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**Wednesday, 26 November 2025**

**Chair: Councillor A Freeman  
Vice-Chair: Councillor D Moore**

**Members of the Committee:**

**Councillor C Brooks  
Councillor L Dales  
Councillor S Forde  
Councillor P Harris  
Councillor K Melton  
Councillor P Rainbow**

**Councillor S Saddington  
Councillor M Shakeshaft  
Councillor T Smith  
Councillor L Tift  
Councillor T Wildgust**

<b>MEETING:</b>	<b>Planning Committee</b>
<b>DATE:</b>	<b>Thursday, 4 December 2025 at 4.00 pm</b>
<b>VENUE:</b>	<b>Civic Suite, Castle House, Great North Road, Newark, NG24 1BY</b>
<p><b>You are hereby requested to attend the above Meeting to be held at the time/place and on the date mentioned above for the purpose of transacting the business on the Agenda as overleaf.</b></p> <p><b>If you have any queries please contact Catharine Saxton on <a href="mailto:catharine.saxton@newark-sherwooddc.gov.uk">catharine.saxton@newark-sherwooddc.gov.uk</a>.</b></p>	

## **AGENDA**

### **Page Nos.**

1. Notification to those present that the meeting will be recorded and streamed online
2. Apologies for Absence
3. Declarations of Interest by Members and Officers
4. Minutes of the meeting held on 13 November 2025

3 - 9

### **Part 1 - Items for Decision**

5. Land South Of Sleaford Road, Coddington, Nottinghamshire - 24/02218/OUTM 10 - 71
6. Site Visit: 1pm – 1.15pm  
Playing Field, Crompton Road, Bilsthorpe, NG22 8PS - 25/00409/FUL 72 - 102
7. Site Visit: 11.05am – 11.20am  
Land To The North Of 14 Cottage Close, Blidworth, NG21 0QE - 25/00785/FUL 103 - 127
8. Site Visit: 11.30am – 11.45am  
Former Thoresby Colliery, Ollerton Road, Edwinstowe, Nottinghamshire, NG21 9PS - 25/00971/VAR106 128 - 135
9. Great North Road Solar Farm - Local Impact Report (LIR) 136 - 174

### **Part 2 - Items for Information**

10. Wildlife Features as part of new development Guidance Note 175 - 182
11. Appeals Lodged 183 - 184
12. Appeals Determined 185

### **Part 3 - Statistical and Performance Review Items**

There are none.

### **Part 4 - Exempt and Confidential Items**

There are none.

## NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Planning Committee** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Thursday, 13 November 2025 at 4.00 pm.

PRESENT: Councillor A Freeman (Chair)

Councillor C Brooks, Councillor L Dales, Councillor S Forde, Councillor P Harris, Councillor K Melton, Councillor P Rainbow, Councillor S Saddington, Councillor M Shakeshaft, Councillor L Tift and Councillor T Wildgust

ALSO IN ATTENDANCE: Councillor N Allen

APOLOGIES FOR ABSENCE: Councillor D Moore (Vice-Chair) and Councillor T Smith

61 NOTIFICATION TO THOSE PRESENT THAT THE MEETING WILL BE RECORDED AND STREAMED ONLINE

The Chair informed the Committee that the Council was undertaking an audio recording of the meeting and that it was being live streamed.

62 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillors L Dales, A Freeman and K Melton declared an other registrable interest for any relevant items, as they were appointed representatives on the Trent Valley Internal Drainage Board.

Councillor M Shakeshaft declared he was pre-determined regarding application No. 24/01338/FUL – Former Winner City Cantonese Restaurant, White Post, Farnsfield, as he was the Chair of Planning Committee for Farnsfield Parish Council where this item had been discussed and voted on. He would leave the meeting for the duration of that item.

63 MINUTES OF THE MEETING HELD ON 2 OCTOBER 2025

AGREED that the minutes from the meeting held on 2 October 2025 were agreed as a correct record and signed by the Chair.

64 LAND TO THE SOUTH EAST OF BULLPIT ROAD, BALDERTON, NEWARK ON TRENT, NG24 3NA - 25/00805/FULM

The Committee considered the report of the Business Manager – Planning Development, which sought the change of use of land to a traveller site including ancillary hardstanding.

A site visit had taken place prior to the commencement of the Planning Committee for Members, for the following reasons:

- (i) There were particular site factors which were significant in terms of the weight attached to them relative to other factors if they would be difficult to assess in the absence of a site inspection;
- (ii) There were specific site factors and/or significant policy or precedent implications that needed to be carefully addressed; and
- (iii) The proposal was particularly contentious, and the aspects being raised could only be viewed on site.

Councillor J Hall, Balderton Parish Council, spoke against the application.

Mrs A Simmonds, the Agent, spoke in support of the application.

Councillor J Lee, Local Ward Member, spoke against the application.

Members considered the presentation from the Senior Planning Officer, which included photographs and plans of the proposed development. Members were also informed of an error in the wording of Informative No. 5, which should read “Bullpit Road” and not Great North Road, which would be amended should the Planning Committee be minded to approve the application.

Members considered the application and it was commented that some of the objections raised were valid but that some within the report were unacceptable and not well phrased. The noise objection was considered hard to accept given the high-speed railway line running parallel to the site, which was loud. Members commented on the need for traveller sites although concern was raised regarding the close proximity to the railway line, especially with children playing and that the site was in the open countryside. The Highways objection, although technical also raised concern for Members. It was suggested that a footpath be included on the roadside to connect the site with the footpath at the railway crossing. The Senior Planning Officer confirmed that this could be achieved through a Grampian condition. Members further commented that this was not an allocated site and did erode the open break between Newark and Balderton and there was no landscaping as included on the plan.

A Member sought clarification as to whether this application was consistent with the procedure for other applications and whether the application would have been treated differently if not retrospective. The Senior Planning Officer confirmed that the application would have been treated the same. Members debated the requirements of Bio-diversity net gain (BNG) and that given that the application was retrospective that did not have to be considered. Members raised their concerns regarding this rule and felt that the application therefore had not been treated the same. It was considered that this would encourage further retrospective applications coming forward as this would be a loophole for applicants. The Senior Planning Officer confirmed that legislation stated that retrospective applications do not have to provide BNG as the mandatory condition for BNG was a pre-commencement one.

The Senior Planning Officer confirmed in response to Members questions that the correct consultation process had been undertaken. The Highways, technical problems had been addressed through condition. The cumulative impact for the three sites



was, Chestnut Lodge – 19 pitches, Winthorpe – 16 pitches and Appleby – 16 pitches, these were considered small sites given the small number of pitches. In terms of waste disposal, four plots shared a septic tank, the remaining six plots had their own septic tanks. The Highways objection maintained that the visibility splays did fall short, however Highways recent comments were that although the splays had been drawn short, the correct visibility could be achieved. The lack of footpath could be achieved through a Grampian condition and soft landscaping could also be conditioned.

The Planning Committee Chair commented that the site was surround by tall fencing, there was therefore no risk to children wondering onto the railway line, as raised as a concern in the debate.

A vote was taken and lost to defer the application, with 3 votes For and 7 votes Against.

AGREED (with 6 votes For and 5 votes Against) that Planning Permission be approved subject to the conditions, as contained within the report and additional conditions including Grampian condition for a footpath and sensitive landscaping, the wording of the additional conditions to be delegated to the Business Manager – Planning Development.

A recorded vote was moved and seconded as follows:

Councillor	Vote
C Brooks	For
L Dales	Against
S Forde	Against
A Freeman	For
P Harris	For
K Melton	For
P Rainbow	For
S Saddington	Against
M Shakeshaft	Against
L Tift	Against
T Wildgust	For

*Councillor M Shakeshaft declared he was pre-determined and left the meeting for the duration of the following item, including the discussion and vote.*

65 FORMER WINNER CITY CANTONESE RESTAURANT, WHITE POST, FARNSFIELD, NG22 8JD - 24/01338/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought the demolition of the existing building and structures and construction of two Drive-Thru units (Class E/Sui Generis Hot Food Takeaway) with cycle and car parking, alterations to vehicular access, refuse storage, landscaping, and associated works.

A site visit had taken place prior to the commencement of the Planning Committee for

Members, for the following reasons:

- (i) There were particular site factors which were significant in terms of the weight attached to them relative to other factors if they would be difficult to assess in the absence of a site inspection;
- (ii) There were specific site factors and/or significant policy or precedent implications that needed to be carefully addressed; and
- (iii) The proposal was particularly contentious, and the aspects being raised could only be viewed on site.

Mr Blakey, the applicant, spoke in support of the application.

Members considered the presentation from the Senior Planning Officer, which included photographs and plans of the proposed development.

Members considered the application and expressed concern regarding the amount of rubbish this proposal may generate, as customers may not discard their used takeaway rubbish correctly, littering hedge rows and neighbouring villages. The proposed buildings were considered in keeping with their brands but were uninspiring in design. Concerns were raised regarding the traffic using the busy A614 which would further increase traffic problems in this locality. The right hand turn out of the premises car park also presented concern to a majority of Members. Members debated the officer clarifications from the Highway Authority, noting concern that restricting a right hand turn might cause stacking problems at the roundabout.

The Senior Planning Officer confirmed that there would be a parking management plan and travel plan secured by condition, which could include a restriction of the time spent in the car park.

AGREED (with 9 votes For and 1 vote Against) that Planning Permission be approved subject to the conditions contained within the report and a s106 agreement.

*Councillor M Shakeshaft returned to the meeting at this point.*

66 LAND AT MANOR FARM, SAND LANE, SPALFORD, NEWARK ON TRENT, NG23 7HF - 25/00222/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought the demolition of existing agricultural buildings. Erection of 5 new dwellings, detached garages, associated surfacing and boundary treatments.

A site visit had taken place prior to the commencement of the Planning Committee for Members, for the following reasons:

- (i) There were particular site factors which were significant in terms of the weight attached to them relative to other factors if they would be difficult to assess in the absence of a site inspection; and

- (ii) There were specific site factors and/or significant policy or precedent implications that needed to be carefully addressed.

Mr J McArthur, Spalford Parish Meeting Chair, spoke against the application.

Members considered the presentation from the Business Manager – Planning Development, which included photographs and plans of the proposed development

*The Planning Committee Chair indicated that the meeting duration had expired therefore a motion was moved by the Chair and agreed by Members to continue the meeting for a further hour.*

Members considered the application, and the Ward Member commented that she would have preferred the original scheme, which had more affordable homes, as they would be more in keeping with the site. Some Members felt that the new builds would be a better solution than barn conversions, providing better insulated and quality houses and would improve what was currently in situ. Other Members considered the proposal as a housing development and out of character. Some weight was given to the legitimate class Q fallback and titled balance, despite concerns about the scale of new houses and impact on the hamlet.

AGREED (with 7 votes For and 3 votes Against) that Planning Permission be approved subject to the conditions contained within the report.

Councillor Mrs Saddington left the meeting during the presentation of this item.

67 LAND AT WILLOW HALL FARM MANSFIELD ROAD EDINGLEY NG22 8BQ - 25/01492/PIP

The Committee considered the report of the Business Manager – Planning Development, which sought in principle a residential development of one dwelling.

A site visit had taken place prior to the commencement of the Planning Committee for Members, for the following reasons:

- (i) There were particular site factors which were significant in terms of the weight attached to them relative to other factors if they would be difficult to assess in the absence of a site inspection; and
- (ii) There were specific site factors and/or significant policy or precedent implications that needed to be carefully addressed.

Mr A Northcote, the agent, spoke in support of the application.

Members considered the presentation from the Business Manager – Planning Development, which included photographs and plans of the proposed development. The report included commentary on the principle of development, site constraints (including flood risk, ecology and open countryside location) and the legal process for determining Permission in Principle.

Members considered the application acceptable as the planning in principle was for one residential dwelling which would be set back from the road but not isolated from

the village. Members debated the Local Plan position in regard to countryside policies, alongside the specific site factors and the previous appeal decision. One Member remained concerned about the impact on countryside. The importance of securing a good quality design at technical submission stage was indicated.

AGREED (with 9 votes For and 1 vote Against) that Planning Permission in principle be approved.

68 KENNELS FARM, MAY LODGE DRIVE, RUFFORD - 25/00961/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought a residential redevelopment of a former poultry complex comprising the construction of 1no. dwelling and ancillary accommodation.

A site visit had taken place prior to the commencement of the Planning Committee for Members, for the following reasons:

- (i) There were particular site factors which were significant in terms of the weight attached to them relative to other factors if they would be difficult to assess in the absence of a site inspection; and
- (ii) There were specific site factors and/or significant policy or precedent implications that needed to be carefully addressed.

Mr Baseley, the agent, spoke in support of the application.

Members considered the presentation from the Planning Officer, which included photographs and plans of the proposed development.

Members discussed the location of the site, the fallback position and the merits of the design scheme. Members considered this an exceptional development.

AGREED (unanimously) that Planning Permission be approved subject to the conditions contained within the report.

Councillor T Wildgust left the meeting during the Officers presentation.

*The Planning Committee Chair indicated that the meeting duration of an additional hour had expired therefore a motion was moved by the Chair and agreed by Members to continue the meeting for a further hour.*

69 APPEALS LODGED

AGREED that the report be noted.

70 APPEALS DETERMINED

Members were informed that the Planning Inspectorate had dismissed the Weston appeal and that the Flaggs Farm, Caunton appeal had been allowed by the Planning Inspectorate, this was a Planning Committee overturn. Feedback on the recent solar Inquiry was also discussed.

AGREED that the report be noted.

71 DEVELOPMENT MANAGEMENT PERFORMANCE REPORT

The Committee considered the report of the Director for Planning & Growth relating to the performance of the Planning Development Business Unit over the three-month period July to September 2025 (Quarter 2). Performance had continued to be met and exceeded, despite challenges within and without the organisation.

The Planning Department undertook a range of activities including the processing of planning applications and associated appeals, planning enforcement, conservation and listed building advice, tree applications, pre-application advice as well as other service areas including land charges, street naming and numbering and management of the building control service for the Council. The report related to the planning functions of the service area.

The Planning Committee Chair thanked the Business Manager – Planning Development and the Development Control team for their work.

AGREED that the report be noted.

72 QUARTERLY PLANNING ENFORCEMENT ACTIVITY UPDATE REPORT

The Committee considered the report of the Business Manager – Planning Development updating Members as to the activity and performance of the planning enforcement function over the fourth quarter of the current financial year.

The report provided Members with examples of cases that had been resolved, both through negotiation and via the service of notices and provided detailed and explanations of notices that had been issued during the period covered 1 July 2025 – 30 September 2025.

The Planning Committee Chair expressed his thanks to the Enforcement Team for their commitment and hard work.

AGREED that the contents of the report and the ongoing work of the planning enforcement team be noted.

Meeting closed at 8.35 pm.

Chair



Report to Planning Committee 4 December 2025

Business Manager Lead: Oliver Scott – Planning Development

Lead Officer: Ellie Sillah, Senior Planner (Planning Development)

Report Summary			
<b>Application Number</b>	24/02218/OUTM		
<b>Proposal</b>	Development of site for distribution uses (Use Class B8) including ancillary offices and associated works including access, car parking and landscaping.		
<b>Location</b>	Land south of Sleaford Road, Coddington		
<b>Applicant</b>	Tritax Acquisition 39 Limited	<b>Agent</b>	Mrs Karin Hartley
<b>Web link</b>	<a href="https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=SOSUCBLBJSK00">https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=SOSUCBLBJSK00</a>		
<b>Registered</b>	23rd December 2024	<b>Target Date</b>	24th March 2025 EoT: 31st December 2025
<b>Recommendation</b>	Approve subject to conditions and S106 agreement.		

This application is being referred to the Planning Committee for determination as the proposed development is contrary to the Development Plan (Policy DM8) as the site is located within the open countryside. The development is proposal also constitutes EIA development (the application is accompanied by an Environmental Statement).

## 1.0 The Site

- 1.1 The application site covers 38.9 Ha of land situated to the south of the A17 and to the south and east of the large commercial storage and distribution buildings currently occupied by the Knowhow business group, known as Newlink Business Park. Agricultural land in between has consent for the development of a distribution warehouse (Phase 1), which is

now largely complete. To the north of the site on the opposite side of the A17 is Newark showground and Overfield Park. To the south and east is open countryside. The A1 is located adjacent to the south west edge of the site. The village of Coddington including its conservation area is located to the south.

1.2 The site is located outside of the established Newark urban boundary and within the open countryside. It comprises five agricultural fields with associated field boundaries with a central woodland belt running in a north to south direction in the middle. The majority of the site is generally flat greenfield land, having been regularly cultivated and cropped as part of a larger arable field unit. Access to the site is currently gained via farm access tracks from the south and from the north via the bridge across the A17. Public footpaths (Coddington FP4A and 5 which connects the villages of Coddington and Winthorpe) which connect to the bridge over the A17, run along the north and east edge of the site. The entire site is located within Flood Zone 1 and outside of an area identified as being at high risk of surface water flooding.

1.3 The site has the following constraints:

- Adjacent conservation area (Coddington)
- Nearby conservation area (Winthorpe)
- Open Countryside

## **2.0 Relevant Planning History**

2.1 **24/SCR/00004** Request for EIA Screening opinion for an Employment Development on land to the East and South of Newlink Business Park in connection with Pre application PREAPM/00075/24 – Environmental Impact Assessment required.

2.2 There is no other planning history for the application site, however the relevant planning history for the adjacent site (Phase 1) is listed below:

2.3 **22/02427/RMAM** Reserved matters application pursuant to application 20/01452/OUTM Erection of one distribution building (Use Class B8) together with ancillary offices, plot access, car parking and landscaping – permission 17.03.2023

2.4 **20/01452/OUTM** Development of site for distribution uses (Use Class B8) including ancillary offices and associated works including vehicular and pedestrian access, car parking and landscaping (all matters reserved apart from access) – refused by Planning Committee and subsequently allowed at appeal subject to conditions – 29.11.2022

### 3.0 The Proposal

3.1 This application seeks outline planning permission for 'Phase 2' of the Newlink Business Park. The scheme proposes 3 large scale industrial units for B8 use (storage and distribution), similar to the building approved as 'Phase 1' under application reference 20/01452/OUTM, with ancillary offices, parking and landscaping. All matters would be reserved apart from access.

3.2 The submitted Parameters Plan separates the site into 3 zones, A, B and C, and sets out the maximum floorspace and heights as follows:

- Zone A (east of Phase 1) – 18,700sqm floor area and 18m in height from building FFL
- Zone B (south of Phase 1) – 42,800sqm floor area and 21m in height from building FFL
- Zone C (south east of Phase 1) – 29,000sqm floor area and 18m in height from building FFL

Total maximum floorspace – 90,500sqm.

Parameters Plan shown below:



3.3 Access is proposed via the roundabout on the A17, which has been approved and completed as part of Phase 1 (shown on the plan above). As the application is for outline permission,



the sizes of the units could be subject to change at reserved matters stage, however the masterplan provides an indicative proposal with the parameters plan setting out the maximum scale.

3.4 The southern part of the site would be dedicated to on-site biodiversity net gain (BNG), covering approximately 40 acres, which would provide a landscape buffer between the site and Coddington conservation area. In addition, a footpath and cycle way is proposed to the south, to provide a sustainable connection to Coddington to both the site and the BNG area which is proposed to include footpaths, so members of the public can access and benefit from the area.

3.5 The proposed masterplan is shown below:



3.6 Documents assess in this appraisal:

- Application Form received 20<sup>th</sup> December 2024

- Covering Letter received 20<sup>th</sup> December 2024
- 16233 SGP XX ZZ DR A 131000 Rev P01 Site Location Plan received 20<sup>th</sup> December 2024
- 16233 SGP XX ZZ DR A 101009 REV P02 Phase 2 Masterplan received 20<sup>th</sup> December 2024
- 16233 SGP XX ZZ DR A 101011 REV P01 Phase 2 – Parameters Plan received 20<sup>th</sup> December 2024
- 2364 23 01 S5 REV 01 Illustrative Masterplan received 20<sup>th</sup> December 2024
- 2364 23 02 S5 REV 01 Illustrative Sections received 20<sup>th</sup> December 2024
- Design and Access Statement (SGP) received 20<sup>th</sup> December 2024
- Planning Statement (Delta Planning) received 20<sup>th</sup> December 2024
- Employment Land Statement (JLL) received 20<sup>th</sup> December 2024
- Transport Assessment received 31<sup>st</sup> January 2025
- Environmental Statement received 20<sup>th</sup> December 2024
- Flood Risk Assessment and Drainage Strategy received 20<sup>th</sup> December 2024
- Ground Conditions Report received 20<sup>th</sup> December 2024
- Air Quality Assessment received 20<sup>th</sup> December 2024
- Energy and Sustainability Statement received 20<sup>th</sup> December 2024
- Statement of Community Engagement received 20<sup>th</sup> December 2024
- Response to Consultation Comments received 31<sup>st</sup> July 2025
- 2364-24-01 REV 02 Illustrative Landscape Masterplan received 31<sup>st</sup> July 2025
- 2364-24-02 REV.02 Illustrative Landscape Sections received 31<sup>st</sup> July 2025
- Updated Framework Travel Plan received 31<sup>st</sup> July 2025
- BNG Calculation Rev B received 21<sup>st</sup> August 2025
- Technical Note Response to Highways (Connect Consultants) received 29<sup>th</sup> August 2025
- 17146-012 A17 Longhollow Way Roundabout Proposed 2 Lane Eastbound Exit received 29<sup>th</sup> August 2025
- 17146-011 A17 Tritax Park Roundabout Proposed 2 Lane Westbound Exit received 29<sup>th</sup> August 2025
- Chapter 6 Ecology Addendum received 5<sup>th</sup> September 2025
- Phase 2 Winter Bird Report received 5<sup>th</sup> September 2025
- 16-233-SGP-XX-XX-DR-A-900000-P07-.PDF Proposed Footpath received 13<sup>th</sup> November 2025

#### **4.0 Departure/Public Advertisement Procedure**

- 4.1 Occupiers of 71 properties have been individually notified by letter. A site notice has also been displayed near to the site and an advert has been placed in the local press.

4.2 Site visit undertaken on 14<sup>th</sup> March 2025.

**5.0 Policy Planning Framework**

5.1 Newark and Sherwood Amended Core Strategy DPD (adopted March 2019)

Spatial Policy 1 - Settlement Hierarchy

Spatial Policy 2 - Spatial Distribution of Growth

Spatial Policy 3 – Rural Areas

Spatial Policy 6 – Infrastructure for Growth

Spatial Policy 7 - Sustainable Transport

Core Policy 6 – Shaping our Employment Profile

Core Policy 9 -Sustainable Design

Core Policy 10 – Climate Change

Core Policy 12 – Biodiversity and Green Infrastructure

Core Policy 13 – Landscape Character

Core Policy 14 – Historic Environment

5.2 Allocations and Development Management DPD (2013)

DM4 – Renewable and Low Carbon Energy Generation

DM5 – Design

DM7 – Biodiversity and Green Infrastructure

DM8 – Development in the Open Countryside

DM9 – Protecting and Enhancing the Historic Environment

DM12 – Presumption in Favour of Sustainable Development

5.3 The [Draft Amended Allocations & Development Management DPD](#) was submitted to the Secretary of State on the 18th January 2024. Following the close of the hearing sessions as part of the Examination in Public the Inspector has agreed a schedule of ‘main modifications’ to the submission DPD. The purpose of these main modifications is to resolve soundness and legal compliance issues which the Inspector has identified. Alongside this the Council has separately identified a range of minor modifications and points of clarification it wishes to make to the submission DPD. Consultation on the main modifications and minor modifications / points of clarification took place between Tuesday 16 September and Tuesday 28 October 2025. The Inspector will consider the representations and finalise his examination report and the final schedule of recommended main modifications.

Tests outlined through paragraph 49 of the NPPF determine the weight which can be afforded to emerging planning policy. The stage of examination which the Amended Allocations & Development Management DPD has reached represents an advanced stage of preparation. Turning to the other two tests, in agreeing these main modifications the Inspector has considered objections to the submission DPD and the degree of consistency with national planning policy. Therefore, where content in the Submission DPD is either not subject to a proposed main modification or the modifications/clarifications identified are

very minor in nature then this emerging content, as modified where applicable, can now start to be given substantial weight as part of the decision-making process.

#### 5.4 Other Material Planning Considerations

National Planning Policy Framework 2024

Planning Practice Guidance (online resource)

National Design Guide - Planning practice guidance for beautiful, enduring and successful places September 2019

Nottinghamshire Core & Outer HMA Logistics Study Final Report August 2022

#### 6.0 Consultations and Representations

Please Note: Comments below are provided in summary - for comments in full please see the online planning file.

##### Statutory Consultations

6.1. **Nottinghamshire County Council (Highways)** – No objection subject to conditions and S106 to secure £15000 to cover Travel Plan monitoring costs (latest comments included within the body of the report).

6.2. **National Highways** - No objection.

6.3. **Nottinghamshire County Council –**

Public Transport General Observations and Accessibility

- Commented that the Environmental Statement, Section 7A, Transport Statement, refers to Application 20/01452/OUTM Condition 13a for the Phase 1 site which secured the provision of a shuttle bus linking Newark Castle and Northgate train stations as well as central Newark and that this should also apply for the current application.
- Requested conditions relating to the provision Public Transport Delivery Strategy including details of an enhanced bus service; a condition for a bus turning facility and bus stop(s); and a condition to secure free bus passes for employees

Archaeology

- The site lies in an area of high archaeological potential associated with pre-historic and Roman settlement activity as recorded during Phase 1 of the development. Consequently, the applicant has undertaken a desk-based assessment (DBA), geophysical survey and trial trench evaluation to assess the site-specific archaeological potential and impact of the proposal on it. The results indicate two

areas of archaeological sensitivity within the redline boundary, with particular significance identified for probable Iron Age activity recorded in the south-east corner of the site. An Archaeological Mitigation Strategy (AMS) should be prepared to provide specific details of either the approach to preservation, or an excavation strategy if impacts are considered necessary. The production of an agreeable AMS and its implementation could be secured via appropriately worded planning conditions if consent is granted.

Rights of Way – objection due to further information regarding the following being required:

- Footpath Diversion and Accessibility - Coddington Footpath 4A runs over the new roundabout and has not been considered in the new highway access to the site. It is expected that the applicants suggest a realignment of the footpath to properly accommodate it safely. Pedestrian Safety At the proposed new roundabout and road leading South, no provision has been made for the safe crossing of pedestrians. Dropped curbs should be included.
- Cyclist Provisions - Cyclists are actively accommodated in the planning but currently the PRowS are for users on foot only. Where exactly will cycling be permitted/anticipated? Will this be permissible and therefore the liability of the landowner, or will the proposal include a legal change in status?
- Footpath Specifications - In areas A-A and B-B particularly, an avenue of trees is included in the design. We would want to know who will be responsible for their maintenance in ensuring that the full width of the footpath is unimpeded. It is also unclear if the outer row of trees will be planted as part of the hedgerow, or placed alongside it. If the latter is the case there are concerns about them encroaching on the footpath. As stated in the NCC Planning Guide and in the comments made regarding RoW for 20/01452/OUTM, where the right of way runs across the site, there are currently open fields on either side with no adjacent boundary other than hedgerow. This open aspect should be retained as far as is practicable as part of any development, and the avenue of trees may threaten this. Additionally, security fencing is mentioned in the planning, and we want to ensure that no fencing or gates cross the RoW as this would be an obstruction.

6.4. **Nottinghamshire Lead Local Flood Authority – No objection subject to condition.**

6.5. **Environment Agency –**

6.6. *We have no objection to the foul drainage proposals to gravity drain the foul from the individual units to a sewage pumping station as this will pump to a connection into Severn Trent Water's public foul sewer.*

*It would be beneficial to locate the package sewage pumping station away from any surface water sewer drainage systems to prevent any contamination should a problem occur*

*resulting in a surcharge from the pumping station.*

*The proposed development will be acceptable if the following measure is implemented and secured by way of a planning condition on any planning permission. This condition is required due to a watercourse, a tributary of The Fleet, being located along the boundary of the site. The overall WFD classification of The Fleet (2022) is bad.*

#### Condition

*The development hereby permitted shall not be commenced until such time as a scheme to treat and remove suspended solids from surface water run-off during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.*

#### Reason

*The Humber river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. The proposal could lead to a deterioration in biological quality and prevent the improvement of The Fleet because it may cause rising trends in pollutants, specifically suspended solids in the water body that would impact on the biological quality preventing the waterbody from improving from its current Bad Ecological Status.*

**6.7. Natural England – No objection.**

**6.8. Trent Valley Internal Drainage Board** - The site is within the Trent Valley Internal Drainage Board district. No development should be commenced until the Local Planning Authority, in consultation with the Lead Local Flood Authority has approved a scheme for the provision, implementation and future maintenance of a surface water drainage system. The Board would wish to be consulted directly if the following cannot be achieved and discharge affects the Boards District:

- Surface water run-off limited to the greenfield rate for other gravity systems.
- Brownfield sites limited to the greenfield rate.

Surface water run-off rates to receiving watercourses 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.

**6.9. Active Travel England** – Requested further information in relation to the Travel Plan, and recommended a condition in relation to cycle parking.

**6.10. Town/Parish Council:**

- **Coddington Parish Council - Objection**

#### *Road Infrastructure & Travel impact*

*The recent surveys conducted does not alleviate our concern on additional traffic within the Newark and specifically the Coddington area. We believe traffic will use Coddington as a shortcut as witnessed during the building of the recent Big Box development. The remodelled traffic survey still leaves grey areas on future traffic flow and further development. We would suggest traffic calming measures including reducing the speed limit and speed cameras within the village to reduce future road traffic accidents.*

#### *Visual & Sound Impact*

*While we acknowledge the significant amount of work and discussion between ourselves and Tritax concerning the visual impact we still have concerns especially given the indicated time frame of the build. The time it will take for the green screen to develop especially from the Drove Lane area where the buildings will have the most visual impact. The proposed height of one of the warehouses is significantly higher than the existing ones (21 metres) and although further away will still be clearly visible. We would like to see further green screening alongside Drove Lane to further reduce visibility.*

*Lighting and sound also remain a concern given that the loading bays are nearest the village and the likelihood of 24-hour operation of tenants in the building. We ask that further surveys are conducted as a condition if permission is granted to make sure these are within the prescribed limits.*

#### *Biodiversity Net Gain Area*

*The Parish council have had several productive meetings and discussions with Tritax regarding the BDNG area, and we welcome both the size of the area the proposed bunds, planned plantings of trees, pathways, benches, dog bins, and a new designated access from the Thorpe Oaks estate. This will enable many more people to utilise the space. We also welcome the covenant to be placed on the surrounding area to stop additional building in the future on the space between the proposed development and the village. Tritax have involved both the village and the Parish Council in every step, and we feel this has been constructive and beneficial to the village.*

#### *Summary*

*While we have objected to the proposed planning previously, we acknowledge the need of these types of buildings within Nottinghamshire. However, we still feel there are better non green belt areas where these types are developments would sit better within the countryside and where there siting would not add to an already overloaded road infrastructure. We therefore still object to the planning proposal.*

- **Newark Town Council** - *supports this proposal, welcomes employment into the area and hopes that interested parties are involved prior to breaking ground.*

*Newark Town Council supports Public Rights of Way and hopes that local routes can be clarified for the benefit of residents and employees. We would support s106 funding to improve and develop footpaths and cycleways in the vicinity. In addition to this, we would insist on a full archaeological examination prior to breaking ground and also note the NSDC concerns in relation to drainage and decontamination.*

#### **Representations/Non-Statutory Consultation:**

##### **6.11. NSDC Conservation –**

*We have concerns about the impact of the proposals on the Coddington CA if the buildings were constructed at the potential height of 21m, and the impact of the development as a whole upon the special historic interest of the CA and its role in the landscape. Consequently, there is considered to be less than substantial harm to the setting of the Coddington CA, with lesser harm to the setting of the listed buildings in the vicinity. Nevertheless, it is appreciated that there may be public benefits to weigh in the balance.*

##### **6.12. Landscape Consultant –**

(Summary) In conclusion, the Landscape and Visual Impact Assessment, together with the applicant's Addendum (RP06) and supplemental mapping, now provides a robust, transparent and GLVIA3-compliant assessment of the likely landscape and visual effects arising from the proposed development. While localised significant visual effects will occur along the immediate public rights of way to the east and south of the site, these effects are consistent with those accepted at appeal for Phase 1 and are mitigated to an appropriate degree through early boundary planting, strengthened woodland blocks, and a long-term management approach aligned with Biodiversity Net Gain requirements. No significant effects are identified on residential receptors, settlements, heritage assets or the wider landscape setting.

Accordingly, subject to the imposition of the landscape conditions including the detailed landscaping scheme, the early implementation of southern and eastern boundary planting, and the long-term protection and management of these features—it is considered that the landscape and visual effects are acceptable in planning terms.

##### **6.13. Cadent Gas Ltd – No National Gas assets affected in this area.**

##### **6.14. NSDC Environmental Health –**

*Noise and dust from construction works - The Environmental Statement has considered in detail the impact of construction methods and working practices on sensitive properties in*



*the vicinity. This will be necessary in order to ensure best practicable means are employed to minimise noise. The proposed construction environment management plan (CEMP) should be submitted in writing to, and agreed by, the planning authority, to be implemented in full during the demolition and construction phases of development. This should also include consideration being given to dust from construction methods and working practices on sensitive properties in the vicinity.*

*External artificial lighting -According to the external lighting assessment, proposed external lighting scheme for this development will meet relevant guideline criteria in respect of obtrusive lighting levels.*

*Noise from fixed plant - Details of fixed plant and equipment that may have the potential to generate noise are not available at this stage. Details of the scheme for fixed plant and equipment should be submitted to and approved in writing by the District Planning Authority. The scheme should demonstrate that cumulative measured or calculated noise emissions from fixed plant and equipment comply with relevant noise criteria as specified in the noise assessment.*

**6.15. NSDC Environmental Health (Contamination) –**

**Contaminated Land**

*I have now had the opportunity to review the Geo Desk Study by Link Engineering carried out by the consultant acting on behalf of the developer.*

*This includes an environmental screening report, an assessment of potential contaminant sources, a brief history of the site's previous uses and a description of the site walkover.*

*There is a review of the previous site investigation report which was carried out by HSP in 2016. The report concludes with recommendations for a phase 2 intrusive investigation.*

*Whilst I concur with this recommendation, the report focus is very much geotechnical and I would expect more detail to be provided relating to geo environmental aspects in future submissions. I also note that a detailed UXO report is yet to be procured, this should be completed prior to any phase 2 investigation in the interest of the safety of ground workers.*

*Due to the above I would recommend the use of the full phased contamination condition.*

**Air Quality**

*An Air Quality Assessment report has been submitted by Tetra Tech in support of the above application. This study uses IAQM assessment methodology and guidance to predict the impact of the proposed development during construction and operational phases.*

*During the construction phase, the impact of potential dust emissions on human health has been assessed and is considered to be medium (dust soiling) and low (PM<sub>10</sub> health effects). It is recommended that construction dust is prevented and controlled by using a suite of mitigation measures taken from IAQM guidance and the risk is subsequently revised to 'not significant' in line with this guidance. Construction phase vehicle emissions have been screened out of assessment.*

*Emissions to air from the vehicles during the operational phase of the development is considered negligible for NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> with the exception of receptor R2 which will be marginally over the 2040 proposed PM<sub>2.5</sub> limit (10 µg/m<sup>3</sup>) but will be compliant with the current objective and is anticipated to be below the 2040 objective by the compliance date.*

*I can generally agree with the findings of the assessment. I would expect the mitigation measures that have been proposed to control emissions during construction phase (tables 7-1 and 7-2 of the report) to be controlled by the use of an appropriate planning condition.*

*In addition to the human health assessment an ecological operational assessment of air quality has also been completed. This is beyond the remit of environmental health and should be referred to ecology colleagues for review and comment.*

- 6.16. **Historic Environment Officer:** Recent archaeological trial trench evaluation identified an area of archaeological significance in the south-eastern corner of the site. Construction activity will have a significant impact on any surviving archaeological remains present. I recommend that if permission is granted there be an archaeological condition for a mitigation strategy to effectively deal with the site. (Condition has been included at the end of this report.)
- 6.17. **Tree Consultant:** The submitted tree survey provides a reasonable assessment of the existing tree stock. It notes that the trees are generally of lower value with the occasional moderate value tree. To facilitate the development, the removal of four retention category 'C' trees (T22, T23, T24, T29), one hedge (H4) and partial removal of two tree groups (G13, G17) will be required. Overall, the tree removals will have some negative visual impact, caused by the fragmentation of the small woodland areas. However, the development retains all the higher-value trees, helping to maintain the arboricultural and landscape character of the site. There appeared to be some small mistakes in the supplied Arboricultural Method Statement report. The description of excavations within retained tree RPAs has T7 listed twice throughout the report. This is likely a typo for the missing T6. G3 appeared to be missing within the report main body where it is recommending supervision of excavations within retained tree RPAs. However, areas of G3 are hatched red/pink on the tree plan (8829-TPP-03), indicating that supervision of excavations with the RPA is being recommended here. The label for T2 is missing on the tree plans.

6.18. Recommend an updated version of the existing AMS is provided to amend the errors in the existing document and clarify that there are no proposed excavations or hard standing within RPA of T13 – T21. Implementation and Confirmation of Tree Protection Measures Prior to the commencement of any development or site works, all approved tree protection measures shall be installed. Written confirmation of their installation, supported by photographic evidence or a site inspection report from the appointed Arboriculturist, shall be submitted to the LPA for approval. The approved tree protection measures shall be retained and maintained in full for the duration of the development. No fencing shall be moved, removed, or altered without the prior written agreement of the LPA.

6.19. **Ramblers Nottinghamshire – Objection**

*We note that Condition 25, pertaining to ROW in the Appeal Decision (APP/B3030/W/22/3282692) on application 20/01452/OUT has not yet been discharged.*

*In the current application, the screening of Coddington FP4 immediately adjacent to the proposed building is welcomed, subject to a maintenance plan for the FP being included in the planning conditions. This screening should be extended around the building to soften views from RoW further up the hill.*

*The site boundary includes the access to the underpass beneath the A1. Like many road projects at the time, the construction of the A1 created a barrier to those living on either side of it because of the absence of grade separated crossing points for walkers or cyclists.*

*It is noted that there have been a number of comments welcoming this application because of the significant employment opportunities it will generate. Those employed at the site who live to the west of the A1, or to the south at Coddington, should be provided with the opportunity of walking to and from work. There is an application, DMMO No. 1243, submitted by Coddington Parish Council, that seeks to add a Footpath from Beacon Hill Park, via the A1 underpass to this application site.*

*This Application fails to take cognisance of this DMMO (which was submitted in 2020). Furthermore, it is unclear if the landscaped area to the south of the buildings will be public access land, and the proposed network of footpaths within it show no link to the underpass. Until these aspects of the proposal are resolved, Ramblers OBJECTS to this Application.*

6.20. **NSDC Planning Policy –**

6.21. *This application follows the granting of permission, on appeal, for 20/01452/OUTM, a related development. The site of this application is in the open countryside where, in Newark and Sherwood District, new development is strictly controlled in line with Spatial Policy 3 of the Amended Core Strategy (ACS). Policies to deal with such applications are set out in Policy DM8 of the Allocations & Development Management DPD (ADM DPD).*

- 6.22. *The ADM DPD is currently under review. A Draft Amended ADM DPD (AADM DPD) was submitted to the Secretary of State in January 2024 and an Examination in Public by an independent Inspector concluded on 12th November 2024. Further correspondence from the Inspector is now awaited. This represents an advanced stage in the plan-making process and some weight can be given to the amended policies within the AADM DPD. The ‘employment’ section of Policy DM8 from the AADM DPD is reproduced below, with new material that it is proposed to add to the policy underlined and material to be removed crossed through:*

Small-scale Employment development should be small in scale unless a larger scale can be justified and will only be supported where it can demonstrate the need for a particular rural location and a contribution to providing or sustaining rural employment to meet local needs in accordance with the aims of Core Policy 6 of the Amended Core Strategy. Proposals for the proportionate expansion of existing businesses will be supported where they can demonstrate an ongoing contribution to local employment. Such proposals will not require justification through a sequential test. Proposals to expand existing businesses or construct buildings for new businesses in the open countryside are more likely to be appropriate in areas such as industrial estates where the principle of such development is established. Where it is demonstrated that it is necessary, expansion into adjacent areas could be considered appropriate if the impacts are judged to be acceptable. The proportionality of such developments should be assessed individually and cumulatively and impacts on both the immediate vicinity and the wider setting should be considered. It should be demonstrated that location on existing employment allocations or on employment land within urban boundaries or village envelopes is not more appropriate.

- 6.23. *While it can be seen that the direction of travel of District policy is to be more permissive of employment development in the open countryside, even if this was an adopted policy there would be conflict with the development plan. It is acknowledged that the only remaining allocated site in the District that would be suitable for large scale logistics development is the employment element of NAP 2A - Land South of Newark (also referred to as Middlebeck) and that the Southern Link Road (SLR) needs to be completed before this can be utilised. It is anticipated that the SLR will be completed by 2026, however, and this will make around 50ha of suitable land available.*
- 6.24. *Core Policy 6 of the Amended Core Strategy guides employment development, and this proposal is in line with its intention to strengthen and broaden the District’s economy and to provide a diverse range of employment opportunities. The policy identifies ‘logistics and distribution’ as a priority business sector and encourages such development. The proposal supports the policy’s aim of maintaining and enhancing the employment base of the District’s towns and settlements.*
- 6.25. *Newark and Sherwood District is considered to be part of the Nottingham Outer Housing Market Area (HMA). Along with neighbouring local authorities, Newark and Sherwood District Council (NSDC) participated in the Nottingham Core HMA and Nottingham Outer HMA Employment Land Needs Study (ELNS) which was published in May 2021. This considered a range of different scenarios and concluded that under any scenario, ‘the District already appears to have a substantial supply of committed and allocated employment land*

*that would appear to meet the need in full.’ The ELNS acknowledged, however, that NSDC may wish to commission a further strategic study to quantify the likely extent of national/regional B8 logistics need across the Core/Outer HMAs, and that studies forecasting large scale logistics need based purely on past trends will significantly underestimate the scale of demand. This led to NSDC participating in the Nottinghamshire Core & Outer HMA Logistics Study (the Logistics Study).*

- 6.26. *The Logistics Study states that the ‘study area contains the national artery M1 corridor and forms part of the ‘Golden Triangle’ being the national centre of the UK logistics market whereby main other parts of the UK can be reached in a 4-hour drive time.’ Taking into account drivers for change including the shift to e-commerce, the Logistics Study finds a need for the provision of 425ha of land for large scale logistics in the study area up to 2040. It identifies five Areas of Opportunity for this type of development, including one in Newark and Sherwood District, the ‘area surrounding Newark (along A1 and A46)’. These are general broad areas, and it is reasonable to regard the site of this application as being within this one.*
- 6.27. *The Logistics Study sets out a sequential order in which suitable land should be identified and allocated. The first and therefore the most preferable is: ‘The extension of existing industrial / distribution sites. Site extensions should only be permitted where there is adequate road capacity serving the site and at adjacent motorway / dual carriageway junctions or capacity can be enhanced as part of any extension’. While NSDC is not currently at an appropriate stage in the plan making cycle to allocate new land, the site of this application could be considered to meet these requirements should it be assessed that traffic impacts will be (or could be made to be) acceptable.*
- 6.28. *Land South of Newark is an allocation within the Amended Core Strategy and the District Council intends that all such allocations should be delivered in the envisaged way unless there are reasons why this is impossible or undesirable. It could be considered that the delivery of the employment element of this allocation would be jeopardised by granting permission for employment development elsewhere in the Newark area and thus creating an oversupply of suitable land. In this case, however, it is accepted that large scale logistics schemes have specific requirements unlike many other types of employment development and that permitting such a scheme in the Newark area would be unlikely to have a significant negative impact on the delivery of the employment element of Land South of Newark. The Logistics Study provides evidence that there is sufficient demand for land for large scale logistics developments in this area that granting permission for 24/02218/OUTM would not entirely fulfil the requirement and it is quite possible that further schemes of this type could come forward on the employment element of Land South of Newark.*
- 6.29. *Clearly the proposed development would have significant landscape and visual impacts. While these can be reduced through appropriate layout and landscaping measures, it is*

*inevitable that there will be some harm to landscape character. The proposal also involves the loss of agricultural land, and these factors weigh against the granting of permission. The development permitted under 20/01452/OUTM has already encroached into the countryside and this increases the cumulative impacts of the proposed scheme. It is important that the cumulative impacts are considered carefully given the scale of the proposed development. This should include impacts on traffic and transportation networks both in the immediate area and more widely.*

- 6.30. *The Secretary of State for Housing Communities and Local Government published an updated National Planning Policy Framework (NPPF) on 12 December 2024. One of the most important implications of this for Newark and Sherwood District Council is that there is an increase of the local housing target from 434 dwellings to 704 dwellings per annum. A greater than previously planned for number of residents will mean that more local job opportunities would be welcome.*
- 6.31. *It is clear that the proposed development would bring substantial economic benefits, and this weighs significantly in its favour. As well as providing long term employment opportunities, jobs would also be created in the construction phase. The Non-Technical Summary of the Environmental Statement asserts that the proposal ‘presents a direct capital investment of £90 million and could generate a total economic output of circa £262.8 million’, creating around 1000 new permanent jobs requiring both skilled and unskilled labour.*
- 6.32. *The landscaping strategy which, amongst other things, would provide 15ha of ‘ecological landscape’ to the south of the site, has the potential to offer multiple benefits. It is proposed to create new publicly accessible green space, deliver 10% biodiversity net gain (BNG) which is the minimum requirement, provide screening, and enhance landscape character. In the Design and Access Statement, it is said that Tritax will ‘consider’ employing an ecologist ‘to assure maintaining and increasing the ecology on the site’. Assurance that a qualified ecologist will be employed to assist in the design and the maintenance (over a period of no less than 30 years) of at least the southern part of the site would be welcomed as this would provide greater certainty about the potential ecological benefits of the proposal. The potential to deliver BNG of more than 10% should be considered, and where appropriate a higher percentage would be welcomed.*
- 6.33. *The 2023 – 2024 ELAS shows that Newark and Sherwood District Council has provided 185.06ha of employment land against the requirement of 83.1ha set in the Amended Core Strategy, an overprovision of 101.96ha. More than 80ha of this is suitable for large scale logistics (the development permitted under 20/01452/OUTM, Land off Brunel Drive and Land South of Newark). Should it be decided to grant permission for this application, this would represent a flexible and pragmatic approach to development proposals and should not be understood as indicating that there has been any undersupply of employment land.*

### Conclusion

- 6.34. *Due to its location, the proposed development clearly conflicts with the Development Plan. As we operate within a plan-led system, important material considerations would need to apply to outweigh this conflict. The economic benefits to Newark and the wider District are significant enough to be potentially regarded as such material considerations, outweighing the presumption against the granting of consent. It is clear that there is significant demand for this type of development in the Newark Area, and also that the specific requirements of large-scale logistics mean that only a small range of sites are potentially suitable.*
- 6.35. *While the granting of permission for 20/01452/OUTM sets a precedent for large scale logistics development in this broad location in the open countryside, it also contributes to cumulative impacts. Should permission be granted for this proposal, it should be understood that the flexibility of the plan-led system has its limits, and a point will be reached where no further developments of this type in this broad location are likely to be considered acceptable.*
- 6.36. **Comments have been received from 20 third parties/local residents that can be summarised as follows:**

### *Support*

- (Cllr Tina Cottam) I'm in favour of development. We always need jobs and seems this will provide something like 1000 jobs. It's a shame it's on agricultural land but the owner seems set on selling and I feel this development is the best option we are likely to get. They are prepared to leave a landscaped buffer zone between them and us, as I'm one of the closest people to the development this is very important to me personally. I think it will be good for the village in general to enjoy too. I have no objections at all.
- East Midlands Chamber commented in support of the proposed development, it would bring direct and indirect employment opportunities and offers the opportunity to attract inward investment to the region, benefiting the local community. We are also pleased to understand that the development is built considering sustainable business practices in the development and end use phase of the site, which includes supporting biodiversity between the building and Coddington village.
- West Nottinghamshire College supports the proposed development and it's potential to positively influence local employment opportunities and skills development. We have been working with Lincoln College and Nottingham Trent University to plan a skills offering for occupiers that would enable local people to access the opportunities created especially in the areas of advanced manufacturing and engineering.
- Following the infrastructure improvements made by the development of Unit 1, I can only see further development as a positive outcome for the community. In addition to the increased employment opportunities for the area, the community would also benefit from a natural space of 40 acres of grassland/wetland.

- Now the first unit is complete, the design blends well into the existing landscaping and looks like it belongs there. The new traffic island on the A17 also helps to calm the traffic by slowing drivers down. The Phase 2 scheme, with the extensive landscaping and will provide a upgrade to the public footpaths, must be positive for the area as well as creating jobs.
- Provision of large nature reserve area for benefit of people and the environment
- The creation of a new green space would be an important addition to the local area. An opportunity to boost biodiversity and create wildflower areas.
- Proposal will be a tremendous boost to the Newark area. especially in these difficult economic times. apart from bringing in a large capital project to the area, jobs and spend within the area during construction, this will bring in over 500 jobs and a large sum of tax receipts to the local council
- The location and sympathetic nature of this planned development does seem very appropriate for this stretch of A1 corridor. As a business owner, the additional positive impact on the local community & economy, seems very evident.

#### *Objections/Concerns/Comments*

- Comment by the A46 Active Travel Group – We oppose the application on the grounds that the application and travel plan should be amended to include the need for a better active travel corridor and links to the right of way network. This should include developer contributions to completing the route.
- Concerns in relation to flooding from surface water
- Development is a threat to wildlife and will erode green space
- Development will remove separation between Newark and Coddington
- Increase in traffic, noise and light pollution
- Negative impact on rural character of Coddington village
- Disrupted view
- Loss of farmland
- Concerns about litter
- Footpath from Coddington would be good.

## **7.0 Appraisal**

### **7.1 The key issues are:**

- Principle of Development



- Impact on Visual Amenity, Landscape and Heritage Assets (including setting)
- Loss of Agricultural Land
- Impact on Residential Amenity
- Impact on the Highways
- Impact on Rights of Way, Sustainable Travel, and Connectivity
- Impact on Ecology
- Contamination
- Archaeology

7.2 The National Planning Policy Framework (NPPF) promotes the principle of a presumption in favour of sustainable development and recognises the duty under the Planning Acts for planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. The NPPF refers to the presumption in favour of sustainable development being at the heart of development and sees sustainable development as a golden thread running through both plan making and decision taking. This is confirmed at the development plan level under Policy DM12 'Presumption in Favour of Sustainable Development' of the Allocations and Development Management DPD.

### 7.3 **Principle of Development**

7.4 The principle of development is discussed in the comments from the NSDC Policy Team, which set out that the proposal conflicts with Policy DM8. The comments also highlight numerous positive aspects of the proposal which are material considerations that weigh in favour of the development, despite the conflict. The comments do not conclude if the application should or should not be approved, but set out the key considerations in relation to the principle of development. It is not the intention to repeat all the comments (set out at paragraph 6.20 of this report), but to assess those considerations and consider them within the planning balance.

7.5 Paragraph 2 of the NPPF establishes that applications for planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise.

7.6 The application site is adjacent to the recently constructed Newlink Business Park, and is proposed as an expansion of the existing provision as 'Phase 2' of the development. Phase 1 was allowed on appeal, having previously been refused at committee due to the open countryside location, and conflict with Policy DM8. This application is similar in the fact that the site is wholly outside of the urban boundary and is therefore within the open countryside.

- 7.7 Policies within the emerging local plan can now be given substantial weight. Policy DM8 (the main policy consideration for development within the open countryside) has been amended and the proposed wording is set out below:

#### **8. Employment uses**

Small-scale Employment development should be small in scale unless a larger scale can be justified and will only be supported where it can demonstrate the need for a particular rural location and a contribution to providing or sustaining rural employment to meet local needs in accordance with the aims of Core Policy 6 of the Amended Core Strategy. Proposals for the proportionate expansion of existing businesses will be supported where they can demonstrate an ongoing contribution to local employment. Such proposals will not require justification through a sequential test.

Proposals to expand existing businesses or construct buildings for new businesses in the open countryside are more likely to be appropriate in areas such as industrial estates where the principle of such development is established. Where it is demonstrated that it is necessary, expansion into adjacent areas could be considered appropriate if the impacts are judged to be acceptable. The proportionality of such developments should be assessed individually and cumulatively and impacts on both the immediate vicinity and the wider setting should be considered. It should be demonstrated that location on existing employment allocations or on employment land within urban boundaries or village envelopes is not more appropriate.

- 7.8 The proposed development would not be small scale. It comprises 3 new large commercial units with maximum heights of 21m (one unit) and 18m. The emerging DM8 policy provides additional flexibility regarding the scale of employment uses in the open countryside, allowing for larger scale development where it can be justified and there is particular need for that location. Although it is likely that different businesses would occupy the proposed units to 'Phase 1' (occupied by Currys), the proposal could be seen as an expansion of an existing business (Newlink Business Park). DM8 allows for the proportionate expansion of existing businesses where they make an ongoing contribution to local employment (this is the same within the adopted version and the emerging policy). There is no definitive explanation as to what would constitute 'proportionate', however in this instance, the expansion is significant and could not reasonably be considered proportionate. Nonetheless, because of the scale, the proposal would also bring about a significant number of jobs to the local area (approximately 1000), therefore the proposal would contribute to local employment in accordance with DM8.
- 7.9 Due to the significant scale of the proposal and the open countryside location, the proposal does conflict Policy DM8 as it cannot be considered small scale or a proportionate expansion. In terms of the emerging policy and whether there is a need for that particular location, it is acknowledged that the site is located adjacent to Newark Urban Area and in a location which has very good access to the major road network (the A17, A1 and A46). This makes the site ideal for logistics companies. There is also a clear logic to proposing this scheme adjacent to the recently approved scheme for one unit, 'Phase 1' (allowed on appeal).

### *Summary of Appeal Decision*

- 7.10 Phase 1 was approved at appeal despite the open countryside location. The Council did not choose to defend the decision at appeal due to the findings contained within the draft Nottinghamshire Core & outer HMA Logistics Study, June 2022 ('the draft study'). In the appeal decision, the Inspector agreed that there is 'little doubt that the proposed development represents a departure from the development plan' and that it would conflict with SP3, Core Policies 9 and 13, DM5 and DM8. Nonetheless, at the time of the appeal, the draft study identified a current supply of 800,000sqm of employment land through extant permissions and allocation in the study area, but with an overall need identified for 1,486,000sqm to 2040, with some of this demand expected to be met in Newark along the A1 and A46 corridors. This equated to a significant shortfall of 686,000sqm of land for large scale logistics development in the study area, which includes Newark and Sherwood. Although in draft form at the time, the Inspector attached very significant weight to these findings in the determination of the appeal. The demonstrated need and the significant economic benefits (largely job creation) were considered to outweigh the adverse impacts on character and appearance, and the loss of some best and most versatile agricultural land. The impact on landscape was considered significant, however it was considered this could be notably reduced through appropriate landscaping. For these reasons the appeal was allowed.

### *Other Material Considerations*

- 7.11 There is no dispute that ultimately the development does not accord with Policy DM8 and is therefore contrary to the Development Plan. In line with the NPPF, proposals should be determined in line with Development Plans, unless other material considerations indicate otherwise.
- 7.12 The final report of the Logistic Study was published in August 2022 – 'Nottinghamshire Core & Outer HMA Logistics Study Final Report August 2022'. The report confirms the findings within the draft study, in that there is an overall need for 1,486,000sqm or 425 ha of employment land for the delivery of large new logistics parks within the study area (not solely within Newark and Sherwood).
- 7.13 Paragraph 14.23 of the report identifies broad areas across the study area where new strategic logistics sites should be located (Areas of Opportunity) and includes 'Area surrounding Newark (along A1 and A46)'. The report states that whilst Newark is some distance from the M1 it still serves as a successful logistics location as can be demonstrated through its historic delivery of large units. The A1 route is now a popular artery, and Newark supplies a local labour market to support demand for units which may (but not necessarily) tend to the lower scales than those on the M1 but still substantially above the threshold considered herein.

- 7.14 Paragraph 14.24 of the Logistics Study report sets out show to select appropriate sites sequentially, with the first criterion being 'The extension of existing industrial / distribution sites. Site extensions should only be permitted where there is adequate road capacity serving the site and at adjacent motorway/dual carriageway junctions or capacity can be enhanced as part of any extension'.
- 7.15 Given the location adjacent to Newlink Business Park, the site would fall within this criterion. Highway impact is discussed in detail later in this report, however it is considered there is adequate road capacity (subject to improvement works to roundabouts), therefore the site satisfies this criterion. As such, the site would meet the criteria if the LPA were to consider it for logistics employment allocation. The comments from the Policy Team confirm there is not an undersupply of employment land in the district and if this application is to be recommended for approval it would not be on this basis. However, the Logistics Study identifies significant demand for this type of employment land and therefore it is not considered that approving the application would prejudice the existing allocated employment sites such as Land South of Newark.

#### *Justification*

- 7.16 As noted earlier, the emerging policy wording for DM8 allows for larger scale employment within the open countryside where there is need for that location. A detailed Employment Land Statement has been submitted with the application to justify the proposal. The report includes updated figures which demonstrate continued strong demand for this type of development. The key points of the report are set out in the conclusion below:

### Conclusion

- 9.22. The key conclusions of this Employment Land Statement are:
- Through the NLS, the Evidence Base identifies a significant demand for additional logistics floorspace in Nottinghamshire (c. 1,500,000 sq.m).
  - The NLS identifies a significant shortfall (c. 600,000 sq.m) in available allocated and consented sites to meet the demand and there has been limited additional supply (37,000 sq.m) consented on non-allocated land since the publication of the NLS.
  - Newark is well placed on the junction of the A1 and A46 to meet demand and is identified as one of five Areas of Opportunity in the NLS.
  - Other potential sites in Newark are already included within the existing supply, thus additional sites need to be identified in order to address the shortfall.
  - The proposal site meets all of the recommended site assessment criteria identified in the NMS and falls within the first tier of sites within the sequential approach to delivery and should be among the first tier of sites delivered.
- 9.23. Given the above, JLL consider that there is a strong case to support the allocation of the proposed extension to Newlink Business Park to deliver needed logistics floorspace and reduce the shortfall across Nottinghamshire.

- 7.17 The LPA does not dispute the conclusions above, and agrees there is a strong demand for logistics development within Nottinghamshire.
- 7.18 The revised version of the NPPF 2024 reflects this demand across the country by including support for facilitating development to meet the needs of a modern economy. Paragraph 86 specifically includes logistics development.

#### *Sustainability*

- 7.19 The NPPF explains that there are three overarching objectives within the planning system to achieve sustainable development. These are an economic objective, social objective and an environmental objective.

#### *Economic Benefits*

- 7.20 The submitted Planning Statement sets out the economic benefits of the proposal, as well as Chapter 11 of the Environmental Statement. During the construction phase it is estimated that the development would generate the following benefits:
- Support for significant numbers of jobs in the construction industry with a large proportion of the construction jobs likely to be taken up by local workforce;
  - An estimates £90 million of direct expenditure on the construction of the proposed development;
  - Wider economic benefits and through the impact on the supply chain including for example manufacturing, real estate, transport, planning and survey services;
  - Total economic output of £262.8 million
- 7.21 Once fully operational, it is estimated that approximately 1000 new jobs will be created at the site. The proposal would also indirectly support further employment through additional local income, expenditure, and local supplier purchases.
- 7.22 Although the future occupiers of the site are not confirmed, a strategic site of this nature is likely to attract large logistics providers. These types of companies often have well established employee development schemes and offer job related training opportunities. Additionally, the development would result in additional business rate income for the local authority which would have wider benefits in the District.
- 7.23 The comments from the NSDC Policy Team agree that the economic benefits to Newark and the wider District are significant enough to be potentially regarded as such material considerations, outweighing the presumption against the granting of consent. It is clear that there is significant demand for this type of development in the Newark Area, and also that

the specific requirements of large-scale logistics mean that only a small range of sites are potentially suitable.

7.24 Taking into account all of the above, the economic benefits of the proposal are considered to carry significant weight in the planning balance.

7.25 *Environmental Benefits*

7.26 An Energy and Sustainability Statement has been submitted with the application, setting out how the development has addressed sustainability issues, in accordance with the aims of Part 14 of the NPPF and Core Policy 10 – Climate Change.

7.27 Air source heat pumps, PV panels, and energy efficient LED lighting are proposed, as well as water efficiency features (such as low flow taps and dual flush toilets). These features would reduce the carbon emissions of the development and water consumption.

7.28 In addition to the above, the biodiversity net gain area of approximately 40 acres would have a positive environmental impact, increasing the biodiversity value of the site by approximately 20%.

7.29 *Social Benefits*

7.30 The development would provide jobs for local people, within the development and during construction. There is potential for the development to contribute towards reducing unemployment levels within the local area, which has social benefits for communities.

7.31 The BNG area would also provide a new area of public space that can be enjoyed for recreational purposes by local people, improving quality of life.

*Summary of the Principle of Development*

7.32 In summary, the location of the proposed development, outside of the defined urban area, means that allowing large scale employment development on the site would be contrary to the Development Plan (specifically DM8 – Development in the Open Countryside). It could be argued that the development accords with the policy as emerging through the amended Allocations and Development Management DPD, as justification and a need for the development in this location has been provided, and weight can be given to the amended version.

7.33 The development would result in significant economic benefits in terms of investment into the district and the creation of circa 1000 jobs. A large area of approximately 40 acres would be dedicated to biodiversity net gain, not only resulting in benefits for the environment but allowing the public to access the area, providing social benefits. These benefits combined are considered to carry significant weight in the planning balance and are likely to outweigh

the conflict identified with the Development Plan. This is subject to site specific impacts which are discussed in turn below.

7.34 **Impact on Visual Amenity, Landscape, and Heritage Assets (including setting)**

- 7.35 Core Policy 9 of the Core Strategy requires a high standard of sustainable design that protects and enhances the natural environment and contributes to and sustains the rich local distinctiveness of the District. Policy DM5 echoes this stating that the District's landscape and character should be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development.
- 7.36 Core Policy 13 requires the landscape character of the surrounding area to be conserved and created. The site is situated within Landscape Character Zone: ES PZ 4 Winthorpe Village Farmlands. The landscape condition here is defined as moderate and landscape sensitivity is also described as moderate. The policy zone has a landscape action of conserve and create. This includes new hedgerows and enhancing tree cover and landscape planting generally and conserving what remains of the rural landscape by concentrating new development around existing settlements and reflecting the local built vernacular.
- 7.37 Core Policy 14 (Historic Environment), along with Policy DM9, require the continued conservation and enhancement of the character, appearance and setting of the District's heritage assets and historic environment, in line with their identified significance as required in national policy.
- 7.38 Section 72(1) requires the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character and appearance of conservation areas. The duty in s.72 does not allow a local planning authority to treat the desirability of preserving the character and appearance of conservation areas as a mere material consideration to which it can simply attach such weight as it sees fit. When an authority finds that a proposed development would harm the character or appearance of a conservation area, it must give that harm considerable importance and weight.
- 7.39 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 directs that local planning authorities should pay special regard to the desirability of preserving listed buildings or their settings, or any features of special architectural or historic interest which it possesses, when considering applications that may affect them.
- 7.40 Paragraph 215 of the NPPF is clear that where a proposal will lead to less than substantial harm, this will need to be weighed against the public benefits of the proposal.

*Heritage Impact*

- 7.41 A detailed Built Heritage Statement prepared by RPS has been submitted as part of the Environmental Statement (Appendix 9d).

- 7.42 The site has the potential to affect the setting of two conservation areas within the wider area – Coddington Conservation Area which lies immediately south of the site, and Winthorpe Conservation which is located further north. The Conservation Officer has provided comments on the proposal as follows:
- 7.43 *The Coddington Conservation Area was designated for its early medieval origins, archaeological remains, retention of predominantly 18th and 19th century buildings, and associations as part of the agrarian economy. The built form within the conservation area is primarily composed of a palette of red-orange brick, and pantiles or slates, typical of the local vernacular. The conservation area has a verdant and rural character, which includes the parkland of the former Beaconfield Hall, and Yew Tree Wood. The conservation area sits within an agricultural landscape of both arable and livestock, making a contribution to the character and appearance of the conservation area.*
- 7.44 *The illustrative masterplan shows a large landscape buffer along the southern edge of the application site to provide a transition between the industrial area and the residential land and conservation area to the south at Coddington. The presence of landscaping at this southernmost portion of the site would help to mitigate the impacts of the development, which is further assisted by the levels, which lower towards the A17 from the highest point at Beaconsfield Way, where the House and its Park once stood. The building heights and levels across the site should be better designed to allow the Beaconfield Hall site of the CA to read as the high point in the landscape. However, the siting of large bulky industrial units would result in a loss to the physical prominence of the Beaconfield Hall site within the wider landscape.*
- 7.45 *Furthermore, the principle of the proposed development would result in the loss of a large extent of the agricultural landscape which makes an important contribution to the agricultural setting and rural character of the Coddington CA. The height and massing of the buildings illustrated at 18-21m in height, and over 200m in breadth would appear distinctly at odds with the massing and scale of development within and around the Coddington CA. However, the scale of the buildings is still under review and would be designed to meet the needs of the end-user. The illustrated landscaping scheme fails to take account of the surrounding context, and the prominence of Yew Tree Wood within the landscape and its importance to defining the sylvan setting of Coddington/Beaconsfield Hall.*
- 7.46 *The impacts upon the Winthorpe CA would be lesser due to the presence of industrial units between the application site and the village and the distance of over 1.0km between the two.*
- 7.47 *The impact upon the Grade II\* listed All Saints Church (Coddington) would be severely restricted by the changes to the topography and separation between the two sites, which would limit the shared experience between the two sites. The proposed palette of graduated*



*materials for the buildings is supported to break up the massing and to help the buildings assimilate with their woodland setting, when viewed from the surrounding roads.*

- 7.48 *Consequently, it is considered that the proposed development would result in a high level of less than substantial harm to the setting of the Coddington Conservation Area. With regard to the other heritage assets, the loss of a great extent of the historic agricultural landscape surrounding these would result in a moderate, less than substantial, harm to their setting.*
- 7.49 The appeal decision for Phase 1 accepted there would be neutral impact on the setting of both Coddington and Winthorpe Conservation Areas due to limited and no intervisibility respectively. This application would significantly increase the scale of Newlink Business Park and bring the built form closer to Coddington Conservation Area, which lies immediately south of the site. It is proposed to include a large area for biodiversity net gain which would act as a buffer between the warehouses and the conservation area. Although this would take time to establish, over time this provide visual mitigation and a clear break between the warehouses and Coddington. Because the BNG would be secured for 30 years by legal agreement, this would ensure no further development within this area.
- 7.50 The detailed design does not form part of this application due to the fact it is an outline application. As such the full visual impact cannot be assessed. However, the building that has been constructed for Phase 1, and the indicative images that have been provided, give a good indication of what the site could look like once completed.



- 7.51
- 7.52 The impact on the setting of the Winthorpe Conservation area is considered similar to Phase 1, due to the separation distance and limited intervisibility. The following view point is included in the Built Heritage Statement demonstrating this.



**Plate 6: View from Winthorpe Conservation Area towards the Site**

7.53

7.54 However, the conservation officer has raised concern that the development would result in a high level of *less than substantial harm* to the setting of the Coddington Conservation area, from which there would be views of the development. With regard to the other heritage assets, the loss of a great extent of the historic agricultural landscape surrounding these would result in a moderate, less than substantial, harm to their setting. The following views are provided in the Built Heritage Statement:



**Plate 9: View from All Saints Coddington looking towards the Site**

7.55





Plate 10: Yew tree woods walking north towards Site

7.56

7.57 Officers are in agreement with the conservation comments – that there would be less than substantial harm to the setting of the Coddington Conservation Area. Nevertheless, officers are also mindful that the area of Coddington CA most affected by the proposals is largely associated with former parkland to Coddington Hall which has long since been demolished. The Conservation Team have identified this harm as being at a higher level of less than substantial harm. Nuance should be given to these assumptions given a) that the final design detailing has not yet been proposed and b) that this part of the CA was included as an extension as setting to the historic core. According to the published 2002 Appraisal, changes were proposed to include additional land to the north and west of Coddington due to their interest as former parkland landscape and wildlife contribution, but fundamentally as “setting for the conservation area” (paragraph 12.2). In light of the significance of this part of the CA being derived from parkland value to a hall now demolished and otherwise fragmented by extensive modern housing development to the west, officers feel that the harm should be given context in the balancing exercise that now follows. In essence, officers do not feel that the harm identified is at the upper end of less than substantial, but rather below this (albeit still a higher value than simply modest or medium impact).

7.58 In accordance with the NPPF, the harm should be weighed against the public benefits of the scheme. As noted in the principle of development, there are significant economic benefits to the scheme, largely job creation, as well as environmental and social benefits.

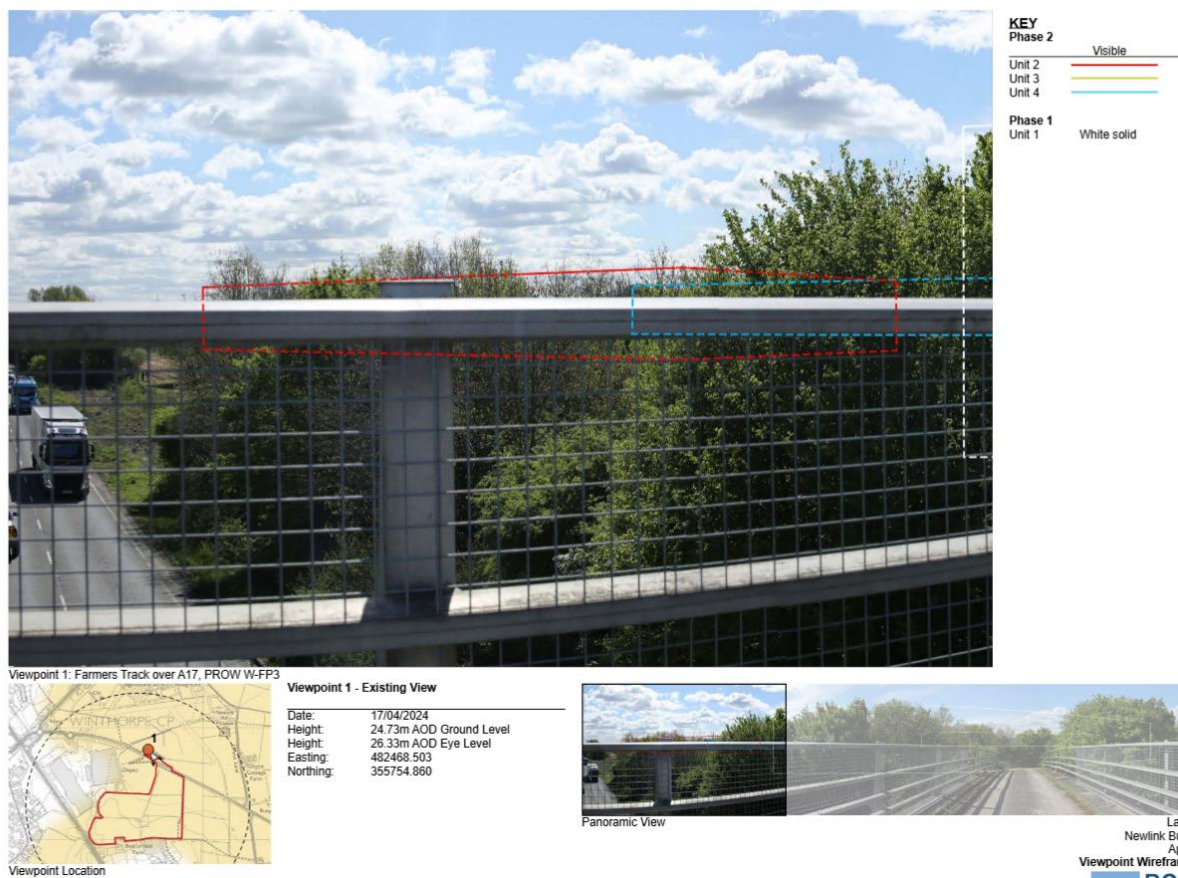
7.59 Considering the level of harm would be less than substantial (albeit a higher level of less than substantial harm, but not at the upper end), it is considered that the public benefits of the proposal would be significant, and therefore would outweigh the harm identified. The same conclusion as Phase 1 is drawn in regard to Winthorpe Conservation Area and its setting– that the development would have a neutral impact due to no intervisibility.

7.60 In relation to the setting of listed buildings, the Built Heritage Statement confirms there would be no intervisibility between the site and either the Church of All Saints Coddington

(Grade II\* listed) or the Church of All Saints Winthorpe (Grade II listed) and therefore it is agreed there would be no harm to their setting or significance.

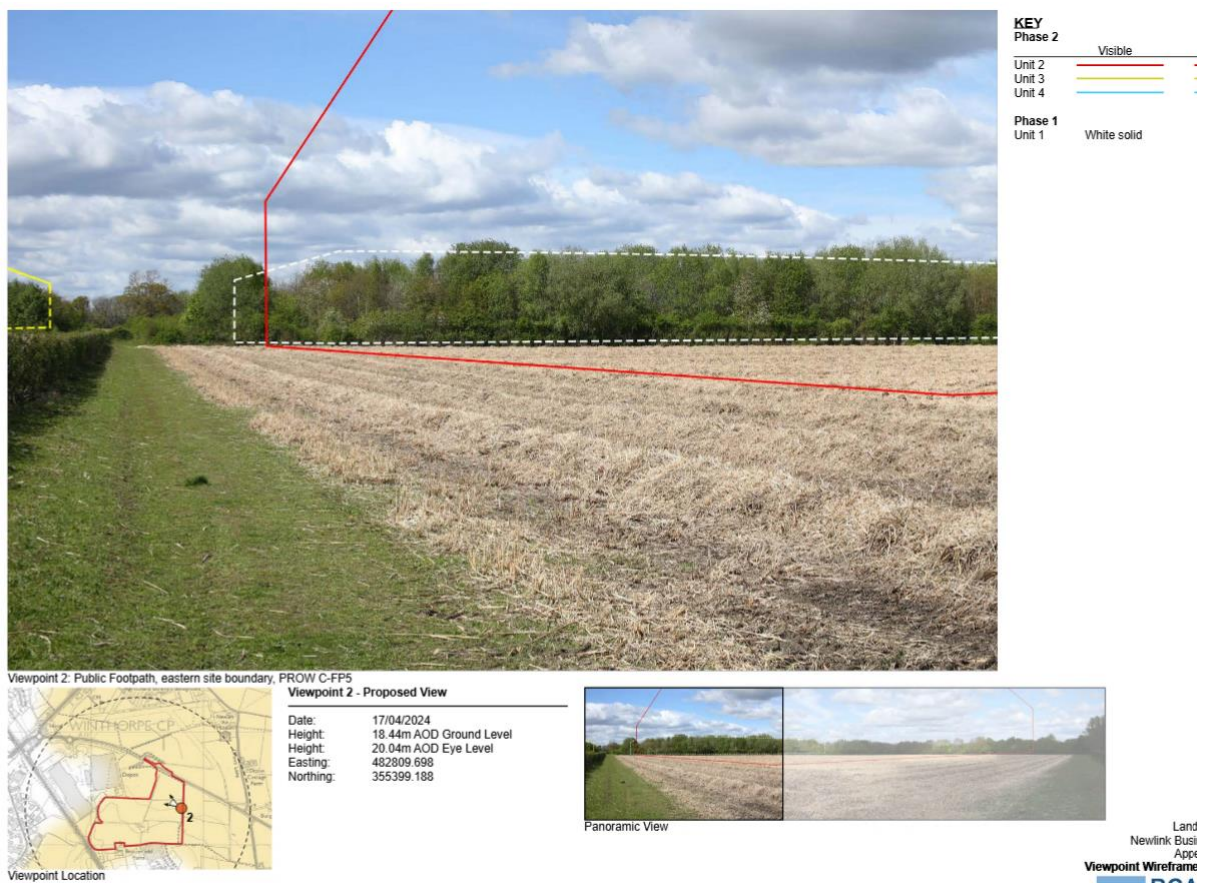
7.61 Landscape Impact

7.62 Given the significant scale of the development, an LVIA has been submitted as part of the Environmental Statement, carried out by BCA Design. Chapter 5 of the Environmental Statement and the LVIA documents cover landscape impact. Some of the key viewpoints are shown below, with the outline of the proposed development shown in the coloured lines – dashed indicates the building would be hidden and a solid line would be the visible part of the development.

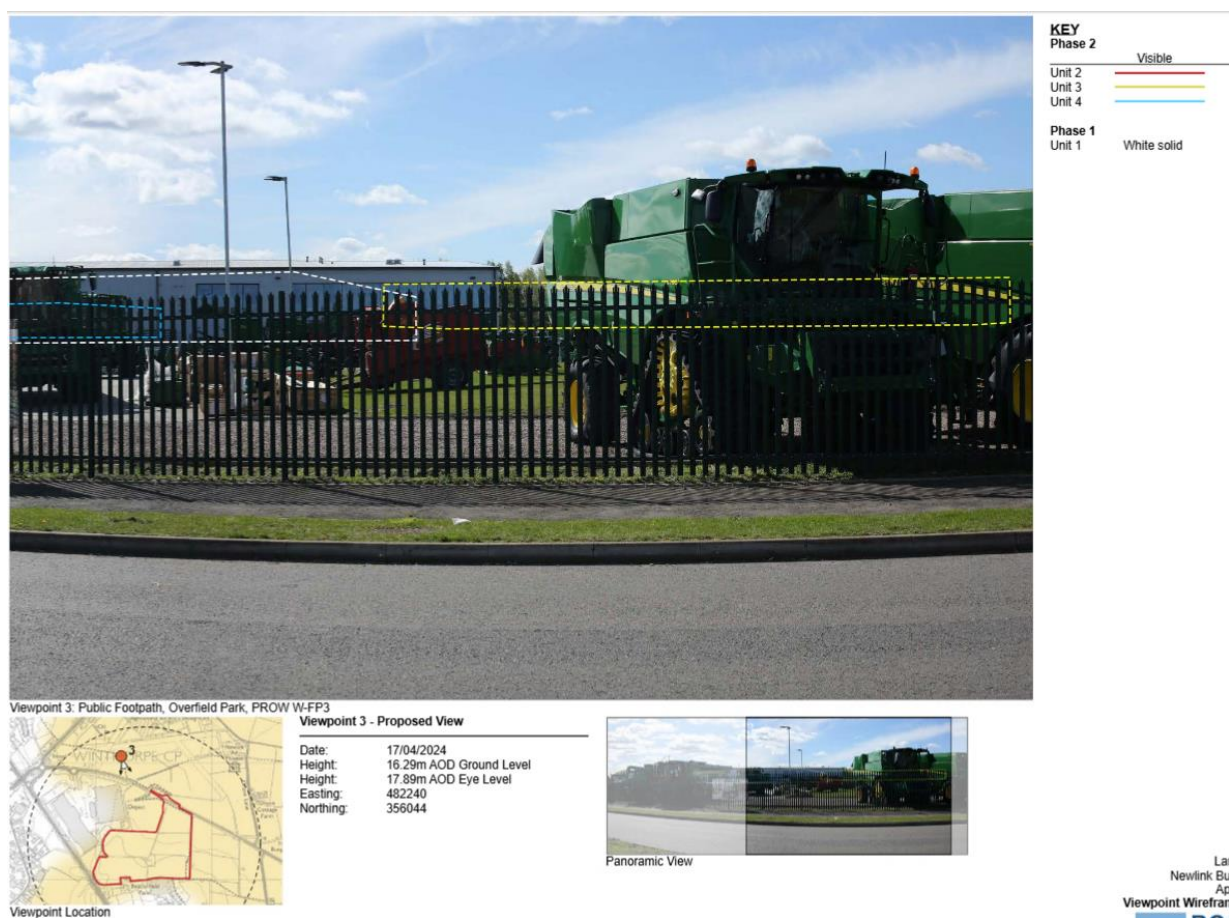


7.63





7.64



7.65



KEY	
Phase 2	
	Visible
Unit 2	<span style="color: red;">---</span>
Unit 3	<span style="color: yellow;">---</span>
Unit 4	<span style="color: blue;">---</span>
Phase 1	
Unit 1	White solid

Viewpoint 4: Public Footpath east of Winthorpe C.A., PROW W-FP2

Viewpoint 4 - Proposed View

Date: 17/04/2024  
 Height: 17.28m AOD Ground Level  
 Height: 18.88m AOD Eye Level  
 Easting: 481670.608  
 Northing: 356191.955



Viewpoint Location

Land  
 Newlink Busir  
 Apple  
**Viewpoint Wireframe**

7.66



KEY	
Phase 2	
	Visible
Unit 2	<span style="color: red;">---</span>
Unit 3	<span style="color: yellow;">---</span>
Unit 4	<span style="color: blue;">---</span>
Phase 1	
Unit 1	White solid

Viewpoint 6: Farmers track off Drove Lane, Highway / Museum

Viewpoint 6 - Proposed View

Date: 17/04/2024  
 Height: 17.57m AOD Ground Level  
 Height: 19.17m AOD Eye Level  
 Easting: 483290.978  
 Northing: 355950.323



Viewpoint Location



Land  
 Newlink  
**Viewpoint Wireframe**

7.67



- 7.68 Appendix 5H sets out the landscape mitigation proposals and shows sections with trees at a height of 10m, 15 years after planting. It is acknowledged that the mitigation would therefore increase overtime and lessen the visual impact of the development, but would not have a significant impact in screening the proposal early on. Notwithstanding the fact the development will clearly have an impact on the landscape as the site is currently undeveloped land, it is noted that the development would be seen from many viewpoints within the context of the adjacent and nearby commercial buildings (the existing Newlink Business Park and commercial buildings to the north of the A17). It is also acknowledged that the landscape condition here is defined in the Council's SPD as 'moderate' and landscape sensitivity is also described as moderate. The policy is to conserve and create. The planting of the proposed BNG area, and the retention of woodland would contribute to this aim.
- 7.69 The LVIA has been independently reviewed by a Landscape Consultant. Initially, a few concerns were raised with the methodology that had been used to undertake the assessment, and it was noted that some potentially key views had not been included or assessed. Further information was also requested regarding the methodology used to justify the Zone of Theoretical Visibility (ZTV).
- 7.70 This was discussed with the Landscape Consultant at BCA Design and supplementary commentary and further viewpoint assessments were submitted. The Landscape Consultant has reviewed the additional information and has provided comments (received 21<sup>st</sup> November 2025). The comments are summarised below (full comments are available online):
- 7.71 Following NSDC's initial review on the 29th October 2025, seven material methodological gaps were identified in the LVIA. The applicant has now submitted an LVIA Addendum (RP06) which provides further information, assessment, and clarity on the points raised. The LVIA, taken together with RP06, is now broadly GLVIA3- compliant and consistent with the methodology set out in Appendix 5A. The LVIA now provides a robust and defensible evidence base on which the LPA can rely in determining the application and in any subsequent appeal.
- 7.72 The LVIA (with addendum) indicates:
- Significant landscape and visual effects (Moderate/Major) focussed on the application site itself, immediate field pattern and nearby public rights of way (notably VPs 2, 7 and 10), reducing over time as planting establishes;
  - Moderate or lesser effects on more distant receptors including the River Meadowlands and townscape to the west, where new structures read within an existing belt of commercial and logistics development;

- Negligible—minor neutral or adverse effects on residential receptors at Gainsborough Road (Winthorpe) and Beaconsfield Drive (Coddington), confirmed by the new representative viewpoints E and F;

- No significant cumulative effects beyond those already associated with the evolving logistics belt to the north-east of Newark, given the relatively flat landform and the screening effect of existing and proposed green infrastructure. These findings are coherent with the Phase 1 evidence base and the strategic role of this location in meeting identified regional logistics need.

7.73 Significant visual effects occur only in the immediate local context The LVIA (and the Addendum) confirm that the only “significant” (EIA-significant) visual effects arise at:

- VP2 – Public Footpath C-FP5 (eastern site boundary)
- VP7 – Coddington PROW C-FP4
- VP10 – Beaconsfield Farm Track (C-FP5) These locations experience Moderate–Major or Major effects at Year 1, reducing materially by Year 15 as planting matures. These are public rights of way directly adjacent to the development footprint, so significant effects are expected and unavoidable.

The newly introduced residential viewpoints—

- VP E – Gainsborough Road, Winthorpe, and
- VP F – Beaconsfield Drive, Coddington —both conclude negligible or minor effects, and are explicitly assessed as not significant in EIA terms. This aligns with the photographs, wireframes, existing vegetation, and the low visibility envelopes shown in the ZTV and augmented ZTV.

No significant effects on the wider settlement or landscape context Outside the rights-of-way immediately bordering the site:

- Coddington: no direct significant views
- Winthorpe: no significant visibility from residential streets or the Conservation Area
- Beacon Hill / Danethorpe ridge lines: intermittent long-distance filtered views only— none significant
- River Meadowlands to the west: development reads within the existing industrial/logistics cluster



- 7.74 The LVIA Addendum makes clear that significant effects are highly localised to the edge of the site and fall away quickly with distance and screening. The visual impact of Phase 2 is judged to be acceptable in planning terms, because:
1. Significant effects are limited to very localised public footpaths immediately adjoining the site.
  2. No residential receptors, settlements, or heritage viewpoints experience significant visual effects.
  3. The scale and type of effects are materially the same as those already tested through the appeal of the adjoining development.
  4. Embedded landscape mitigation will intentionally reduce medium–long term visual harm.
  5. The LVIA is now methodologically sound (post-addendum) and the conclusions are defensible.
  6. The remaining harm is not unusual or unacceptable for a logistics extension of this scale in this landscape character type.
- 7.75 Therefore, in EIA significance terms some visual harm exists, but it is not considered unacceptable when weighed against the planning context set by Phase 1 and earlier development and the long-term mitigation strategy.
- 7.76 Officers concur with the comments from the Landscape Consultant and the assessment of the LVIA. In summary, the significant visual impacts are limited to local impact, which would reduce over time from the proposed mitigation. Although the localised impact would be ‘significant’, this needs to be weighed in the overall planning balance. The comments from the Landscape Consultant conclude that given the context of the site, including the ‘Phase 1’ development, and the landscape character type, the visual impact is acceptable. Conditions have been recommended in relation to landscaping however given that landscaping is a reserved matter, these conditions have not been included. In addition, a large proportion of the landscaping which would provide mitigation is secured through the mandatory BNG requirement. Overall, it is considered the visual impact on the landscape would, on balance, be acceptable.
- 7.77 **Loss of Agricultural Land**
- 7.78 Policy DM8 states that ‘proposals resulting in the loss of the most versatile areas of agricultural land, will be required to demonstrate a sequential approach to site selection and demonstrate environmental or community benefits that outweigh the land loss’. Paragraph 187 of the NPPF states that ‘Planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty

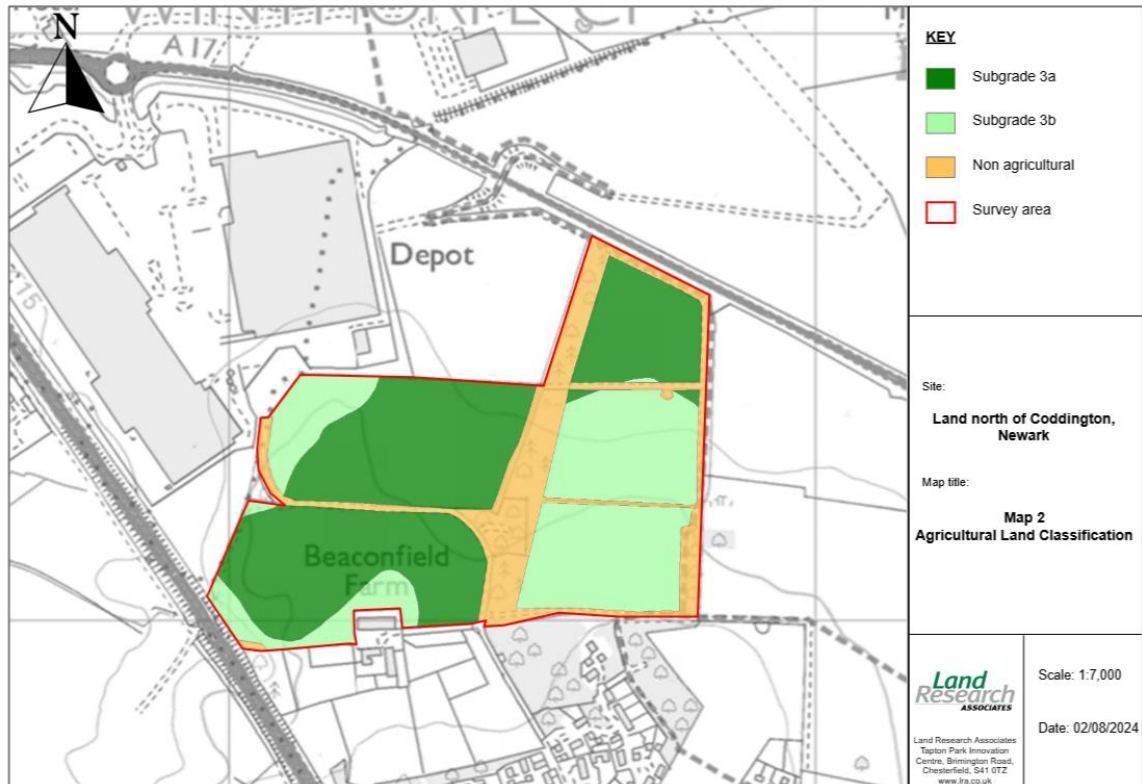
of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.’

- 7.79 Government guidance defines ‘Best and most versatile agricultural land as being land in Grades 1, 2 and 3a of the Agricultural Land Classification’ and the footnote to paragraph 188 of the NPPF requires that where significant development is demonstrated to be necessary, areas of poorer quality land should be preferred to those of higher quality. Soil testing is required to determine the quality of the agricultural land that would be lost as a result of the proposed development.
- 7.80 An Agricultural Land Quality Report forms part of the submitted Environmental Statement (appendix 10). The land grades on site are set out in the table below:

**Table 1: Areas occupied by the different land grades (ha)**

<i><b>Grade/subgrade</b></i>	<i><b>Area (ha)</b></i>	<i><b>% of the land</b></i>
<b>Subgrade 3a</b>	18.1	48
<b>Subgrade 3b</b>	12.6	34
<b>Non agricultural</b>	6.7	18
<b>Total</b>	37.4	100

- 7.81
- 7.82 The report summarises that the site comprises slowly permeable soils and deep permeable loams. The land is a mixture of subgrade 3a and 3b agricultural quality, determined by wetness, droughtiness, and/or stoniness.
- 7.83 48% of the site is classed as 3a, and therefore would fall within ‘best and most versatile’. The loss of this land weighs negatively in the planning balance, however it is noted that Natural England have been consulted and have not objected to the application. In assessing against DM8, environmental or community benefits that outweigh the land loss would need to be demonstrated. In this instance there is the economic benefit discussed earlier on, which could be considered a wider community benefit as local employment would be provided. In addition, the BNG area would be open to the public, and would provide above the mandatory 10% net gain (approximately 20% net gain). This is an environmental and community benefit that would weigh in favour of the development. It is also noted that the land classed as 3a is within smaller sections of land that are separate and therefore it would be difficult to only utilise the lower grade areas (see map below).



7.84

7.85 With the above in mind, it is not considered that the loss of BMV agricultural land would be a reason to refuse the application.

7.86 **Impact on Residential Amenity**

7.87 Policy DM5 and Part 12 of the NPPF seek to ensure that development does not result in unacceptable impacts on residential amenity for neighbouring occupiers through overbearing impact, loss of light, loss of privacy or noise impacts.

7.88 The majority of dwellings within Coddington are a minimum distance of 260m from the site boundary, however the closest dwelling is approximately 48m from the site (3 Beaconsfield Drive). As noted within the visual amenity section, 40 acres of land within the south of the site will be landscaped for biodiversity net gain purposes. This will ensure separation is maintained between the warehouses and any dwellings within the village, which would avoid any issues in relation to overbearing impact, loss of light or loss of privacy, as well as provide mitigation against noise impacts. The layout has been designed to position the car park and service areas to the north of the warehouses, which would limit activity, noise and light pollution to the south, as the warehouses would provide additional mitigation from external noise.



7.89

7.90 A noise impact assessment has been carried out by Tetra Tech Limited and submitted as part of the Environmental Statement (Appendix 8). In summary, the results of the assessment predict that noise associated with the proposed development would result in low impact at the closest existing sensitive receptors with the implementation of the outlined intrinsic mitigation.

7.91 The Environmental Health Officer has reviewed the Noise Assessment and raised no objections subject to a condition requiring a construction environment management plan (CEMP) to ensure best practicable means are employed to minimise noise during construction, as well as a condition requiring details of the scheme for fixed plant and equipment.

7.92 In relation to lighting, the Environmental Health Officer has commented that according to the external lighting assessment, proposed external lighting scheme for this development will meet relevant guideline criteria in respect of obtrusive lighting levels. Details of any lighting would be assessed at reserved matters stage, therefore a condition can be included to require details of external lighting for any phase.

7.93 An Air Quality Assessment has also been submitted with the application. In summary, the report concludes that with appropriate mitigation, the risk of adverse effects due to dust emissions during construction will not be significant; impact from traffic as a result of the development would not be significant; and the impact in relation to NO<sub>x</sub> exposure is considered to be negligible.

7.94 Further to the above, subject to conditions, it is not considered there would be any unacceptable impacts on amenity for nearby residents.

7.95 **Impact on Highways**

- 7.96 Spatial Policy 7 of the Core Strategy amongst other things requires proposals to minimise the need for travel through measures such as travel plans or the provision or enhancement of local services and facilities; provide safe, convenient and attractive accesses for all; be appropriate for the highway network in terms of volumes and nature of traffic generated and avoid highway improvements which harm the environment and character of the area. DM5 mirrors this.
- 7.97 Paragraph 116 of the NPPF states 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, following mitigation, would be severe, taking into account all reasonable future scenarios.
- 7.98 The development is proposed to be accessed via the newly constructed roundabout on the A17 which has been approved and constructed in accordance with the Phase 1 permissions. NCC Highways have been in discussions with the developers throughout the application process. Additional information was requested, including drawings to show improvement works to the new roundabout (Tritax roundabout) and Long Hollow Way roundabout , due to concerns with capacity. Drawings and a written response to the Highways comments were received and the Highways officer has reviewed the details and provided the following comments:
- TN14 demonstrates that the addition of traffic from the proposed development does not represent a severe impact on capacity at the A46/A17 roundabout. The further information supplied directly to us has not been modelled correctly and are therefore not representative of the junction. It is considered that correcting this would highlight issues, but it is now considered that the mitigation necessary would not be proportionate to the development in consideration of the additional traffic generated here. The applicant has however, demonstrated the need to provide mitigation on the A17 corridor where the majority of their impact is and the proposed highway mitigation indicatively shown on the above two drawings is acceptable.
  - We have received comments on the Travel Plan submitted. The Travel Plan relies on the shuttle bus service related to the adjacent site 20/01452/OUTM. It is considered that the requirement to provide a shuttle bus service is also applicable to this development and as such we have provided clarity within the requested condition. In consideration of this information and our previous observations dated 5th August 2025, the Highway Authority have no objections subject to the following S106 obligation and conditions.
- 7.99 Although it is noted that some of the further information has not been modelled correctly, it should be reiterated that it has not been requested by NCC Highways for this to be amended, and it is accepted that the impact would not be severe. NCC Highways are satisfied with the information and proposed mitigation measures (the improvement works to 2 roundabouts), that subject to conditions and the S106 to secure Travel Plan monitoring fees,

that the development would not result in an unacceptable impact on highways safety, or the capacity of the highway network. All of the conditions that have been requested are included at the end of this report.

7.100 As such, the development would be in accordance with SP7, DM5 and paragraph 116 of the NPPF, and therefore highway related impact is not considered a reason to refuse the application.

7.101 **Impact on Rights of Way, Sustainable Travel, and Connectivity**

7.102 Paragraph 117 of the NPPF states that development should:

(a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;

(b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport; and

(c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards.

7.103 It is noted that Active Travel requested further information and further detail about the proposed development, and that the Ramblers and NCC Rights of Way have objected to the application (on ground of insufficient information).

7.104 Footpaths and sustainable connections/transport to the site have been the subject of discussions throughout the application process, and the developer has worked with adjacent land owners to try and secure land to provide a connection to Coddington to the south. A proposed route has been secured to install a 3m wide footpath and cycle way as shown on the below plan (site is to the north, Coddington to the south):



7.105

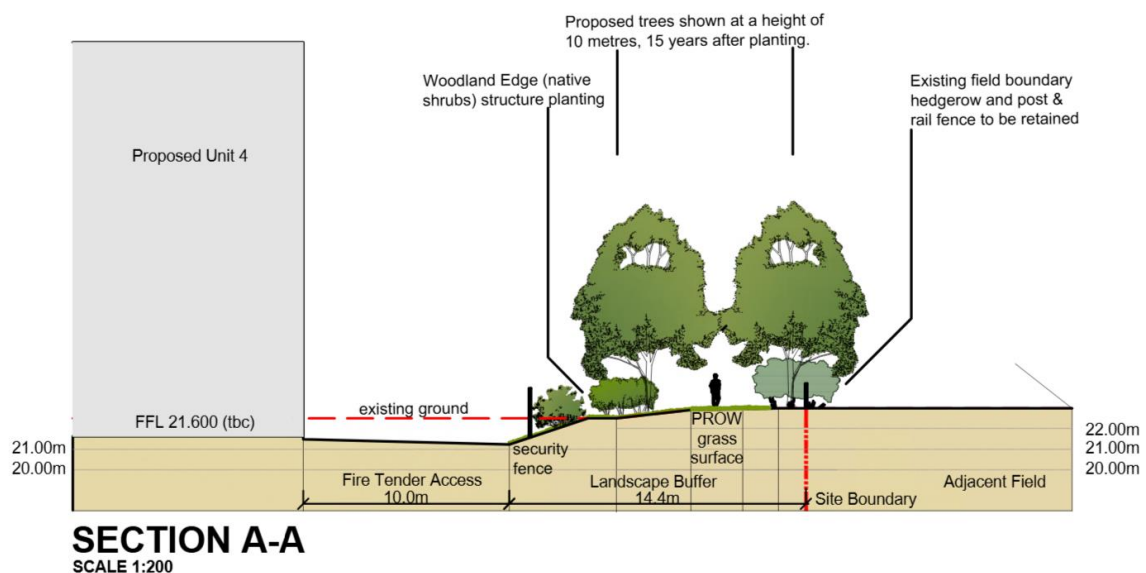
7.106 This proposed route is welcomed and would provide a sustainable route to the development from Coddington (as well as to the BNG area), to allow employees to walk or cycle to work. As the footpath lies outside of the site boundary, it is proposed to secure its implementation via Grampian condition (a condition worded in a negative form – i.e. prohibiting development authorised by the planning permission or other aspects linked to the planning permission such as the occupation of premises, until a specified action has been taken). A condition requiring details of cycle storage can also be included to ensure suitable storage on site.

7.107 The comments from the Ramblers Association raise concern that an application for a new footpath has not been acknowledged within this application. The application referred to is DMMO No. 1243, submitted by Coddington Parish Council, that seeks to add a Footpath from Beacon Hill Park, via the A1 underpass to the application site. Upon searching for the application, although submitted in 2020, it appears from the County Council website that the status is 'awaiting validation'. There is no further information readily available to indicate if this route will be implemented in future, however the revised Illustrative Landscape Masterplan (Rev 02) includes a link to the A1 underpass (extract shown below), which would allow an access point to the site if required. This is not required to make the development acceptable, as the implementation of the new route is outside of the developer's control, however the inclusion of the link on the masterplan is welcomed.



7.108

7.109 The comments from the Rights of Way team raise concerns regarding the existing footpath (4A) which runs alongside the east of the site to the north. The proposal would not directly impact this footpath however there would be visual impacts for users. The following section drawing illustrates the relationship between the development and the footpath (existing PROW between the trees). The trees would provide some screening and although the outlook would be altered, it is not considered that the change in outlook would result in significant adverse impacts. Queries have been raised with regard to the management of the trees – these would be part of the landscaping scheme and a condition requiring a management plan is included in the recommended conditions list.



7.110

7.111 Another concern was raised regarding safety of pedestrians accessing the existing public footpath route which runs across the new Tritax roundabout to the north of the site. A condition is attached to the Phase 1 development stating, 'The development will require the



diversion of existing public rights of way and no part of the development hereby permitted or any temporary works or structures shall obstruct the public right of way until approval has been secured and the diversion has been constructed in accordance with a detailed design and specification first submitted to and approved in writing by the Local Planning Authority.' As such, any requirement for the diversion is covered by the Phase 1 approval and it is not necessary to duplicate it on this application. In any case the diversion would be subject to a separate legal process. This issue has however been raised with the agent and they have confirmed that there is no requirement to divert any public rights of way.

7.112 In terms of public transport, bus stops, bus routes and free shuttle buses, NCC Highways has recommended a condition requiring the submission of a revised Framework Travel Plan to ensure the inclusion of a shuttle bus to connect the travel hubs in Newark (e.g. train stations and main bus stops). The Travel Plan would be monitored and reviewed and a full travel plan would be required for each phase of the development. The condition is considered sufficient to address the concerns raised by Active Travel, and therefore is included at the end of this report.

7.113 **Impact on Trees**

7.114 Core Policy 12 of the Core Strategy seeks to secure development that maximises the opportunities to conserve, enhance and restore biodiversity. Policy DM7 states that new development, in line with the requirements of Core Policy 12, should protect, promote and enhance green infrastructure to deliver multi-functional benefits and contribute to the ecological network both as part of on-site development proposals and through off site provision. Policy DM5 of the DPD states that natural features of importance within or adjacent to development sites should, wherever possible, be protected and enhanced.

7.115 The submitted tree survey provides a reasonable assessment of the existing tree stock. It notes that the trees are generally of lower value with the occasional moderate value tree. To facilitate the development, the removal of four category 'C' trees (T22, T23, T24, T29), one hedge (H4) and partial removal of two tree groups (G13, G17) will be required. Overall, the tree removals will have some negative visual impact, caused by the fragmentation of the small woodland areas. However, the development retains all the higher-value trees, helping to maintain the arboricultural and landscape character of the site.

7.116 A few small mistakes in the Arboricultural Method Statement report have been noted by the Tree Consultant. It has been advised that an updated version of the AMS is provided – this can be secured by condition.

7.117 The Tree Consultant has also recommended a condition to secure the implementation and confirmation of Tree Protection Measures prior to the commencement of any development or site works. A suitably worded condition has been included in the conditions list at the end of this report.

- 7.118 In summary, although some trees would be lost to facilitate the development, it is acknowledged that this will be mitigated through additional tree planting and the large biodiversity net gain area in the south of the site (providing an approximate 20% net gain). Given the low-moderate value of the trees, their loss is not a reason to refuse the application and the impact on trees overall is considered acceptable.
- 7.119 **Impact on Ecology**
- 7.120 DM5 states where it is apparent that a site may provide a habitat for protected species, development proposals should be supported by an up-to date ecological assessment. Significantly harmful ecological impacts should be avoided through the design, layout and detailing of the development, with mitigation, and as a last resort, compensation (including off-site measures), provided where significant impacts cannot be avoided.
- 7.121 Chapter 6 of the Environmental Statement covers ecology.
- 7.122 The Ecology Officer has provided informal comments during the lifetime of the application and is generally accepting of the information submitted to date. One missing report was noted (Phase 2 Winter Bird Report) that was mentioned in the ES but not submitted. The report has now been submitted along with an Addendum to Chapter 6 dated September 2025. The addendum summarises that due to the loss of arable land that cannot be mitigated for within the proposed development, moderate adverse effects at the local are anticipated for skylark. Positive effects on generalist bird species are anticipated in the medium and long-term as a result of the retention of the majority of woodland, scrub and hedgerows along with the significant area of proposed new habitat creation and the appropriate management of the on-site green infrastructure. With the habitat mitigation, once established, the impacts would be negligible at the local level. With this in mind the impact on birds, on balance, would be acceptable.
- 7.123 The Ecology Officer also noted that Barbastelle bats were recorded as part of the bat surveys. This is a habitats directive Annex II species. It is the Ecology Officer's view that the evaluation for this species has not taken enough care to research the local status of this species and in has been undervalued. However, the mitigation that will be required is already being proposed as this will likely be concerned with lighting impacts which can be controlled via planning conditions. A condition requiring details of external lighting has been included in the list at the end of the report.
- 7.124 No other concerns were raised with the submitted information, and it is considered that on balance, subject to habitat mitigation, the impact on ecology and protected species would be acceptable and there would be no significant impacts.
- 7.125 **Contamination**

7.126 The comments from the Environmental Health Officer are noted and the full phased contamination condition has been included. Subject to compliance with the condition, it is considered that the development would be acceptable in this respect.

7.127 **Archaeology**

7.128 Policy DM9 states development proposals should take account of their effect on sites and their settings with the potential for archaeological interest. Where proposals are likely to affect known important sites, sites of significant archaeological potential, or those that become known through the development process, will be required to submit an appropriate desk based assessment and, where necessary, a field evaluation. This will then be used to inform a range of archaeological mitigation measures, if required, for preservation by record and more occasionally preservation in situ.

7.129 Trench trials have been carried out on site. Comments from the Historic Environment Officer confirm that the trench trials have uncovered an area of archaeological significance on site. A condition has been recommended which is included in the list at the end of this report to require an Archaeological Mitigation Strategy. Subject to the condition, it is not considered there would be a significant or unacceptable impact on archaeology.

7.130 **Flood Risk and Drainage**

7.131 Policy DM5 and Core Policy 9 require that proposals pro-actively manage surface water and Core Policy 10 seeks to mitigate the impacts of climate change through ensuring that new development proposals taking into account the need to reduce the causes and impacts of climate change and flood risk. The site is within Flood Zone 1 according to the Environment Agency maps and is therefore at a low risk of flooding from rivers. The site is also outside of area at high risk of surface water flooding.

7.132 Conditions have been attached to require drainage details prior to each phase of development, as requested by the Environment Agency and the LLFA. Given the large scale of development proposed the conditions are considered to meet the tests of the NPPF and have been included at the end of this report. Subject to adequate drainage strategies being implemented in accordance with approved details, it is not considered the development would result in any increase in flood risk or drainage issues within the area.

7.133 **S106 and Developer Contributions**

7.134 Comments from NCC Highways request £15,000 for the monitoring of the Travel Plan. This is to be secured through a S106. Monitoring fees for the BNG will also be secured via the S106 agreement.

7.135 **Community Infrastructure Levy (CIL)** – Not applicable for this type of development.

## **7.5 Biodiversity Net Gain**

**7.6** In England, BNG became mandatory (under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021)) from February 2024. BNG is an approach to development which makes sure a development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development. This legislation sets out that developers must deliver a minimum BNG of 10% - this means a development will result in more, or better quality, natural habitat than there was before development.

**7.7** The application includes an area covering approximately 40 acres within the southern part of the site that will be dedicated to biodiversity net gain. Based on the submitted information it is anticipated that the development will provide a net gain of approximately 20%, therefore there are no concerns that the mandatory 10% is achievable on site. Monitoring fees for the BNG will require securing via a legal agreement.

## **8.0 Implications**

**8.1** In writing this report and in putting forward recommendation's officers have considered the following implications: Data Protection, Equality and Diversity, Financial, Human Rights, Legal, Safeguarding, Sustainability, and Crime and Disorder and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

### **8.2 Legal Implications – LEG2526/4219**

**8.3** Planning Committee is the appropriate body to consider the content of this report. A Legal Advisor will be present at the meeting to assist on any legal points which may arise during consideration of the application.

## **9.0 Planning Balance and Conclusion**

**9.1** The proposal is for outline permission for development of agricultural land to B8 storage and distribution with ancillary offices, associated car parking and landscaping. The site is close to, but outside of the defined urban boundary of Newark, within the open countryside. For this reason the development is contrary to the Development Plan (DM8) and this is the reason the application is being determined by the Planning Committee. In addition, it should be noted that following a screening opinion, the development is considered to be EIA development.

**9.2** In accordance with the NPPF, proposals should be determined in accordance with an up-to-date Development Plan unless material considerations indicate otherwise. There is a clear

drive from National Government for the development of large logistics sites, in a bid to support and improve the UK economy (Part 6 of the NPPF). Likewise, local studies demonstrate significant demand for development of this type and scale, with the Nottinghamshire Core & Outer HMA Logistics Study identifying the Newark area (around the A46 and A1) as an 'area of opportunity'.

- 9.3 The proposed development would be an expansion of 'Phase 1' of Newlink Business Park' and the site is well connected to the major highway network. The development would bring about significant economic benefits including approximately 1000 jobs, as well as jobs throughout the construction phase, and significant investments into the district. The site includes a biodiversity net gain area of approximately 40 acres, which would be open to the public and would provide some visual mitigation and separation between Coddington and the development.
- 9.4 Due to the significant scale of the proposal (up to 90,500sqm), there would be harmful impacts on the landscape, the setting of Coddington Conservation Area, and loss of best and versatile agricultural land. Further to the independent assessment of the LVIA, it is considered that the significant visual impact would be limited to a localised impact, which would be reduced over time.
- 9.5 In considering the planning balance, the public benefits of the scheme including significant job creation (estimated 1000 jobs, not inclusive of the jobs during construction) and significant investment into the district, weigh heavily in favour of the development. It is acknowledged that the location is not within the urban boundary, however given the close proximity to it, and the connections to the wider road network, the location is not considered unsustainable. It is acknowledged there would be harm as a result of the development, however on balance, the significant benefits are considered to outweigh the harm identified. Therefore, in this instance it is considered there are material considerations that justify approving the development despite conflict with the Development Plan.
- 9.6 For the above reasons, it is recommended that planning permission is granted, subject to conditions and a S106 agreement to secure monitoring fees for the Travel Plan and biodiversity net gain.

## **10.0 Conditions**

### **01 Time Limit**

Applications for approval of reserved matters shall be made to the Local Planning Authority not later than 3 years from the date of this permission.

The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

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

## 02 Approved Plans

The development hereby permitted shall be carried out in accordance with the following plans and documents:

- Site Location Plan (Ref. 16233-SGP-XX-ZZ-DR-A-131000 Rev. P01);
- Proposed Parameters Plan (Ref. 16233-SGP-XX-ZZ-DR-A-101011 Rev. P02).

Reason: To ensure the development comes forwards as envisaged.

## 03 Reserved Matters

Details of the appearance, landscaping, layout and scale ('the reserved matters') for each phase of the development shall be submitted to and approved in writing by the Local Planning Authority before development on that phase begins and the development shall be carried out as approved.

Reason: This is a planning permission in outline and the information required is necessary for the consideration of the ultimate detailed proposal.

## 04 Phasing Plan

Each reserved matters application for each phase or sub phase of the development shall be accompanied by an up to date phasing plan and phasing programme. The phasing plan shall set out the extent of each proposed phase and detail the timing and delivery of key supporting infrastructure including the estate road, the sustainable urban drainage system, on-site landscaping and footpath/cycleway connections. The approved phasing plan for each phase or sub phase shall be adhered to throughout the construction period.

Reason: In order to allow for a phased development and ensure that appropriate mitigations are delivered in a timely manner

## 05 CEMP

No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan for biodiversity (CEMP: Biodiversity) has been

submitted to and been approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.
- i) An annotated plan providing a summary of the elements covered by items b), c), d), e) and h).

The approved CEMP (Biodiversity) shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard protected species as required by the National Planning Policy Framework, ADMDPD Policy DM5 and Core Strategy Policy 12.

## 06 Construction Method Statement

No development shall take place on any phase or sub phase until a Construction Method Statement (CMS) has been submitted to and has been approved in writing by the Local Planning Authority including a works programme. For each part of the works programme (i.e., site clearance, foundations, structures, roofing, plumbing, electrics, carpentry, plastering, etc.) the CMS shall include:

- a quantitative assessment of site operatives and visitors,
- a quantitative assessment of the size and number of daily deliveries,
- a quantitative assessment of the size, number, and type of plant,
- a plan identifying any temporary access arrangements,
- a plan of parking for site operatives and visitors,
- a plan of loading and unloading areas for vans, lorries, and plant,
- a plan of areas for the siting and storage of plant, materials, and waste,
- the surface treatment of temporary access, parking and loading and unloading areas, and
- wheel and vehicle body washing facilities;
- provision of road sweeping facilities;

The first action on commencement of development, and prior to any further action (including site clearance, site stripping or site establishment) shall be the formation of; any temporary access arrangements; parking areas; and loading, unloading, and storage areas in accordance with the approved CMS and thereafter any temporary access, parking, load and unloading, and storage areas shall be set out and utilised in accordance with the approved CMS and programme. The designated parking, loading, and unloading, and storage areas shall be used for no other purpose during the respective part of the programme.

Reason: To minimise the impact of the development on the public highway during construction in the interest of highway safety.

## 07 Contamination

Development other than that required to be carried out as part of an approved scheme of remediation or for the purposes of archaeological or other site investigations linked to this permission must not commence in any phase until Parts A to D of this condition have been complied with in relation to that phase. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until Part D has been complied with in relation to that contamination.

### Part A: Site Characterisation

An investigation and risk assessment including an UXO assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- i. a survey of the extent, scale and nature of contamination;
- ii. (ii) an assessment of the potential risks to:
  - o human health;
  - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
  - o adjoining land;
  - o ground waters and surface waters;
  - o ecological systems;
  - o archaeological sites and ancient monuments;
- iii. an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.



#### Part B: Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

#### Part C: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

#### Part D: Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part B, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Part C.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

#### 08 Environment Agency

The development hereby permitted shall not be commenced until such time as a scheme to treat and remove suspended solids from surface water run-off during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason: The Humber river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. The proposal could

lead to a deterioration in biological quality and prevent the improvement of The Fleet because it may cause rising trends in pollutants, specifically suspended solids in the water body that would impact on the biological quality preventing the waterbody from improving from its current Bad Ecological Status.

#### 09 Surface water drainage scheme

No part of the development hereby approved shall commence for any phase or sub phase until a detailed surface water drainage scheme based on the principles set out in the Flood Risk Assessment & Drainage Strategy Report (Document Ref. LP434-NBP-LE\_GEN-XX-RP-E-FRA01, dated October 2024), has been submitted for that phase and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:

- Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753 and NPPF Paragraph 169.
- Limit the discharge generated by all rainfall events up to the 100 year plus 40% (climate change) critical rain storm to QBar rates for the developable area.
- Provide detailed design (plans, network details, calculations and supporting summary documentation) in support of any surface water drainage scheme, including details on any attenuation system, the outfall arrangements and any private drainage assets. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods.
  - No surcharge shown in a 1 in 1 year.
  - No flooding shown in a 1 in 30 year.
  - For all exceedance to be contained within the site boundary without flooding properties in a 100 year plus 40% storm.
- Evidence to demonstrate the viability (e.g. condition, capacity and positive onward connection) of any receiving watercourse to accept and convey all surface water from the site.
- Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.
- Evidence of approval for drainage infrastructure crossing third party land where applicable.
- Provide a surface water management plan demonstrating how surface water flows will be managed during construction to ensure no increase in flood risk off site.
- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term effectiveness.

Reason: A detailed surface water management plan is required to ensure that the development is in accordance with NPPF and local planning policies. It should be ensured that all major developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.

## 10 Archaeology

No development shall take place within the Proposed Mitigation Area shown on Figure 10 of the 'Trial Trench Evaluation and Strip, Map and Sample' report (Oxford Archaeology, October 2024) until an Archaeological Mitigation Strategy (including a Written Scheme of Investigation for any archaeological fieldwork proposed) has been submitted to and approved in writing by the Local Planning Authority. This should detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation. The development, and any archaeological fieldwork, post-excavation analysis, publication of results and archive deposition detailed in the approved documents, shall be undertaken in accordance with the approved Archaeological Mitigation Strategy.

Reason: In order to ensure that satisfactory arrangements are made for the investigation, retrieval and recording of any possible archaeological remains on the site in accordance with the National Planning Policy Framework.

## 11 Arboricultural Method Statement

No works within any phase, other than site investigations, shall take place until an Arboricultural Method Statement and scheme for protection of the retained trees/hedgerows for that phase has been agreed in writing with the Local Planning Authority. This scheme shall include:

- a) A plan showing details and positions of the ground protection areas.
- b) Details and position of protection barriers.
- c) Details and position of underground service/drainage runs/soakaways and working methods employed should these runs be within the designated root protection area of any retained tree/hedgerow on or adjacent to the application site.
- d) Details of any special engineering required to accommodate the protection of retained trees/hedgerows (e.g. in connection with foundations, bridging, water features, hard surfacing).
- e) Details of construction and working methods to be employed for the installation of drives and paths within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- f) Details of timing for the various phases of works or development in the context of the tree/hedgerow protection measures.

All works/development shall be carried out in full accordance with the approved Arboricultural method statement and tree/hedgerow protection scheme.

Reason: To preserve and protect existing trees which have and may have amenity value that contribute to the character and appearance of the area.

## 12 Framework Travel Plan

Prior to the submission of any reserved matters applications, a revised Framework Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Framework Travel Plan shall set out the overarching strategy, objectives, targets, and mechanisms for securing sustainable travel across the development and also include the following:

Details of a daily or more frequent return shuttle bus service to connect the development and travel hubs such as Newark's train stations and the main bus stops within Newark shall be submitted. This bus service shall be operational upon practical completion of the unit(s) and reviewed after at least three months, six months and after twelve months, and thereafter every twelve months and maintained for a period for a minimum period of 10 years from the commencement of the use unless, either a commercial bus service passing within 400 metres of the site comes into operation, or the bus service is proven to be no longer viable. If a commercial service does come into operation, or the bus service is shown to be no longer viable, then the applicant shall seek the written approval of the Local Planning Authority that the service is no longer required.

Subsequently, a Full Travel Plan for each phase or plot of the development shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of that phase or plot. Each Full Travel Plan shall accord with the approved Framework Travel Plan and include site-specific measures, targets, monitoring arrangements, and details of implementation.

All Travel Plans shall be implemented in full, monitored, and reviewed in accordance with the approved details.

Reason: In the interests of sustainable development.

## 13 Bus Shelters

Prior to occupation of any reserved matters phase or subphase, covered and lit bus shelters shall be provided at the bus stops.

Reason: In the interests of encouraging sustainable travel.

## 14 Internal roads

Before development commences on a particular phase, details of the new roads, bus turning facilities, and pedestrian and cycle facilities for that phase, including links to the adjacent development approved under 20/01452/OUTM, shall be submitted and approved by the local planning authority including layout, street lighting, drainage and outfall proposals, and any proposed structural works. The new roads and pedestrian and cycle facilities for that phase shall be implemented in accordance with the approved details, prior to first occupation of the relevant phase.

Reason: To ensure the development is constructed to safe and adoptable standards.

## 15 Securing Onsite Biodiversity Net Gain

A. Any phase biodiversity gain plan shall be in accordance with the Overall Biodiversity Gain Plan approved for the purposes of paragraph 13 of Schedule 7A of the Town and Country Planning Act or such revised version of the overall gain plan submitted to and been approved in writing by the local planning authority.

B. No phase of development shall commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Phase Biodiversity Gain Plan for that phase has been submitted to and been approved in writing by the local planning authority and including:

(a) A non-technical summary;

(b) The roles and responsibilities of the people or organisation(s) delivering the HMMP;

(c) The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Phase Biodiversity Gain Plan for that phase;

(d) The management measures to maintain habitats in accordance with the approved Phase Biodiversity Gain Plan for that phase for a period of 30 years from the completion of development; and

(e) The monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

C. Notice in writing shall be given to the Council when approved works for any phase have started.

D. No operational use of that phase shall take place until:

a) The habitat creation and enhancement works set out in the approved HMMP for that phase have been completed; and

b) A completion report, evidencing the completed habitat enhancements for that phase, has been submitted to, and been approved in writing by the Local Planning Authority.

E. The created and/or enhanced habitat specified in the approved HMMP for that phase shall be managed and maintained in accordance with the approved HMMP for that phase.

F. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP for that phase.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act and to ensure compliance with the NPPF in relation to biodiversity matters and compliance with Amended Core Strategy Core Policy 12 Biodiversity and Green Infrastructure.

#### 16 Time Limit On Supporting Ecology Assessment

If any phase of development hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within 2 years from the date of the planning consent, further update ecological surveys shall be undertaken to:

- a) Establish if there have been any changes in the presence and/or likely absence of protected and notable species; and
- b) Identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and be approved in writing by the local planning authority prior to the commencement of that phase of development.

Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reasons: To ensure compliance with the NPPF in relation to biodiversity matters and compliance with Amended Core Strategy Core Policy 12 Biodiversity and Green Infrastructure.

#### 17 Sustainability Measures

Each application for reserved matters for any building phase shall include details of sustainability measures and environmentally sustainable features proposed to be incorporated into the design of the phase both during its construction and operation, which builds upon the aims of the submitted Energy and Sustainability Statement (dated 03/12/2024) prepared by Cudd Bentley.

Reason: In the interest of tackling climate change and securing a sustainable development.

#### 18 Detailed Lighting Scheme

Each application for reserved matters for any phase or sub-phase shall be accompanied by the submission of a Lighting Design Strategy for Biodiversity (excluding highway street lights) for that phase or sub-phase. The strategy shall:

- a) Identify those areas/features on site where artificial lighting is likely to affect light sensitive species like bats, birds and invertebrates, and likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and which have been approved in writing by the local planning authority. These shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reasons: To ensure compliance with the NPPF in relation to biodiversity matters and compliance with Amended Core Strategy Core Policy 12 Biodiversity and Green Infrastructure.

#### 19 Tritax Roundabout Improvements

No part of any phase of the development shall be occupied/brought into use until the amendments to the Tritax Park roundabout as indicatively shown on Drawing Number 7146-011 have been implemented.

Reason: In the interests of highway capacity and safety.

#### 20 Long Hollow Way Roundabout Improvements

No part of any phase of the development shall be occupied/brought into use until the amendments to the Long Hollow Way roundabout as indicatively shown on Drawing Number 17146-011 have been implemented.

Reason: In the interests of highway capacity and safety.

#### 21 Footpath and Cycle Path

No part of any phase of the development shall be occupied/brought into use until the footpath/cycleway shown indicatively on the Proposed Footpath/Cycleway Plan (Drawing Ref. 16-233-SGP-XX-XX-DR-A-900000 Rev. P07) has been implemented. Prior to its installation, details of the footpath/cycleway including design and specification shall be submitted to and approved in writing by the Local Planning Authority. The footpath/cycleway shall thereafter be installed in accordance with the approved details.

Reason: In the interest of promoting sustainable travel.

## 22 Cycle Parking

No part of the development hereby permitted shall be brought into use in any phase until provision has been made within the site for parking of cycles for that phase in accordance with details submitted to and approved in writing by the Local Planning Authority. The cycle stands shall be located near to the main entrance to the development and be covered, and shall not thereafter be used for any purpose other than the parking of cycles.

Reason: In the interest of promoting sustainable travel.

## 23 External Plant Details

Before the installation of any external plant or machinery, full details of them, including any associated enclosures, shall be submitted to and approved in writing by the Local Planning Authority. Any approved enclosure shall be installed prior to the first use of the plant and shall thereafter be maintained for the life of the development.

Reason: In the interest of residential amenity.

## 24 Air Quality

The mitigation measures set out in sections 7.1 and 7.2 of the submitted Air Quality Assessment carried out by Tetra Tech shall be adhered to throughout the construction phase.

Reason: In the interests of minimising dust during construction.

## **Informatives**

### 01

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

The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.

### 02

This application has been the subject of discussions during the application process to ensure that the proposal is acceptable. The District Planning Authority has accordingly worked positively and pro-actively, seeking solutions to problems arising in coming to its decision. This is fully in accord



Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

03

This planning permission shall not be construed as granting permission to close or divert any right or rights of way that may be affected by the proposed development and in respect of which separate legislation/procedures may apply.

Attention is drawn to the fact that this permission does not entitle the applicant to obstruct in any way the public footpath which crosses the land to which this application relates. If it is intended to divert or stop up the footpath, the appropriate legal steps must be taken before development commences.

04

#### **Biodiversity Net Gain Informative**

The development granted by this notice must not begin unless:

- a) A Biodiversity Gain Plan has been submitted to the planning authority, **and**
- b) The planning authority has approved the plan.

Details about how to comply with the statutory condition are set out below.

#### **Biodiversity Net Gain**

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the condition “the biodiversity gain condition” that development may not begin unless:

- a) a Biodiversity Gain Plan has been submitted to the planning authority, **and**
- b) the planning authority has approved the plan;

#### **OR**

- c) the development is exempt from the biodiversity gain condition.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission is Newark and Sherwood District Council (NSDC). There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. Details of these exemptions and associated legislation are set out in the planning practice guidance on biodiversity net gain ([Biodiversity net gain - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/biodiversity-net-gain))

Based on the information available, this permission is considered by NSDC to require the approval of a biodiversity gain plan before development is begun, because none of the statutory exemptions or transitional arrangements are considered to apply.

The permission which has been granted has the effect of requiring or permitting the development to proceed in phases. The modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

In summary: Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).]

Advice about how to prepare a Biodiversity Gain Plan can be found at [Submit a biodiversity gain plan - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan) and [Biodiversity net gain - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/biodiversity-net-gain)

The Biodiversity Gain Plan should be submitted via the Planning Portal, as an application for approval of details reserved by condition following grant of planning permission.

#### *Irreplaceable habitat*

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

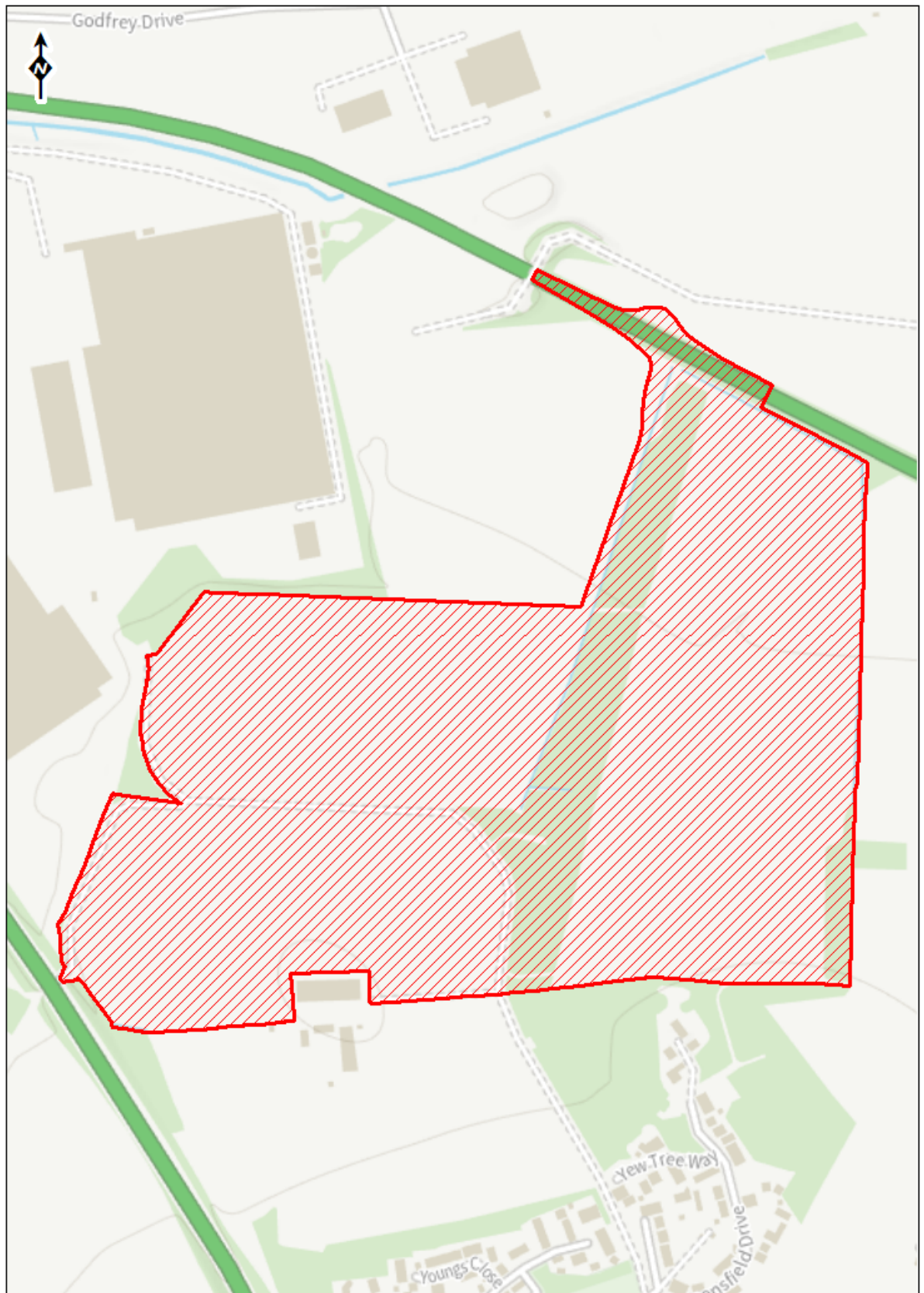
05

For the purposes of part B(d) of condition 16 completion of development is considered to be when the relevant phase comes into operational use.

#### BACKGROUND PAPERS

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Application case file.



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Report to Planning Committee 4 December 2025

Business Manager Lead: Oliver Scott – Planning Development

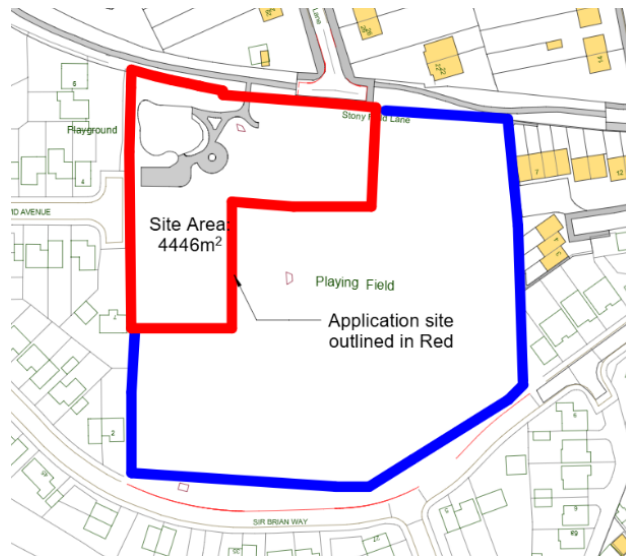
Lead Officer: Kirsty Catlow – Planning Development Officer

Report Summary			
<b>Application No.</b>	25/00409/FUL		
<b>Proposal</b>	Construction of a new Parish Hall, new multi-use games area outdoor court, new phased playground, bin and bicycle store and new car park.		
<b>Location</b>	Playing Field, Crompton Road, Bilsthorpe, NG22 8PS		
<b>Applicant</b>	Bilsthorpe Parish Council - Mrs Vikki Arkell	<b>Agent</b>	LK2 Architects Ltd - Mrs N Battye
<b>Web Link</b>	<a href="#">25/00409/FUL   Construction of a new Parish Hall, new multi use games area outdoor court, new phased play ground, bin and bicycle store and new car park.   Playing Field Crompton Road Bilsthorpe</a>		
<b>Registered</b>	10.03.2025	<b>Target Date</b>	05.05.2025
		<b>Extension of Time</b>	19.12.2025
<b>Recommendation</b>	That Planning Permission is <u>APPROVED</u> subject to the conditions detailed at Section 10.0, and the signing of a Unilateral Undertaking to secure a fee for the monitoring of on-site BNG.		

This application is being referred to the Planning Committee for determination as in the opinion of the Authorised Officer, it would be prudent to refer the application to Planning Committee for decision.

## The Site

- 1.1 The application site comprises of an 'L' shaped piece of land measuring approx. 0.5 hectares in area. The land currently which forms part of the northwestern corner of an existing playing field, accessed off Crompton Road to the southern edge of the built-up settlement boundary of Bilsthorpe. A Public Right of Way (PROW) runs in an east/west direction to the immediate north of the site along Stony Field Lane.



- 1.2 The application site is currently laid to grass and contains several pieces of children's play equipment. To the immediate south of the application site, within the wider playing field, is a skate park and a basketball court, to the east is an area with fixed exercise equipment, with the remainder of the playing fields comprising of open grassland, with an informal football pitch to the south.



- 1.3 The wider playing field site is surrounded by residential properties, mainly comprising of two storey dwellings, with Oldbridge Way wrapping around the southern boundary of the site. The northern boundary of the site, adjacent to the PROW, is enclosed by green mesh fencing, whilst the western boundary of the site, adjacent to residential properties on David Avenue, comprises of close boarded timber fence.





- 1.4 In terms of site constraints, the site is located within Flood Zone 1 and in an area at a low mining risk and within the 5km buffer area for the Natural England ppSPA for nightjar and woodlark.

## **2.0 Relevant Planning History**

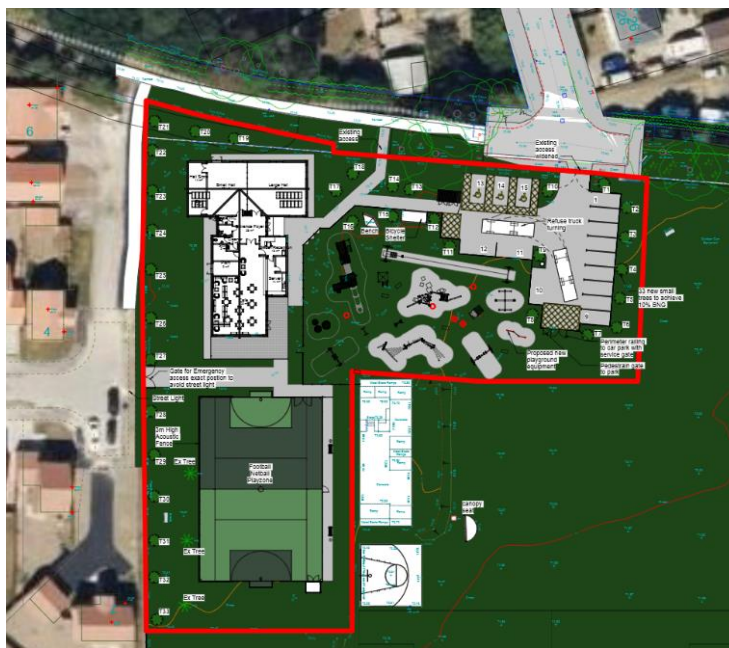
- 2.1. 06/00744/FUL – Erect new community centre and change of use of land to public open space – Application Permitted 18.09.2006.
- 2.2. 05/02305/FUL – Erection of community centre and change of use of agricultural land to public open space – Application Permitted 05.04.2006.
- 2.3. 05/01743/FUL – Installation of new play area including new equipment, fencing, youth shelter, hard and soft landscaping – Application Permitted 20.09.2005.
- 2.4. 05/01542/FUL – Construction of single storey resource centre with associated external works (Revised Application) – Application Withdrawn.
- 2.5. 05/01082/RMA – Erection of single storey resource centre and associated external works – Application Withdrawn.
- 2.6. 04/02689/OUT – Erection of Resource / Community centre and public open space – Application Permitted 08.02.2005.
- 2.7. 01/01036/FUL – Proposed Community Centre – Application Withdrawn.

## **3.0 The Proposal**

- 3.1 The application seeks permission for the construction of a new Parish Hall, multi-use games area, new phased playground, bin and cycle store and new car park.
- 3.2 The proposed Parish Hall would comprise of a single storey building with a 'T' shaped footprint, measuring 28.6m in length and 19.7m in width, located towards the northwestern corner of the site. The Parish Hall would accommodate, an entrance foyer with toilets and stores off, an office, a large seating area/cafe with kitchen/serving area, and a large flexible hall space with bar and store off. The

applicants have advised that the site would be owned and operated by the Parish Council themselves, who will be the key holders, responsible for taking bookings and managing the site. No decision has yet been made on who will operate the proposed café area, this may be individuals employed by the Parish Council, or a separate business operator.

- 3.3 To the south of the new Parish Hall, and to the west of the retained skate park and basketball court, a new multi-use games area (MUGA) is proposed. This would measure 30m by 20m, with 4 x 6m high floodlights (one in each corner), and be surrounded by a 3-4m high fencing. To the east of the new Parish Hall would be a range of new playground equipment including a zip line, climbing frames and swings.



- 3.4 Vehicular access to the site would be from the north off Crompton Road, over Stony Field Lane, which would lead to a car parking area providing 12 standard car parking spaces and 3 disabled spaces, together with a bicycle shelter and bin store. The car park would be bounded by perimeter railings with a service gate to allow access onto the wider playing field. An emergency vehicular access is also proposed along the western boundary of the site off David Avenue.
- 3.5 As part of the proposals, a small number of existing trees would be retained, and 33 new trees would be planted.
- 3.6 Documents assessed in this appraisal:
- Site Location Plan 1339-A-(08)100\_Rev A00
  - Existing Site Plan 1399-A-(08)101\_Rev A00
  - Proposed Site Plan 1399-A-(08)102\_Rev A06
  - Proposed Play zone Plans & Elevations 1339-A-(08)103\_Rev A00
  - Proposed Ground Floor and Roof Plans 1339-A-(08)104 Rev A01
  - Proposed Elevations and Sections 1399-A-(08)105 Rev A01
  - Concept CGI Images 1339-A-(08)106\_Rev A00
  - Phased Playground 1339-A-(08)107\_Rev A00

- Proposed Demolition 1399-A-(08)108\_Rev A00
- Proposed Bike and Bin Store 1399-A-(08)109\_Rev A00
- Topographical Survey 0001
- Proposed Flood Lighting HLS9570
- Bilsthorpe Village Hall Community Survey
- Coal Mining Report dated 21<sup>st</sup> January 2025
- Design and Access Statement
- Ecological Impact Assessment and BNG Metric dated 4<sup>th</sup> February 2025
- Exterior Lighting Installation dated 25<sup>th</sup> November 2024
- Noise Impact Assessment dated 6<sup>th</sup> March 2025
- Statutory Bio-diversity Metric
- Sustainability Statement dated 24<sup>th</sup> February 2025
- Transport Statement dated February 2025
- Tree Survey and Arboricultural Impact Assessment

Received by the Local Planning Authority on 7<sup>th</sup> March 2025

#### **4.0 Departure/Public Advertisement Procedure**

- 4.1 Occupiers of 45 properties have been individually notified by letter. A site notice has also been displayed near to the site.
- 4.2 Site visit undertaken on 25.03.2025

#### **5.0 Planning Policy Framework**

##### **5.1. Newark and Sherwood Amended Core Strategy DPD (adopted March 2019)**

Spatial Policy 1 – Settlement Hierarchy  
 Spatial Policy 2 – Spatial Distribution of Growth  
 Spatial Policy 3 – Rural Areas  
 Spatial Policy 7 – Sustainable Transport  
 Spatial Policy 8 – Protecting and Promoting Leisure and Community Facilities  
 Core Policy 9 – Sustainable Design  
 Core Policy 10 – Climate Change  
 Core Policy 12 – Biodiversity and Green Infrastructure  
 Core Policy 13 – Landscape Character

##### **5.2. Allocations & Development Management DPD (2013)**

DM5 – Design  
 DM7 – Biodiversity and Green Infrastructure  
 DM8 – Development in the Open Countryside  
 DM10 – Pollution and Hazardous Substances  
 DM12 – Presumption in Favour of Sustainable Development

- 5.3. The Draft Amended Allocations & Development Management DPD was submitted to the Secretary of State on the 18<sup>th</sup> January 2024. Following the close of the hearing sessions as part of the Examination in Public the Inspector has agreed a schedule of 'main modifications' to the submission DPD. The purpose of these main modifications



is to resolve soundness and legal compliance issues which the Inspector has identified. Alongside this the Council has separately identified a range of minor modifications and points of clarification it wishes to make to the submission DPD. Consultation on the main modifications and minor modifications / points of clarification took place between Tuesday 16 September and Tuesday 28 October 2025. The Inspector will now consider the representations and finalise his examination report and the final schedule of recommended main modifications.

- 5.4. Tests outlined through paragraph 49 of the NPPF determine the weight which can be afforded to emerging planning policy. The stage of examination which the Amended Allocations & Development Management DPD has reached represents an advanced stage of preparation. Turning to the other two tests, in agreeing these main modifications the Inspector has considered objections to the submission DPD and the degree of consistency with national planning policy. Therefore, where content in the Submission DPD is either not subject to a proposed main modification or the modifications/clarifications identified are very minor in nature then this emerging content, as modified where applicable, can now start to be given substantial weight as part of the decision-making process.

5.5. **Other Material Planning Considerations**

National Planning Policy Framework 2024

Planning Practice Guidance (online resource)

Landscape Character Assessment SPD 2013

Residential Cycle and Car Parking Standards & Design Guide SPD 2021

Nottinghamshire Highway Design Guide 2021

Sport England Playing Fields Policy and Guidance 2018 updated 2021

**6.0 Consultations and Representations**

Please Note: Comments below are provided in summary - for comments in full please see the online planning file.

**Statutory Consultations**

- 6.1. **Nottinghamshire County Council (Highways)** – Do no object. However, the Highways Authority originally advised that the application should not be determined until the applicant had submitted details to satisfactorily address the following:-

- The Transport Statement provides insufficient information to demonstrate if the amount of on-site parking provision is adequate, to determine whether the proposed development would give rise to additional off-site parking, or to determine the impacts of such parking.
- The site access proposals lacks detail to show how safe, pedestrian access would be provided to the site.
- The dimensions of car parking spaces fall below the minimum set out in the Highways Design Guide.

*Following the submission of additional information: -*

The Highways Authority advised as follows:-

- The absence of adequate on-site car parking is likely to only be an amenity issue rather than a highway safety one, provided that double yellow lines can be secured around the turning head.
- Whilst it is acknowledged that the proposal would be for community use, evening events could attract people from further afield.
- In accordance with Paragraph 117 of the NPPF it is important to provide a distinct and segregated route for pedestrians, and this should be secured by way of a Grampian condition.

6.2. **Sport England – No objections.** The proposed development results in a minor encroachment onto the playing field. However, having considered the nature of the playing field, and its ability to accommodate pitches, it is not considered that the development would reduce the sporting capability of the site. The proposal is considered to accord with exception 3 of Sport England's Playing Fields Policy and paragraph 104 of the NPPF.

6.3. **The Coal Authority – No objections.** The site falls within the Development Low Risk Area.

#### **Town/Parish Council**

6.4. **Bilthorpe Parish Council – No response received.** Bilthorpe Parish Council are the applicants.

#### **Representations/Non-Statutory Consultation**

6.5. **NSDC Environmental Health (Public Protection) – No objections.** The noise report is based on operating hours for the community centre of 08:00- 22:00 Sun- Thurs and 08:00- 23:30 Fri and sat, with music to cease by 23:00. The MUGA is stated to be in use 08:00- 22:00. These hours should be conditioned on any permission granted.

Sources of noise at the community centre have been identified as plant noise and entertainment noise. Current plant details are not known, however the report recommends a Condition limiting the rating level of plant at receptors to no higher than existing background levels (Section 4.2). I would suggest such a condition be attached to any permission granted.

Music breakout is calculated to be within acceptable levels, subject to all external doors and windows being kept closed when entertainment is taking place.

Noise from the MUGA is predicted to comply with relevant standards, subject to an appropriate acoustic barrier being installed, in line with Section 4.4 and figure 4.2 of the report. This barrier should be installed prior to use of the MUGA commencing. Anti-vibration washers should also be fitted as per Section 4.2 to reduce ball impact noise.

Lighting calculations have been provided for both the community centre/ play area and the MUGA. These show that the proposed lighting complies with guidance and levels at nearby receptors will be acceptable. Lighting should therefore be installed in accordance with the submitted plans.

- 6.6. **NSDC Ecology** - I can confirm that the proposal would not have any impacts on designated sites, priority habitats, protected or priority species. This, combined with delivery of a mandatory minimum 10% measurable biodiversity net and the provision of an integrated bat or bird boxes within the new buildings would, in my opinion, represent compliance with relevant national and local planning policy concerning biodiversity.

As it is the local planning authority's obligation to ensure that proposed enhancements are achieved and maintained, there will be a need for the authority to monitor this. Consequently, a proportionate monitoring fee will be required, and should be secured by a separate, simple, Unilateral Undertaking, should the application be granted approval.

The most appropriate mechanism for securing precautionary working methods would be via a Construction Environmental Management Plan (CEMP).

Lighting during construction work should be positioned to ensure the adjacent off-site trees, particularly to the north, remain unlit and I recommend that a low level lighting scheme for the operational period is secured through a condition.

Details for the bat and bird boxes should be secured by condition.

- 6.7. **NSDC Sport and Communities Officer** – No comments received.

- 6.8. Comments have been received from 20 local residents, 6 in support and 14 opposed to the proposals, which can be summarised as follows:

- 6.9. Grounds of Support

- A much-needed modern community facility within a growing village, which should not be prevented based on the loss of the heritage museum
- Proposed facilities would be for multi-purpose and multi-generational use
- The existing village hall is in a state of disrepair
- Provide opportunities for exercise / socialising / improve mental health
- Job creation / Economic benefits
- Sport England do not object to the proposals

- 6.10. Grounds of Objection

- Highway Safety – increase in traffic near a primary school and homes, particularly during construction

- Narrow site access and insufficient on-site car parking would lead to an increase in on street car parking
- Site not easily accessible by bus
- Loss of existing green space and trees
- Safety of play areas during construction
- Noise / Light Pollution / Litter / Anti-social behaviour / Target for Arson
- Loss of existing Heritage Centre / New Community Centre should be built on existing site
- Costs associated with the construction and running of the facility

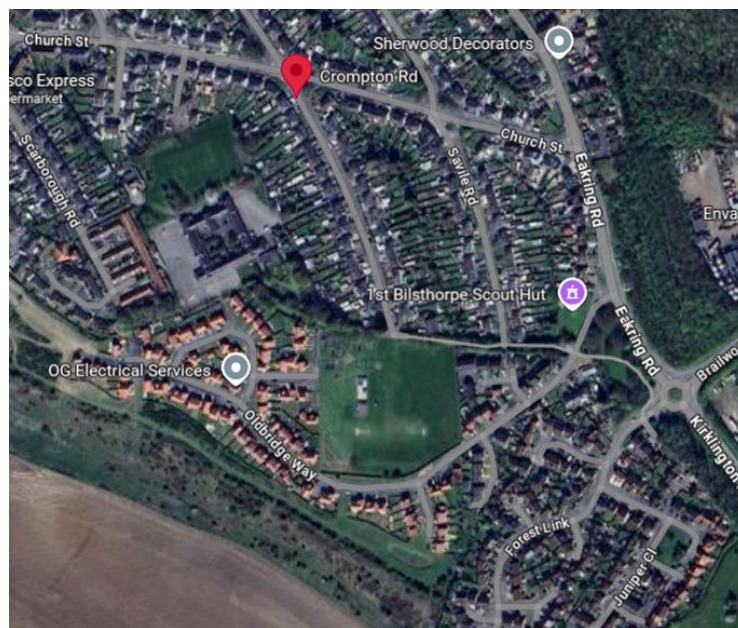
## **7.0 Appraisal**

### **Principle of Development**

- 7.1. The National Planning Policy Framework (NPPF) promotes the principle of a presumption in favour of sustainable development and recognises the duty under the Planning Acts for planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. The NPPF refers to the presumption in favour of sustainable development being at the heart of development and sees sustainable development as a golden thread running through both plan making and decision taking. This is confirmed at the development plan level under Policy DM12 'Presumption in Favour of Sustainable Development' of the Allocations and Development Management DPD.
- 7.2. The adopted Core Strategy details the settlement hierarchy that will help deliver sustainable growth and development in the District. The intentions of this hierarchy are to direct new development to the Sub-regional Centre, Service Centres and Principal Villages, which are well served in terms of infrastructure and services. Bilsthorpe is identified as a Principal Village, which has a good range of day-to-day facilities.
- 7.3. On the adopted Local Plan, the site lies outside of the village envelope, as defined by the Allocations & Development Management DPD, and as such is deemed to fall within the open countryside on the edge of Bilsthorpe.



- 7.4. However, it is noted that since the village envelope was drawn, there has been significant residential development to the east, south and west of the site, resulting in the site being surrounded on all four sides by housing, and being encompassed into the main built-up part of the settlement.



- 7.5. As detailed above, the Newark and Sherwood Amended Allocations & Development Management DPD has been submitted to the Secretary of State and is at advanced stage of preparation. Under the amended DPD the application site would be located within the village boundary of Bilsthorpe.



- 7.6. However, as there is an outstanding objection to this revision from a third party, the weight that the emerging DPD can carry is currently limited and the assessment should be made against the existing DPD and any other material planning consideration. Spatial Policy 3 'Rural Areas' of the Newark and Sherwood Amended Core Strategy DPD states *"Development not in villages or settlements, in the open countryside, will be strictly controlled and restricted to uses which require a rural setting. Policies to deal with such applications are set out in the Allocations & Development Management DPD"*. As a result, Officers are of the view that the application should still be assessed against Policy DM8 (Development in the Open Countryside). If Members conclude that the site is located within the village boundary, the proposals will still need to comply with the policy requirements of Policy SP8 (Protecting and Promoting Leisure and Community Facilities) due to the proposal seeking to provide new community provision.
- 7.7. Policy DM8 (Development in the Open Countryside) of the A&DM(DPD) reaffirms that development in the open countryside will be strictly controlled and limited to the certain types of development. The use of land for community and recreational uses requiring land in the countryside is supported on sites **in close proximity to settlements**. Spatial Policy 8 supports new provision of new and enhanced community and leisure facilities, particularly where they address a deficiency in current provision and where they meet an identified needs of communities and in particular any deficiencies in current provision. It goes on to state that in the case of existing open space, including playing fields, where development is proposed for alternative sports and recreational provision, then demonstration will be required that the need for development clearly outweighs the impact of the loss.
- 7.8. Policy SP8 goes on to state that;

*'The loss of existing community and leisure facilities through new development requiring planning permission will not be permitted, particularly where it would reduce the*

*community's ability to meet its day-to-day needs, unless it can be clearly demonstrated that:*

- Its continued use as a community facility or service is no longer feasible, having had regard to appropriate marketing (over an appropriate period of time and at a price which reflects its use, condition and local market values), the demand for the use of the site or premises, its usability and the identification of a potential future occupier; or*
- There is sufficient provision of such facilities in the area; or*
- That sufficient alternative provision has been, or will be, made elsewhere which is equally accessible and of the same quality or better as the facility being lost.'*

*In the case of existing open space, sports and recreational buildings and land, including playing fields, where development is proposed for alternative sports and recreational provision, then demonstration will be required that the need for development clearly outweighs the impact of the loss. Small-scale development that is ancillary to existing open space and recreational land and which would result in a small loss of space will be supported, providing that it contributes toward the improvement and better use of the remainder.'*

- 7.9. The NPPF supports access to open space and opportunities for sport and physical activity as it is important for the health and well-being of communities. Paragraph 104 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: (a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or (b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or (c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.
- 7.10. Sport England's Playing Fields Policy and Guidance 2018 updated 2021, states that *"The proposed development affects only land incapable of forming part of a playing pitch and does not:*
- reduce the size of any playing pitch;*
  - result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);*
  - reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;*
  - result in the loss of other sporting provision or ancillary facilities on the site; or*
  - prejudice the use of any remaining areas of playing field on the site.'*
- 7.11. The application site comprises of an existing playing field containing a range of play equipment. The application proposes the creation of a new Parish Hall building, to provide a community hub containing 3 functions rooms served by bars / kitchens, together with toilet facilities, which would allow the flexible space to be used for a wide



range of community uses. Externally a new MUGA is proposed adjacent to the existing skate park and basketball court, together with a range of new play equipment to replace that being lost to the new Parish Hall building. The proposal would result in the loss of some existing play equipment, and some encroachment onto the existing playing field. The existing outdoor gym equipment, skate park, half basketball court and informal play pitch would remain.

- 7.12. Having regard to DM8, the application site is located on the edge of the built-up settlement of Bilsthorpe and is now surrounded on all four sides by residential development. As a result, Officers are of the view that the site is in close proximity to the settlement of Bilsthorpe to enable the use to be well connected to an existing sustainable population.
- 7.13. As detailed above, Policies DM8 and SP8 support new and enhanced community and leisure facilities, particularly where they address a deficiency in current provision, and where they meet the identified needs of communities.
- 7.14. In terms of deficiency in current provision and the need for the proposed Parish Hall building, the proposed development would replace the existing Parish Hall building located on Cross Street, which, due to its poor state and condition, it is no longer financially viable for it to be repaired and restored. It has not been utilised for community use since Covid times.



- 7.15. At present the Parish Council and other community organisations, which previously utilised the former Parish Hall, are having to find alternative venues, or are in obeyance. The Parish Council currently hold their meetings at Burton Court Community Centre, Bilsthorpe, however these facilities are very limited as to what they can offer the wider community due to their small size. It is also noted that another community venue within the village, on the former St Johns Ambulance site, has been sold and is currently being developed for housing, further reducing the community facilities within Bilsthorpe. Furthermore, there has been significant housing growth within Bilsthorpe in recent years, largely comprising of family homes. As such, it is considered that there is a genuine need for a purpose-built Parish Hall within the settlement. In addition to the



Parish Hall building, the existing play equipment, which would be lost as a result of the proposals, would be replaced with a wide range of modern play equipment, the quality and quantity of which would be over and above what is currently in situ, thereby improving the existing facilities. Furthermore, the proposed MUGA would provide a versatile sports facility for uses such as football, tennis and netball, which would complement the existing skate park and basketball court.

- 7.16. The proposal would result in some encroachment into the existing playing field. Sport England have advised that such encroachment would be minor, and having considered the nature of the playing field, and its lack of any formal playing pitches, it is not considered that the development would reduce the sporting capability of the site. The proposal is therefore considered to accord with exception 3 of Sport England's Playing Fields Policy and paragraph 104 of the NPPF.
- 7.17. As such, it is considered that there is a genuine need for the multi-functional community facilities proposed close to the settlement of Bilsthorpe, and that any losses would be outweighed by the benefits. The proposal would therefore accord with the aforementioned policies.
- 7.18. Many local residents have expressed a strong preference for the site of the Parish Hall building on Cross Street, which is also owned by the Paish Council and houses the Bilsthorpe Heritage Museum, to be utilised for new community facilities, as opposed to this site. There are also concerns that the site on Cross Street will be developed for housing in the future. However, the District Council has a duty to consider the acceptability of all planning applications submitted, which, in this case, is for a new community facility to be provided on the playing fields site off Crompton Road. Any future development on the Cross Street site would be subject to a separate planning application.

#### Impact upon Character of the Area

- 7.19. Core Policy 9 states that the Council will expect a high standard of sustainable design that contributes to and sustains the rich local distinctiveness of the District. This is reflected in Policy DM5 which states that the character of the District's built form should be reflected in the scale, form, mass, layout, design, and materials of new development. Policy CP13 states that new development should positively conserve and enhance the landscape.
- 7.20. The proposed Parish Hall building would comprise of a single storey building with a pitched roof, to be finished externally in timber cladding with a standing seam roof in slate grey, and window and door frames in dark grey.



7.21. Whilst the building would have a large footprint, given the size of the existing playing field, and its proposed siting away the site boundaries, the building would not appear too large or cramped in relation to its surroundings. The single storey nature of the building would also ensure that it would not appear out of scale with the nearby two storey residential properties or visually intrusive when viewed from the PROW to the north. Whilst the materials palette of the area comprises of a mix of white render (Crompton Road) and red brick (Oldbridge Way) this relates to the existing housing stock surrounding the site. Given the different type of community building proposed here, it is not deemed necessary to duplicate such materials here. The site is not located within a Conservation Area nor within the setting of any listed buildings, and despite the concerns raised by local residents, the use of timber cladding and a standing seam roof would respect the overall design concept of this modern community building, and would not result in harm to the overall visual amenities of the area.

7.22. In terms of the play equipment, this visuals provided indicate that this would be constructed of timber which would not appear visually harmful.



7.23. The proposed MUGA would be surrounded by 3m high fencing, however the ball stop mesh fencing would be a dark green, and the acoustic fencing would be timber, which are typical for such facilities. Furthermore, as part of the proposals, 33 new trees would to be planted around the peripheries of the site which would provide some soft landscape screening and help assimilate the building and play equipment into their surroundings.

- 7.24. As such, the scale, design and appearance of the proposals would meet the aforementioned policies.

Impact upon Residential Amenity

- 7.25. Policy DM5 of the DPD states that the layout of development within sites and separation distances from neighbouring development should be sufficient to ensure that neither suffers from an unacceptable reduction in amenity including overbearing impacts, loss of light and privacy. The NPPF also seeks to ensure a high standard of amenity for all existing and future occupants of land and buildings.
- 7.26. The proposals would be sited towards the west of the site, beyond which is a relatively new housing development of two storey detached dwellings accessed off David Avenue. These dwellings are set off the shared boundary, behind a private driveway, and separated by an existing 2m high close boarded timber fence.



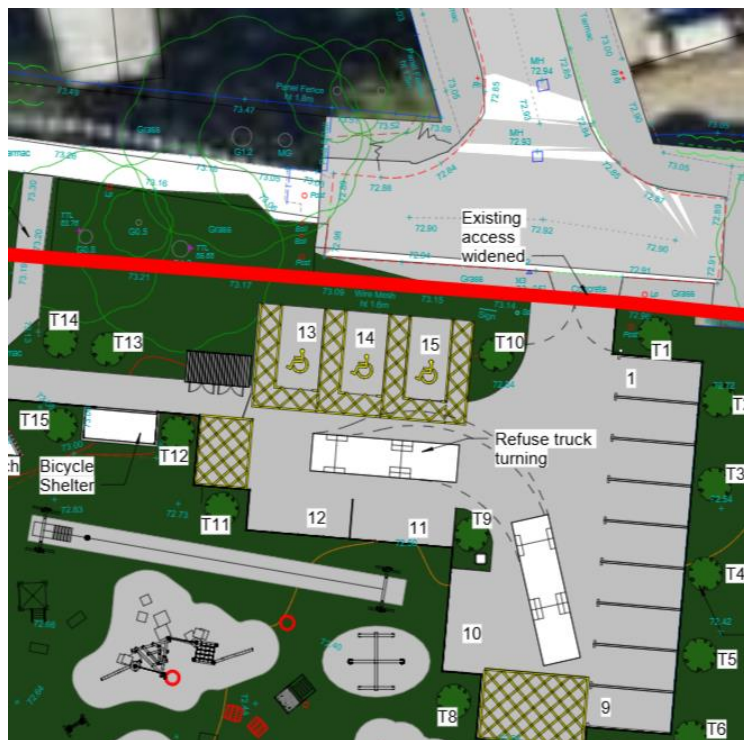
- 7.27. In terms of the Parish Hall buildings, this would be sited approx. 8m away from the western boundary with David Avenue. Given these separation distances, the existing screening, and the single storey nature of the building, it is not considered that the proposed building would result in harm through loss of light, privacy or by appearing overbearing.
- 7.28. Similarly, the proposed MUGA would be located towards the west of the site, but again, it would be set off the boundary by approx. 10m. It would be sited further south, opposite the vehicular turning head at the end of David Avenue, but it would be within approx. 12m of the side elevation of 7 David Avenue. The MUGA would be surrounded by 3-4m high fencing, however given the separation distance, the intervening highway and the existing boundary treatment, it is not considered that it would appear visually intrusive or overbearing when viewed from no.10.
- 7.29. In terms of noise, a Noise Impact Assessment has been submitted in support of the application. This identifies that the three potential sources of noise from the proposal would be from external plant fixed to the proposed building, music breakout from the hall, and the use of the MUGA.

- 7.30. In terms of fixed external plant, there are currently no details of the plant at this stage, however given the residential nature of the immediate area, it is considered reasonable and necessary to limit the noise levels from such installations so as not to exceed the current background noise levels. This could be controlled by a suitably worded condition.
- 7.31. The application advises that the proposed opening hours of the Parish Hall building would be 08:00-22:00 Sundays to Thursday and 08:00-23:30 on Fridays and Saturday, with music ceasing at 23:00. In order to protect the residential amenities of neighbouring properties, it is considered reasonable and necessary to condition these opening hours. In terms of music breakout from the proposed Parish Hall building, following consultation with the Council's Environmental Health Team, they advise that music breakout is calculated to be within acceptable levels, subject to all external doors and windows being kept closed when entertainment is taking place. Again, this could be controlled by a suitably worded condition.
- 7.32. With regards to the use of the MUGA, this is predicted to be within acceptable noise levels, subject to an appropriate acoustic barrier being fitted. The scheme includes the provision of a 3m high acoustic timber fence to the MUGA, and a condition will be attached to any approval requiring the acoustic fencing (and the green ball stop mesh fencing) to be installed before the MUGA is brought into use, and retained as such thereafter.
- 7.33. With regards to the proposed lighting of the MUGA, this would comprise of 4 flood lights, one in each corner, facing into the MUGA. Lighting calculations have been submitted in support of the proposals, and the Environmental Health Team have confirmed that the proposed lighting complies with guidance, and that the levels at nearby receptors (i.e. David Avenue) would be acceptable. A condition is proposed which would require the lighting to be installed in accordance with the submitted flood lighting plan.
- 7.34. Subject to the conditions as detailed above, it is not considered that the proposal would result in harm to the living conditions of neighbouring residents, and would therefore accord with the aforementioned policies.

#### Impact upon Highway Safety

- 7.35. Spatial Policy 7 of the Core Strategy seeks to ensure that vehicular traffic generated does not create parking or traffic problems. Policy DM5 of the DPD requires the provision of safe access to new development and appropriate parking provision.
- 7.36. Paragraph 116 of the NPPF provides 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.
- 7.37. In this instance, the main highways safety considerations relate to the acceptability of the proposed new access arrangements, the safety of pedestrians and car parking levels.
- 7.38. In terms of vehicular access, the existing vehicular access to the site, at the end of

Crompton Road, would be utilised as the main vehicular access to the site (there is also an emergency gated access proposed to the west of the site, via David Avenue). It is proposed to widen the existing access off Crompton Road to allow two-way traffic. The submitted proposed site plan demonstrates that the internal circulation area would be large enough to accommodate a turning area for refuse vehicles, allowing them to enter and exit the site in a forward gear.



- 7.39. Following consultation with the Local Highways Authority, they raise no objections in principle to the use of this access to serve the proposed development, however they did raise concerns that insufficient information has been provided to demonstrate that a safe pedestrian route from Crompton Road would be provided to the site. It is noted that a separate existing pedestrian access to the site, located off the existing PROW along Stony Field Lane, would be retained. However, a condition is proposed requiring a footway, linking the application site to the existing footway to the north of the site on Crompton Road, to be provided before the new Parish Hall building is brought into use. Subject to such a condition, it is considered that the proposed access would be safe.
- 7.40. With regards to car parking levels, the submitted site plan proposes a total of 15 car parking spaces, 12 standard spaces and 3 disabled spaces. The LHA originally raised concerns that the submitted Transport Statement did not provide sufficient information to demonstrate that the amount of on-site parking proposed would be adequate to serve the proposal. This could potentially give rise to additional off-site parking, the levels of which could not be quantified.
- 7.41. The existing playing field does not currently have any dedicated off-street car parking. The proposed MUGA is an additional play facility to complement the existing play facilities on site, and to serve the local community. As a result, it is anticipated that users of the MUGA would travel there by foot, scooter or bike. As such it is only

considered to be reasonable to expect parking to be provided for the additional Parish Hall building and the MUGA.

- 7.42. Based upon the guidance contained within the Nottinghamshire County Council's Highways Design Guide, leisure centres and assembly halls are required to provide one space per 50m<sup>2</sup> for visitors, plus 1 space per 5 employees. Based upon the proposed new floor space of 359m<sup>2</sup>, this would equate to 8 visitor spaces and 1-2 employee spaces, which the proposed development would provide. However, it is acceptable that the Parish Hall building proposes to include a café, and could also accommodate events such as weddings within the large hall. Therefore, in order to address the concerns of the LHA, the applicants subsequently undertook car parking surveys on Crompton Road. The surveys carried out on weekday evenings and weekend days concluded that there was limited on street parking occurring along Crompton Road, therefore any overspill parking from the proposals could be accommodated on street. No surveys were carried out during weekend evenings.
- 7.43. Based on the above evaluation, Officers are satisfied that the number of car parking spaces proposed would be adequate to serve the proposed development the vast majority of the time, without causing excessive over spill on-street car parking, which would be detrimental to the free and safe flow of traffic along Crompton Road.
- 7.44. However, it is possible that the Parish Hall building may occasionally host events (e.g. a wedding reception or party) where a larger number of guests may arrive by car, generating additional car parking demand, over and above what could reasonably be accommodated either on-site or on-street. A condition is therefore proposed which requires the submission of a traffic management plan, setting out the measures which will be adopted to meet such an increase in demand for car parking at the site. For example, it is noted that the applicants own additional land to the south of the dedicated car parking area, which is accessible by cars through a gated access, and which could be utilised for occasional 'event parking' managed by martialts.
- 7.45. In order to maintain a clear and safe entrance to the site, a condition is also proposed which would require measures (double yellow lining) to prevent car parking within the turning head to the north of the site on Crompton Road is also proposed.
- 7.46. The proposed site plan also includes covered cycle storage to encourage the use of alternative sustainable modes of transport.
- 7.47. Subject to the conditions as set out above, it is not considered that the proposed development would result in unacceptable impacts upon highway safety, nor would the residual cumulative impacts on the road network be severe, as set out in Paragraph 116 of the NPPF.

#### Flood Risk and Drainage

- 7.48. The site lies within Flood Zone 1 according to the Environment Agency's flood maps and is at a very low risk from surface water flooding. The sequential test as set out in DM5 and the NPPF is therefore not applicable. Developments are however required to proactively manage surface water run off (CP10 and DM5).



- 7.49. The applicant has indicated that both foul water and surface water will drain to the existing public sewers. However, the proposed car park area is proposed to have a permeable surface and base construction sections, to provide an underground surface water attenuation crate system, to ensure that surface water for the new building and car park area will not increase surface water run-off. Attenuated water will drain to an existing public surface water drain via a slow-release discharge, to ensure that no surge flow is generated during events of high intensity rainfall.
- 7.50. This matter falls outside the technical expertise of the Council, and the drainage plan has not been reviewed by either the Lead Local Flood Authority or the relevant Water body as the site does not fall within a critical drainage area or area of flood risk and does warrant a statutory consultation to the LLFA. As such, the applicant would need to seek technical approval of this drainage strategy with the relevant drainage body and would need to obtain the relevant consent to discharge into a mains sewer.

#### Impact on Trees, Ecology and Biodiversity

- 7.51. Core Policy 12 of the Amended Core Strategy DPD seeks to secure development that maximises the opportunities to conserve, enhance and restore biodiversity. Policy DM5 of the Allocations & Development Management DPD states that natural features of importance within or adjacent to development sites should, wherever possible, be protected and enhanced. Policy DM7 states that new development should protect, promote and enhance green infrastructure to deliver multi-functional benefits and contribute to the ecological network.

#### *Trees*

- 7.52. With regards to trees, there are a number of trees located within the application site and the wider playing field site. The application has been supported by a Tree Survey and Arboricultural Assessment, which concludes that all of the trees along the northern boundary of the site, adjacent to the PROW, are to be retained and are outside the influence of the construction works. There is one mature tree on the application site which would be removed as part of the proposals. This comprises of a semi-mature ash located within the picnic area which is in a good condition and has no signs of defects or disease.



- 7.53. The loss of this one tree would be mitigated by the proposed new tree planting proposed on the site which would be secured through the standard BNG condition, and whose condition would be monitored for the next 30 years. To the south of the site are five young trees comprising of wild cherry, white beam and oak, which are also proposed to be removed. The stem of one of these trees has been snapped and is to be replaced, the remaining four trees are capable of being transplanted to other locations within the recreation ground, and again this would be secured through the BNG condition.

#### *Ecology*

- 7.54. The site is void of any existing buildings, however as detailed above, there are a number of mature trees immediately adjacent to the site which may provide opportunities for roosting bats. The site also lies within the RSPB's Important Bird Area's boundary of the Sherwood Forest ppSPA (possible potential Special Protection Area) for nightjar and woodlark. The submitted Tree Survey and Arboricultural Report includes an assessment of potential wildlife on the site. It concludes that the potential for bats to be present within the trees on site is negligible. In terms of birds, all trees and scrub on the site has the potential to support nesting birds, and an informative will be attached to any approval advising the contractor to avoid any works to trees during the bird breeding season.

#### *BNG*

- 7.55. Biodiversity Net Gain (BNG) is a way of creating and improving natural habitats. BNG makes sure development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development. In England, BNG became mandatory (under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021)) for 'minor sites' on 2 April 2024. This legislation sets out that developers must deliver a minimum BNG of 10% - this means a development will result in more, or better quality, natural habitat than there was before development.



- 7.56. The application has been supported by the statutory Biodiversity Metric which concludes that the proposed development would result in a gain of 0.09 Habitat Units, which would be equivalent to a 11.30% uplift. The majority of this uplift would be from the translocation of existing young trees and new small tree planting, largely along the western boundary and around the proposed building. As a result, the proposal would deliver a minimum BNG of 10%.
- 7.57. The Council's Ecology Team have confirmed that they do not object to the proposal subject to conditions to secure on site bio-diversity net gain, and a Unilateral Undertaking to secure BNG monitoring fees for the next 30 years.

#### Other Matters

- 7.58. **Community Infrastructure Levy (CIL)** – The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.

### **8.0 Implications**

- 8.1. In writing this report and in putting forward recommendations officers have considered the following implications; Data Protection, Equality and Diversity, Financial, Human Rights, Legal, Safeguarding, Sustainability, and Crime and Disorder and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

#### **Legal Implications – LEG2526/1150**

- 8.2. Planning Committee is the appropriate body to consider the context of this report. A Legal Advisor will be present at the meeting to assist on any legal points which may arise during consideration of the application.

### **9.0 Conclusion**

- 9.1. It is considered that there is a demonstrable need for new and enhanced community facilities in this edge of settlement location, and that the benefits of the proposals would outweigh the limited encroachment into the existing playing field, which does not contain any formal playing pitches. Subject to suitably worded conditions, the proposed development would not result in harm to the character or appearance of the area, residential amenity, highway safety, protected species, or trees. Nor would it increase the chances of flooding elsewhere. The proposed development would also provide the requisite 10% bio-diversity net gain on site.
- 9.2. It is therefore recommended that Planning Permission is approved subject to the conditions set out below, and the signing of a Unilateral Undertaking to secure a fee for the monitoring of on-site BNG.

### **10.0 Conditions**

## **01**

The development hereby permitted shall not begin later than three years from the date of this permission.

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

## **02**

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

- Site Location Plan 1339-A-(08)100\_Rev A00
- Proposed Site Plan 1399-A-(08)102\_Rev A06
- Proposed Play Zone Plans & Elevations 1339-A-(08)103\_Rev A00
- Proposed Ground Floor and Roof Plans 1339-A-(08)104 Rev A01
- Proposed Elevations and Sections 1399-A-(08)105 Rev A01
- Phased Playground 1339-A-(08)107\_Rev A00
- Proposed Demolition 1399-A-(08)108\_Rev A00
- Proposed Bike and Bin Store 1399-A-(08)109\_Rev A00

Received by the Local Planning Authority on 7<sup>th</sup> March 2025

Reason: So as to define this permission.

### **Pre-commencement Conditions**

## **03**

A. The Biodiversity Gain Plan shall be prepared in accordance with the principles set out in the 'Ecological Impact Assessment and Biodiversity Gain Assessment Report' dated 4 February 2025 prepared by Paul Hickling Associates Ltd.

B. The development shall not commence until a Habitat Management Plan (the HMP), in the form of a detailed annotated plan, prepared in accordance with the approved Biodiversity Gain Plan and including:

- (i) The location and summary description of the features to be maintained and/or enhanced, or created to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (ii) The proposed actions to enhance or create the features, in accordance with the approved Biodiversity Gain Plan and the timing of those actions;

(iii) The management measures to maintain habitats in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and

(iv) The roles and responsibilities of the people or organisation(s) delivering the HMP. has been submitted to, and approved in writing by the local planning authority.

C. Notice in writing shall be given to the local planning authority:

(i) Confirming that the HMP has been implemented. This shall be submitted within 1 month of the date of implementation.

(ii) Confirming that the habitat creation and enhancement works as set out in the HMP have been completed. This shall be via a completion report, evidencing that the habitat creation and/or enhancement works as set out in the HMP have been completed. This shall be submitted to, and be approved in writing by the local planning authority within 6 months of completion of the development.

D. The created and/or enhanced habitat specified in the approved HMP shall be managed and maintained in accordance with the approved HMP.

Reason: To ensure that the development delivers a measurable biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act and therefore maximises opportunities to conserve, enhance and restore biodiversity in accordance with NSDC's Amended Core Strategy Policy 12.

#### **04**

No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

a) Risk assessment of potentially damaging construction activities.

b) Identification of "biodiversity protection zones".

c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).

d) The location and timing of sensitive works to avoid harm to biodiversity features.

e) The times during construction when specialist ecologists need to be present on site to oversee works.

f) Responsible persons and lines of communication.

g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

h) Use of protective fences, exclusion barriers and warning signs.

i) Details of any lighting to be used during the construction phase to ensure this is sensitive to any foraging bats.

j) An annotated plan providing a summary of the elements covered by items b), c), d), e) h) and i).

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard protected biodiversity as required by the National Planning Policy Framework, ADMDPD Policy DM5 and Core Strategy Policy 12.

#### **Pre-Installation/Pre-Occupation Conditions**

##### **05**

No part of the development hereby permitted shall be brought into first use until full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority These details shall include:

- a) Full details of every tree, shrub, hedge to be planted (including its proposed location, species, size and approximate date of planting). The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species;
- b) means of enclosure, including details of acoustic fencing;
- c) car parking layouts and materials;
- d) hard surfacing materials.

Reason: In the interests of visual amenity, sustainable travel and biodiversity.

##### **06**

The new Parish Hall building hereby approved shall not be brought into first use until the approved hard landscaping scheme has been completed. The approved soft landscaping shall be completed during the first planting season following the first use of the new Parish Hall building hereby permitted, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees/shrubs which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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

##### **07**

The new Parish Hall building hereby approved shall not be brought into first use until the proposed bin and cycle store has been provided on site, in accordance with the details shown

on the Proposed Bike and Bin Store plan ref: 1399-A-(08)109\_Rev A00 received by the Local Planning Authority on 7<sup>th</sup> March 2025. The bin and cycle stores shall thereafter be retained and maintained as such.

Reason: In the interest of highway safety and promoting sustainable modes of transport.

## **08**

The new Parish Hall building hereby approved shall not be brought into first use until details of litter bins upon the application site, including siting, dimensions and design, have been submitted to and approved in writing by the local planning authority. The litter bins shall be installed prior to the new Parish Hall building hereby approved being brought into first use, and shall be retained as such thereafter.

Reason: To ensure that appropriate provision is secured for litter disposal.

## **09**

The new Parish Hall building hereby approved shall not be brought into first use until details of a bat box and a bird box have been submitted to, and approved in writing by the Local Planning Authority. The submitted details shall include the type and location of the proposed boxes, and details for fixing them into place. The approved bat and bird boxes shall be installed prior to the new Parish Hall building hereby approved being brought into first use, and photographic evidence of the installed boxes shall be submitted to the Local Planning Authority in order to fully discharge this condition.

Reason: To provide a measurable gain for biodiversity as required by the NPPF, and maximise opportunities to enhance biodiversity as required by Core Strategy Policy 12.

## **10**

The new Parish Hall building hereby approved shall not be brought into first use until the widened access, car parking, circulation and turning areas, as shown on Proposed Site Plan 1399-A-(08)102\_Rev A06 received by the Local Planning Authority on 7<sup>th</sup> March 2025, have been provided in bound but permeable material, with measures to prevent surface water run-off onto adopted highway. The widened access, car parking, circulation and turning areas shall be retained and maintained as such thereafter.

Reason: In the interests of highway safety.

## **11**

The new Parish Hall building hereby approved shall not be brought into first use until measures to prevent car parking within the turning head to the north of the site on Crompton Road have been provided, in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of pedestrian and highway safety.

## **12**

The new Parish Hall building hereby approved shall not be brought into first use until a footway linking the application site to the existing footway to the north of the site on Crompton Road has been provided, in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of pedestrian and highway safety.

### **13**

The new Parish Hall building hereby approved shall not be brought into first use until a Traffic Management Plan, setting out the measures proposed to meet any additional demand for off-street car parking at the site, over and above what could be accommodated within the proposed dedicated car parking area, has been submitted to and approved in writing. The approved Traffic Management Plan shall operate throughout the life of the development.

Reason: In the interests of highway safety.

### **14**

The MUGA hereby approved shall not be brought into first use until the acoustic fencing and the green ball stop mesh fencing have been installed in accordance with the Proposed Playzone Plans and Elevations plan ref: 1399-A-(08)103\_Rev A00, received by the Local Planning Authority on 7<sup>th</sup> March 2025, and section 4.4 of the Noise Impact Assessment Report by Environmental Noise Solutions Limited dated 6<sup>th</sup> March 2025.

Reason: In the interests of residential amenity.

### **Compliance Conditions**

### **15**

The development hereby permitted shall be constructed entirely of the materials details submitted as part of the planning application.

Reason: In the interests of visual amenity.

### **16**

The use of the new Parish Hall building hereby approved shall only take place during the following hours:-

08:00 - 22:00 Sundays to Thursdays

08:00 - 23:30 Fridays and Saturdays

The use of the MUGA hereby approved shall only take place during the following hours:-

08:00 - 22:00 on any day.

Reason: In the interests of residential amenity.

### **17**

There shall be no amplified music played in the new Parish Hall building outside the following times 12.00 (midday) – 23.00 on any day.

Reason: In the interests of residential amenity.

## **18**

All external doors and windows contained within the new Parish Hall building hereby approved shall be kept closed (except for access and egress) during times when amplified music is being played within the building.

Reason: In the interests of residential amenity.

## **19**

Should any fixed external plant be installed upon the site, it shall be installed so as not to emit noise levels any higher than the existing background noise levels, when measured from the nearest noise sensitive receptor, in accordance with section 4.2 of the Noise Impact Assessment Report by Environmental Noise Solutions Limited dated 6<sup>th</sup> March 2025.

Reason: In the interests of residential amenity.

## **20**

The MUGA hereby approved shall only be floodlit in accordance with the lighting details as shown on the Proposed Floodlighting plan ref: HLS9570 received by the Local Planning Authority on 7<sup>th</sup> March 2025.

Reason: In the interests of visual and residential amenity.

## **Informatives**

### **01**

This application has been the subject of discussions during the application process to ensure that the proposal is acceptable. The District Planning Authority has accordingly worked positively and pro-actively, seeking solutions to problems arising in coming to its decision. This is fully in accord Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

### **02**

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

The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.

### **03**

The development granted by this notice **must not begin unless:**

- a) A Biodiversity Gain Plan has been submitted to the planning authority, and
- b) The planning authority has approved the plan.

Details about how to comply with the statutory condition are set out below.

Biodiversity Net Gain

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the condition "the biodiversity gain condition" that **development may not begin unless:**

- a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- b) the planning authority has approved the plan;

OR

- c) the development is exempt from the biodiversity gain condition.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan in respect of this permission is Newark and Sherwood District Council (NSDC).

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. Details of these exemptions and associated legislation are set out in the planning practice guidance on biodiversity net gain (Biodiversity net gain - GOV.UK ([www.gov.uk](http://www.gov.uk))) However in this case the Council consider that this development is not exempt and mandatory Biodiversity Net Gain does apply here.

#### 04

For purposes of Part C(ii) of condition 03, the first occupation of the new Parish Hall building hereby approved, would represent completion of the development.

#### 05

Sport England seek to ensure that new facilities are fit for purpose and well designed. Sport England sought the views of the Football Foundation and England Netball on the design of the Play Zone, who advise as follows:-

England Netball:

- There needs to be a metre gap between the fence and the goal line of the netball court. Currently the designs are showing the line markings right next to the fence. The thirds should all remain equal in size. A sand dressed surface is suitable for this type of facility.
- This proposal is not known as a Play Zone with the Football Foundation. Would like to discuss with the applicant any support required for activation.

Football Foundation:

- The Play Zone designs would adhere to relevant design guidance. The Play Zone is not a project that has received FF or Nottinghamshire FA support and were not engaged as part of the Nottinghamshire portfolio of Play Zones. The FF and Nottinghamshire FA would reach out to the site operator to see if there is an opportunity to connect and support with the usage



and operation of the Play Zone facility.

## **06**

Nesting birds are protected by the Wildlife and Countryside Act 1981 (as amended). It is an offence to intentionally or recklessly kill, injure or take any wild bird; take, damage or destroy its nest whilst in use or being built; and/or take or destroy its eggs. Normally it is good practice to avoid work potentially affecting nesting birds during the period 1st March to 31st August in any year, although birds can nest either side of this period.

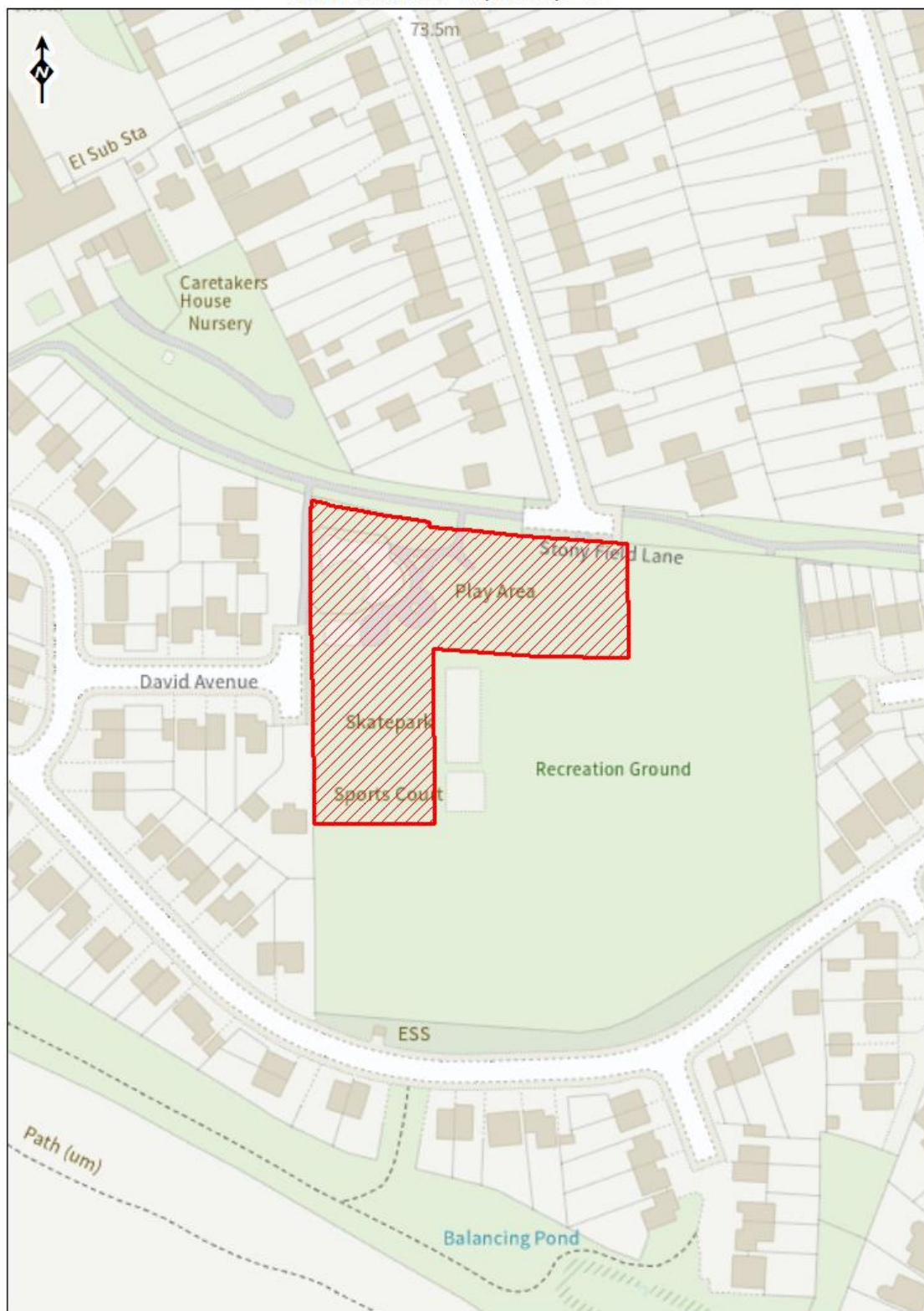
## **07**

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.

### **BACKGROUND PAPERS**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Application case file.



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Report to Planning Committee 4 December 2025

Business Manager Lead: Oliver Scott – Planning Development

Lead Officer: Ellie Sillah, Senior Planner (Planning Development)

Report Summary			
<b>Application Number</b>	25/00785/FUL		
<b>Proposal</b>	Proposed Development of Nine detached dwellings along with associated Garages, Access Road and Landscaping.		
<b>Location</b>	Land to the north of 14 Cottage Close Blidworth NG21 0QE		
<b>Applicant</b>	Mr Lee Evans	<b>Agent</b>	
<b>Web link</b>	<a href="https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=SW5KD8LBM2N00">https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=SW5KD8LBM2N00</a>		
<b>Registered</b>	12th May 2025	<b>Target Date</b>	7th July 2025 EOT until 22 <sup>nd</sup> August 2025
<b>Recommendation</b>	Grant Planning Permission subject to the conditions set out at section 10.0 of this report and Unilateral Undertaking for monitoring of BNG.		

This application is being referred to the Planning Committee for determination by the local ward member, Councillor Thompson, due to the following concerns:

- Highway safety concerns with the proposed access and speeding traffic – there would be a need for traffic lights
- Infrastructure should be thought about prior to any builds, and new sewerage pipes added instead of overloading existing ones
- Concerns over existing flooding - the road does flood at the bottom of Main Street, Dale Lane area because of blocked drains

## **1.0 The Site**

- 1.1 The application site is located to the north of dwellings fronting Cottage Close and Main Street, Blidworth and is within the conservation area. The site comprises undeveloped land, approximately 0.69 hectares in size. Marriott Lane bounds the site to the west, and a new residential development lies to the south (just outside of the conservation area). The site is bordered by mature hedgerow as well as sporadic trees. The ground levels of the site are not level, with a downward slope towards the north. The site has the following constraints:
- Conservation Area

## **2.0 Relevant Planning History**

- 2.1 20/02114/OUTM Outline Planning Application (all Matters Reserved) for erection of 21 dwellings, entrance road and garages – Refused (reasons in relation to heritage harm, highways safety, surface water drainage, developer contributions).

## **3.0 The Proposal**

- 3.1 This application seeks permission for 9 detached dwellings on the site, with a new access proposed from Main Street to the south (adjacent no.14 Cottage Lane). The dwellings would be large family homes - 5 of the dwellings would have 4 bedrooms and 4 would have 5 bedrooms. The proposed site plan is shown below:



3.2

3.3 Documents assess in this appraisal:

- 056 101 REV A PLOT 1 PLANS AND ELEVATIONS received 12<sup>th</sup> May 2025
- 056 102 REV A PLOT 2 PLANS AND ELEVATIONS received 12<sup>th</sup> May 2025
- 056 103 REV A PLOT 3 PLANS AND ELEVATIONS received 12<sup>th</sup> May 2025
- 056 104 REV A PLOT 4 PLANS AND ELEVATIONS received 12<sup>th</sup> May 2025
- 056 105 REV A PLOT 5 PLANS AND ELEVATIONS received 12<sup>th</sup> May 2025
- 056 106 REV A PLOT 6 PLANS AND ELEVATIONS received 12<sup>th</sup> May 2025
- 056 107 REV A PLOT 7 PLANS AND ELEVATIONS received 12<sup>th</sup> May 2025
- 056 108 REV A PLOT 8 PLANS AND ELEVATIONS received 12<sup>th</sup> May 2025
- 056 109 REV A PLOT 9 PLANS AND ELEVATIONS received 12<sup>th</sup> May
- 2025056 - 110 REV B PLOTS 1 5 AND 7 GARAGE PLANS AND ELEVATIONS received 25<sup>th</sup> July 2025
- 056 - 112 REV B PLOTS 3 8 AND 9 GARAGE PLANS AND ELEVATIONS received 25<sup>th</sup> July 2025
- 056 - 201 REV F SITE LAYOUT PLAN received 8<sup>th</sup> OCTOBER 2025
- 056 - 204 REV B SITE SECTIONS D-D E-E received 25<sup>th</sup> July 2025
- 0001 REV P SITE ACCESS LAYOUT received 25<sup>th</sup> July 2025
- 0002 REV P02 SITE ACCESS LONGITUDINAL SECTIONS received 25<sup>th</sup> July 2025
- 056 - 207 VEHICLE TRACKING received 25<sup>th</sup> July 2025
- Speed Survey Summary received 4<sup>th</sup> July 2025
- Visibility Calculations received 4<sup>th</sup> July 2025
- Design and Access Statement received 12<sup>th</sup> May 2025
- Biodiversity Gain Plan received 12<sup>th</sup> May 2025

- PHASE 2 PRE-DEVELOPMENT ARBORICULTURAL REPORT received 12<sup>th</sup> May 2025
- Location Plan received 12<sup>th</sup> May 2025
- Small Sites Metric received 5<sup>th</sup> June 2025
- Preliminary Ecology Survey received 5<sup>th</sup> June 2025
- Heritage Statement received 12<sup>th</sup> May 2025
- 0001 REV 0 TOPOGRAPHICAL SURVEY received 12<sup>th</sup> May 2025

#### **4.0 Departure/Public Advertisement Procedure**

- 4.1 Occupiers of 30 properties have been individually notified by letter. A site notice has also been displayed near to the site and an advert has been placed in the local press.
- 4.2 Site visit undertaken on 13<sup>th</sup> June 2025.

#### **5.0 Policy Planning Framework**

##### **5.1 Newark and Sherwood Amended Core Strategy DPD (adopted March 2019)**

Spatial Policy 1 - Settlement Hierarchy  
 Spatial Policy 2 - Spatial Distribution of Growth  
 Spatial Policy 3 – Rural Areas  
 Spatial Policy 7 - Sustainable Transport  
 Core Policy 3 – Housing Mix, Type and Density  
 Core Policy 9 -Sustainable Design  
 Core Policy 10 – Climate Change  
 Core Policy 12 – Biodiversity and Green Infrastructure  
 Core Policy 13 – Landscape Character  
 Core Policy 14 – Historic Environment

##### **5.3 Allocations and Development Management DPD (2013)**

DM1 – Development within Settlements Central to Delivering the Spatial Strategy  
 DM5 – Design  
 DM7 – Biodiversity and Green Infrastructure  
 DM9 – Protecting and Enhancing the Historic Environment  
 DM12 – Presumption in Favour of Sustainable Development

- 5.4 The [Draft Amended Allocations & Development Management DPD](#) was submitted to the Secretary of State on the 18th January 2024. Following the close of the hearing sessions as part of the Examination in Public the Inspector has agreed a schedule of 'main modifications' to the submission DPD. The purpose of these main modifications is to resolve soundness and legal compliance issues which the Inspector has identified. Alongside this the Council has separately identified a range of minor modifications and points of clarification it wishes to make to the submission DPD. Consultation on the main modifications and minor modifications / points of clarification took place between Tuesday 16 September and Tuesday 28 October 2025. The Inspector will now consider the representations and finalise his examination report and the final schedule of recommended main modifications.

- 5.5 Tests outlined through paragraph 49 of the NPPF determine the weight which can be afforded to emerging planning policy. The stage of examination which the Amended Allocations & Development Management DPD has reached represents an advanced stage of preparation. Turning to the other two tests, in agreeing these main modifications the Inspector has considered objections to the submission DPD and the degree of consistency with national planning policy. Therefore, where content in the Submission DPD is either not subject to a proposed main modification or the modifications/clarifications identified are very minor in nature then this emerging content, as modified where applicable, can now start to be given substantial weight as part of the decision-making process.

5.6 Other Material Planning Considerations

National Planning Policy Framework 2024

Planning Practice Guidance (online resource)

National Design Guide - Planning practice guidance for beautiful, enduring and successful places September 2019

Residential Cycle and Car Parking Standards & Design Guide SPD June 2021

Planning (Listed Buildings and Conservation Areas) Act 1990

Conservation Area Appraisal

Housing Needs Survey

**6.0 Consultations and Representations**

Please Note: Comments below are provided in summary - for comments in full please see the online planning file.

**Statutory Consultations:** For guidance on Statutory Consultees see Table 2: [Consultation and pre-decision matters - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/consultation-and-pre-decision-matters)

- 6.1. **Nottinghamshire County Council (Highways):** No objection subject to conditions.
- 6.2. Comments received 18.08.2025 - *Following the Highway Authority's initial comments dated 14<sup>th</sup> July 2025, revised plans have been received that satisfies the County Council's gradient requirements. Some of the driveway lengths appear short. The applicant is referred to the County Council's Highway Design Guide. A bin store will also be required to cater for bins from the shared private drive. The most appropriate location would appear to be between plots 2 and 3 where a tree is currently detailed. Subject to these changes the Highway Authority would be happy to support the application subject to conditions.*
- 6.3. Comments received 27.10.2025 - *Further to the Highway Authority's consultation responses of the 18<sup>th</sup> of August 2025, a revised plan has now been received reference 056-201 Rev F that addresses previous concerns. Consequently, the Highway Authority has no objection to the proposal subject to conditions.*
- 6.4. Officer note: The recommended conditions have been included at the end of this report.
- 6.5. **Town/Parish Council:**



**Blidworth Parish Council** – Strong objection to application. Access is dangerous and inappropriate. Within the conservation area – the development is not fitting with the character of the village and is further ‘overdevelopment’ on greenfield space.

**Representations/Non-Statutory Consultation:**

- 6.6. **NSDC Conservation:** *Having assessed comments in the pre-app of PREAPP/00136/24 from the previous conservation officer, the development would not preserve or enhance the Conservation Area.*
- 6.7. *The scale of the dwellings (which were not provided during pre-app stage) are extensive and dominate the immediate rural character. The lane, hedgerow and the low-stone wall on the main road all form part of the character of the Conservation Area. These would be impacted on a less than substantial level of harm especially by the removal of the stone wall for the access (which is historic).*
- 6.8. *To summarise, the setting of the rural character of the site, the lane and historic wall are all key features, and the scheme would fail to enhance or preserve the Conservation Area.*
- 6.9. **NSDC Ecology:** The most recent comments (received 25<sup>th</sup> November 2025) reiterate that there are professional disagreements in relation to the BNG assessment and that amendments would be required when it comes to discharging the statutory BNG condition. The SUDS pond (Bioswale), four urban trees, the (assumed) grassland surrounding these and the proposed two new hedgerows H3 and H4 will represent significant on-site enhancement and will need to be secured by an appropriate planning condition, and monitoring fees secured most likely via a Unilateral Undertaking. Given the relatively small area of the on-site BNG and the habitat types involved that will require monitoring, it would be disproportionate to require the HMMP to include monitoring and for the submission of regular monitoring reports. In this instance it is considered that monitoring would most effectively be achieved by occasional visual inspections by the local planning authority. There would be a relatively modest charge for this. If the application were granted planning approval, planning conditions are recommended to make the application acceptable in terms of relevant national and local planning policy concerning biodiversity matters. The conditions include a condition to secure the on-site BNG; a CEMP condition; and Faunal Enhancement Plan. These conditions have been included at the end of the report.
- 6.10. **Comments have been received from 24 third parties/local residents that can be summarised as follows:**
- Concerns regarding position of access onto Main Street – dangerous, not suitable for traffic, difficult bend on a hill, visibility concerns, speeding cars, narrow road,
  - Concerns for pedestrian safety
  - Change in levels will be very steep and in the winter will be inaccessible when there is snow and ice
  - Would cause increase in traffic and congestion



- Concerns that development will cause loss of privacy to neighbouring dwellings and gardens
- Area is 'natural break' between conservation area and the new development
- Surrounding area has already been overshadowed by the large estate recently built on the Meadows, New Lane.
- Impact on the character of the area and landscape – currently characterised by low density housing and open green space
- Would detrimentally affect the conservation area
- Area is unstable
- Concerns construction will cause cracks from vibration, noise, dust and disturbance
- Narrow pavement – construction will obstruct this further
- Development has been refused time and time again
- Concerns for wildlife in field including red kites, a barn owl, and bats
- Concern that the work on the wall would damage its integrity
- Concerns regarding local services – difficult to get doctors appointment and local school is full
- No social housing included in the plans
- Already lots of new homes within Blidworth
- Field was intended to be protected as wildlife haven
- Query over site layout plan and ownership of corner of land (plot 4)
- Impact on neighbouring amenity (Plot 1) - Overbearing impact, overshadowing, and loss of privacy
- Field is peaceful and should be protected
- No clear advantages of development to local community
- Query as to if planning officers visit the site before making decisions
- **Officer note:** A number of submitted comments reference the site as being within the Green Belt however to clarify, the site is not within the Green Belt which is defined on the Policies Map.

## 7.0 Appraisal

7.1 The key issues are:

- Principle of Development
- Impact on the Character of the Area
- Impact on Amenity
- Impact on Highway Safety
- Impact on Ecology
- Biodiversity Net Gain

7.2 The National Planning Policy Framework (NPPF) promotes the principle of a presumption in favour of sustainable development and recognises the duty under the Planning Acts for planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. The NPPF refers to the presumption in favour of sustainable development being at the heart of development and sees sustainable development as a golden thread running through both plan making and decision taking. This is confirmed at the development plan level under Policy DM12 'Presumption in Favour of Sustainable Development' of the Allocations and Development Management DPD.

Principle of Development

7.3 Blidworth is identified in Spatial Policies 1 and 2 as a Principal Village, whereby new residential development is acceptable in principle subject to site specific impacts. These are discussed below.

Housing Mix

7.4 Core Policy 3 sets out the housing mix, type and density expectations for new development. The policy states the District Council will seek to secure new housing development which adequately addresses the housing need of the District, namely family housing of 3 bedrooms or more; smaller houses of 2 bedrooms or less; and housing for the elderly and disabled population. The District Council will seek to secure an appropriate mix of housing types to reflect local housing need.

7.5 The most up to date housing needs survey was carried out in 2020. The district is divided into sub-areas. Blidworth falls within the Mansfield Fringe area. The need for the area is set out in the table below:

Table 5.8 Dwelling mix and future development priorities: Mansfield Fringe				
Dwelling type and number of bedrooms	Current stock profile (%)	Market need profile (%)	Affordable rented need profile (%)	Intermediate need profile (%)
1 to 2-bedroom house	9.3	12.0	0.0	6.0
3-bedroom house	41.8	26.9	42.5	35.8
4 or more-bedroom house	21.7	34.3	32.2	35.8
1-bedroom flat	2.3	2.5	11.0	0.0
2 or more-bedroom flat	2.1	0.0	0.0	0.4
1-bedroom bungalow	0.0	0.0	0.0	2.4
2-bedroom bungalow	13.6	3.5	14.2	7.9
3 or more-bedroom bungalow	6.9	20.7	0.0	11.7
Other	2.2	0.0	0.0	0.0
Total	100.0	100.0	100.0	100.0

7.6

7.7 The highest need is for 4 or more bedrooms houses (34.3%). The scheme includes 4x 5 bed dwellings and 5x 4 bed dwellings. This does not reflect the broader mix that the table sets out, however it is noted that it would meet the greatest market need (4 and 5 bed dwellings), which would contribute to the need for larger family homes in the District overall. As the scheme is relatively small scale (under 10 dwellings) it is not considered that the lack of smaller homes should be a reason to refuse the application.

7.8 Core Policy 3 states that development densities in all housing developments should normally be no lower than an average 30 dwellings per hectare net. Development densities below this will need to be justified, taking into account individual site circumstances. The density equates to approximately 13 dwellings per hectare (9 dwellings on a site approximately 0.69 hectares in size). This is below the average, however given the context of the site within the conservation area (discussed further in the next section), it is considered that this lower density is required to limit the level of harm to the character and appearance of the conservation area and its rural character. Therefore the lower density in this case is acceptable.

#### Impact on Visual Amenity, the Character of the Area and the Conservation Area

7.9 The site is within the conservation area, therefore Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is relevant. Section 72 states (inter-alia), 'with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

7.10 Core Policy 14 and DM9 reflect this and seek to preserve and enhance the heritage assets within the district. Core Policy 9 and DM5 seek to ensure that development reflects the local distinctiveness of the district. Part 12 of the NPPF reflects this, and requires new development to be visual attractive, to be sympathetic to local character and history, including the surrounding built environment and landscape setting, and to establish or maintain a strong sense of place.

7.11 Part 16 of the NPPF sets out at paragraph 212 that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight

should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

- 7.12 Paragraph 215 goes on to state that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 7.13 The site as existing is undeveloped land, and contributes to the character of the conservation area, forming a break from development between the dwellings to the south and the recent residential development to the north (which is located outside of the conservation area). The Council's conservation team has been consulted on the application, and they have raised concerns with the scheme, referring to the comments that were provided at pre-application stage. The pre-application comments are detailed below:

*The site is located within Blidworth Conservation Area. The conservation area was originally designated in 1977 due to the medieval origins and is laid out in a relatively linear formation over the rising topography.*

*The buildings within the Conservation Area are a mixture of houses, cottages, public houses and agricultural buildings predominantly dating from the 18th and 19th century, constructed in red brick (some rendered and limewashed) with pantile roofs. Some of the buildings have possible earlier timber framed remains. The character and appearance is typified by the vernacular construction and traditional palette of materials. The greenery and mature trees interspersed within and surrounding the village enhances the rural appearance and makes a positive contribution to the overall character.*

*The field comprising the proposal site itself has no known intrinsic special interest, however, the openness of the site makes a positive contribution to the rural character of the conservation area. Although this part of Blidworth have some modern developments within the vicinity (in and outside the conservation area), the development of the site will inevitably erode this rural openness. However, sensitive development may be possible.*

*The layout shown within the pre-application submission shows a modern development of 9 detached dwellings set within a cul-de-sac. The proposed development pattern and house type do not reflect the historic and traditional and therefore is unlike to preserve or enhance the character and appearance of the conservation area. Alternative house types and development form should be considered for the development of this site.*

- 7.14 There are no significant changes from the pre-application enquiry proposal to what has been submitted for this full application in terms of the number of dwellings or the layout, therefore the above comments continue to be relevant. In addition, the comments on the current application raise concerns with the proposed new access onto Main Street (access was not proposed with the pre-application enquiry and therefore not raised as a concern specifically). The new access would require the partial removal of a stone wall which stretches along the frontage of Main Street and contributes positively to the character of the conservation area. The remainder of the wall to be retained would also need to be set back to allow adequate visibility splays. Mature trees would need to be removed to allow for the

access and this greenery adds to the rural character of the area, which would subsequently be lost.

- 7.15 The scheme does include some traditional features, such as flush casement and sash windows, the use of stone cills and headers, dentel brickwork eaves detail, traditional chimney details and reduced gable sizes to reflect the gable sizes in the conversation area. These positive details could be conditioned if approved.
- 7.16 The dwellings would be constructed in 'tumbled red brick' (Plots 1,3,4,6,7,8), 'tumbled split faced stone' (Plots 2,5, and 9), all with slate grey roof tiles. The scale of the dwellings is large (three storey detached properties), each with a detached or attached garage, compared to dwellings immediately south (on Cottage Lane) which are red brick bungalows. It is noted that the existing bungalows sit on a higher ground level than the site and therefore the impact of the scale would be somewhat minimised. It is also acknowledged that the bungalows are of modern construction and have a neutral impact on the character of the conservation area as existing.
- 7.17 Plots 4, 5, and 6 would be positioned with the rear elevations and gardens backing onto Marriott Lane. The site plan indicates the existing hedgerow along this boundary would be retained, which is welcomed. Although it would be the rear elevations facing the lane, given the set back position (minimum 14m to rear elevation), it is not considered this would have a detrimental impact on the character of the lane, as the retained hedge would provide some screening and would retain the rural character of the area.
- 7.18 There is variety in terms of dwelling types within the locality, therefore although the designs of the dwellings do not necessarily reflect the historic character of the conservation area, it is not considered the designs are harmful. However, as existing the undeveloped site contributes positively to the character of the conservation area, and therefore developing the site for residential use would result in less than substantial harm to the character of the conservation area, as the built form would erode the openness of the site. In addition, the partial loss, and realignment of the stone boundary wall to Main Street, and the loss of the trees, would result in less than substantial harm. It should be noted that the level of harm is considered to be minor and therefore at the lower end of the scale.
- 7.19 In accordance with the NPPF, where development would result in less than substantial harm, this should be weighed against the public benefits of the proposal. This is considered in the planning balance and conclusion section of this report.

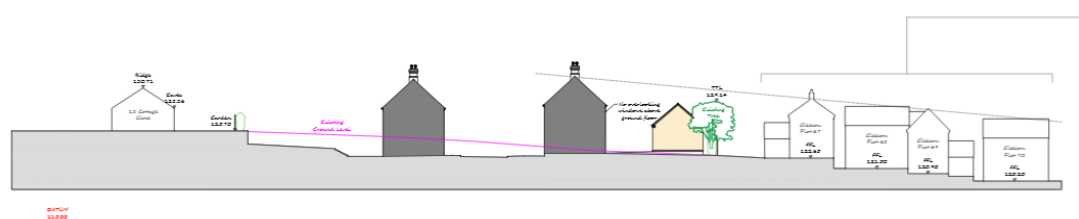
#### Impact on Residential Amenity

- 7.20 Policy DM5 and Part 12 of the NPPF seek to ensure that adequate levels of amenity are achieved for future occupiers of new development and that amenity for neighbouring occupiers is not adversely impacted in relation to overbearing impact, loss of light, loss of privacy and noise levels.
- 7.21 The following section drawings have been submitted to demonstrate the relationship between the proposed dwellings, the neighbouring bungalows to the north, and the new development to the south (approved under application 20/00475/FULM). The fuscia line shows the existing ground levels and the section drawing shows that the site would be

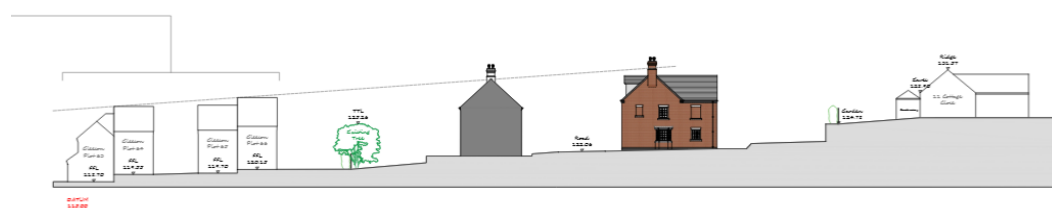
levelled, resulting in the ridge height of the closest dwelling being at a similar height to the bungalows to the south (due to the ground level differences).



Section A-A



Section B-B



Section C-C

7.22

7.23 The minimum back-to-back separation distances between the new development and surrounding properties is 14.9m, however this is measured from Plot 9 to what is likely to be an extension or a garage to 12 Cottage Close (as can be seen in the below plan). The rear elevation of no.12 is stepped and the distance from Plot 9 to the furthest point of the rear elevation is 22.14m (therefore over the accepted 21m rule of thumb). Plot 6 is a minimum of 7.2m from the neighbouring dwelling on Cottage Close, however it is the side elevation of Plot 6 which would face south, with no windows. The elevation would not extend across the entire boundary of the rear garden to 8 Cottage Close, but approximately a third. Given the difference in land levels (Cottage Close being on higher ground), plus the boundary treatments, it is not considered that the relationship would result in unacceptable impacts on amenity for future occupants or neighbouring occupants.



7.24

7.25 The comments from neighbours regarding residential amenity have been considered and it is acknowledged that the immediate environment would be altered for existing occupiers. The outlook to the rear would change from an undeveloped field to dwellings, however views are not a material consideration. Overbearing impact, loss of light and privacy have all been assessed and it is not considered there would be any unacceptable impacts due to separation distances, positioning of the dwellings, and the lower ground level of the site. Overall, it is considered the layout and proposed amenity spaces for future occupants are acceptable and that on balance, there would be no unacceptable impacts on neighbouring amenity.

7.26 Noise has been raised as a concern, however it is not considered that an additional 9 dwellings would result in a significant increase in noise levels within the surrounding area. Although immediate neighbours may notice a difference, any typical domestic noise coming from the development would not be a reason to refuse the application (E.G cars coming and going, children playing in gardens etc). Noise, dust and any disturbance in relation to the construction phase would need to be managed through a construction management plan to ensure construction did not take place at unsociable times (evenings, weekends etc) and is carried out safely. This can be secured by condition.

#### Impact on Highways Safety

7.27 A new access is proposed for the development off Main Street to the south of the site. The ground levels are significantly different with Main Street situated on a lower level than the site. Objections have been received from local residents with concerns regarding the access.

7.28 NCC Highways have been consulted on the application and initially objected on the grounds that it had not been demonstrated that safe and suitable access could be achieved. This related to the gradient of the access and visibility splays. Further information and amended plans were submitted which have now satisfied the Highway Authority in relation to access and highway safety, subject to conditions.

7.29 Further comments raised a query in regard to driveway lengths and noted that a bin collection point would be required for the private drive section (plots 3, 4, 5, 6 and 7). A revised site layout plan has been submitted with the following changes:

- Moved position of garages to Plots 1 and 2 to provide minimum driveway length of 6.1m, without encroaching on the root protection area (RPA) of any trees to be retained.
- A bin collection area to serve the properties accessed off the private driveway (Plots 3-7) has been included in front of plot 2.

7.30 The above changes have addressed the final concerns raised by NCC Highways. The comments received on 27<sup>th</sup> October 2025 confirm no objection subject to conditions. These conditions have been included at the end of this report, or incorporated into other conditions (E.G. the wheel washing condition is part of a construction management condition and it is not necessary to repeat this as a separate condition).

7.31 Given there is no objection from NCC Highways, and they are satisfied that safe and suitable access can be achieved, the proposal complies with Spatial Policy 7, DM5 and DM5(b) of the emerging plan, and Part 9 of the NPPF. The objections from local residents have been noted, however it is considered that the concerns have been addressed through the revised plans.

#### Impact on Trees

7.32 An Arboricultural report has been submitted as part of the application. In summary, the proposal would require the removal of a group of silver birch trees in the southeast corner of the site to accommodate the proposed access, as well as a small, young sycamore tree. The report includes a Tree Constraints Plan of the existing site layout, a Tree Constraints Plan of the proposed site layout and a tree protection plan. Aside from those mentioned, all other trees on site would be retained.

7.33 The group of birch trees are categorised as B2 – trees of a quality that are worth retaining. Although ideally the trees should be retained (in accordance with Policy DM7), the loss of this group of trees is not considered to be a reason to refuse the application, particularly given the loss would be accounted for in the biodiversity net gain calculations and therefore compensated for (albeit off-site). The proposed site plan does include new tree planting, which can also be secured by condition and would go some way to mitigating the loss.

7.34 Section 5 of the report sets out the Arboricultural Method Statement including tree protection measures – these can be secured by condition. It is noted that the tree protection plan in the report is based on an earlier version of the proposed layout, and therefore an updated tree protection plan can be secured by condition.

#### Impact on Ecology

7.35 Policy DM5 states that where it is apparent that a site may provide a habitat for protected species, development proposals should be supported by an up-to date ecological assessment.

7.36 The site falls within the zone of influence of an area that may be classified as a Special Protection Area in the future, hereafter referred to as a possible potential Special Protection Area (ppSPA), due to its significance for breeding birds, specifically nightjar and woodlark. Since this is neither a formal designation or a potential SPA, it is often overlooked or missed during usual desk study procedures. Natural England have produced an Advice Note which



details a risk-based approach for developments within and in close proximity to the ppSPA area to consider potential impacts on breeding nightjar and woodlark. However, in this instance the site is located approximately 500m away from the nearest area of the ppSPA and it is considered that the majority of the habitats within the site would be unsuitable to support these species. Therefore, the proposals would not have any impact on any site afforded either a statutory or non-statutory designation for its nature conservation interest, or any future designation of land within the Sherwood Forest area as an SPA.

7.37 Initially, the Ecology Officer reviewed the submitted application and advised that the following were required:

- PEA report
- Statutory Biodiversity Metric
- Updated Biodiversity Statement
- PBRA (within the PEA report)

7.38 Additional information was subsequently submitted which has been reviewed and the following comments provided (summary):

7.39 *I can confirm that the proposal would not have any impacts on designated sites, priority habitats, protected or priority species. This, combined with delivery of a mandatory minimum 10% measurable biodiversity net gain and the provision of faunal enhancements would, in my opinion, represent compliance with relevant national and local planning policy concerning biodiversity. The most appropriate mechanism for the precautionary working methods would be via a Construction Environmental Management Plan: Biodiversity (CEMP(B)) secured by a planning condition. Details for the bat and bird boxes and hedgehog highway could be provided via a simple annotated Faunal Plan, showing the proposed location of the hedgehog highways and boxes and summary details regarding the box design and their installation.*

7.40 The requested conditions are included in the list at the end of this report. Subject to compliance with the conditions there are no concerns regarding protected species. BNG is discussed separately in a following section.

7.41 **Community Infrastructure Levy (CIL) –**

7.42 The site is located in the Housing Low Zone of the CIL charging schedule where CIL is zero rated, therefore the development would result in no CIL charge.

### **Biodiversity Net Gain**

7.43 In England, BNG became mandatory (under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021)) from February 2024. BNG is an approach to development which makes sure a development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development. This legislation sets out that developers must deliver a minimum BNG of 10% - this means a development will result in more, or better quality, natural habitat than there was before development.

- 7.44 The Ecology Officer disagrees with the submitted calculations and has requested amendments (specifically in relation the value assigned to the grass type on site). The agent has submitted a letter from their Ecologist (Armstrong Ecology) justifying their assessment and calculations. It is acknowledged on both sides that off-site BNG would be required to achieve the mandatory 10% net gain. On site net gain is also proposed as shown on the proposed site plan, in the form of a SUDS pond (Bioswale), four urban trees, the grassland surrounding these, and the proposed two new hedgerows H3 and H4. The Council's Ecologist has confirmed the on-site BNG would qualify for Tier 1 relief in terms of the monitoring fee (therefore would be £1033). The monitoring fee would need to be secured by a legal agreement. It is not confirmed where the off-site net gain would be sourced, however this does not need to be finalised prior to determination.
- 7.45 Government guidance is clear regarding decisions and discharge of the deemed biodiversity gain condition "*...it would be generally inappropriate for decision makers, when determining a planning application for a development subject to biodiversity net gain, to refuse an application on the grounds that the biodiversity gain objective will not be met*". As such, the professional disagreement regarding the calculations, and the unknown factors in terms of where the net gain will be achieved are not reasons to refuse the application.

## **8.0 Implications**

- 8.1 In writing this report and in putting forward recommendation's officers have considered the following implications: Data Protection, Equality and Diversity, Financial, Human Rights, Legal, Safeguarding, Sustainability, and Crime and Disorder and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

### **8.2 Legal Implications – LEG2526/2131**

- 8.3 Planning Committee is the appropriate body to consider the content of this report. A Legal Advisor will be present at the meeting to assist on any legal points which may arise during consideration of the application.

## **9.0 Planning Balance and Conclusion**

- 9.1 The principle of residential development in this location is acceptable, in line with Spatial Policies 1 and 2 of the Development Plan, subject to site specific impacts. Concerns were initially raised in regard to highway safety, due to the location and gradient of the proposed access. Concerns were also raised regarding the impact on the conservation area. Revised plans and additional information have been submitted throughout the lifetime of the application that now satisfies the local Highway Authority. They have removed their objection subject to conditions.
- 9.2 With regard to the conservation area, it is acknowledged that the site in its present form contributes to the character of the conservation area and the proposal would result in less than substantial harm. In accordance with paragraph 215 of the NPPF, this harm should be weighed against the public benefits of the proposal. In this instance the proposal would contribute 9 dwellings to the Council's housing targets. Targets have recently increased

significantly, and the Council cannot currently demonstrate a 5 year housing land supply. As such, small scale residential developments that have a likelihood of a quick build out rate should be approved in line with Paragraph 11 of the NPPF, unless one of the following applies:

- i. the application of policies in this Framework that protect areas or assets of particular importance<sup>7</sup> provides a strong reason for refusing the development proposed; or
- ii. 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination<sup>9</sup>.

9.2 Protected areas listed in footnote 7 include designated heritage assets, therefore applies to conservation areas. Nonetheless, there must be a strong reason for refusal to be refused when the Council does not have an up-to-date housing land supply. Given that the level of harm caused to the character and appearance of the conservation area as result of the proposal would be at the lower end of the scale, it is considered that the contribution that it would make towards the housing supply would be a public benefit that would outweigh the harm identified, and therefore would be acceptable in accordance with the NPPF, Core Policy 14, DM9 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposed materials and design details are of a high quality, and existing hedgerow and trees would be retained. This would aid in preserving the character of the area.

9.3 Some of the issues raised by the Ecology Team have been addressed, however there is still disagreement in relation to the baseline calculations. Nonetheless, given that the net gain is proposed to be sourced off site as well as some on site net gain, there is no reason why a 10% net gain cannot be achieved, therefore this is not a reason to refuse the application.

9.4 Further to the above assessment, the provision of 9 additional dwellings would carry significant weight in the planning balance, and there has been no harm identified that would significantly and demonstrably outweigh the benefits. The less than substantial harm to the conservation area is outweighed by the public benefit of the contribution to the housing targets. The proposal is, on balance, considered to accord with the Development Plan and the NPPF and therefore it is recommended that planning permission is granted subject to conditions.

## **10.0 Conditions**

1. The development hereby permitted shall not begin later than three years from the date of this permission.

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

2. The development hereby permitted shall not be carried out except in complete accordance with the following approved plans/submitted documents:

- Location Plan received 12<sup>th</sup> May 2025
- 056 - 201 REV F SITE LAYOUT PLAN received 8<sup>th</sup> OCTOBER 2025
- 056 101 REV A PLOT 1 PLANS AND ELEVATIONS received 12<sup>th</sup> May 2025
- 056 102 REV A PLOT 2 PLANS AND ELEVATIONS received 12<sup>th</sup> May 2025
- 056 103 REV A PLOT 3 PLANS AND ELEVATIONS received 12<sup>th</sup> May 2025
- 056 104 REV A PLOT 4 PLANS AND ELEVATIONS received 12<sup>th</sup> May 2025
- 056 105 REV A PLOT 5 PLANS AND ELEVATIONS received 12<sup>th</sup> May 2025
- 056 106 REV A PLOT 6 PLANS AND ELEVATIONS received 12<sup>th</sup> May 2025
- 056 107 REV A PLOT 7 PLANS AND ELEVATIONS received 12<sup>th</sup> May 2025
- 056 108 REV A PLOT 8 PLANS AND ELEVATIONS received 12<sup>th</sup> May 2025
- 056 109 REV A PLOT 9 PLANS AND ELEVATIONS received 12<sup>th</sup> May
- 2025056 - 110 REV B PLOTS 1 5 AND 7 GARAGE PLANS AND ELEVATIONS received 25<sup>th</sup> July 2025
- 056 - 112 REV B PLOTS 3 8 AND 9 GARAGE PLANS AND ELEVATIONS received 25<sup>th</sup> July 2025
- 056 - 204 REV B SITE SECTIONS D-D E-E received 25<sup>th</sup> July 2025
- 0001 REV P SITE ACCESS LAYOUT received 25<sup>th</sup> July 2025
- 0002 REV P02 SITE ACCESS LONGITUDINAL SECTIONS received 25<sup>th</sup> July 2025
- 056 - 207 VEHICLE TRACKING received 25<sup>th</sup> July 2025
- Speed Survey Summary received 4<sup>th</sup> July 2025
- Visibility Calculations received 4<sup>th</sup> July 2025

Reason: So as to define this permission.

3. Prior to the commencement of development, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include as a minimum:

- a) Measures to prevent to the egress of mud and other detritus to the public highway;
- b) A layout of the site, including materials storage and internal routes for construction traffic;
- c) Parking for site operatives;
- d) Details of the proposed build program.

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

Reason: In the interests of Highway safety.

4. The development hereby permitted shall be constructed entirely of the materials details submitted as part of the planning application.

Reason: In the interests of visual amenity.

5. No development shall be commenced in respect of the features identified below, until details of the design, specification, fixing and finish in the form of drawings and sections at a scale of not less than 1:10 have been submitted to and approved in writing by the local planning authority. Development shall thereafter be undertaken and retained for the lifetime of the development in accordance with the approved details.

External windows including roof windows, doors and their immediate surroundings, including details of glazing and glazing bars.

Treatment of window and door heads and cills

Verges and eaves

Rainwater goods

Reason: In order to preserve or enhance the character and appearance of the conservation area.

6. No works or development shall take place until an arboricultural method statement and scheme for protection of the retained trees/hedgerows has been submitted to and agreed in writing by the Local Planning Authority. This scheme shall include
- a. A plan showing details and positions of the root protection areas.
  - b. Details and position of protection barriers.
  - c. Details and position of underground service runs and working methods employed should these runs be within the designated root protection area of any retained tree/hedgerow on or adjacent to the application site.
  - d. Details of any special engineering required to accommodate the protection of retained trees/hedgerows (e.g. in connection with foundations, bridging, water features, hard surfacing).
  - e. Details of construction and working methods to be employed for the installation of drives and paths within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.

All works/development shall be carried out in full accordance with the approved tree/hedgerow protection scheme. The protection measures shall be retained during the development of the site.

Reason: To ensure that existing trees and hedges to be retained are protected, in the interests of visual amenity and nature conservation.

7. Prior to first occupation/use of the development hereby approved full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority These details shall include:

- full details of every tree, shrub, hedge to be planted (including its proposed location, species, size and approximate date of planting)
- existing trees and hedgerows which are to be retained
- proposed finished ground levels or contours
- means of enclosure
- car parking layouts and materials
- other vehicle and pedestrian access and circulation areas hard surfacing materials

Reason: In the interests of visual amenity and biodiversity.

8. The approved soft landscaping shall be completed during the first planting season following the first occupation of the development. Any trees/shrubs which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The approved hard landscaping scheme shall be completed prior to first occupation or use.

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

9. Prior to first occupation of any of the dwellings hereby approved, the visibility splays detailed on plan reference 49769 XX XX DR C 0001 Rev P01 shall be provided from the junction with the B6020 Main Street hereby approved. Nothing shall be planted, erected, or be allowed to grow on the areas of land so formed that would obstruct visibility from a height 0.6m above carriageway level, and the visibility splays shall be maintained free from obstruction for as long as the development hereby permitted remains in existence.

Reason: In the interest of highway safety.

10. Prior to the completion of any site clearance, site stripping, or site establishment details of the proposed arrangements for the management and maintenance of the streets (prior to an agreement being entered into under Section 38 of the Highways Act 1980) including associated streetlighting and drainage shall be submitted to and be approved by the Local Planning Authority. The streets including streetlighting and drainage 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 streets covered by the agreement will not be subject to the approved management and maintenance details.

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

standard.

11. Prior to first occupation of any of the dwellings hereby approved, the streets and footways affording access to that dwelling shall be completed up to binder course level and shall be street lit.

Reasons: To ensure that the streets 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.

12. Prior to first occupation of any of the dwellings hereby approved, the access and parking area to that dwelling shall be provided in a bound material (not loose gravel) and which shall be drained to prevent the unregulated discharge of surface water onto adjacent roads and footways.

Reason: To ensure appropriate access and parking arrangements are available, to reduce the possibility of deleterious material being deposited on the public highway (loose stones etc), to minimise the chance of highway flooding and severe icing, and in the interest of highway safety.

13. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:-

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.
- i) An annotated plan providing a summary of the elements covered by items b), c), d), e) and h).

The CEMP (Biodiversity) should incorporate in full the Precautionary Methods of Working detailed across paragraphs 5.14 to 5.29 within the Preliminary Ecological Appraisal and Biodiversity Impact Assessment Report, 11/11/2025 produced by Armstrong Ecology Ltd. The approved CEMP (Biodiversity) shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard protected species as required by the National Planning Policy

Framework, ADMDPD Policy DM5 and Core Strategy Policy 12.

14. A. The approved development shall not commence until a faunal enhancement plan has been submitted to, and been approved by, the local planning authority. The plan is to show the type, location of, and details for fixing into place of:
- (i) Six integrated swift boxes in groups of three on two dwellings and
  - (ii) Two integrated bat boxes on two dwellings (one box on each dwelling), and details of gaps in fences or walls to create a hedgehog highway.

B. The approved boxes and hedgehog highway shall be installed prior to first use of the approved development and photographic evidence of the installed boxes and hedgehog holes shall be submitted to, and be approved in writing by, the local planning authority to fully discharge the condition. Thereafter, the installed boxes and hedgehog highway shall be retained for compliance.

Reason: To provide a measurable gain for biodiversity as required by the NPPF, and maximise opportunities to enhance biodiversity as required by Core Strategy Policy 12.

15. A. The Biodiversity Gain Plan shall be prepared in accordance with the principles set out within amended versions of the 'Preliminary Ecological Appraisal and Biodiversity Impact Assessment Report' dated 11 November 2025 and Small Sites Metric (Statutory Biodiversity Metric) Revision No. 1 dated 11 November 2025, both prepared by Armstrong Ecology Ltd., which shall be submitted to, and which have then been approved in writing by the local planning authority.

B. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP)], prepared in accordance with the approved Biodiversity Gain Plan has been submitted to, and been approved in writing by, the local planning authority and including:

- a) The roles and responsibilities of the people or organisation(s) delivering the HMMP; b) The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity gain in accordance with the approved Biodiversity Gain Plan; and
- c) The management measures to maintain habitats in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of the development.

C. Notice in writing shall be given to the local planning authority when the first dwelling has been occupied.

D. A completion report, evidencing the completed habitat enhancements, shall be submitted to, and be approved in writing by the Local Planning Authority within 12 months of the first dwelling being occupied.

E. The created and/or enhanced habitats specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.



Reason: To ensure that the development delivers a biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act and to ensure compliance with the NPPF in relation to biodiversity matters and compliance with Amended Core Strategy Core Policy 12 Biodiversity and Green Infrastructure.

Notes to Applicant:

1. This application has been the subject of discussions during the application process to ensure that the proposal is acceptable. The District Planning Authority has accordingly worked positively and pro-actively, seeking solutions to problems arising in coming to its decision. This is fully in accord Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).
2. You are advised that you may require building regulations approval in addition to the planning permission you have obtained. Any amendments to the permitted scheme that may be necessary to comply with the Building Regulations, must also be approved in writing by the Local Planning Authority in order that any planning implications arising from those amendments may be properly considered.

East Midlands Building Control operates as a local authority partnership that offers a building control service that you may wish to consider. Contact details are available on their website [www.eastmidlandsbc.com](http://www.eastmidlandsbc.com).

3. 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 regarding 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. Please email [hdc.north@nottsc.gov.uk](mailto:hdc.north@nottsc.gov.uk) to discuss the necessary highways legal agreements. It is an offence under S148 and S151 of the Highways Act 1980 to transfer or deposit mud and debris on the public highway. The applicant must make every effort to prevent this occurring.
4. The development granted by this notice must not begin unless:
  - a) A Biodiversity Gain Plan has been submitted to the planning authority, and
  - b) The planning authority has approved the plan.

Details about how to comply with the statutory condition are set out below.

Biodiversity Net Gain

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the condition “the biodiversity gain condition” that development may not begin unless:

- a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- b) the planning authority has approved the plan;

OR

c) the development is exempt from the biodiversity gain condition.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission is Newark and Sherwood District Council (NSDC).

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. Details of these exemptions and associated legislation are set out in the planning practice guidance on biodiversity net gain (Biodiversity net gain - GOV.UK ([www.gov.uk](http://www.gov.uk)))

Based on the information available, this permission is considered by NSDC to require the approval of a biodiversity gain plan before development is begun, because none of the statutory exemptions or transitional arrangements are considered to apply.

The Biodiversity Gain Plan should be submitted via the Planning Portal, as an application for approval of details reserved by condition following grant of planning permission.

Irreplaceable habitat

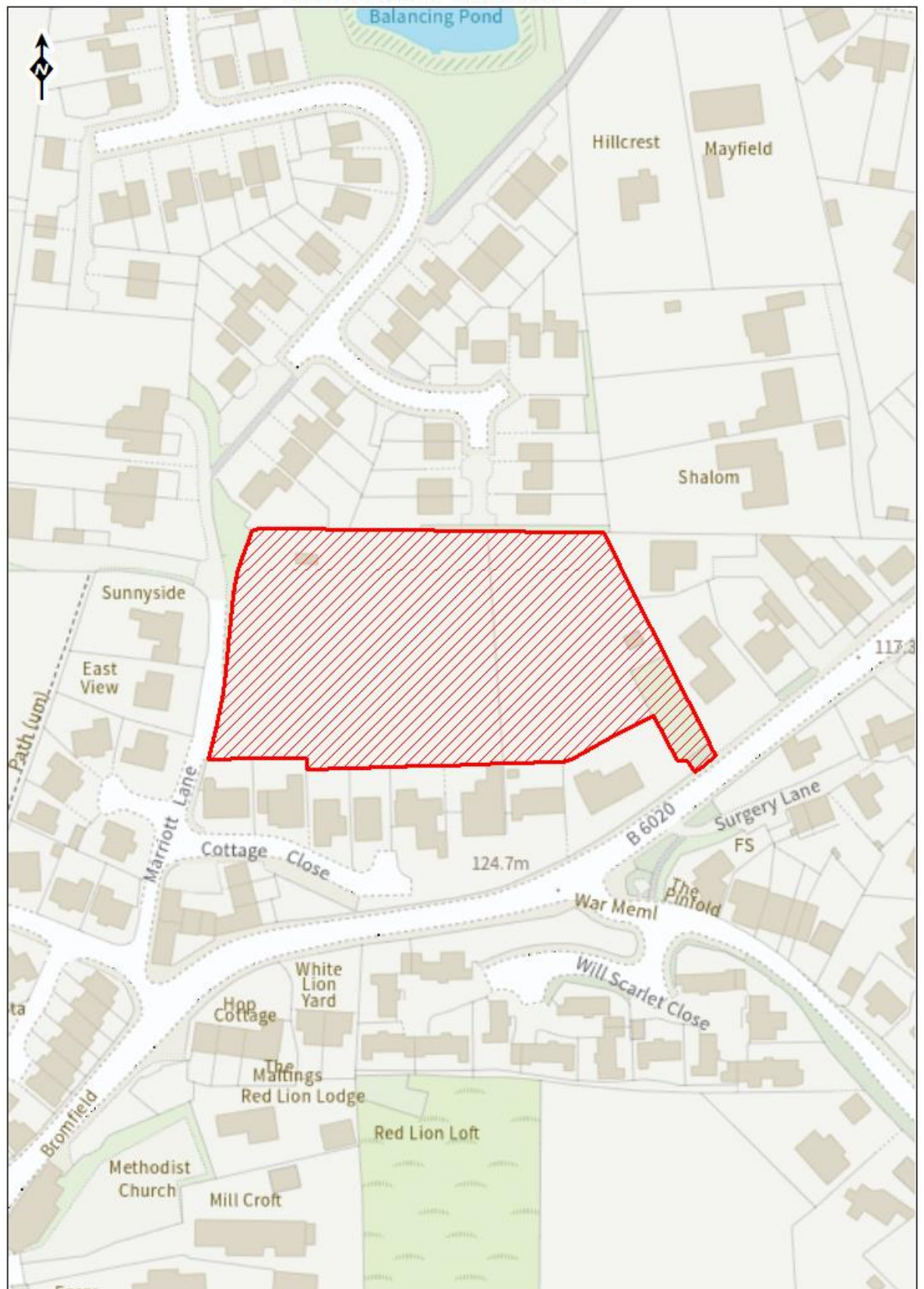
If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

5. For the purposes of Part B c) of Condition 15 completion of the development, and therefore the start of the 30-year period is considered to be when the first dwelling has been occupied.

#### BACKGROUND PAPERS

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Application case file.



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Report to Planning Committee 4 December 2025

Business Manager Lead: Oliver Scott – Planning Development

Lead Officer: Helen White, Senior Planner (Development Management), 5409

Report Summary			
Application Number	25/00971/VAR106		
Proposal	Application for deed of variation to Section 106 agreement to remove occupation restrictions associated with Ollerton roundabout works attached to planning permission 16/02173/OUTM.		
Location	Former Thoresby Colliery Ollerton Road Edwinstowe Nottinghamshire NG21 9PS		
Applicant	Harworth Group	Agent	Louise Burnett Freeths LLP
Web Link	<a href="#">25/00971/VAR106   Application for deed of variation to Section 106 agreement to remove occupation restrictions associated with Ollerton roundabout works attached to planning permission 16/02173/OUTM.   Former Thoresby Colliery Ollerton Road Edwinstowe Nottinghamshire NG21 9PS</a>		
Registered	19.06.2025	Target Date	24.07.2025 EOT agreed
Recommendation	Agree to variation		

This application is being presented to the Planning Committee in line with the Council's Scheme of Delegation as the previous deed of variation for the site was determined by planning committee.

## 1.0 The Site

- 1.1 The site of the former Thoresby Colliery is identified as a strategic site for housing and employment as noted in the Council's Amended Core Strategy. The site lies close to Edwinstowe village in the Sherwood area. The site is currently being redeveloped.

## **2.0 Relevant Planning History**

- 2.1 Outline planning permission was granted in March 2019 for:
- 2.2 **16/02173/OUTM** – *‘Residential Development up to 800 dwellings (Class C3), Strategic Employment Site comprising up to 4,855 sqm Class B1a, up to 13,760 sqm Class B1c, and up to 13,760 sqm Class B2, a new Country Park, a Local Centre, "The Heart of the New Community" containing a mix of leisure (to include zip wire), commercial, employment, community, retail (up to 500 sqm), health, and residential uses, a Primary School, Open Space and Green Infrastructure (including SUDS), and associated access works including the details of the primary access junctions into the site from Ollerton Road.’*
- 2.3 This was approved 12th March 2019, subject to 51 conditions and a section 106 Agreement which secured the following:
- *Affordable Housing of 7.5% of total number of dwellings, subject to a review mechanism half-way through the development*
  - *Primary Education contribution, 1.3ha of land and £3,600,000 for new school*
  - *Healthcare contribution of £786,096*
  - *Sports Pitch contribution £590,176*
  - ***Ollerton Roundabout contribution of £1,198,000\****
  - *Library contribution of £35,130*
  - *Community Facility contribution of £607,256*
  - *Open Space of 11.89 ha of land comprising;*
    - *Sustainable urban drainage;*
    - *Multi-use games area;*
    - *Public open space;*
    - *Children’s and young people’s space comprising 2 x locally equipped area for play and 1 x neighbourhood play area;*
  - *Maintenance of the open space/country park and monies to do so.*
  - *Review of viability prior to occupation of 400th dwelling*
- 2.4 The s.106 obligation is a trilateral agreement between the District Council, NCC and the Harworth Group.
- 2.5 As originally drafted, the contribution of £1,198,000 was to be paid to NCC towards the cost of improving Ollerton roundabout at the A614/A616/A6075 junction, at the earliest of either (a) 20 working days of receiving County Council’s notice of the occurrence [of works progressing] or (b) prior to occupation of 151 dwellings. The obligation (at Schedule 2) prevented occupation of any more than 150 dwellings and no more than 25% of the employment site unless (a) the contribution was paid and (b) the roundabout works had been materially completed.
- 2.6 **Deed of Variation: Ref: 20/01860/VAR106** – An application was sought to modify the s.106 agreement relating to Schedule 2 (Ollerton Roundabout Contribution) to allow the developers to pay NCC Highways Authority the full contribution and have the obligation removed. This was not agreed but it was varied to allow the residential

occupations to increase from 150 to 500 in advance of the roundabout works being 'practically completed'. The 25% of employment land permitted to be occupied in advance of Ollerton Roundabout improvements remained the same. The Deed of Variation was signed and sealed on 24.11.2020. Harworth Group plc, in order to assist NCC colleagues in securing match funding towards the Ollerton Roundabout have paid the £1.198m in full early.

- 2.7 **Deed of Variation Ref: 23/00030/VAR106** – An application was sought to vary the s.106 agreement relating to Schedule 2 (Ollerton Roundabout Contribution) to allow continued progress and investment on site and prevent any danger of mothballing given the current occupations restrictions linked to Ollerton Roundabout. The applicants request an increase in the number of residential occupations allowed before Ollerton Roundabout is secured. Two options were presented:
- a) An increase from 500 to 655 residential occupations. In order to manage net traffic effects it is proposed there be a corresponding decrease (based on traffic TRICS rate data) in the release of the employment land such that this could not come forward until the Ollerton Roundabout works are progressed; or
  - b) An increase from 500 to 608 residential occupations. In order to manage net traffic effects it is proposed there be a corresponding decrease (based on traffic TRICS rate data) in the release of the employment land from 25% to 7.5% occupations.
- 2.8 The latter variation was agreed to. The current restriction is on the occupation of more than 608 Dwellings and 7.5% of the Employment Site until the Ollerton Roundabout Works have been Practically Completed.
- 2.9 The master developer, Harworth Group plc, has already undertaken enabling works to facilitate residential phases to be delivered by other house builders on already serviced parcels of land. Development is well advanced, and occupation of dwellings has occurred on Phase 1 by Harron Homes (for 143 houses) and Phase 2 by Barratt/David Wilson Homes (for 219 new homes). Planning permission has been granted for and development has commenced on residential Phases 3 by Barratt/David Wilson Homes (22/01922/RMAM for 74 dwellings), 4 by Homes for Honey (23/02156/RMAM for 114 dwellings), and 5 by Barratt/David Wilson Homes (22/01934/RMAM for 99 dwellings). Planning Committee have motioned to grant planning permission for up to an additional 190 houses on phases 6a and 7 subject to the completion of a S106 legal agreement. Planning application for phases 6B and 6C (22/02228/RMAM for 116 dwellings) has been submitted and is subject to a live planning application. Also, the Primary School granted planning permission (22/01846/RMAM) has been completed and brought into use.

An extract from the updated masterplan





### **3.0 The Proposal**

- 3.1 The application submitted seeks a further amendment to the Planning Obligation to allow continued progress and investment on site and prevent any danger of mothballing given the current occupations restrictions linked to Ollerton Roundabout. The applicants request the removal of the occupancy cap on the site following the announcement that funding for the project has been secured.

### **4.0 Departure/Public Advertisement Procedure**

N/A

### **5.0 Planning Policy Framework**

Due to the type of application there are no relevant planning policies.

### **6.0 Consultations**

**Edwinstowe Parish Council** – No objection.

**NCC Highways Authority** – Formal comments yet to be received.

### **7.0 Comments of the Business Manager – Planning Development**

- 7.1 It is widely accepted that works to Ollerton roundabout are needed to increase highway capacity and to ease congestion. This has been identified by NCC and the works to remedy this are a priority, as captured in the Non Strategic Rounds Network Funding being secured from the Department for Transport (DfT). Ollerton Roundabout is one of 5 junctions which is part of this process, with the Full Business Case (FBC) having been approved by DfT and funding secured. An announcement was made confirming this on

the 17<sup>th</sup> September 2025.

- 7.2 The original outline planning consent included a requirement for the development to make a financial contribution towards upgrading Ollerton Roundabout, a long-standing aspiration of Nottinghamshire County Council (NCC), the District Council (NSDC) and many residents, visitors and business who pass through it. At the time, NCC had insufficient certainty as to how any Thoresby contribution to the roundabout (c£1.1m plus indexation) could be matched to give confidence of delivery. It was therefore agreed that a cap would be placed on the development, controlled by the S106 Agreement, that no more than 150 homes and 25% employment land could be released until the Ollerton Roundabout works could be completed.
- 7.3 Capital has been committed by NCC, the East Midlands County Combined Authority (EMCCA) and national government, in addition to Harworth Estates paying 'up-front' the S106 Ollerton Roundabout contribution to NCC. Over many years, negotiations on funding have run in parallel with discussions between NSDC, NCC and Harworth regarding the appropriate point to lift any cap on quantum of development. Critical to lifting any restriction is the confidence that any Ollerton Roundabout improvements are funded.
- 7.4 It is noted a previous agreement reached to allow further residential occupations in advance of Ollerton Roundabout improvements (initially allowing the sale of the Phase 2 land to Barratt David Wilson Homes and subsequently allowing a further increase of 108 residential occupations (608 occupations in total) and allowing 7.5% of employment land to also still come forward). The initial increase was done in anticipation of funding from DfT having been secured. However, it became clear that DfT funding would not be secured before further residential land parcels would need to be transacted. In other words, Harworth would not be able to sell to housebuilders if there was a restriction on occupation.
- 7.5 At that time, whilst some funding announcements had been made, this remained subject to further processes such as Compulsory Purchase and Full Business Case sign off. NCC were of the opinion, at that time, that there was insufficient confidence that the Ollerton Roundabout works could be delivered to such an extent as to agree to lifting the current restrictions. On those occasions, NSDC and Harworth agreed, with the overall caps being revised by mutual agreement. In simple terms, the current extant agreement is that more homes can be delivered with some of the commercial land being scheduled for a later date. NSDC and NCC were also satisfied with this outcome as the respective Local Planning and Local Highway Authorities. Notwithstanding this stance, NCC, Harworth and NSDC have consistently agreed that once there is confidence on delivery of the Ollerton Roundabout scheme, the restrictions on development could be removed. At the heart of that confidence remains the securing the funding. There are no concerns with delivery once funding is secured given that all of the highway works in this case would be delivered by NCC as the relevant highway authority
- 7.6 Some sympathy is given to the situation with which the applicant finds themselves. They have paid an Ollerton Roundabout contribution early and in full in anticipation that NCC and DfT would be able to conclude necessary processes to release funds thus removing



all occupation restrictions. It has been confirmed that the project is now fully funded capital having been committed by NCC, the East Midlands County Combined Authority (EMCCA) and national government, in addition to Harworth Estates paying 'up-front' the S106 Ollerton Roundabout contribution to NCC.

- 7.7 Over many years, negotiations on funding have run in parallel with discussions between NSDC, NCC and Harworth regarding the appropriate point to lift any cap on quantum of development. Critical to lifting any restriction is the confidence that any Ollerton Roundabout improvements are funded. This point has been reached, and the Ollerton Roundabout junction improvement works are due to be completed by NCC as the Local Highway Authority (LHA). Nottinghamshire County Council have yet to formally confirm their position which is pending the outcome of the NCC Cabinet meeting of 18<sup>th</sup> December 2025.
- 7.8 This year has seen the final sign-off by Government of the Full Business Case, grant injection into the scheme from EMCCA. The removal of the occupation cap would be consistent with discussions over many years. On this basis it is considered that there is no reasonable need for the restrictions to remain. Moreover, removal of the restriction will allow the continued acceleration and delivery of new homes, employment opportunities and the new local centre which are much needed for the area and the region.
- 7.9 The applicants have showed commitment to progressing with the redevelopment of the site, and have continued at their own risk, by accelerating their portion of the improvement costs for Ollerton roundabout with no certainty that the number of residential occupations can exceed 608 dwellings. It is considered (subject to confirmation that NCC agree) that the removal of the occupation cap is acceptable. It is therefore considered there are benefits to the variation and it is recommended that it is agreed.

## **8.0 Legal Implications – LEG2526/7662**

- 8.1 Planning Committee is the appropriate body to consider the content of this report. A Legal Advisor will be present at the meeting to assist on any legal points which may arise during consideration of the application. Legal Services have been instructed in respect of the drafting and negotiation of the Deed of Variation.

## **9.0 Recommendation**

That subject to confirmation from NCC Highways Authority that they agree, the s.106 Planning Obligation is varied to delete paragraph 2.2, 2.3 and 2.5 of Schedule 2 in their entirety to allow:

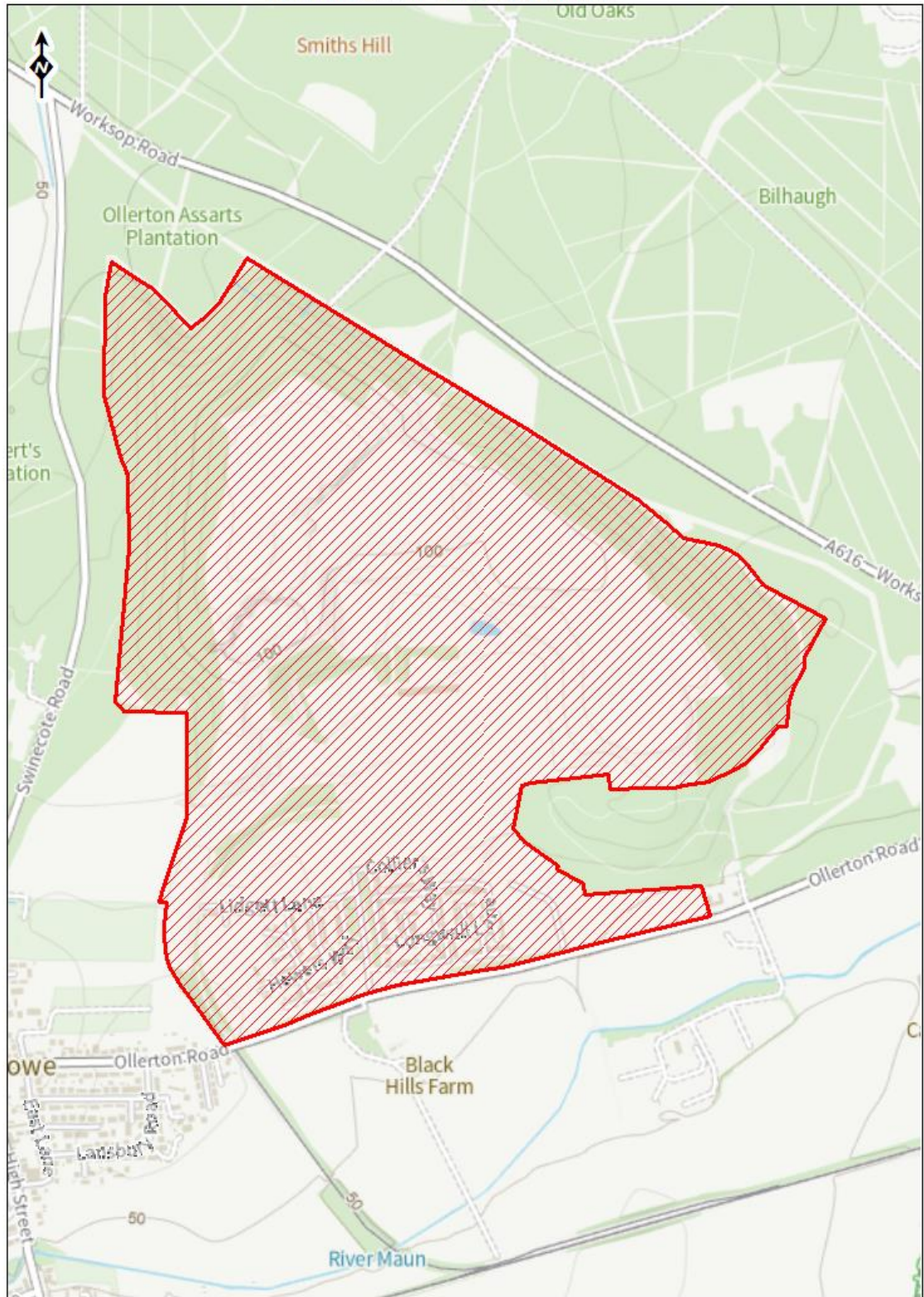
- Removal of the occupation cap on the number of dwellings to be occupied in advance of the Ollerton roundabout works being commenced/contract being let; and

- The amount of employment land allowed to be brought into use prior to the roundabout works being commenced/contract being let.

#### BACKGROUND PAPERS

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Application case file.



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Report to Planning Committee 4 December 2025

Business Manager Lead: Oliver Scott – Planning Development

Lead Officer: Simon Betts, Planner (Major Projects)

Report Summary	
Report Title	Great North Road Solar Farm – Local Impact Report (LIR)
Purpose of Report	To present for approval, the Local Impact Report.
Recommendations	That members approve the draft LIR, to enable its release to the Examining Authority by Deadline One.

## 1.0 Background

- 1.1 By way of background and a general update, the Great North Road Solar Farm Project is now in the examination stage, with the Preliminary Meeting scheduled for the 26<sup>th</sup> November 2025 and Issue Specific Hearing One and an Open Floor Hearing to take place on the 26<sup>th</sup> and 27<sup>th</sup> November 2025.
- 1.2 The examination is scheduled to take place over a 5-month period (although the maximum period it can take is 6 months) and will primarily be a written process, supplemented by hearings throughout that period. There are a series of deadlines that are fixed by the Examining Authority (ExA) whereby the council must make responses, to ensure that we retain the opportunity to influence the process.
- 1.3 The Local Impact Report (LIR) must be submitted to the ExA by **Deadline One** which is the **10<sup>th</sup> December 2025**. The LIR is defined under the auspices of Section 60 (3) of the Planning Act 2008<sup>1</sup> which states that ‘A “local impact report” is a report in writing giving details of the likely impact of the proposed development on the authority’s area (or any part of that area).’
- 1.4 Further to this, the Planning Act 2008 also states at Section 104(2) that the Secretary of State, must have regard to a LIR in making their decision (amongst other matters). In simple terms, the LIR is designed to assist the ExA in the consideration of the issues and understand the areas of impact brought about by a NSIP project, set within the local context.
- 1.5 The regulations are also supplemented by relevant guidance for local planning

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<sup>1</sup> [Planning Act 2008](#)

authorities<sup>2</sup> which makes it clear that the LIR is a technical evidence-based assessment of all local impacts, stressing that the LIR is *'therefore not the document where the local authority should set out its objections or support for the application.'*

- 1.6 Members should be aware that the LIR is a specific area of work defined by the regulations and requested by the ExA, but there are a number of opportunities throughout the examination period, whereby the Council will be able to make representations and express their views on the proposed development, in both written submissions and verbally at hearings that are arranged by the ExA.
- 1.7 Although government guidance makes it clear that the content of the LIR is a matter for the local authority, it makes recommendations on the topics to be covered within the LIR, to include such matters as a description of the surrounding context, relevant constraints, and an appraisal of the projects compliance with local planning policy and guidance. The draft LIR largely follows the recommended guidance and follows a similar format to the previously prepared LIR for the One Earth Solar Scheme, including the reporting of impacts in a simple manner, summarised as positive, neutral, or negative.

## **2.0 Draft LIR**

- 2.1. The draft LIR is presented as an Appendix to this planning committee report and should be referenced for detailed reporting of the impacts, although at the time of publication of this committee report, specialist inputs are still awaited from the council's conservation and ecology officers and external advice from a landscape consultant. An updated version of the draft LIR will therefore be circulated as a 'late item' in advance of the committee meeting, once these inputs are provided.
- 2.2. Whilst this report does not seek to replicate the details of the LIR, further explanation is provided below on how the report has been drafted and the means to which the key issues have been identified as this stage.
- 2.3. Throughout the previous submission milestones of the Great North Road Solar Farm project (at the pre-application and pre-examination stages), officers have agreed to focus on those technical topic areas, for which we have technical expertise, supplemented by external consultancy support on the topics of Landscape and Visual Impact and Agricultural Land Classification. To this end, working collaboratively with officers at Nottinghamshire County Council (NCC), we have agreed that NCC will comment on the following topics area within their LIR:
  - Transport, Access and Public Rights of Way.
  - Flood risk and water.
  - Archaeology.
- 2.4. Other than where there is a specific local consideration to follow, the council's LIR focusses on the following main topic areas.
  - Landscape and Visual Impact.

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<sup>2</sup> [Nationally Significant Infrastructure Projects: Advice for Local Authorities - GOV.UK](https://www.gov.uk/government/publications/nationally-significant-infrastructure-projects-advice-for-local-authorities)

- Land use and Agriculture.
  - Biodiversity (including Net Gain).
  - Built Conservation.
  - Noise and Vibration.
  - Air Quality and Land Contamination.
  - Socio-economics.
- 2.5. At the time of writing this committee report, it is anticipated that negative impacts will be reported in respect of Landscape and Visual Impacts and Best and Most Versatile Agricultural land, with neutral/potential positive impacts in respect of Biodiversity and neutral impacts in respect of Built Conservation, Noise and Vibration, Air Quality and land contamination. A verbal update of any changes to the nature of the anticipated impacts, will be reported at the planning committee meeting.
- 2.6. At the present time (at the time of writing this report) officers are still in the process of reviewing the application submission documents and finalising the draft LIR in time for the **10.12.25** deadline, but the final draft LIR for approval will be made available in advance of the committee meeting via late items.
- 2.7. In order to ensure that the Council's LIR is taken into account by the ExA, it must be issued on or before the **10.12.25**. Officers are therefore seeking approval to issue the LIR by this deadline and will take into account any additional points members wish to raise as noted at the committee meeting. If the LIR is not issued by the set deadline, the ExA has no obligation to take it into account, in accordance with the provisions set out in the Planning Act 2008.

### **3.0 Implications**

- 3.1 In writing this report and in putting forward recommendation's officers have considered the following implications: Data Protection, Digital and Cyber Security, Equality and Diversity, Financial, Human Resources, Human Rights, Legal, Safeguarding and Sustainability, and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.
- 3.2 **Legal Implications - LEG2526/5010**
- 3.3 Planning Committee is the appropriate body to consider the content of this report. A Legal Advisor will be present at the meeting to assist on any legal points which may arise during consideration of this agenda item.

### **BACKGROUND PAPERS**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

# LOCAL IMPACT REPORT

## GREAT NORTH ROAD SOLAR FARM

**December 2025**

## Overview

In preparation of this Local Impact Report (LIR) Newark and Sherwood District Council (NSDC) have focussed on those matters, for which we hold technical expertise at an officer level, supplemented by external advice on the topics of Landscape and Visual Impact Assessment (LVIA) and Agricultural Land Classification (ALC). For those matters whereby Nottinghamshire County Council (NCC) hold officer level expertise (such as Highways, Flood Risk and Archaeology), we have largely left to NCC to respond upon, except where we have any local emphasis to add, including through engagement with the local community. Accordingly, our LIR focuses upon the following main topic areas.

- Landscape and Visual Impact (Including Residential Amenity).
- Biodiversity (including Net Gain) and Arboriculture.
- Noise and Vibration
- Air Quality
- Land use and Soils.
- Built Heritage
- Socio Economics.

Reference to the NCC LIR should be made for the following topic areas.

- Transport, Access and Public Rights of Way.
- Flood risk and water (Environment Agency are the regulatory adviser on water quality).
- Archaeology.



## Table of Contents

1 Terms of Reference and Introduction	4
2 Scope, Purpose, and Structure of the Local Impact Report	4
3 The Scheme	5
4 Site Description	7
5 Information on Newark and Sherwood and the surrounding area	8
6 Planning History (Cumulative Effects)	9
7 Legislative and Policy Context	10
8 Landscape and Visual Impacts	21
9 Biodiversity (including Net Gain) and Arboriculture	37
10 Noise and Vibration	50
11 Air Quality	52
12 Land and Soils	54
13 Built Heritage	55
14 Socio Economics	60
15 Summary and Conclusions	61

## **1. Terms of Reference and Introduction**

- 1.1. This report comprises the Local Impact Report (LIR) of Newark and Sherwood District Council (NSDC). The Council has also had regard to the purpose of LIRs as set out in s60(3) of the Planning Act 2008 (as amended), and Nationally Significant Infrastructure Projects: Advice for Local Authorities<sup>1</sup> Guidance, in preparing the LIR.

## **2. Scope, Purpose, and Structure of the Local Impact Report**

- 2.1. The LIR relates to the proposed development insofar as it affects the administrative area of NSDC. Specifically, it describes the impact of the proposed 'Works' (as described in the Development Consent Order (DCO)) and as referred to in section 3 below. Noting that the proposed development falls within two 'host' local authority areas, this LIR should be read in association with the equivalent LIR produced by Nottinghamshire County Council.
- 2.2. This LIR has been prepared to highlight the ways in which the proposed development will affect the locality and local communities and the associated impacts. It is not intended as a precise technical document – the application is accompanied by a significant amount of technical information from the applicant – but as a broad overview of the likely issues (positive, negative, and neutral) that might arise from the proposed development. As noted by Government Guidance (also referred to above) this LIR provides an appraisal of the projects compliance with relevant local planning policy and guidance, but it does not contain an assessment of relevant National Policy Statements, on the basis that such an assessment is carried out by the Examining Authority.
- 2.3. The LIR is intended as a factual document and does not attempt to come to a conclusion on the acceptability, or otherwise of the proposals. It does, however, seek to identify where there is compliance (or conversely where there is a tension or conflict) with, in particular, local plan policy, and to distinguish between matters that are of most potential impact and those that are either temporary or less significant in the longer term.
- 2.4. NSDC are currently engaged with the applicant in preparing a Statement of Common Ground, an iterative document which further explains elements of the proposed development which are being discussed with the applicant. Due to the evolving nature of these discussions, NSDC's position as recorded in this document is subject to change.
- 2.5. In addition, NSDC has not, at this stage, undertaken a full review of the draft Development Consent Order. NSDC will review in detail the draft articles and requirements as prepared by the applicant, and suggest any necessary additions and amendments, at the

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<sup>1</sup> [Nationally Significant Infrastructure Projects: Advice for Local Authorities - GOV.UK](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/614422/Nationally_Significant_Infrastructure_Projects_Advice_for_Local_Authorities_-_GOV.UK.pdf)

appropriate time during the Examination and intends (among other things) to address these matters in its Written Representations.

### 3. The Scheme

- 3.1. This LIR does not describe the proposed development any further, relying on the applicant's description as set out at paragraph 5.4.1 (Summary of the Development) of document 6.2.5 Environmental Statement - Chapter 5 (Doc Ref: APP-048) which states:

*'The Development will comprise an array of solar PV modules, energy storage and associated development infrastructure, together with biodiversity enhancements including 64,500 trees and 50 km of new hedgerow. The general flow of electricity across the Development will be as set out in this Section, 5.4.1, explaining at high level the linkage and function of the principal electrical components of the solar park. The habitat changes are described in Chapter 8, Ecology and Biodiversity [EN010162/APP/6.2.8] and specified in the Outline LEMP [EN010162/APP/6.4.5.1]. In addition, 27 new permissive routes are proposed, comprising 21 footpaths and 6 bridleways, totalling 32.6 km of new recreational routes. These are shown on Figure 5.2, Masterplan [EN010162/APP/6.3.5.2] and assessed in Chapter 18, Recreation [EN010162/APP/6.2.18].'*

- 3.2. The key components of the proposed development are further set out in paragraph 5.4.1.1 to 5.4.1.7 and of document 6.2.5 Environmental Statement Chapter 5 (Development Description and Illustrative Design) which notes and describes the following elements:

- Solar PV Modules.
- Strings.
- Combiner Boxes.
- Central Inverters.
- Transformer Stations.
- Intermediate Substations.
- BESS/400 kV Substation.

- 3.3. Paragraph 5.4.2 provides an overview of the development areas stating that the areas within the Order Limits are described as being one of the following:

- Work no. 1: Solar PV;
- Work no. 2: Cables;
- Work no. 3: Mitigation/enhancement;
- Work no. 4: Intermediate substations;
- Work no. 5a: BESS;
- Work no. 5b: 400 kV compound;

- Work no. 6: National Grid Staythorpe Substation and connection point;
- Work no. 7: Consented Staythorpe BESS and Connection; and
- Work no. 8: Access Works

3.4. Paragraph 5.4.1.8 sets out the additional components associated with the proposed development, stating that

*'In addition to the electrical infrastructure as set out above, the Development will include control buildings, environmental mitigation and enhancement measures and minor alterations to the local transport network to facilitate vehicular access to the site.'*

## 4. Information on Newark and Sherwood and the surrounding area

- 4.1. The settlement of Newark on Trent is the main settlement within the District of Newark and Sherwood and is located along the navigable River Trent. The District of Newark and Sherwood, at over 65,000 ha, is the largest in Nottinghamshire and is situated in the northern part of the East Midlands Region.
- 4.2. Adjoining the District to the west are the Nottingham and Mansfield conurbations; whilst Lincoln lies to the north-east and Grantham to the south-east.
- 4.3. In Newark and Sherwood, the population size has increased by 7.0%, from around 114,800 in 2011 to 122,900 in 2021<sup>2</sup> (Office for National Statistics, 2024) This is higher than the overall increase for England (6.6%), where the population grew by nearly 3.5 million to 56,489,800. Nearby Districts of Rushcliffe, North Kesteven and South Kesteven have seen population increases by around 7.1%, 9.5% and 7.2% respectively, while others such as Gedling saw an increase of 3.3% and Melton 2.8%. In Newark and Sherwood between 2011 to 2021 there has been an increase of 26.7% in people aged 65 years and over living in the District, an increase of 2.9% in people aged 15 to 64 years and an increase of 1.3% on children aged under 15 years. The largest increase is people between 70 to 74 years at 47%.
- 4.4. The settlement pattern of the District is dispersed, given its large rural nature, and ranges from market towns and large villages to smaller villages and hamlets. Newark, Southwell, Ollerton and Boughton act as a focus for their own communities and those in the wider area, whilst the larger villages function in a similar role for their immediate rural areas. Outside of this however, services are limited, and some higher level and specialist facilities are only found in larger urban areas adjoining the District. Public transport services are limited outside of the main centres and routes, and as a result accessibility to employment and services is more difficult in rural areas, making the use of a private car more preferable.
- 4.5. The District's economy supported 65,400 people aged 16 and over in employment in the year ending December 2023. This is up from the previous year when there were 60,600 people who were employed. However, of people living in the District aged between 16 to 64 years, 77.5% were employed in the year ending December 2023. This is a decrease of the previous year when it was 79.0%. Unemployment has however risen to 3.7% which is comparable to the East Midlands as a whole (Office for National Statistics, 2024)<sup>3</sup>.
- 4.6. Key to the District's distinctiveness is its rich and diverse natural and built heritage, reflected in the unspoilt and open countryside and many traditional settlements. The

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<sup>2</sup> <https://www.ons.gov.uk/visualisations/censuspopulationchange/E07000175/>

<sup>3</sup> <https://www.ons.gov.uk/visualisations/labourmarketlocal/E07000175/>

District has an outstanding built heritage with 1,397 listed buildings, 47 Conservation Areas and a wealth of other heritage assets. Complementing the built environment are a number of sites important in nature conservation and biodiversity terms. The River Trent, and its associated floodplain, along with the remnants of the historic Sherwood Forest are the two most dominant landscape features within the District.

- 4.7. The distinctive character is integral to the District's significant tourism appeal, with on average 466,250<sup>4</sup> visitors were recorded as having visited Newark in 2023. The District's historical heritage and especially the attractive Market Town or Newark, is an attractive destination with the Castle (partially destroyed in the English Civil War), National Civil War Centre, traditional Market Place, buildings of special architectural or historical interest and an extensive Conservation Area.
- 4.8. In terms of connectivity, Newark is well placed to provide quick rail links to wider settlements such as London, Leeds, Edinburgh, and Nottingham due to its two stations providing both north to south (East Coast Main Line) and east to west connections. A central bus station located within the town is a hub for the connections on the extensive bus network. To the east of the Newark settlement is the A1(T) which provides the main road connection north and south with links east provided via the A17 connection and the A46(T) also joining this connection. The A46(T) is a key link from the Humber ports to Tewkesbury.

## 5. Site description

- 5.1. The Order Limits area covers a significant proportion of land that extends to approximately 1,765ha of land, which is in agricultural use, the majority of which is used for arable crops. An extract of the Order Limits Plan is presented below as **Figure 1**, to demonstrate the overall spatial extent of the proposed development.

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<sup>4</sup> <https://www.newark-sherwooddc.gov.uk/media/newark-and-sherwood/images-and-files/strategies-and-policies/pdfs/Visitor-Economy--Strategy-2020-23---FINAL.pdf> Last accessed 23/06/2025

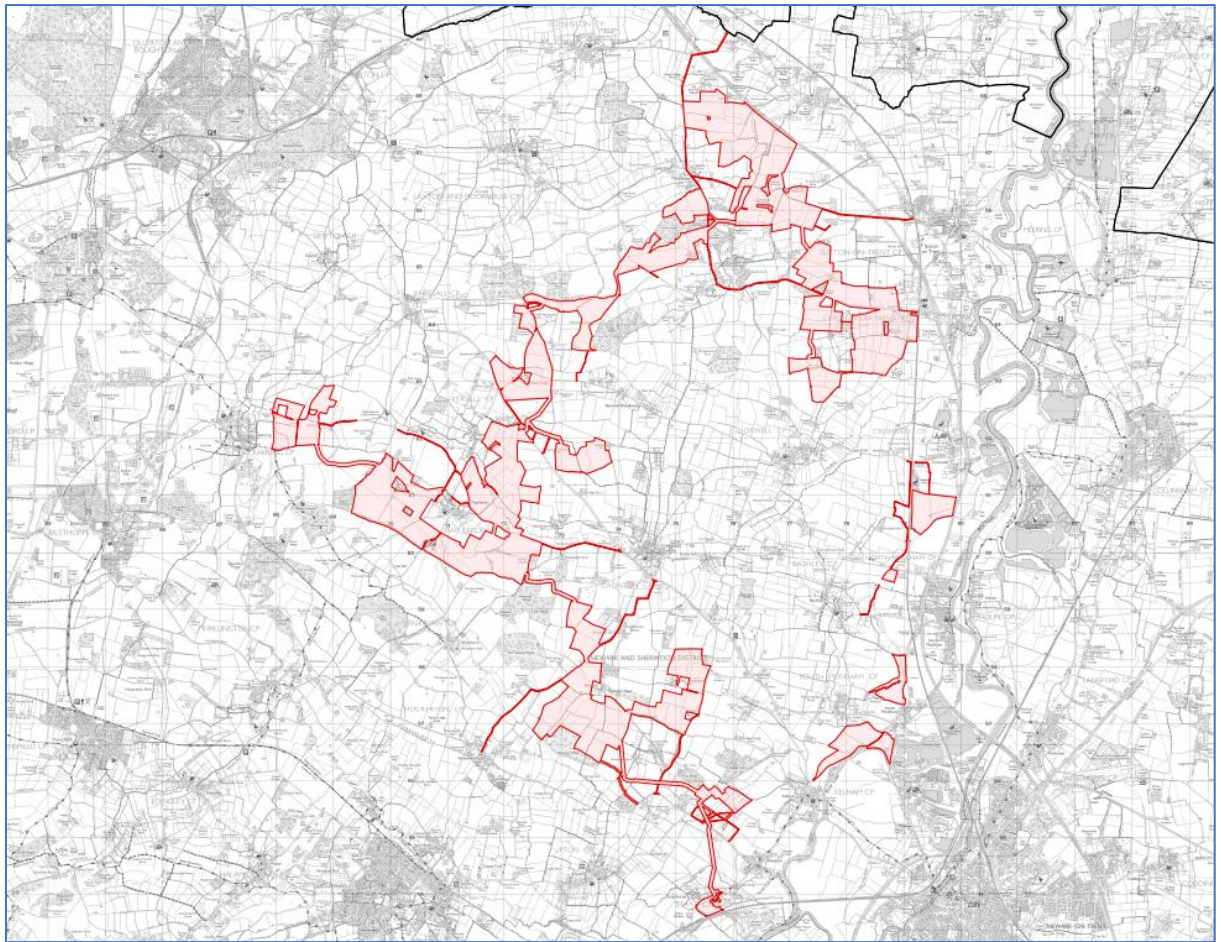
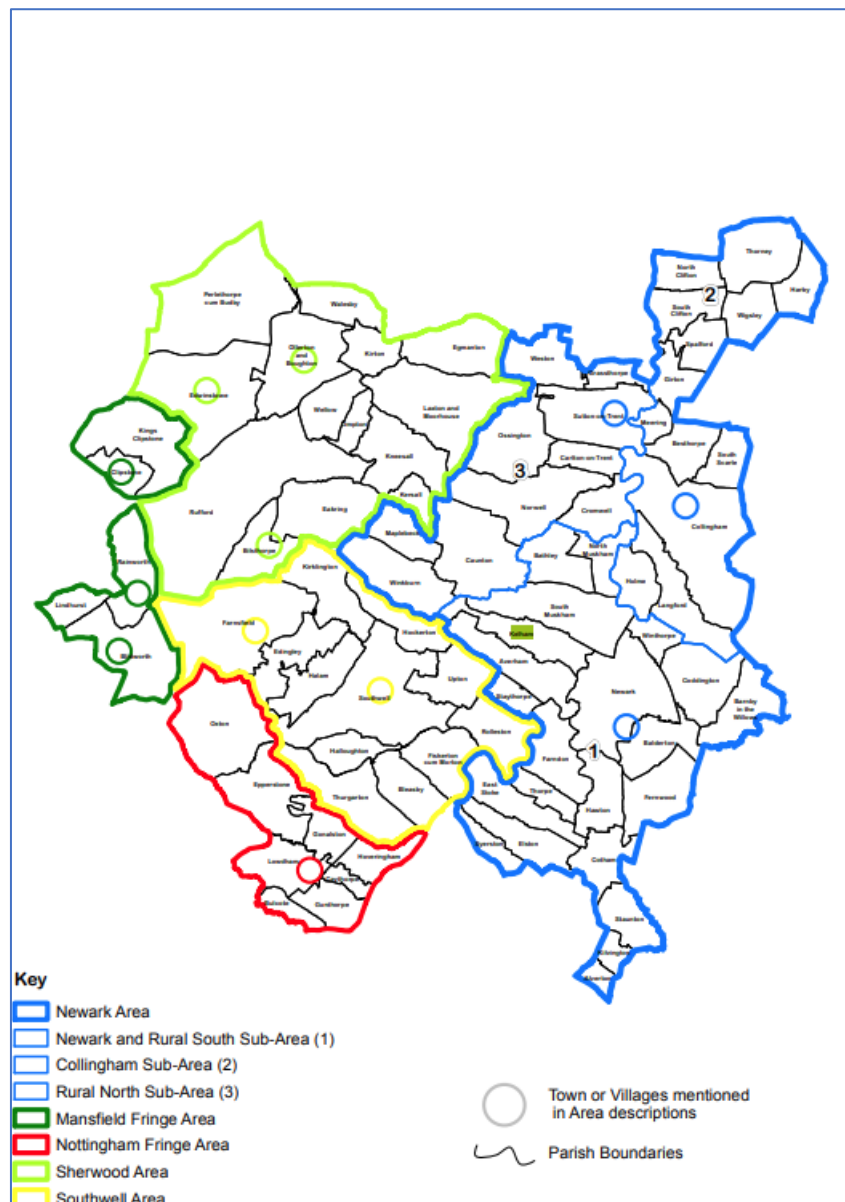


Figure 1 – GNR Solar Farm – Order Limits (Source – Applicant OL Plan - EN010162-APP-2.9<sup>5</sup>).

- 5.2. The existing land within the Order Limits consists of a series of separate but substantial land parcels that extends from the north eastern side of Kelham, extending broadly northwards along the Great North Road (A1) corridor, with following parcels of land to the north western side of South Muskham and areas of land to the south of North Muskham and Cromwell.
- 5.3. More substantial areas continue to the north, which includes Carlton on Trent, Sutton on Trent and land to the north of Kneesall (where it runs parallel to the south western side of the A1). From this point, the Order Limits turns back in a south westerly direction, covering land in and around Ossington and running south, to the eastern side of Kneesall and Kersall, linking to a substantial land parcel in and around Maplebeck. Beyond this, the Order Limits extends to the west of Caunton, in and around Knapthorpe with another more substantial area of land, which subsequently links to the Staythorpe to the South passing beyond Averham and the grid connection point at Staythorpe.
- 5.4. The Amended Core Strategy (ACS) as Adopted in 2019 defines the NSDC district into 8 distinct areas as detailed on **Figure 2** below, which also includes Parish Boundaries and towns and villages within the area descriptions (see below).

<sup>5</sup> [EN010162-000074-GNR 2.9 Location, Order Limits, and Grid Coordinates.pdf](#)





5.5. The Order Limits comprises land that falls within the Newark and Rural South Sub-Area (1), the Rural North Sub Area (3) and a smaller element within the Sherwood Area. The areas within the vicinity of the Order Limits area typically comprises small rural linear villages and hamlets of varying sizes, with more limited services and amenities. The exception to this, is Sutton on Trent, which is defined as a 'Principal Village' within the Amended Core Strategy, reflecting its larger size and access to more local services and amenities, although the main part of the settlement is located to the eastern side of the A1.

<sup>6</sup> [amended-core-strategy-DPD.pdf](#)



- 5.6. The inherent and overriding character of the land that surrounds the settlements that are located within the Order Limits is that of a rural nature, surrounded by large swathes of attractive open countryside, with land that is primarily within agricultural use, with large open vistas, across these areas.
- 5.7. In respects of character. many of the named villages described above area located within Conservation Areas, which includes Averham, Carlton on Trent, Kelham, Kneesall, Maplebeck, Newark, Sutton on Trent.

## 6. Planning History (Cumulative Effects)

- 6.1. Cumulative Effects are not presented as a standalone chapter, but the approach and methodology to assessing such effects are outlined in Chapter 2 – Environmental Impact Assessment of the Environmental Statement (ES). The Applicant have been in contact with the Council gathering information on committed developments within the Order Limits. The projects that have been subject to assessment are presented within Volume 4 (Technical Appendix A2.1) of the ES which provide Stages 1 and 2 of the Cumulative Assessment. As part of its relevant representations and response to the Applicant's Statutory Consultation, NSDC have highlighted concerns around cumulative effects. NSDC are a 'host' authority for three NSIP Projects and one Electricity Act Project and there are a number of other NSIP projects located within neighbouring authority areas in both Nottinghamshire and Lincolnshire, alongside other major energy and other projects that are determined at the local level. As such, we consider it imperative that a robust approach be undertaken to the assessment of cumulative effects.
- 6.2. The potential for significant adverse effects, as a result of cumulative effects, remains a key concern for NSDC and we will continue to make representations on this point, throughout the examination period.

## 7. Legislative and Policy Context

### National Policy Statements

- 7.1. In accordance with Part 3, sections 14(1)(a) and 15 of the 2008 Planning Act, the Great North Road Solar Farm is classed as a 'Nationally Significant Infrastructure Project' (NSIP). In accordance with the 2008 Planning Act, NSDC has been invited to submit a Local Impact Report (LIR) giving details of the likely impact of the proposed development on the authority's area. The definition of an LIR is given in s60(3) of the Act as 'a report in writing giving details of the likely impact of the proposed development on the authority's area (or any part of that area)'.
- 7.2. Local authorities are identified as consultation bodies under The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, in accordance with s43 of the PA 2008 (Planning Act 2008 Section 43(1) and (3)).
- 7.3. The One Earth DCO application was accepted for examination by the Examining Authority on 22<sup>nd</sup> July 2025. As such, NSDC note that in accordance with Section 104 (2) (a) of the Planning Act, the Secretary of State (SOS) must have regard to a National Policy Statement (NPS) where it has effect, which in the case of this project comprises of the Overarching

National Policy Statement for Energy (EN-1)<sup>7</sup> and the National Policy Statement for Renewable Energy Infrastructure (EN-3)<sup>8</sup>.

- 7.4. NSDC note that the SoS must also have regard to any Local Impact Report (providing it is submitted in accordance with the set deadline) in accordance with Section 104 (2) (b) of the Planning Act in making its decision. NSDC note the Government Guidance on NSIP Projects: Advice for Local Authorities<sup>9</sup> states under the recommended content that:

*‘There is no need to undertake an assessment of compliance with an NPS. This assessment will be carried out by the Examining Authority.’*

- 7.5. Accordingly, the following section sets out the prevailing policy framework in place at the local level, with brief reference for context purposes to other national planning policy and relevant guidance, where it is deemed relevant to NSIP projects.

#### National Planning Policy Framework (NPPF), NPPG and Written Ministerial Statements

- 7.6. The National Planning Policy Framework<sup>10</sup> (NPPF) was first published in 2012 and updated in 2018, 2019, 2021, 2023, 2024 and most recently on the 7<sup>th</sup> February 2025. Paragraph 5 of the NPPF states that the document does not contain specific policies for NSIPs. These are to be determined in accordance with the decision-making framework set out in the Planning Act and relevant National Policy Statements (NPS) for nationally significant infrastructure, as well as any other matters that are considered both important and relevant (which may include the NPPF).
- 7.7. Other statements of government policy may also be material when deciding applications, such as relevant Written Ministerial Statements and endorsed recommendations of the National Infrastructure Commission.
- 7.8. Whilst the NPPF is not used to determine DCO applications, there are elements which relate to various elements of the Great North Road Solar Scheme, such as, Achieving Sustainable Development (Part 2), Climate Change and Flooding (Part 14), the Natural Environment (Part 15) and Historic Environment (Part 16).
- 7.9. In terms of the economy, the NPPF indicates that planning policies should seek to address potential barriers to investment, such as inadequate infrastructure or a poor environment.

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<sup>7</sup> [EN-1 Overarching National Policy Statement for Energy](#) Last accessed 23/06/2025

<sup>8</sup> [National Policy Statement for renewable energy infrastructure \(EN-3\)](#) Last accessed 23/06/2025

<sup>9</sup> [Nationally Significant Infrastructure Projects: Advice for Local Authorities - GOV.UK](#) Last accessed 23/06/2025

<sup>10</sup> <https://www.gov.uk/government/publications/national-planning-policy-framework--2> last accessed 23/06/25

7.10. National Planning Policy Guidance (NPPG) provides more detailed guidance to support policies in the NPPF. The following matters are covered by the NPPG and are considered relevant to the Great North Road scheme:

- Air quality.
- Noise.
- Biodiversity Net Gain.
- Climate Change.
- Design.
- EIA.
- Flood risk.
- Healthy and Safe Communities.
- Historic Environment.
- Land affected by Contamination.
- Natural Environment.
- Open Space and public rights of way.
- Tree preservation areas and trees in conservation areas.
- Water supply, wastewater, and water quality.

7.11. To summarise, NPPGs provide the predominant policy context; and whilst the applicant's DCO application has cross referred to the NPPF and NPPG where applicable, where there are any inconsistencies between the NPPF and the relevant NPPGs, it is policies within the latter that prevails. This report has not sought to come to a balanced judgement on the policy context but will provide a local policy perspective for the Examining Authority to consider.

#### **Newark and Sherwood Local Development Framework**

##### **Newark and Sherwood Amended Core Strategy (2019)**

7.12. Newark Local Development Framework (LDF) is made up of two development plan documents, the Amended Core Strategy (2019) and the Allocations and development management development plan document (2013). Newark and Sherwood Amended Core Strategy (ACS), adopted in March 2019, provides the Strategic planning policies which provide the framework for the delivery of sustainable development in the district. The following ACS policies are relevant to the Great North Road Scheme.

##### *Relevant Policies:*

<b>Amended Core Strategy Policy</b>	<b>Summary of relevant aspects of the policies</b>
Spatial Policy 1: Settlement Hierarchy	This policy defines Newark as a Sub Regional Centre.

	<p>Features - Major centre in the Sub-Region, containing services and facilities for the District.</p> <p>Function - To be the focus for housing and employment growth in Newark &amp; Sherwood and the main location for investment for new services and facilities within the District. The Sub-Regional Centre is defined as Newark Urban Area which is made up of Newark, Balderton and Fernwood.</p>
Spatial Policy 2: Spatial Distribution of Growth	Newark Urban Area will be the main location for new housing and employment growth in the District. Newark Town Centre will act as a focus for new retail, cultural and leisure development. To support such growth the District Council and its partners will work together to secure and provide new infrastructure, facilities, and services.
Spatial Policy 3: Rural Areas	Sets out that the rural economy will be supported by encouraging tourism, rural diversification, and by supporting appropriate agricultural and forestry development. The countryside will be protected and schemes to enhance heritage assets, to increase biodiversity, enhance the landscape and, in the right locations, increase woodland cover will be encouraged. Beyond Principal Villages, new development will be considered against the criteria of location, scale, need, impact, and character, noting that development in the open countryside will be strictly controlled and restricted to uses that require a rural setting.
Spatial Policy 5: Delivering the Strategy	To ensure that the housing and employment needs of the District are delivered over the plan period, sufficient sites have been allocated to more than meet the requirements. There are three large urban extensions in Newark which, combined, will deliver approximately 7500 new homes and associated infrastructure (Middlebeck to the south, Fernwood to the south east, and Land east of Newark.
Spatial Policy 6: Infrastructure for Growth	<p>To ensure the delivery of infrastructure to support growth in the District, the District Council will secure Strategic Infrastructure via its Community Infrastructure Levy. Strategic Infrastructure is defined as improvements to the strategic highway network and other highway infrastructure as identified within the IDP and secondary education provision across the District;</p> <p>Local Infrastructure, including facilities and services that are essential for development to take place on individual sites, will be secured through Planning Obligations.</p>
Spatial Policy 7: Sustainable Transport	Sets out the Council's commitment to work with Nottinghamshire County Council and National Highways to reduce the impact of

	<p>roads and traffic movement and support alternative transport methods.</p> <p>Safeguarded locations of highway or public transport schemes identified within the Nottinghamshire Local Transport Plan and its implementation plan. The locations of these schemes are identified on the Policies Map.</p> <p>High quality, safe, cycle, footpath and bridleway networks will be safeguarded and extended to provide opportunities to reduce the number of short car journeys and for cycling, walking and horse riding for recreation in the countryside. Highway improvements which harm the character and environment of the area will be avoided and effective parking provision and vehicular servicing arrangements should be provided in accordance with Highways Authority best practice. Development proposals should ensure that vehicle traffic generated does not create or exacerbate existing on street car parking problems, nor materially increase other traffic problems.</p>
Core Policy 6: Shaping our Employment Profile	<p>The economy of Newark and Sherwood District will be strengthened and broadened to provide a diverse range of employment opportunities, through a variety of measures. This includes Working with learning and training bodies, job centres and higher education providers to raise workforce skill levels, improve employability and supporting economic development associated with these sources, and using planning obligations to provide opportunities to assist residents in accessing work.</p>
Core Policy 9: Sustainable Design	<p>The District Council will expect new development proposals to demonstrate a high standard of sustainable design that both protects and enhances the natural environment and contributes to and sustains the rich local distinctiveness of the District.</p>
Core Policy 10: Climate Change	<p>The District Council is committed to tackling the causes and impacts of climate change and to delivering a reduction in the District's carbon footprint. The District Council will work with partners and developers to:</p> <ul style="list-style-type: none"> <li>Promote energy generation from renewable and low-carbon sources, including community-led schemes, through supporting new development where it is able to demonstrate that its adverse impacts have been satisfactorily addressed. Policy DM4 'Renewable and Low Carbon Energy Generation' provides the framework</li> </ul>

	<p>against which the appropriateness of proposals will be assessed;</p> <ul style="list-style-type: none"> <li>• Ensure that development proposals maximise, where appropriate and viable, the use of available local opportunities for district heating and decentralised energy;</li> <li>• Mitigate the impacts of climate change through ensuring that new development proposals minimise their potential adverse environmental impacts during their construction and eventual operation. New proposals for development should therefore:</li> <li>• Ensure that the impacts on natural resources are minimised and the use of renewable resources encouraged; and</li> <li>• Be efficient in the consumption of energy, water, and other resources.</li> <li>• Steer new development away from those areas at highest risk of flooding, applying the sequential approach to its location detailed in Policy DM5 'Design'. Where appropriate the Authority will seek to secure strategic flood mitigation measures as part of new development;</li> <li>• Where appropriate having applied the Sequential Test move on to apply the Exceptions Test, in line with national guidance. In those circumstances where the wider Exceptions Test is not required proposals for new development in flood risk areas will still need to demonstrate that the safety of the development and future occupants from flood risk can be provided for, over the lifetime of the development; and</li> <li>• Ensure that new development positively manages its surface water run-off through the design and layout of development to ensure that there is no unacceptable impact in run-off into surrounding areas or the existing drainage regime.</li> </ul>
Core Policy 12: Biodiversity and Green Infrastructure	The Policy sets out how the District Council will seek to conserve and enhance the biodiversity and geological diversity of the District by working with partners to implement the aims and proposals of the Nottinghamshire Local Biodiversity Action Plan, the Green Infrastructure Strategy, and the Nature Conservation Strategy.
Core Policy 13: Landscape Character	This policy sets out, based on the comprehensive assessment of the District's landscape character, provided by the Landscape

	Character Assessment Supplementary Planning Document, the District Council will work with partners and developers to secure new development which positively addresses the implications of relevant landscape Policy Zone(s) that is consistent with the landscape conservation and enhancement aims for the area(s) ensuring that landscapes, including valued landscapes, have been protected and enhanced.
Core Policy 14: Historic Environment	Newark & Sherwood has a rich and distinctive historic environment, and the District Council will work with partners and developers in order to secure the continued conservation and enhancement of the character, appearance and setting of the District's heritage assets and historic environment, in line with their identified significance as required in national policy. There are several heritage assets, including one Conservation Area, within close proximity of the Order Limits (South Clifton Conservation Area).

#### Newark and Sherwood Allocations and Development Management DPD (2013)

7.13. Adopted in July 2013, the Allocations & Development Management DPD (ADMDPD<sup>11</sup>) forms part of the Local Development Framework and accords with the 2011 Newark and Sherwood Core Strategy and its approach to settlement growth in identifying specific sites where new homes and employment sites should be built. The DPD illustrates the location and extent of the allocated land on the Policies Map and provides guidance on how and when the sites should be developed. This DPD has been subject to review in recent times to ensure its policies accord with the Amended Core Strategy (2019) and National Planning Policy Framework.

#### *Relevant policies:*

Policy	Summary of relevant aspects of policy
DM4: Renewable and Low Carbon Energy Generation	This policy sets out that in order to achieve the carbon reduction as set out in Core Policy 10, planning permission will be granted for low carbon energy generation development, where its benefits are not outweighed by detrimental impact upon: <ul style="list-style-type: none"> <li>• Landscape character (arising from individual or cumulative impacts.</li> <li>• Heritage assets and or their settings.</li> </ul>

<sup>11</sup> <https://www.newark-sherwooddc.gov.uk/media/nsdc-redesign/documents-and-images/your-council/planning-policy/supplementary-planning-information/allocations-and-development-management-dpd/Allocations-and-Development-Management-Development-Plan-Document.pdf> last accessed 23/06/2025



	<ul style="list-style-type: none"> <li>• Amenity, including noise pollution, shadow flicker and electro-magnetic interference.</li> <li>• Highway safety.</li> <li>• The ecology of the local or wider area.</li> <li>• Aviation interests of local or national importance.</li> </ul>
DM5: Design	<p><u>Amenity</u></p> <p>The layout of development within sites and separation distances from neighbouring development should be sufficient to ensure that neither suffers from an unacceptable reduction in amenity including overbearing impacts, loss of light and privacy. Development proposals should have regard to their impact on the amenity or operation of surrounding land uses and where necessary mitigate for any detrimental impact. Proposals resulting in the loss of amenity space will require justification.</p> <p>The presence of existing development which has the potential for a detrimental impact on new development should also be taken into account and mitigated for in proposals. New development that cannot be afforded an adequate standard of amenity or creates an unacceptable standard of amenity will be resisted.</p> <p><u>Local Distinctiveness and Character</u></p> <p>The rich local distinctiveness of the district's landscape and character of built form should be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development. In accordance with Core Policy 13, all development proposals will be considered against the assessments contained in the Landscape Character Assessment Supplementary Planning Document.</p> <p><u>Trees, Woodlands, Biodiversity &amp; Green Infrastructure</u></p> <p>In accordance with Core Policy 12, natural features of importance within or adjacent to development sites should, wherever possible, be protected and enhanced. Wherever possible, this should be through integration and connectivity of the Green Infrastructure to deliver multi-functional benefits.</p> <p><u>Ecology</u></p> <p>Where it is apparent that a site may provide a habitat for protected species, development proposals should be</p>

	<p>supported by an up-to date ecological assessment, including a habitat survey and a survey for species listed in the Nottinghamshire Biodiversity Action Plan. Significantly harmful ecological impacts should be avoided through the design, layout and detailing of the development, with mitigation, and as a last resort, compensation (including off-site measures), provided where significant impacts cannot be avoided.</p> <p><u>Unstable Land</u></p> <p>Development proposals within the current and historic coal mining areas of the district should take account of ground conditions, land stability and mine gas, and where necessary include mitigation measures to ensure they can be safely implemented.</p> <p><u>Flood Risk and Water Management</u></p> <p>Development proposals within Environment Agency Flood Zones 2 and 3 and areas with critical drainage problems will only be considered where it constitutes appropriate development and it can be demonstrated, by application of the Sequential Test, that there are no reasonably available sites in lower risk Flood Zones.</p> <p>In accordance with the aims of Core Policy 9, development proposals should wherever possible include measures to pro-actively manage surface water including the use of appropriate surface treatments and Sustainable Drainage Systems.</p>
DM7: Biodiversity and Green Infrastructure	<p>The policy requires development to protect, promote and enhance biodiversity and the ecological network of habitats, species, and sites of international, national, and local importance. Development proposals in all areas of the District should seek to enhance biodiversity. Proposals should take into account the latest information on biodiversity including Nottinghamshire Biodiversity Opportunity Mapping, and the forthcoming Local Nature Recovery Strategy.</p>
DM8: Development in the Open Countryside	<p>In accordance with the requirements of Spatial Policy 3, development away from the main built-up areas of villages, in the open countryside, will be strictly controlled and limited to specific types of development, which includes (amongst others) rural diversification, equestrian uses, tourism uses, community and leisure facilities, employment uses, agricultural and forestry development.</p>

DM9: Protecting and Enhancing the Historic Environment	<p>In accordance with the requirements of Core Policy 14, all development proposals concerning heritage assets will be expected to secure their continued protection or enhancement, contribute to the wider vitality, viability, and regeneration of the areas in which they are located and reinforce a strong sense of place.</p> <p>All development proposals affecting heritage assets and their settings, including new operational development and alterations to existing buildings, where they form or affect heritage assets should utilise appropriate siting, design, detailing, materials, and methods of construction. Particular attention should be paid to reflecting locally distinctive styles of development and these should respect traditional methods and natural materials wherever possible. Where development proposals requiring planning permission involve demolition, the resulting impact on heritage assets will be assessed under this policy.</p>
DM10: Pollution and Hazardous Materials	<p>Development proposals involving the potential for pollution should take account of and address their potential impacts in terms of health, the natural environment and general amenity on:</p> <ul style="list-style-type: none"> <li>• Neighbouring land uses.</li> <li>• The wider population.</li> <li>• Ground and surface water.</li> <li>• Air Quality.</li> <li>• Biodiversity.</li> </ul>
DM12: Presumption in Favour of Sustainable Development	<p>A positive approach to considering development proposals will be taken that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Where appropriate, the Council will work pro-actively with applicants jointly to seek solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social, and environmental conditions within the district.</p>

Newark and Sherwood Amended Allocations and Development Management DPD Submission (2024)<sup>12</sup>

<sup>12</sup> <https://www.newark-sherwooddc.gov.uk/aadm-represenatation/> Amended Allocations Document last accessed 23/06/2025

7.14. Following a review of the ADMDPD (2013), the Amended Allocations & Development Management DPD (AADMDPD), along with its supporting documents has now been submitted for examination to the Secretary of State. The Submission Version of the Plan was approved at NSDC Full Council on 12th December 2023 with the recommendation to submit the Plan to the Secretary of State which was done so on 18th January 2024. The examination is currently ongoing, with a series of Hearings that took place in November 2024. The AADMDPD was recently subject to Main Modifications consultation between the 16<sup>th</sup> September and the 28<sup>th</sup> October 2025.

7.15. As such, we consider that the AADMDPD is at an advanced stage of preparation and will continue to advance during the examination of this project. Accordingly, it will become increasingly relevant during the later stages of the examination and will likely carry more weight in this regard. NSDC will provide any appropriate updates to the ExA during the examination in this respect. Relevant policies are presented below.

*Relevant Policies:*

<b>Policy</b>	<b>Summary</b>
DM4: Renewable and Low Carbon Energy Generation	The main provisions of this policy as within the current ADMDPD are proposed to be carried forward with support for low energy carbon developments, sets out where its benefits are not outweighed by detrimental impacts, which continues to include those issues as identified within the current version of policy DM4.
DM5(b): Design	This policy sets out criteria to be used to assess planning applications against design principles set out in the National Design Guide and any local Design Codes. Of particular relevance are the aspects relating to amenity, local distinctiveness and character, Trees, Biodiversity and Green and Blue Infrastructure, ecology, flood risk and water management.
DM7: Biodiversity and Green Infrastructure	The policy requires development to protect, promote and enhance biodiversity and the ecological network of habitats, species, and sites of international, national, and local importance. Development proposals in all areas of the District should seek to enhance biodiversity. Proposals should take into account the latest information on biodiversity including Nottinghamshire Biodiversity Opportunity Mapping, and the forthcoming Local Nature Recovery Strategy. Except for exempt development proposals, the enhancement should be a net gain of at least 10% (or if different, the relevant percentage set out in the Environment Act) as measured by the applicable

	DEFRA metric or any successor document. These gains must be guaranteed for a period of at least 30 years.
DM8: Development in the Open Countryside	In accordance with the requirements of Spatial Policy 3, development away from the main built-up areas of villages, in the open countryside, will be strictly controlled and limited to specific types of development, which includes (amongst others) rural diversification, equestrian uses, tourism uses, community and leisure facilities, employment uses, agricultural and forestry development.
DM9: Protecting and Enhancing the Historic Environment	All development proposals concerning heritage assets will be expected to conserve them in a manner appropriate to their significance, contribute to the wider vitality, viability and regeneration of the areas in which they are located (including its contribution to economic vitality), reinforce a strong sense of place and be enjoyed for their contribution to the quality of life of existing and future generations.
Policy DM10: Pollution and Hazardous Materials	This policy continues to set out that proposals involving the potential for pollution should take account of and address their potential impacts in terms of health, the natural environment and general amenity on: <ul style="list-style-type: none"> <li>• Neighbouring land uses.</li> <li>• The wider population.</li> <li>• Ground and surface water (including a new reference to water courses and water quality).</li> <li>• Air Quality.</li> <li>• Biodiversity.</li> </ul>
DM12: Presumption in Favour of Sustainable Development	A positive approach to considering development proposals will be taken that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Where appropriate, the Council will work pro-actively with applicants jointly to seek solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social, and environmental conditions within the district.

## 8. Landscape and Visual Impacts– *Neutral to Negative (depends on the landscape character area)*

### Landscape and Visual Impact Assessment (LVIA) Methodology

#### CHAPTER TO BE COMPLETED

8.1. XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

#### Local Policy

8.2. Core Policy 13 (Landscape Character) Amended Core Strategy Development Plan Document 2019:

*‘New development which positively addresses the implications of relevant landscape Policy Zone(s) that is consistent with the landscape conservation and enhancement aims for the area(s) ensuring that landscapes, including valued landscapes, have been protected and enhanced.’*

8.3. Policy DM5 (Design) Allocations and Development Management Development Plan Document 2013:

*‘Supporting text states - The diversity of landscape and built form within the District displays much local distinctiveness which the Council is keen to see reflected in new development. Development proposals should take reference from the Landscape Character Assessment SPD, locally distinctive layouts, design, detailing and methods of construction as a means of integrating itself into the surrounding area.’*

8.4. Policy DM5(b) Design Amended Allocations and Development Management Development Plan Document (for examination in November 2024).

8.5. Landscape Character Assessment Supplementary Planning Document 2013.<sup>13</sup>

8.6. As indicated above, the NSDC strategic level policies as contained within the Amended Core Strategy seeks to integrate new development into landscape character areas. Given the scale and extent of the proposed development, the proposed development fails to meet with this objective, given the significant change in the landscape character that will result.

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<sup>13</sup> [Landscape Character Assessment SPD | Newark & Sherwood District Council \(newark-sherwooddc.gov.uk\)](https://newark-sherwooddc.gov.uk)  
last accessed 30/06/25

- 8.7. Core Policy 13 and policy DM5 are supplemented by Policy DM4 of the ADMDPD which identifies that proposals will be supported, where its benefits are not outweighed by detrimental impacts from the construction, operation, and maintenance of the development, with impacts on landscape character (both individually and cumulatively) being a key criteria.
- 8.8. As referred to above, the ES LVIA Chapter reports a number of significant adverse effects, during operation and given that NSDC is not the determining authority in this case, any weighing up of benefits is a matter for the ExA. Accordingly, the proposed development is judged to be in direct conflict with Policy DM4 of the ADMDPD in respect of landscape character and associated visual impacts.

## 9. Biodiversity – Neutral/ Biodiversity Net Gain – Positive

### CHAPTER TO BE COMPLETED

- 9.1. XXXXXXXXXXXXXXXX
- 9.2. Newark and Sherwood's Vision as noted within the Council's Amended Core Strategy DPD 2019, states as follows.  
  
*'By 2033, Newark and Sherwood will...maximise **opportunities for appropriate renewable energy...while safeguarding and enhancing the natural environment**, strengthening green infrastructure, new green and woodland spaces will increase ecology, biodiversity and nature conservation, providing a resource for local people and encouraging personal well-being and health.'*
- 9.3. Nottinghamshire is losing its wild species and habitats at an alarming rate (Nottinghamshire Local Biodiversity Action Plan). Nature is being increasingly confined to small, fragmented areas with little or no connectivity.
- 9.4. Information exists on the biodiversity improvement priorities within the county. The most important areas for wildlife conservation remaining in Newark and Sherwood have been identified through the Nottinghamshire Biodiversity Map (BOM) Reports. BOMs are recognised as those areas where targeted maintenance, restoration and creation of priority habitats will have the greatest impact in improving connectivity and reducing habitat fragmentation. The Newark and Sherwood BOM was published in 2016, and which was used to inform the Focal Areas identified in Newark and Sherwood District Council's adopted document outlining Mandatory Biodiversity Net Gain Strategic Significance which was adopted by Cabinet on 23 January 2024.
- 9.5. Newark and Sherwood District Council produced a Green Infrastructure Strategy 2010, responding to the need to plan for predicted growth, enhance quality of life and ensure environmental sustainability in the District for generations to come.

NSDC Amended Core Strategy (AMC) Policy 12 Biodiversity and Green Infrastructure

- 9.6. Core Policy 12 (Biodiversity and Green Infrastructure) Amended Core Strategy Development Plan in 2019 sets out how developments should protect and enhance biodiversity, including the provision of new or improved green infrastructure. Supporting text states:

‘Seek to secure development that maximises the opportunities to conserve, enhance and restore biodiversity and geological diversity and to increase provision of, and access to, green infrastructure within the District.’

Allocations and Development Management Development Plan Document (ADMDDP)  
Policy DM5 Design

- 9.7. Policy DM5(b) (Design) Allocations and Development Management DPD 2023 (Amended plan currently under examination) states that:

“...in accordance with the requirements of Core Policy 9, all proposals for new development shall be assessed against the following criteria: ...

...5. Trees, Woodlands, Biodiversity & Green Infrastructure

In accordance with Core Policy 12, natural features of importance within or adjacent to development sites should not be unnecessarily adversely impacted and development should first seek to respect existing features before the Council will consider removal of such features. The starting point should be through integration and connectivity of the Green Infrastructure to deliver multi-functional benefits.

7. Ecology

Where it is apparent that a site may provide a habitat for protected species, development proposals should be supported by an up-to date ecological assessment, including a Habitat survey and a survey for species listed in the Nottinghamshire Biodiversity Action Plan. Significantly harmful ecological impacts should be avoided through the design, layout and detailing of the development, with mitigation, and as a last resort, compensation (including off-site measures), provided where significant impacts cannot be avoided.”

ADMDDP Policy DM7 Biodiversity and Green Infrastructure

- 9.8. Policy DM7 (Biodiversity and Green Infrastructure) Allocations and Development Management DPD 2023 (Amended plan currently under examination) states that:

‘Development proposals in all areas of the District should seek to enhance biodiversity. Proposals should take into account the latest information on biodiversity including Nottinghamshire Biodiversity Opportunity Mapping, and the forthcoming Local Nature Recovery Strategy. Except for exempt development proposals, the enhancement should be a net gain of at least 10% (or if different, the relevant percentage set out in the Environment Act) as measured by the applicable DEFRA metric or any successor document. These gains must be guaranteed for a period of at least 30 years....



New development should protect, promote, and enhance green infrastructure to deliver multi-functional benefits and contribute to the ecological network both as part of on-site development proposals and through off-site provision.'

9.9. The collective policies as reviewed above seek to protect biodiversity assets within the district, alongside promoting biodiversity enhancement.....

## Arboriculture – Neutral/Negative

### Assessment Methodology

9.10. The presence of trees is considered within Technical Appendix A8.12 – Arboricultural Impact Assessment which sets out at paragraph 8.12.1.2 that *'The aim of the study was to assess the potential impacts of the Development on trees and woodland by addressing the following objectives:*

- *Identify potential constraints to inform the Development design such that it can avoid and reduce potential arboricultural impacts;*
- *Screen the Development design for residual arboricultural impacts;*
- *Carry out an arboricultural impact assessment on parts of the Development where potential impacts can reasonably be predicted; and*
- *Propose mitigation to avoid and reduce arboricultural impacts.'*

9.11. The field survey carried out a targeted survey of trees within the Order Limits Area and recorded trees within the following categories:

- Cat A – High quality trees with an estimated life expectancy of at least 40 years;
- Cat B – Moderate quality trees with an estimated life expectancy of at least 20 years;
- Cat C – low quality trees with an estimated life expectancy of at least 20 years, or young trees with stems below 150 mm diameter; and
- Cat U – Trees in a condition such that they will not survive beyond 10 years.

### Assessment

9.12. The report confirms that as part of the survey, a total of 325 individual trees, 126 groups of trees were recorded and the following summary impacts on trees are noted (by category).

*Ancient Woodland – Tree Groups identified will be outside of 15m buffer zone areas, other than one area where the works would take place outside of a Root Protection Area.*

*Veteran Trees – Nine veteran trees were recorded in the targeted survey area (with no ancient trees being observed). The proposed development will not result in the loss or pruning of veteran trees.*

*TPO Trees – The proposed development will not result in the loss or pruning of TPO Trees, as all works are either outside of the 15m buffer zone, or do not encroach into their RPA.*

- 9.13. The report confirms that Work No. 2 Cables may require up to 89 trees to be removed, whereas the BESS and substation do not require any trees to be removed. The new access, passing place and associated visibility splays may require up to 9 trees to be removed, although this is considered a worst case scenario.
- 9.14. In addition, the report also notes that a total of 98 trees will be affected by works, 28 individual trees and 70 trees that are part of groups or partial groups.
- 9.15. In respect of Hedgerows, the report confirms that the permanent loss of hedgerows associated with fencing, access and new roads/tracks to an amount of 1,308m. Further to this hedgerow losses caused by cables is detailed as being 1,908m but are judged to be 'temporary' because the hedgerows will be reinstated or translocated.

#### Mitigation

- 9.16. The report acknowledges that tree and hedgerow losses will be compensated through planting proposals as outlined in the Outline LEMP which in summary would comprise:
- 31 ha of new woodland creation;
  - 8.5 ha of wood pasture creation;
  - 50 km of species-rich hedgerow creation; and
  - Scattered, individual trees.

#### Local Policy

##### Allocations and Development Management DPD 2013

- 9.17. Policy DM5 (Design) states as follows.

Trees, Woodlands, Biodiversity & Green Infrastructure - In accordance with Core Policy 12, natural features of importance within or adjacent to development sites should, wherever possible, be protected and enhanced. Wherever possible, this should be through integration and connectivity of the Green Infrastructure to deliver multi-functional benefits.

Supporting text states:

*Features of natural importance such as trees and hedges significantly contribute to the landscape character of the District and can also be used to help integrate new*

*development into it. Where a site contains or is adjacent to such features, proposals should take account of their presence and wherever possible incorporate or enhance them as part of the scheme of development in order to improve the connectivity of the Green Infrastructure. Where it is proposed to remove features, justification will be required, and re-planting should form part of development proposals.*

- 9.18. Whilst the Applicant has set out a significant programme of new planting, there is no guarantee that such additional planting will take place in and around where existing trees or hedgerows will be lost. Further discussion is required to ensure that the value of existing trees to be lost, is reflected in any replanting programme.

## 10. Noise and Vibration – Neutral

### Baseline

- 10.1. Baseline noise conditions have been determined through a baseline noise measurement survey which was carried out between *Monday 15th April and Tuesday 23rd April 2024*. The survey was designed to capture noise levels across the Order Limits during *the daytime (0700 hrs to 2300 hrs) and night time (2300 hrs to 0700 hrs)* periods using monitoring locations which are representative of the assessed receptors.
- 10.2. The existing noise environment was found to be affected by traffic noise *on the A1, A616 and A617, as well as train movements on the East Coast Mainline*.

### Assessment

- 10.3. A study area has been defined for each phase of the development, with receptors within this area considered for assessment. Outside of this study area, noise from the development is not considered to be significant.
- 10.4. Noise impact has been assessed in line with Planning Practice Guidance for Noise (PPG(N)) and The Noise Policy Statement for England (NPSE). Construct Traffic was assessed based upon Design Manual for Roads and Bridges LA 111 'Noise and Vibration' (DMRB LA 111) and the Institute of Environmental Management and Assessment (IEMA) Guidelines for Environmental Noise Impact Assessment (ENIA Guidelines), construction noise following BS 5228-1 (2014), and operational noise BS4142 (2019).
- 10.5. Assessment has been undertaken both without and taking account of mitigation. Mitigation measures identified include:

**Construction Environmental Management Plan (CEMP):** This plan includes measures to control noise and vibration during construction activities. It includes scheduling noisy activities during less sensitive times of the day, using quieter equipment and machinery, implementing noise barriers and enclosures around noisy equipment.

**Construction Traffic Management Plan (CTMP):** This plan aims to minimise noise from construction traffic by designating specific routes for construction vehicles, limiting the speed of vehicles, scheduling deliveries to avoid peak traffic times.

- 10.6. At present, only outline management plans have been produced, pending final development details. Additionally, a Construction Noise Management Plan (CNMP) will be developed based upon finalised location and equipment details and submitted prior to commencement of works.

#### Operational Phase

- 10.7. The development has been planned so far as possible to maximise distances from receptors to substation and BESS areas. Acoustic fencing is proposed within work area 5. Final details of plant have not yet been confirmed, as a result of which the final location, orientation and mitigation of plant may need to be amended. An operational noise assessment based upon finalised details is to be submitted prior to commencement of each phase of development.

#### Local Policy

- 10.8. The NSDC Allocations and Development Management Development Plan Documents (ADMPD) as adopted in July 2013, includes Policy DM4 – Renewable and Low Carbon Energy Generation, seeks to ensure that benefits of such development are not outweighed by any detrimental impacts, upon various issues, but with point 4 of the policy referring to *Amenity, **including noise pollution**, shadow flicker and electro-magnetic interference*.
- 10.9. Taking account of the wording of policy DM4, as noted in the explanatory text of the policy, proposals should take account of impacts generated during the preparation and installation process and those arising thereafter. At this stage, it is noted that the output of the Environmental Assessment work indicates that construction noise and vibration is judged to be not significant, and operational noise is assessed as being not significant, with the imposition of mitigation. As such, the impacts in respect of noise are expected to be neutral, although this is an interim conclusion, based upon the available information and noting that the Draft DCO contains requirement 15 which will provide further information on operational noise impacts.

## 11. Air Quality – *Neutral*

### Baseline

- 11.1. In respect of Air Quality, NSDC have reviewed Chapter 16 (Miscellaneous Issues) of the ES, which considers air quality impacts associated with the proposed development.
- 11.2. Turning first to traffic movements, NSDC note that Construction traffic emissions have been scoped out due to predicted vehicle movements being below IAQM/EPUK guidance threshold limits.
- 11.3. In respect of the potential for dust The assessment appropriately uses IAQM methodology to consider dust impact risks. Following identification of potentially sensitive receptors, the dust risk is considered and is deemed to be low to medium. Dust mitigation measures are proposed in the outline CEMP.

### Assessment

- 11.4. NSDC consider that a (in the absence of full details of mitigation measures proposed and the detailed design) detailed dust risk assessment and mitigation plan should be prepared and submitted for approval prior to construction and secured via a 'requirement' once the final layout is confirmed. In addition to the proposed mitigation this should include such matters as details of how, when and how often any monitoring will be carried out, how it is recorded and shared with stakeholders and by whom, should specify thresholds for action and should include contingency plans for unforeseen circumstances such as unseasonable high winds or exceptionally prolonged dry periods, a site contact name and number should be displayed at each site entry point and should be contactable to discuss any concerns or complaints.
- 11.5. Non-Road Mobile Machinery (NRMM) has been considered further within the assessment and Chapter 16 of the ES states that the use will be limited to short periods in any location.

### Mitigation

- 11.6. An outline Construction Environmental Management Plan (oCEMP) has been submitted which lists generic air quality and dust mitigation measures. It is expected that this will be refined and shall include some site-specific measures for later iterations.

### Local Policy

- 11.7. The ADMDPD, includes Policy DM10 – Pollution and Hazardous Materials, which seeks to manage proposals which have the potential for pollution and manage impacts on health, the natural environment and general amenity in respect of (amongst other things) Air Quality. Whilst there is further information that is expected to be made available in due

course, impacts on Air Quality are expected to be neutral, with the appropriate best practice mitigation measures in place.

## **12. Ground Conditions and Contamination – *Neutral***

### Baseline – Contamination

- 12.1. In respect of Ground Conditions and Contamination, NSDC have reviewed the Preliminary Risk Assessment (PRA) report (Study Areas 1-8) as contained in Volume 4 – Technical Appendices of the ES. This includes an environmental screening report, an assessment of potential contaminant sources, a brief history of the site's previous and current uses and a description of the site walkover.
- 12.2. The PRAs for Study Areas 1–8 follow current guidance including EA's Land Contamination Risk Management (LCRM). The Conceptual Site Models (CSMs) are well-structured and identify plausible contaminant linkages.

### Assessment

- 12.3. The Detailed Desk Study (Stage 2), also as contained in Volume 4 – Technical Appendices of the ES identifies medium to high risk in Study Areas 2, 7, and 8. This is recommended to be mitigated by the use of tool-box talks, inclusion of UXO in the Contractor's Risk Assessments and Emergency Response Plans. Debdale Tip in Parcel 4 is now outside of the order limits and therefore will not be subject to any further investigation.
- 12.4. Potential human health contaminant receptors (which lie in the NSDC administrative area) are limited to existing neighbouring residential properties given that risk to site workers falls within the developer's health and safety obligations.
- 12.5. A 'Discovery Strategy' protocol is recommended for contamination and NSDC note that at present there is a draft requirement (17) within the Draft DCO to capture the additional work to be undertaken. We would wish to make further representations on the wording of this condition as currently drafted in due course, to ensure the usual validation/verification process is captured to demonstrate any necessary remediation has been successfully implemented. Furthermore, any contamination identified should require all phases of investigation, remediation and verification as stipulated in the EA LCRM guidance.

## 13. Agricultural Land Classification – Negative

13.1. Turning to the issue of Agricultural land classification, NSDC have received advice from its externally appointed advisors on the technical elements of the soil survey investigative work (in respect of the Best and Most Versatile Agricultural Land) and in this regard wish to make the following key observations.

13.2. This has included the review of Chapter 17 of the ES and the associated Technical Appendix within Volume 4 of the ES, which contains the Agricultural Land Classification Report (Parts 1 and 2).

- A detailed base line ALC has been undertaken across 1,690 hectares, following Natural England consultation, in detail at a standard density of 1 auger bore per hectare.
- 62% of the site is BMV quality, based on a detailed survey, BMV is mainly Grade 3a.
- The Applicant state they have avoided siting on the highest-grade land based on data provided by Natural England, but 8% of the land is identified as of Grade 2.
- An Outline Soil Management Plan is provided and includes sections on construction, management, and decommissioning. The decommissioning bond is stated to guarantee funding for the removal of equipment after 40 years.
- The cable routes have also been ALC surveyed, and the details reported, the methodology was agreed with Natural England. The cable routes are similar quality to the overall site.
- It is noted that the Applicant states that local farmers will graze sheep under and around the solar PV arrays, where practicable. Given this is likely influenced by the future economics of farming, the Applicant should set out in clear terms a minimum acreage of land that would be available for grazing and how access would be obtained for such ongoing use, given security considerations for the site. Moreover, as this is a potential benefit in the continuation of some form of agricultural activity, we would expect the Applicant to demonstrate there is both a commercial demand for grazing use across the site, that it can be delivered and if so, how that would be secured within the Development Consent Order.
- It is further noted that removing intensive farming is considered to eliminate nitrates and phosphates, supporting soil health, biodiversity and improving water quality. However, there is no detail as to if and how improved soli health will be maintained after the decommissioning stage, including the financing of any ongoing programme that may be necessary.





## 15. Socio Economics – Positive

- 15.1. In respect of Socio Economics, Chapter 13 of the ES sets out the potential for direct and indirect job creation during the construction, operation, and decommissioning phases. Whilst job creation is noted as a potential positive benefit, any permanent direct employment is limited to 20 net FTE jobs during the operational lifespan of the proposed development.
- 15.2. Although construction jobs are likely to be more significant, with the creation of 173 FTE jobs during the construction phase, this is only considered to be a moderate benefit, given the temporary nature of the construction programme.
- 15.3. NSDC can confirm that some early and limited discussions have taken place with the Applicant at the Pre-application stages on the ways in which the economic benefits of the development (through job creation) could be secured (should permission be forthcoming). Moreover, we have recommended that the Applicant consider how they can work with other Applicants for other projects in the Nottinghamshire and Lincolnshire region to deliver such benefits. We note that this and other measures are presented in the Outline Skills, Supply Chain and Employment Plan (OSSCEP).
- 15.4. Without prejudice to any view that NSDC may take on the proposed development, this should be developed further during the examination stage, such that NSDC can understand the benefits of the proposed development in respect of potential job creation at the district level and how such potential jobs can be secured as direct and tangible employment on either a temporary or permanent basis.

### **Local Policy**

- 15.5. Core Policy 4 of the Amended Core Strategy – Shaping our employment profile, seeks to strengthen and broaden the economy of the district and provide a diverse range of opportunities. The OSSCEP should be developed further to demonstrate how working with learning and training bodies, job centres and higher education to raise workforce skill levels can raise and improve employability. Noting the greatest beneficial impacts would occur in the construction stage and only very minor operational benefits, in order to demonstrate compliance with Core Policy 4, the mechanisms for delivery to ensure the benefits are deliverable, are an important part of the examination process.

## 16. Summary and Conclusions

- 16.1. The purpose of this LIR has been to outline the likely effects of the Great North Road Solar Farm at a local level and to briefly evaluate these effects in the context of local planning policy and not to come to an overall balanced conclusion which is the responsibility of the Examining Authority.
- 16.2. Newark and Sherwood District Council (NSDC) note the need for Renewable Energy development and the wider benefits that this brings, but there are some specific and direct negative impacts associated with the proposed development including landscape and visual impacts, leading to a marked change in the character of the area and the loss of Best and Most Versatile Agricultural Land.
- 16.3. In addition, there are impacts around the potential loss of trees, other areas of potential impacts and areas of mitigation that require further development during the examination, so as to clearly understand the means to which more significant impacts associated with the proposed development will be suitably mitigated, including the mechanisms to ensure this mitigation is fully implemented.
- 16.4. NSDC will continue to work proactively with the Applicant during the examination to understand the full impacts of the proposed development, including evidence of necessary mitigation to address any significant impacts, including the joint production of Statements of Common Ground.
- 16.5. NSDC has not undertaken a full review of the draft Development Consent Order at this stage and will suggest any necessary amendments at the appropriate time during the Examination.



Report to Planning Committee 4 December 2025

**Director Lead:** Matt Lamb, Director of Planning & Growth

**Lead Officer:** Matthew Norton, Business Manager – Planning Policy & Infrastructure, Ext 5852

Report Summary	
Report Title	Wildlife Features as part of new development Guidance Note
Purpose of Report	To inform members of the publication of a Guidance Note to encourage wildlife features as part of new development.
Recommendation	That Committee note the production and publication of the Guidance Note (attached at Appendix A)

## 1.0 Background

- 1.1 At Full Council on the 15 July 2025 a motion was agreed in relation to swift bricks which included the following:

“This Council acknowledges the significant and ongoing decline in swift and other cavity-nesting bird populations across the UK, with four species known to use swift bricks now on the Red List of Birds of Conservation Concern. These species, including swifts and house martins, rely entirely on buildings for breeding and are rapidly losing nesting sites due to modern construction practices and insulation schemes that seal off access to traditional cavities.

Council therefore resolves to:

- 5) Encourage developers within Newark and Sherwood District** to install swift bricks in all suitable new residential developments and publish guidance on best practice placement.
- 6) Support the Planning Policy team to continue exploring opportunities** to embed swift bricks within local planning policy or supplementary planning guidance—such as in future iterations of the Newark Town Centre Design Code—and report back with options for their inclusion in upcoming Local Plan updates and biodiversity net gain assessments.”

- 1.2 Planning Policy Board considered the issue during the summer of 2025 and endorsed an approach to provide a guidance note setting out how the Council will encourage developers to address this issue. This would be ahead of the drafting of more formal policy in the new Local Plan or in any formal Design SPD. The Board also endorsed the approach of the inclusion of bats and hedgehogs within any guidance reflecting national policy.

## **2.0 Wildlife Features as part of new development – Guidance Note**

- 2.1 Attached at **Appendix A** is final wording of the guidance note produced by Planning Policy and the Biodiversity and Ecology teams. The guidance note is currently being designed up by the communications team for publication.
- 2.2 The guidance note sets out that Paragraph 187d of the National Planning Policy Framework states that through their decision making Local Planning Authorities should contribute to and enhance the natural and local environment by: *“minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs.”*
- 2.3 Core Policy 12 Biodiversity and Green Infrastructure in the Amended Core Strategy (Adopted March 2019) sets out that the District Council will: *“Seek to secure development that maximises the opportunities to conserve, enhance and restore biodiversity and geological diversity and to increase provision of, and access to, green infrastructure within the District”.*
- 2.4 The guidance note goes on to explain the urgent need to provide nest bricks and boxes, bat boxes, and hedgehog friendly design as part of new development. It explains what these are and how the Council will seek to secure them as part of new development.
- 2.5 It is important to note that this is guidance explaining the Council’s approach to implementing the NPPF and Core Policy 12 of the Amended Core Strategy. Whilst it is not policy it does capture how the Council seeks to address national and local policy in this particular area, reflecting existing practice.

## **3.0 Implications**

- 3.1 In writing this report and in putting forward recommendation’s officers have considered the following implications: Data Protection, Digital and Cyber Security, Equality and Diversity, Financial, Human Resources, Human Rights, Legal, Safeguarding and Sustainability, and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

### **Legal Implications - LEG2526/6456**

- 3.2 This report is for noting.

## **Wildlife Features as part of new development – Guidance Note**

### **1.0 Purpose of the note**

- 1.1 This is a guidance note, it is not planning policy nor is it a Supplementary Planning Document. Its purpose is to provide developers and interested parties with an understanding of how the Council will encourage developers to meet the expectations in the National Planning Policy Framework with regard to Swift Boxes, other Bird Boxes and measures related to other threatened species.
- 1.2 Full Council at its meeting on the 15 July 2025 agreed a motion supporting the development of guidance and eventually planning policy on swift bricks in new development. The note was presented to Planning Committee on the 4 December 2025.

### **2.0 Policy Context**

- 2.1 In general terms, every local planning authority has a statutory duty to have regard to conserving biodiversity as part of the planning process. Planning policy at both a national and local level strongly supports the need to protect and conserve biodiversity and to seek enhancements, including measures to extend existing and support new or isolated habitats.
- 2.2 This approach runs alongside the requirements to deliver 10% Biodiversity Net Gain on the vast majority planning application which was introduced in 2024.
- 2.3 The National Planning Policy Framework sets out at Paragraph 187 the following:  
*“Planning policies and decisions should contribute to and enhance the natural and local environment by:*  
  
*d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;”*
- 2.4 Core Policy 12 Biodiversity and Green Infrastructure in the Amended Core Strategy (Adopted March 2019) sets out that the District Council will:  
  
*“Seek to secure development that maximises the opportunities to conserve, enhance and restore biodiversity and geological diversity and to increase provision of, and access to, green infrastructure within the District”*

### **3.0 The Case for Action**

- 3.1 Bats and several species of bird (e.g. swifts and house martins) are dependent on our buildings for breeding sites but the capacity for our buildings to provide such sites is disappearing across the UK. This comes at time when the population of

Swifts is declining rapidly and in 2021 Swifts were added to the red list of UK Birds of Conservation Concern<sup>1</sup>. Whilst the scientific reasons for this decline are complex and not clear<sup>2</sup> one thing we have the opportunity to do is to ensure that there are sufficient safe nest sites for swifts to reduce losses at nest sites to help mitigate drivers of change in population numbers.

- 3.2 A key factor in the loss of nest sites is modern building design where the need for low or zero carbon construction has led to new building techniques, materials and designs which create airtight barriers. As a result, species that traditionally use our buildings are unable to find resting, nesting or roosting sites.
- 3.3 Loss of nest sites also occurs when buildings and their roofs are repaired or altered. For example, swifts return year after year, not just to the same building, but the same small gap or space in the same building. This might be a gap under the eaves, soffit or bargeboard, or a space at the end of guttering or a gap under the tiles or in the pointing. Once filled in, it can result in a pair of Swifts failing to breed that year, as they are very reluctant to move to alternative sites even if they are available.
- 3.4 Bat populations in the UK have experienced significant changes over recent decades, with some species showing signs of recovery while others remain in decline. One major challenge is the decline in suitable roost sites. The demolition of older buildings, increased use of artificial lighting, and the trend toward airtight, energy-efficient homes have all contributed to a decline in accessible roosting spaces<sup>3</sup>. These changes make it harder for bats to find the stable microclimates they need for breeding, hibernation, and shelter, underscoring the urgent need for bat-friendly design in new developments.
- 3.5 All bat species in the UK have been observed using buildings for roosting, though some depend on them more heavily than others. Each species tends to choose roosting spots within buildings that mimic the conditions found in their natural roosts<sup>3</sup>. For example crevice-dwelling bat species (often hidden from view) such as common and soprano pipistrelle will often roost beneath roof tiles, while roof-void dwelling bats such as Leisler's and Daubenton's bat prefer to roost on exposed timbers within loft voids.

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<sup>1</sup> Stanbury, A., Eaton, M., Aebischer, N et al. (2021) *The status of our bird populations: the fifth Birds of Conservation Concern in the United Kingdom, Channel Islands and Isle of Man and second IUCN Red List assessment of extinction risk for Great Britain*. British Birds 114: 723-747. Available online at: <https://britishbirds.co.uk/content/status-our-bird-populations>

<sup>2</sup> Finch, T, Bell, J R, Robinson, R A, & Peach, W J. (2022) *Demography of Common Swifts (Apus apus) breeding in the UK associated with local weather but not aphid biomass*. Ibis. 165 (2) pp. 420-435

<sup>3</sup> Bat Conservation Trust (2018) *Bats in Buildings* [Online]. Available from: <https://www.bats.org.uk/our-work/buildings-planning-and-development/bats-in-buildings>

- 3.4 Hedgehogs are native and widespread across the UK. They require a mixture of habitats for foraging, nesting and mating, and a connected landscape. Rural hedgehogs are currently rapidly declining, with at least half lost from Britain since 2000<sup>4</sup>. They appear to be faring better in urban than rural areas, with those populations stabilising and potentially improving<sup>5</sup>. They are one of the few animals able to happily live alongside us, seeming to prefer gardens and amenity grassland habitats. Enhancing and connecting urban and suburban areas will help this struggling species to survive.

#### **4.0 Examples of Wildlife features as part of new development**

##### **4.1 Nest Bricks & Boxes**

There are many different types and models of species-adapted nest boxes and “bricks” readily available on the market. Nest bricks designed specifically for Swifts have the advantage that they will be used not only by Swifts but also by House Sparrows, Starlings, Blue Tits and Great Tits. These nest bricks are inconspicuous, simple to install and do not require ongoing maintenance. Swifts are communal nesters and there should be at least two bricks or boxes in close proximity.

<p><b>Swift Brick</b> &lt;Insert picture of a swift brick&gt;</p>	<ul style="list-style-type: none"> <li>• Best option for new build development</li> <li>• Durable and will not be damaged by weather</li> <li>• As they are integral, they cannot easily be removed</li> </ul> <p>More information is available on the Swift Conservation website: <a href="#">Swift Conservation Homepage</a></p>
<p><b>Nest Boxes</b> &lt;Insert picture of a nest box&gt;</p>	<ul style="list-style-type: none"> <li>• Best Option for retrofitting on existing buildings</li> <li>• Not all existing buildings are suitable depending on height and orientation</li> </ul> <p>More information is available on the Swift Conservation website: <a href="#">Swift Conservation Homepage</a></p>

##### **4.2 Bat Boxes**

<sup>4</sup> Wembridge, D., Johnson, G., Al-Fulaij, N & Langton, S. (2022) *State of Britain's Hedgehogs 2022 Report*

<sup>5</sup> People's Trust for Endangered Species & British Hedgehog Preservation Society. (2019). *Hedgehogs and development: Guidance for developers* [Online]. Available from:  
<https://www.britishhedgehogs.org.uk/leaflets/Developers-Leaflet.pdf>

Bat boxes are artificial roosts designed to encourage bats into areas where there are few roosting sites. There are various designs of bat box from wooden boxes you can make yourself to external ready-assembled boxes and even integrated bat boxes that can be built into walls. Different bat species need different spaces. The Bat Conservation Trust has produced a [Bat Box Information Pack](#) which provides details on the different options they fall into three types:

<b>Integrated bat boxes</b>  <insert picture >	Integrated bat boxes can be matched and built into the walls and facade of a building. They have the advantage of offering a secure, permanent space for bats with little maintenance and potentially better thermal properties. These should be the preferred type for new development.
<b>Wooden External Boxes</b> <insert picture>	Wooden bat boxes are usually cubic or rectangular, with a grooved ‘bat ladder’ and a narrow entrance slit at the bottom. They can be nailed to trees or walls.
<b>Ready-made external bat boxes</b>  <insert picture>	There are a number of ready-made external bat boxes suitable for buildings and trees that can be purchased. These boxes can be wooden, however there are an increasing number of more durable options.

#### 4.3 *Hedgehog Routes & Habitats*

In order to ensure that new development can accommodate hedgehogs the British Hedgehog Preservation Society has produced guidance for developers called [Hedgehogs and Developers](#) which sets out various elements to consider;

- **Connectivity:** Consider connectivity of the landscape, enabling ground-dwelling species such as hedgehogs to move around freely. Boundaries and barriers within and surrounding the development, including fencing, railing and gates, should be made permeable e.g.:
  - through the use of fence panels with 13 x 13 cm holes at ground level (hedgehog holes)
  - leaving a sufficient gap beneath gates
  - leaving brick spaces at the base of brick walls
- **Planting:** Include hedgerows for defining property boundaries where feasible and have a diverse mix of native shrubs to encourage invertebrates.



- Habitat: Include areas scrub and deadwood to provide shelter for hedgehogs.

## **5.0 How the NPPF requirement will be implemented in Newark & Sherwood**

- 5.1 The Council will seek to ensure that new development addresses the requirement set out in Paragraph 187 and Core Policy 12, by encouraging the inclusion of bird boxes/bricks and bat boxes where appropriate.

What's expected in new development:

- The provision of a proportionate number of swift (or other bird species) and bat bricks integrated into buildings where appropriate; or
- The provision of a proportionate number of externally mounted swift (or other bird species) and bat boxes where integrated swift or bat bricks are not possible.
- Locational requirements

### Bird bricks/boxes

- Swift bricks and bird boxes can be positioned on a west to east facing aspect (avoiding southern aspects as this will be too warm for developing eggs and chicks). Consideration should be provided for west facing aspect if there is potential to be exposed to driving rain.
- Boxes should be approximately 5 metres or more above ground level and ideally will be sited close to the eaves or bargeboards. In larger buildings optimal height will depend on the design of the building and the surrounding area.
- Ideally avoid siting bricks directly above windows to avoid potential conflict with residents.
- Avoid siting bricks where predators (such as domestic cats) can perch or climb.

### Bat boxes

- Bat boxes can be positioned in a in a south-west, south or south-east facing direction (avoiding north facing aspects).
- Boxes should be installed at a height of 4-6m and entrances must be free from vegetation and unobstructed.
- Ideally site boxes away from artificial light sources.
- Use untreated wood for any handmade boxes.
- Avoid siting bricks where predators (such as domestic cats) can perch or climb.

5.2 The Council will work with developers to secure the most appropriate solution for each development site. The securing of bird boxes and bat boxes will be by an appropriate planning condition:

*“A. The approved development shall not commence until bat box and swift/bird nest box plan has been submitted to, and been approved by, the local planning authority. The plan is to show the type and location of the proposed boxes, and details for fixing these into place.”*

*“B. Photographic evidence of the installed boxes to be submitted to, and approved by, the local planning authority to fully discharge the condition.”*

5.3 There is also an opportunity to secure the inclusion of bird boxes/bricks and bat boxes in the extension of existing buildings. This may be more limited by building orientation and other design restrictions however where appropriate the Council encourages such inclusion. Such bricks/boxes will be secured by the condition as set out in paragraph 5.2.

5.4 Provision for hedgehog routes and habitat will be required as part of major residential housing developments (e.g. 10 or above).

What's expected as part of new development:

- Developers should indicate in planning applications their approach to hedgehog routes through the site and how they will be constructed.
- Where appropriate identify potential habitat locations for hedgehogs.

5.5 The Council will work with developer to secure the most appropriate solution for each development site. The securing of hedgehog routes will be by an appropriate planning condition:

*“A. The approved development shall not commence until a hedgehog highway plan has been submitted to, and been approved by, the local planning authority. The plan is to show the hedgehog route and type and location of the proposed interventions, and details for fixing these into place.”*

*“B. Photographic evidence of the installed route, habitat and features to be submitted to, and approved by, the local planning authority to fully discharge the condition.”*

5.6 If you have any questions about the implementation of this guidance note please contact: [planning@newark-sherwooddc.gov.uk](mailto:planning@newark-sherwooddc.gov.uk) [nick.law@newark-sherwooddc.gov.uk](mailto:nick.law@newark-sherwooddc.gov.uk) and [hayley.hurst@newark-sherwooddc.gov.uk](mailto:hayley.hurst@newark-sherwooddc.gov.uk)

## **PLANNING COMMITTEE – 4 DECEMBER 2025**

### **Appeals Lodged**

- 1.0 Members are advised that the appeals listed at Appendix A to this report have been received and are to be dealt with as stated. If Members wish to incorporate any specific points within the Council's evidence please forward these to Planning Development without delay.
- 2.0 Recommendation
- 2.1 That the report be noted.

### **Background papers**

Application case files.

Further information regarding the relevant planning application and appeal can be viewed on our website at <https://publicaccess.newark-sherwooddc.gov.uk/online-applications/search.do?action=simple&searchType=Application> or please contact our Planning Development Business Unit on 01636 650000 or email [planning@newark-sherwooddc.gov.uk](mailto:planning@newark-sherwooddc.gov.uk) quoting the relevant application number.

Oliver Scott  
Business Manager – Planning Development

**Appendix A: Appeals Lodged (02 November 2025 to 24 November 2025)**

Appeal and application refs	Address	Proposal	Procedure	Appeal against
6001425  25/01319/PIP	Land Off St Michaels Close Halam	Application for permission in principle for residential development of four to nine dwellings	Written Representation	refusal of a planning application

**PLANNING COMMITTEE – 4 DECEMBER 2025**

**Appendix B: Appeals Determined (October 31<sup>st</sup> to November 24<sup>th</sup> 2025)**

App No.	Address	Proposal	Application decision by	Decision in line with recommendation	Appeal decision	Appeal decision date
24/01810/FUL	Flaggs Farm Cauntton Road Norwell Newark On Trent NG23 6LB	Change of use of two former farm storage buildings to storage (Use Class B8) and associated parking.	Planning Committee	Committee Overturn	Appeal Allowed	7th November 2025
Click on the following link to view further details of this application: <a href="https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=SLE2BOLBIQ200">https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=SLE2BOLBIQ200</a>						

**Legal Challenges and Other Matters**

App No.	Address	Proposal	Discussion

**Recommendation**

That the report be noted.

**Background papers**

Application case files.

Further information regarding the relevant planning application and appeal can be viewed on our website at <https://publicaccess.newark-sherwooddc.gov.uk/online-applications/search.do?action=simple&searchType=Application> or please contact our Planning Development Business Unit on 01636 650000 or email [planning@newark-sherwooddc.gov.uk](mailto:planning@newark-sherwooddc.gov.uk) quoting the relevant application number.

Oliver Scott  
Business Manager – Planning Development