogs;
The implementation of suitable stand-offs with appropriate protection measures for all retained hedgerows.
Once approved, the Construction Environmental Management Plan shall be adhered to at all times unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development is carried out in a way which safeguards protected species, hedgerows and trees.

32. The existing boundary hedges within the application site shall be retained. No part of the hedges shall be removed unless that removal is authorised as part of this grant of planning permission or is the subject of written agreement by the Local Planning Authority.

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

33. All site clearance work shall be undertaken outside the bird-breeding season (March - September inclusive). If clearance works are to be carried out during this time, a suitably qualified ecologist shall be on site to survey for nesting birds in such manner and to such specification as may have been previously agreed in writing by the Local Planning Authority.

Reason: To ensure that birds nests are protected from disturbance and destruction.

34. No development shall commence until a scheme and timetable for the implementation of biodiversity enhancements, including the provision of bird and bat boxes and hedgehog friendly fencing within the development, has been submitted to and agreed in writing with the Local Planning Authority. The agreed biodiversity enhancements shall be completed and available in accordance with the agreed scheme and timetable.

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

35. No works relating to site preparation or construction shall take place outside 8:00am - 6:00pm Monday to Friday, 8:00am - 1:00pm on Saturday and not at all on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the dwellings located in the vicinity of the application site.

36. No development shall take place within the application site until the details of a scheme for a programme of archaeological investigation and mitigation have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented in full accordance with the approved details.

Reason: To ensure that any features of archaeological interest are protected and recorded.

NOTES

- 1 The applicant is advised that all planning permissions granted on or after the 1st September 2013 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at www.bassetlaw.gov.uk/everything-else/planning-building/community-infrastructure-levy

It is the Council's view that CIL MAY BE PAYABLE on the development hereby approved as is detailed below. If CIL IS LIABLE full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, extension or annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website:

www.bassetlaw.gov.uk/everything-else/planning-building/community-infrastructure-levy

or from the Planning Portal:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

- 2 The Council have granted this permission / consent subject to conditions which are considered essential. Where conditions require the agreement of certain details this agreement should be the subject of an application for those conditions to be discharged. Where conditions require agreement of any matter prior to certain works being carried out, the 'Discharge of Condition' application should be submitted and the conditions discharged before those works are carried out on site. FAILURE TO DO SO COULD INVALIDATE THE PLANNING PERMISSION. The Council reserve the right to refuse permission for the retention of development not carried out in accordance with the conditions and to take enforcement action to secure compliance with the conditions.

Your right to appeal to the Secretary of State for the Environment against any condition is indicated on the reverse side of the decision notice.

3 Section 38 Agreement (Highways Act 1980)

The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.

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.

Advice regarding travel plans can be obtained from the Travel Plans Officer on telephone 0115 9774523.

- 4 This planning permission has been granted following the successful conclusion of a Legal Agreement between the applicant and the Local Planning Authority under the provisions of Section 106 of the Town and Country Planning Act 1990 and it should be considered in light of the obligations contained in that agreement. Full details of the Legal Agreement may be obtained from the Council's Solicitor.

STATEMENT

The Local Planning Authority has worked positively and proactively with the applicant to seek solutions to problems arising from the application and as such planning permission/consent is granted on the basis of amendments to the originally submitted application.

Date: 23 October 2019



Beverley Alderton-Sambrook
Head of Regeneration
Authorised Officer on behalf of Planning Services
Bassetlaw District Council

Note: Attention is drawn to the Notices attached

Grant of Planning Permission

Application Number: 19/00876/OUT

This permission/approval/consent is given only under the Town and Country Planning Acts. It does not give approval under the Building Regulations.

If you are aggrieved by the decision of the District Planning Authority to grant permission/approval/consent subject to conditions, then you can appeal to the Secretary of State for the Environment.

If you want to appeal and your application was not for *householder development, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. An appeal in respect of an advertisement application must be made within eight weeks.

If you wish to appeal for a *householder development, you must do so within 12 weeks of the date of this notice.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider the appeals solely because the local planning authority based its decision on a direction given by him.

If either the District Planning Authority or the Secretary of State for the Environment grants permission/approval/consent subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonable beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 or Section 32 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in Section 114 and related provisions by the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

* Householder application means – (a) an application for planning permission for development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse or (b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development, **but does not include** – an application for change of use; an application to change the number of dwellings in a building.

Other Acts and non-planning legislation may apply for example Right to Light or Party Wall Act etc. 1996, it is your responsibility to comply.