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**Monday, 30 March 2026**

**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 M Home  
Councillor K Melton  
Councillor P Rainbow**

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

<b>MEETING:</b>	<b>Planning Committee</b>
<b>DATE:</b>	<b>Thursday, 9 April 2026 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>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>.</p>	

## AGENDA

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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 12 March 2026	3 - 9
<b>Part 1 - Items for Decision</b>	
5. Farndon Windmill, Crees Lane, Farndon - 25/00869/FUL Site Visit: 10.15am – 10.25am	10 - 40
6. Farndon Windmill, Crees Lane, Farndon - 25/00870/LBC Site Visit: 10.15am – 10.25am	41 - 55
7. Field Reference Number 7509, Dale Lane, Blidworth - 26/00191/PIP Site Visit: 11.30am – 11.40am	56 - 73
8. Land Adjacent Church View Farm, Swinderby Road, South Scarle, NG23 7JW - 25/02049/FUL Site Visit: 1.40pm – 1.50pm	74 - 97
9. Land Off Bilsthorpe Road, Eakring - 26/00259/PIP Site Visit: 10.45am - 10.55am	98 - 117
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11. Planning committee reform: statutory consultation on draft Regulations and Guidance & Consultation on fees for planning applications	136 - 141
<b>Part 2 - Items for Information</b>	
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14. Exclusion of the Press and Public	
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, 12 March 2026 at 4.00 pm.

PRESENT: Councillor A Freeman (Chair)  
Councillor D Moore (Vice-Chair)

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

ALSO IN ATTENDANCE: Councillor N Allen

APOLOGIES FOR ABSENCE: Councillor M Shakeshaft and Councillor T Smith

### 117 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.

### 118 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

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

Director of Planning & Growth declared an other registerable interest on Agenda Item No. 7 – Land off Mansfield Road, Clipstone – 23/01846/OUTM, as he was a Grant Funder and was known to the applicant and would leave the meeting for this item.

### 119 MINUTES OF THE MEETING HELD ON 12 FEBRUARY 2026

AGREED that the minutes from the meeting held on 12 February 2026 were agreed as a correct record and signed by the Chair.

### 120 LAND WEST OF ALLENBY ROAD, SOUTHWELL - 25/01879/OUTM

The Committee considered the report of the Business Manager – Planning Development, which sought outline planning permission (with all matters reserved except for access to Allenby Road) for up to 70 dwellings (including affordable housing), highway works, public open space, children’s play space, landscaping, drainage and all other associated works, including infrastructure.

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

The application was presented to the Planning Committee on 12 February 2026 with a recommendation of approval. Members of the Committee resolved to defer the application to allow Officers to seek professional landscape advice on the impact of the proposal. Officers had sought such advice, and the updated report sought to address Members concerns and to address some of the other matters raised during those discussions. An amendment was communicated to Members on the slides and via the Officers presentation on the removal of First Homes from the requirement for S106 affordable homes (due to the removal of First Homes from the NPPF as mandatory) and the new split would be 60% Social/Affordable Rent and 40% Shared Ownership, still keeping the 30% onsite affordable housing provision.

The Committee report from 12 February was appended to the report as Appendix A. The independent landscape advice was contained in full in Appendix B to the report.

Mr R Lewis, representing Southwell Civic Society and another objector, spoke in objection to the application.

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

Members considered the application, and it was commented that this was a wrong site for development. There was an emerging Neighbourhood Plan which was being considered. There were better sites in the area which Southwell Town Council had agreed through Referendum. This was a gateway site and was good quality agricultural land. The site was in open countryside which was contrary to policy DM8. The proposed plans had footpaths along the road which was considered inappropriate. If the land was developed it would allow urban creep to the village of Halam and other villages, which would lose their unique character. It was felt that this development would be highly visible, which had not been considered in the independent landscape assessment. Southwell was full to capacity with residents, additional people would have an overbearing impact on local doctor surgeries, schools and other facilities. Members debated the tilted balance and the landscape advice. One Member advised that they would want to see a bold landscape buffer at reserved matters stage if it was approved.

AGREED (with 7 votes For and 6 votes Against) that Planning Permission be approved, subject to the conditions contained within the report and the signing of a S106 agreement for the contributions.

121 LAND TO THE REAR OF HOME FARM BARN, WINKBURN - 25/01941/PIP

The Committee considered the report of the Business Manager – Planning Development, which sought permission in principle for residential development for a minimum of 1 and up to 2 dwellings.

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

Mr W Eastwood, Chair of Winburn Parish Meeting, spoke in objection to the application, although commented that Winburn Parish Meeting in principle had no objection as such. The development of this area should be reviewed as part of the

development of the village, which should be shared, debated and encouraged.

Members considered the application, and it was commented that there should be a plan for development, concern was raised that the proposed two dwellings would not be affordable housing, but two large dwellings in a hamlet with no facilities. The Chair commented that there was no indication at this stage of the size of buildings as the application was for planning in principle. There was a discussion on backland development and links to adjacent commercial uses. It was also commented that whilst the location was not sustainable and the two dwellings may be affordable, the proposed development would not alter the character of the hamlet. The hamlet was isolated, but the proposed development would not be isolated as there were other houses and businesses in situ. Other Members commented that they expected a high-quality, sustainable development of two houses at the technical design stage and affordable if possible.

AGREED (with 9 votes For and 4 votes Against) that Permission in Principle be approved.

*Having declared an other registerable interest, the Director for Planning and Growth left the meeting for the duration of the following minute.*

122 LAND OFF MANSFIELD ROAD, CLIPSTONE - 23/01846/FULM

The Committee considered the report of the Business Manager – Planning Development, which sought proposed leisure and recreation facilities at Clipstone Colliery.

The meeting was adjourned for 10 minutes to consider the additional information provided by the Senior Planning Officer including minor amendments to the conditions contained in the report.

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

Members were provided with a late response from Sport England which confirmed no objection to the scheme but suggested minor amendments to the Conditions as follows:

Condition 2 (Plans condition) be amended to include the updated Mitigation Report dated February 2026 instead of October 2024;

Condition 22 to delete the wording '[or other specified time frame]'.

Mr D Ridout, spoke in support of the application, on behalf of the Applicant.

Members considered the application and were delighted with the proposed scheme, which would turn an eye sore into a fully developed site providing sports development, which would benefit the local community. Members raised concern regarding the pedestrian and cycle access and suggested that additional gates onto the site be provided to encourage pedestrians and cyclists, which would reduce traffic

on site.

A Member suggested an amendment to Condition 15, if the Committee were minded to approve the application. The Committee had a short adjournment to enable the Planning Officers to seek legal advice. Following this, it was proposed that an additional condition be inserted to resolve the concerns of the Members in relation to the pedestrian access to the site. The proposed additional condition was read out to the Committee: Prior to first use of development hereby approved, details for an additional provision of access to the Northern boundary shall be submitted to and approved in writing to the Local Planning Authority (LPA) and implemented in accordance with the approved details.

AGREED (unanimously) that:

- (a) Planning Permission be approved, subject to the conditions contained within the report and the amendment to the conditions as proposed by Sport England to include the Updated Mitigation Report dated February 2026 in the list of approved plans and documents in condition 2; and delete the wording [or other specified timeframe] from condition 22; and
- (b) an additional Condition to read: Prior to first use of development hereby approved, details for an additional provision of access to the Northern boundary shall be submitted to and approved in writing to the Local Planning Authority (LPA) and implemented in accordance with the approved details.

123 LAND WEST OF EAKRING ROAD, BILSTHORPE - 26/00074/PIP

The Committee considered the report of the Business Manager – Planning Development, which sought permission in principle for a proposed residential development of a minimum of 1 dwelling and a maximum of 9 dwellings

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

Members considered the application, and it was commented that the use of agricultural land for housing development was not necessary. Members were also concerned that there was no footpath running along the site and a ribbon effect of development would start if this was approved which was considered inappropriate to the village.

A vote was taken and lost for Approval, with 4 votes For, 8 votes Against and 1 Abstention.

AGREED Moved Councillor D Moore and Seconded M Home (with 8 votes For, 4 votes Against and 1 Abstention) that contrary to Officer recommendation Planning Permission be refused, for the

reason inappropriate use in this location. The wording for reason of refusal to be delegated to the Business Manager – Planning Development.

In accordance with paragraph 18.5 of the Planning Protocol, as the motion was against Officer recommendation, a recorded vote was taken.

<b>Councillor</b>	<b>Vote</b>
C Brooks	Against
L Dales	Against
S Ford	Against
A Freeman	For
P Harris	For
M Home	For
K Melton	Abstention
D Moore	For
P Rainbow	For
S Saddington	For
M Spoons	For
L Tift	For
T Wildgust	Against

124 APPEALS LODGED

AGREED that the report be noted.

125 APPEALS DETERMINED

AGREED that the report be noted.

126 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 October to December 2025 (Quarter 3). 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.

Between October and December 2025, a total of 514 applications were validated. This figure was the lowest recorded in years for this period, albeit it followed the usual drop observed ahead of the festive season and New Year. Compared to the same quarter in 2024, there was a 13% decline in validated applications. It was likely that

this reflected the national picture, with many Councils' reporting lower numbers during 2025. Uncertainty on planning reforms, delays in securing legal agreements and challenges with securing BNG were also likely to be factors.

The Planning Business Manager for Development highlighted that the team had consistently met and surpassed performance expectations, and their ongoing support and dedication was commendable. This was further highlighted with the following comment as contained within the report, received from Raymond Crawford (PAS) after his visit:

"I would like to say that in most DM teams that I visit there is a kind of air of exhaustion and resignation. The experience at your council was very different and there seemed to be a real feeling of optimism and enthusiasm. I found the experience really positive - so well done, and please pass that message from me on to everyone involved."

The Planning Committee Chair requested statistics regarding Planning in Principle applications to be included in future performance reports. A Member also asked if information could be included regarding tree determinations, what tree work had been done and what protection was in place. The Business Manager confirmed that trees in the conservation area were challenging. Tree decisions could be included including the number of trees that had been protected by Tree Preservation Orders in that reported quarter.

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

AGREED that:

- (a) the report be noted; and
- (b) future performance reports to include statistics on Planning in Principle applications and tree decisions including the number of trees protected by Tree Preservation Orders in the relevant quarter.

#### 127 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 Chair indicated that the meeting duration had expired therefore a motion was moved and seconded to continue the meeting. A motion was voted on with unanimous agreement to continue for a further few minutes.*

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 October 2025 – 31 December 2025.

The report was broken down into Schedule A to D. Schedule A outlined the enforcement activity for Q3 in terms of numbers of cases received, the reasons for cases being closed and response times. Schedule B included a small number of examples of where formal planning enforcement action had been taken (such as a notice being issued) in the quarter. Schedule C provided examples of cases where officers had managed to resolve the breaches through dialogue and negotiation during the quarter; and Schedule D provided examples of Notices having been complied with. The examples within the report showed considerable success that had been achieved by the enforcement team.

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 7.11 pm.

Chair



Report to Planning Committee – 9 April 2026

Business Manager Lead: Oliver Scott – Planning Development

Lead Officer: Christine Beresford, Planner

Report Summary			
<b>Application No.</b>	25/00869/FUL		
<b>Proposal</b>	Change of Use and ‘Self Build’ Conversion and Alterations of Windmill and Bakehouse to Form Dwelling. Demolish Outbuilding and Erect Replacement Garage and Workshop. Create New Driveway		
<b>Location</b>	Farndon Windmill Crees Lane Farndon		
<b>Applicant</b>	Mr & Mrs Stuart Belton	<b>Agent</b>	Mr Anthony Northcote
<b>Registered</b>	10.06.2025	<b>Target/EOT Date</b>	17.11.2025
<b>Recommendation</b>	The planning permission is approved subject to the conditions detailed in section 10.0 of this report.		

**This application has been referred to Planning Committee by the Business Manager in light of the Environment Agency’s objection, to allow careful consideration of these concerns against the significant heritage benefits of bringing a heritage at risk building back into active use.**

## 1.0 The Site

1.1 The application site comprises Farndon Windmill, a Grade II listed building and an adjoining bakehouse. The windmill is a cylindrical brick tower dating from 1823, with a dentillated curb (this being the ring at the top of the tower) and segmental-headed openings. It retains its historic form and prominence in the landscape, although the sails and cap have been removed, and the interior is in poor condition with unsafe timber floors and limited surviving historic features.

1.2 The bakehouse, located adjacent to the windmill, is a single-storey brick building with a pitched tiled roof and timber doors, historically associated with the windmill

complex. An existing outbuilding is positioned near the site entrance. The site includes a gravel driveway that curves through the plot, providing vehicular access and connecting to a designated parking area. Within the red line boundary are lawned areas, mature trees, and boundary vegetation.

- 1.3 The windmill and bakehouse are in a weathered condition, with exposed brickwork and timber elements. Construction materials and a boat on a trailer are present within the yard. The windmill has been derelict for decades, and the sails were removed prior to 1929.
- 1.4 The site sits in flood zone 3a, within the Farndon Open Break and the listed windmill is included on the local Heritage at Risk Register by Nottinghamshire County Council (hosted by the Notts Building Preservation Trust). The windmill is at risk level 3, 'poor'.

## **2.0 Relevant Planning History**

PREAPP/00267/23 - Convert existing Brick built bake house and disused windmill to form x 1, 2 bed dwelling and Convert brick and timber-built chicken shed to form x 1, 2 bed dwelling – Advice given 04.03.2024.

20/02149/HOUSE - Proposed boundary fencing and access gates (Retrospective) – application permitted 06.01.2021.

25/00870/LBC - change of Use and Conversion and Alterations of Windmill and Bakehouse to Form Dwelling. Demolish Outbuilding and Erect Replacement Garage and Workshop. Create New Driveway – Application awaiting determination, linked to application 25/00869/FUL.

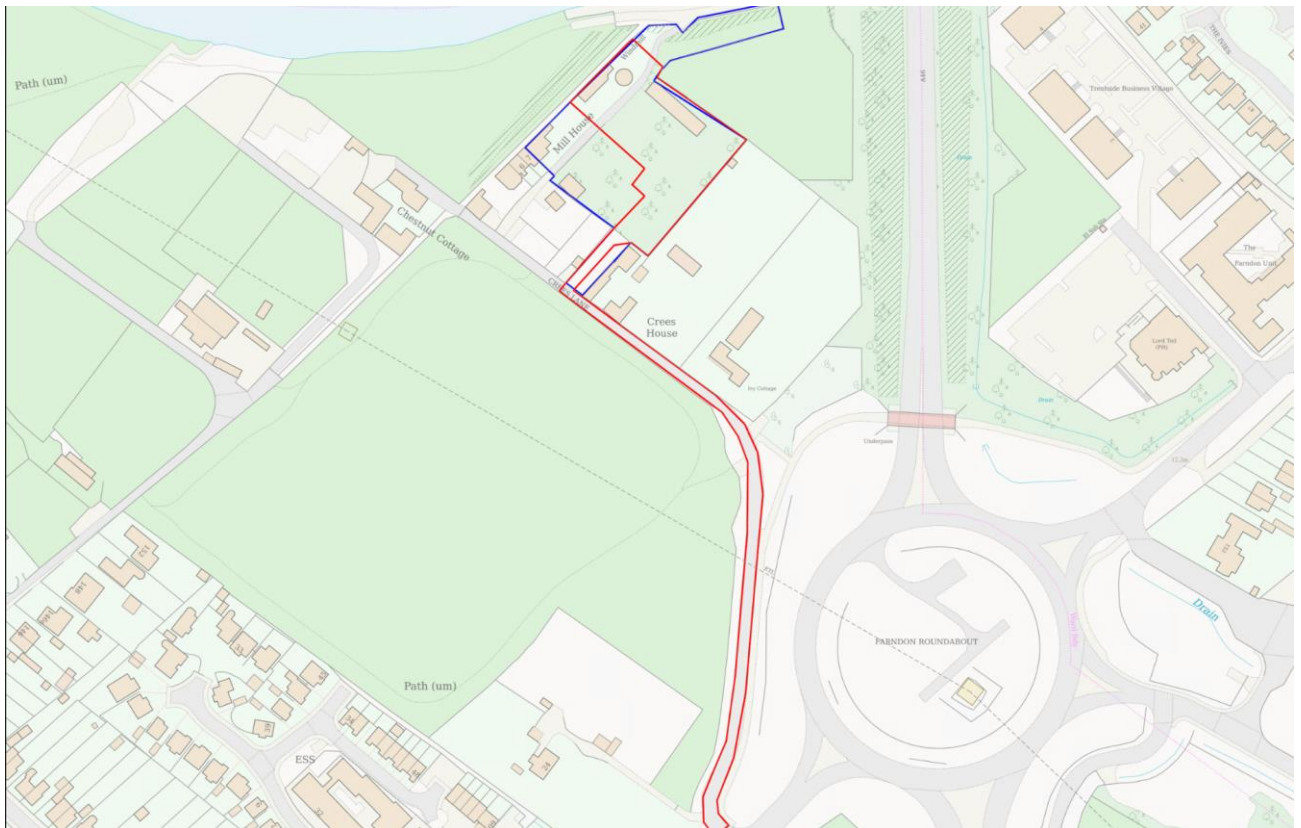
## **The Proposal**

- 3.1 The proposal involves the conversion and alteration of Farndon Windmill and the adjoining bakehouse to create a single dwelling. It includes rebuilding the collapsed section of the bakehouse, linking the two buildings with a modern glazed structure, and reinstating historic features such as the windmill gallery. A glazed cap will be added to the windmill to provide a viewing platform, and a new extension will be constructed on the footprint of a former building to the north of the tower.
- 3.2 The existing timber outbuilding will be demolished and replaced with a smaller timber-framed garage and workshop, and a new driveway will be created off Crees Lane to serve both the new dwelling and Mill House.
- 3.3 The design retains traditional brick and pantile materials for the windmill extension and bakehouse, introduces a contemporary glazed link, and uses timber and pantile for the new garage/workshop, with most existing vegetation preserved and compensatory planting proposed for any tree loss.
- 3.4 The footprint of the bakehouse and windmill remains unchanged; however, the proposed adjoining link from the bakehouse to the windmill would be 3.32 metres in length, 3.44 metres in width, with a ridge height of 3.05 metres. In addition, the new

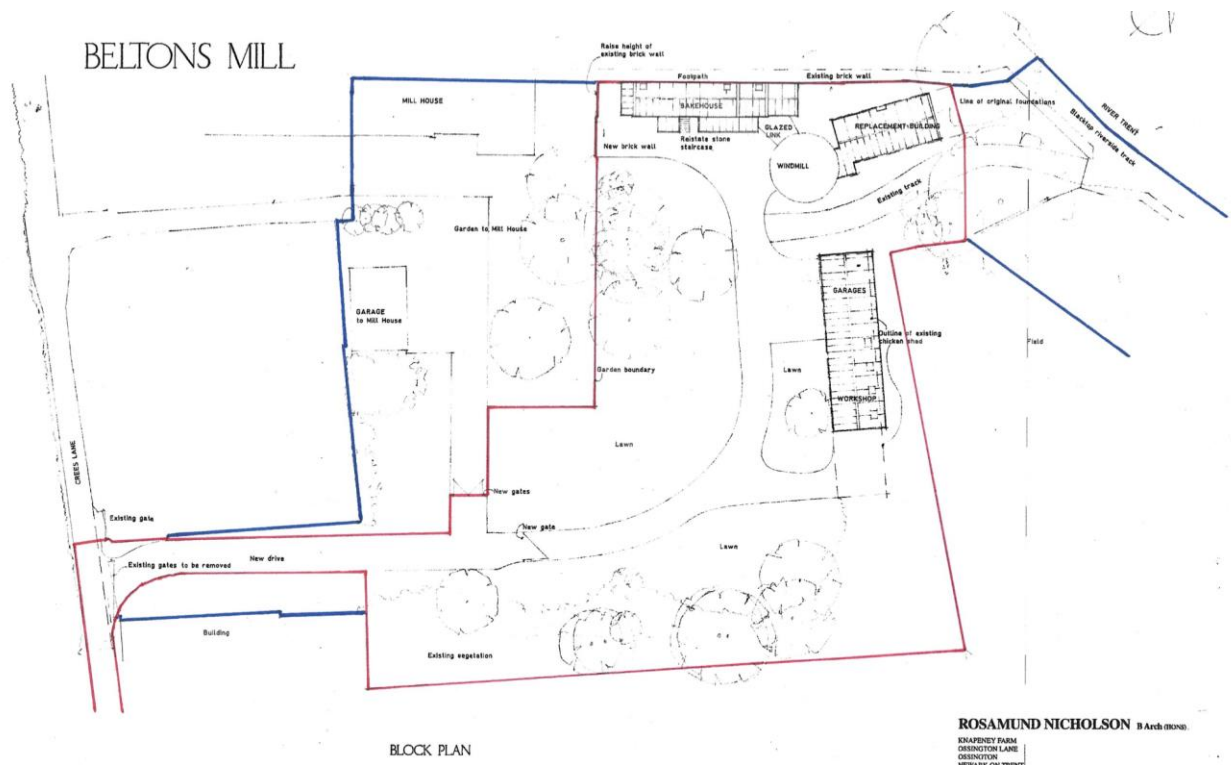
extension adjoining the windmill would measure approximately 13.12 metres in length and 5.94 metres in width, with a roof height of 4.60 metres.

- 3.5 The proposed timber-framed garage and workshop would measure approximately 21.26 metres in length, 6.25 metres in width, with a ridge height of 6.51 metres. This represents a reduction in length of around 8 metres compared to the existing outbuilding, which measures approximately 30.77 metres, resulting in a smaller overall footprint.

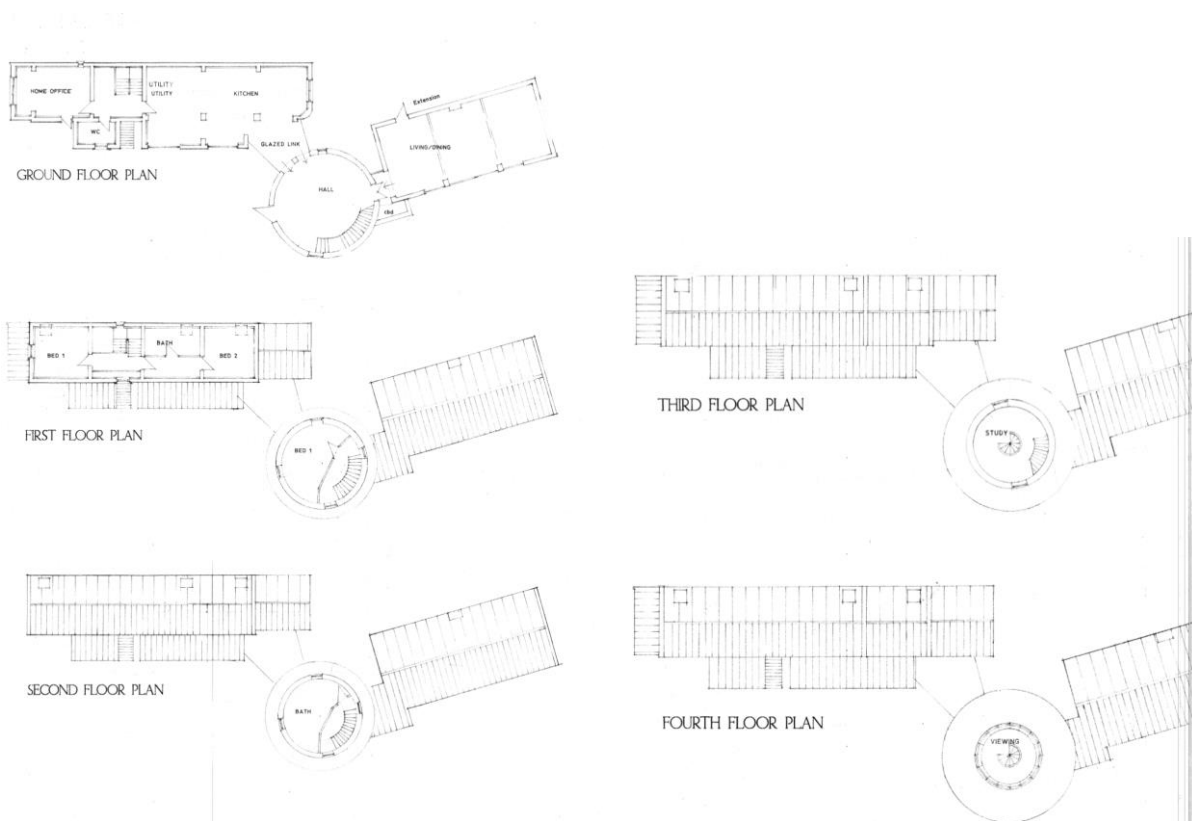
Location plan:



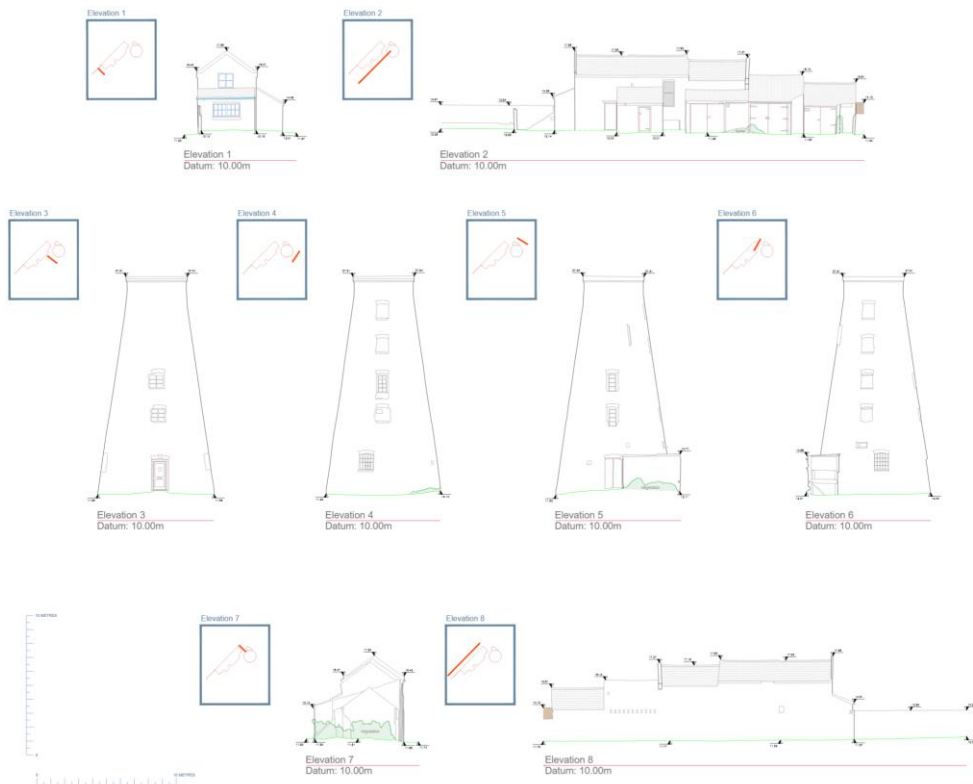
Proposed block plan:



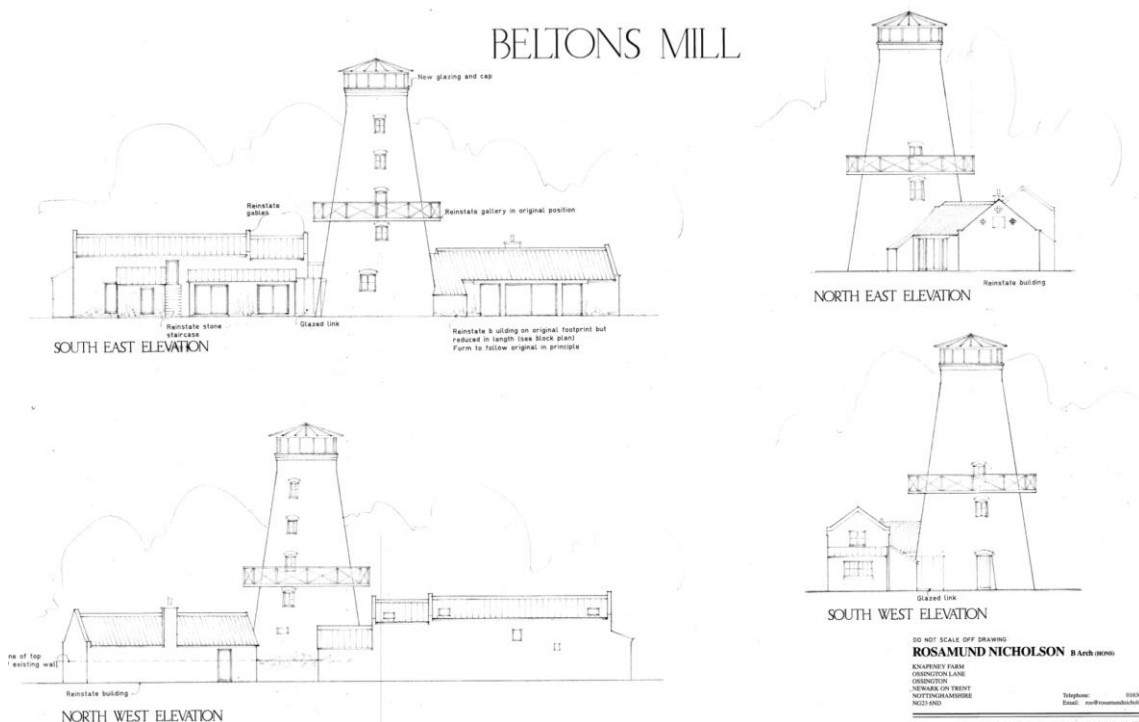
Proposed windmill and bakehouse all floor plans:



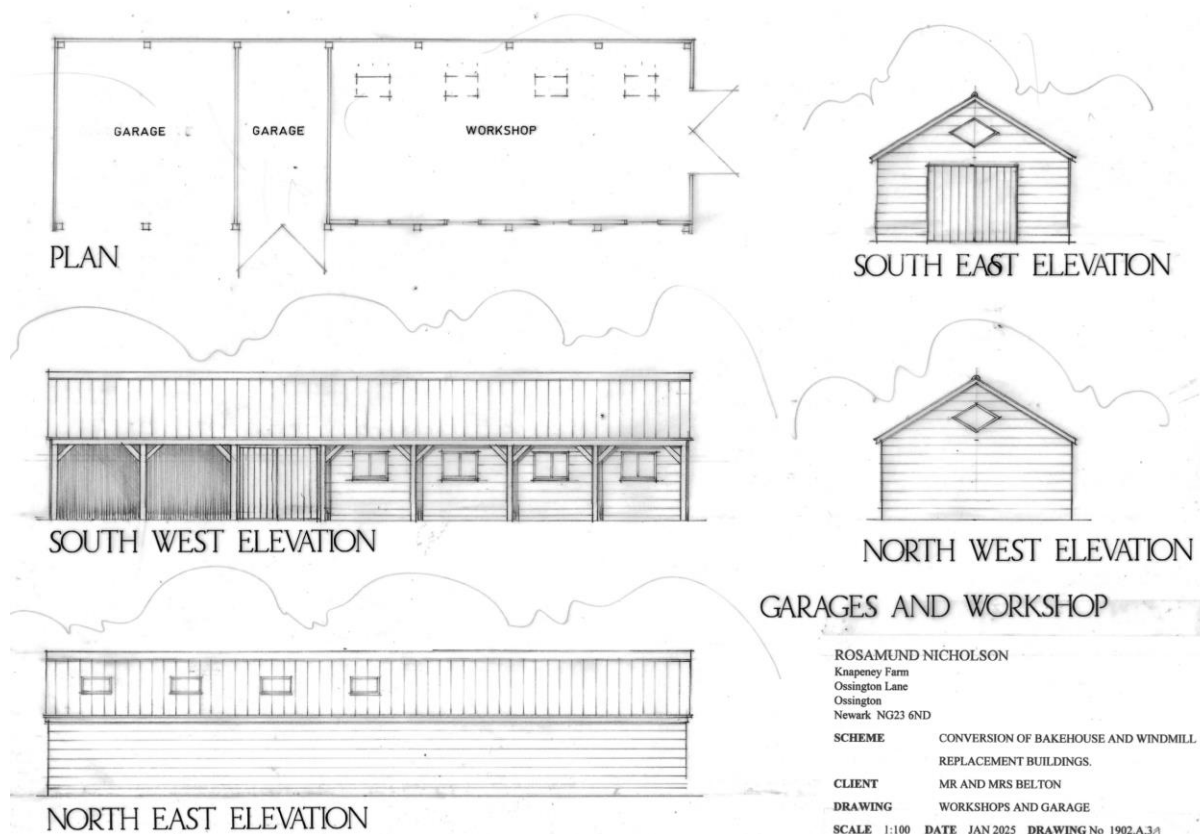
Existing windmill and bakehouse elevations:



Proposed windmill and bakehouse elevations:



Proposed workshop and garage floor and elevation plans:



Documents assessed in this appraisal:

- Application form - Received 26.05.2025
- Proposed floorplans drawing no 1842 A 1A - Received 26.05.2025
- Block plan drawing no 1842 A 2B - Received 26.05.2025
- Proposed elevations drawing no 1842 A 4A - Received 26.05.2025
- Proposed workshop and garage floor and elevation plans drawing no 1902 A 3A - Received 26.05.2025
- Existing floor plans drawing 5194 - Received 26.05.2025
- Existing bakehouse elevations drawing no 5195 - Received 26.05.2025
- Topographical survey 2d drawing no 6576 - Received 26.05.2025
- Location plan - Received 26.05.2025
- Condition report windmill part 1 - Received 26.05.2025
- Condition report windmill part 2 - Received 26.05.2025
- Flood risk assessment - Received 26.05.2025
- Foul drainage assessment form - Received 26.05.2025
- NBGRC LTR and report - Received 26.05.2025
- Planning, design and access statement - Received 26.05.2025
- Preliminary ecological appraisal - Received 26.05.2025
- Structural advice LTR -
- Tree survey - Received 26.05.2025

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

- 4.1 Occupiers of 11 properties have been individually notified by letter.
- 4.2 Site notice was posted on the 04.08.2025.
- 4.3 Advertisement published on 19.06.2025.

#### **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  
 Core Policy 3 – Housing Mix, Type and Density  
 Core Policy 9 – Sustainable Design  
 Core Policy 10 - Climate Change  
 Core Policy 14 – Historic environment  
 Core Policy 12 – Biodiversity and Green Infrastructure

- 5.2. Allocations & Development Management DPD (2013)

DM5 – Design  
 DM7 – Biodiversity and Green Infrastructure  
 DM8 – Open countryside  
 DM9 – Protecting and enhancing the historic environment  
 DM12 – Presumption in Favour of Sustainable Development

NUA/OB/1 – Newark Urban area – Open breaks

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 next stage in the Examination process will be the Inspector issuing their draft report.

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. Through this process representors have been provided the opportunity to raise objections to proposed modifications through the above consultation. Therefore, where content in the Submission DPD is either;

- Not subject to a proposed main modification;
- The modifications/clarifications identified are very minor in nature; or
- No objection has been raised against a proposed main modification

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

[Submission Amended Allocations & Development Management DPD Schedule of Main Modifications and Minor Modifications / Clarifications](#)

### 5.3. Other Material Planning Considerations

National Planning Policy Framework 2024  
 Planning Practice Guidance  
 Householder Development SPD (2014)  
 Residential Cycle and Car Parking Standards & Design Guide SPD June 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. NSDC Conservation team

Summarised comments:

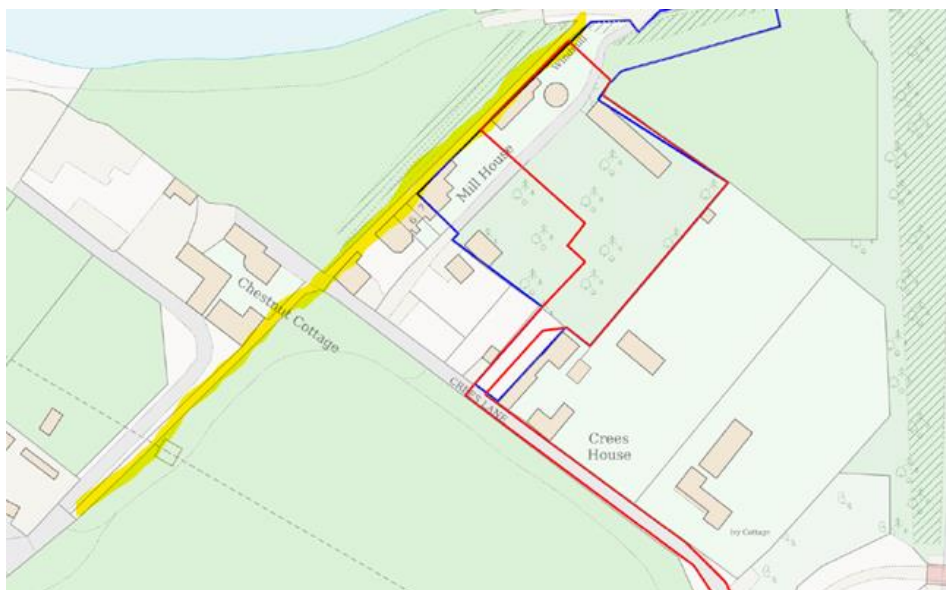
The proposed conversion and alteration of the Grade II listed Farndon Windmill and associated bakehouse into a residential dwelling would result in a low level of less than substantial harm to the historic fabric and significance of the buildings. This harm arises from the loss of historic material and changes to the original plan form, particularly through the insertion of new openings and internal modifications. However, the buildings have been derelict for decades, with the windmill in a structurally unsafe condition and lacking many original features. The proposal offers a viable reuse that would secure the long-term conservation of these heritage assets, which is considered to outweigh the identified harm. The reinstatement of the windmill's internal levels, addition of a gallery and cap, and reconstruction of the adjoining structure with a glazed link are broadly supported, provided that the works are sensitively designed and detailed. Conditions are recommended to secure a Schedule of Works, material samples, and detailed specifications for key architectural elements to ensure the character and significance of the listed buildings are preserved.

The proposal does not adversely affect the setting of any other heritage assets.

### Highways

Summarised comments:

- 6.2. NCC Highways have confirmed that the proposed development would have no impact on the public highway. The existing Public Right of Way runs alongside the buildings, and the proposed access changes do not affect its route or function. Therefore, there are no objections from the highway's authority in relation to access or highway safety.



Please note: The yellow line represents the existing Public Right of Way

- 6.3. National Highways

Summarised comments:

- 6.4. Given the scale and nature of the proposal, and its location off Crees Lane which is part of the local road network maintained by Nottinghamshire County Council, National Highways has no traffic, transport, access, or boundary concerns. As such, they offer no objection to the application.

- 6.5. Environmental Health

Summarised comments:

Environmental Services (Contaminated Land) provided an advisory note that states, that the proposed conversion of the historic windmill and demolition of a former chicken shed may present a risk of contamination from previous uses. The applicant should prepare a contingency plan to address any contamination discovered during construction, conversion, or demolition works. Any findings must be reported to the Pollution Team in Public Protection at Newark and Sherwood District Council.

- 6.6. NCC Flood Team

Summarised comments:

The Lead Local Flood Authority (LLFA) has reviewed the proposal and does not consider it necessary to provide bespoke comments due to the scale of the development. However, general guidance is offered: the development should not increase flood risk to existing properties; surface water discharge should prioritize infiltration and watercourses; Sustainable Drainage Systems (SUDS) should be considered with clear arrangements for long-term maintenance; and any works affecting ordinary watercourses (e.g., culverting or pipe crossings) must be discussed with the Flood Risk Management Team at Nottinghamshire County Council.

6.7. Environmental Agency

Summarised comments:

- 6.8. The Environment Agency has submitted a consultation response objecting to the proposal on the grounds of an inadequate Flood Risk Assessment (FRA). Their review concludes that the FRA fails to meet the requirements of the Flood Risk and Coastal Change Planning Practice Guidance, as it does not sufficiently assess the flood risks associated with the development. In particular, the FRA does not explain how future occupants will be kept safe from identified flood hazards or consider the full range of potential flooding scenarios, including extreme events. The Environment Agency also highlights that the proposed first floor refuge is not appropriately demonstrated, as its location and height (in mAOD) are not specified, nor is it shown to be freely accessible to all users at all times. Although the increase in building footprint is relatively small, the Environment Agency emphasises the need to account for cumulative loss of floodplain storage across the catchment, noting that the site is inundated during the 1 percent AEP (1 in 100) flood event plus 30 percent climate change allowance. As such, the applicant must provide calculations showing the volume of floodplain that would be lost including buildings, driveways, parking areas, and finished floor levels and must demonstrate that appropriate floodplain compensation can be achieved. The Agency further notes that any revised FRA must also demonstrate that flood risk to third parties would not be increased through changes to flood flow routes.

In respect of access and egress, the Environment Agency advises that surrounding roads are predicted to flood during the design flood event, creating potential difficulties for safe evacuation. While emergency planning matters fall to the Lead Local Flood Authority rather than the Environment Agency, the Local Planning Authority will need to determine, in consultation with its emergency planners, whether suitable arrangements can be secured. Until a revised FRA is submitted that satisfactorily addresses all identified concerns, the Environment Agency advises that its objection is likely to be maintained.

Additional comments summarised:

The applicant sought clarification from the Environment Agency regarding their recommendations for the Farndon Mill proposal, specifically whether finished floor levels for all ground floors must be set at 13 metres AOD or whether it would be

sufficient for first floor sleeping accommodation to be no less than 13 metres AOD. The Planning Advisor initially advised that they were checking this with their Flood Officer to confirm whether the requirement related to ground floor levels or first floor refuge. The Environment Agency has since confirmed that the requirement is for ground floor levels to be set at 13 metres AOD and that no sleeping accommodation should be provided at ground floor level, establishing that both elevated ground floor levels and the restriction on ground floor sleeping form part of their expected flood risk mitigation measures. Therefore the EA maintain their objection due to no further flood mitigation being submitted.

As such, the EA maintain their objection due to the reason that the site lies in flood zone 3a and the risk to life and/or property, both within the development and in upstream and downstream locations from fluvial inundation. During the design flood event the external flood depths on the site are modelled to reach as high as 1.07m and up to 550mm internally. This represents a significant risk to not only the occupants but also the emergency services. The proposal does not include any ground floor sleeping, although there are habitable ground floor areas. They note the submitted FRA suggests the incorporation of flood resilience measures. The EA believe these measures are only effective up to a maximum depth of 600mm. The applicant does not demonstrate the occupants can remain safe for the lifetime of the development when allowances for climate change are taken into account. There is insufficient flood mitigation and no specified arrangements for safe access and egress.

The EA advise that were the LPA be minded to approve the application despite their reservations then they request the below be conditioned:

- Finished Floor levels will need to be set no lower than 13.00mAOD
- There must be no ground floor sleeping accommodation

Please note that this application is being determined in line with the planning balance. The first suggested condition above is considered to result in a significant impact on the proposed design resulting in much taller new buildings, making it impossible to access without raising external land levels or constructing external steps to each building that would be structurally safe in a flood event. It is deemed that these adjustments would result in an unacceptable impact to the heritage asset. Therefore, after reviewing the floor level suggestion, it was deemed the requested condition, in this instance is not suitable to be added to the application decision. The other condition (no ground floor sleeping accommodation) can be added to the decision notice.

#### 6.9. Emergency Planner

Summarised comments:

The Council's Emergency Planning Officer has reviewed the proposal and stated the development poses an unacceptable risk to life and/or property from flooding. They raise significant concerns regarding the safety of future occupants and the potential burden on emergency services during flood events. While the submitted Flood Risk

Assessment includes an emergency flood plan, the Officer remains concerned that residents would be either required to evacuate before flooding occurs, which is rarely done in practice, or risk becoming isolated and reliant on emergency rescue. The Officer advises that walking or driving through flood water should not be considered safe due to unseen hazards and debris and notes that emergency services are unlikely to be able to access the site during flooding. Recent flood events have shown that isolated properties may require assistance such as deliveries by fire service boats, a situation that should not be increased through new development. The Officer also considers that any evacuation required would likely need to be arranged and funded by the occupants given that the flood risk is predictable. Reference is made to Local Resilience Forum guidance, which states that new development in flood risk areas should not increase reliance on emergency services and must provide safe access and egress routes. Based on these considerations, the Emergency Planning Officer shares the concerns raised by the Environment Agency and advises that the proposal presents unacceptable risks.

#### 6.10. Historic England

Summarised comments:

Historic England has confirmed that they are not providing detailed advice on this application, as their engagement would not add significant value in this instance. They recommend that the applicant seek guidance from specialist conservation and archaeological advisers and refer to Historic England's published advice online.

#### 6.11. NSDC Tree officer

Summarised comments:

The Tree officer has reviewed the BS5837:2012 Tree Survey (report reference P2935/0325/02) and block plans and agrees the proposed works appear acceptable. Initial concerns about hardstanding near trees (e.g., T10, T2, T6) were alleviated as hardstanding is already in place. Some canopy reduction may be needed as part of ongoing maintenance. It has been noted that a group of trees to the north/northwest of the site, protected under TPO N56 (Group G3 – Hawthorn and Elder), lies outside the development site but suggests referencing them in the report and checking they remain in situ.

#### 6.12. Ecology

Summarised comments:

The Ecology Officer has reviewed the Preliminary Ecological Appraisal and associated surveys. The assessment confirms that the site is of low overall biodiversity value, with no significant impacts on designated sites or priority habitats anticipated. However, the windmill is confirmed as a soprano pipistrelle roost, and works will either need to occur outside the bat activity season using precautionary methods and provision of alternative roosting features, or proceed under a European Protected Species Licence. Risks to other species such as birds, reptiles, amphibians, badger and hedgehog can

be mitigated through a Construction and Environmental Management Plan (CEMP: Biodiversity). Biodiversity enhancements, including integrated bat and bird boxes and hedgehog/reptile refugia, are recommended. Subject to securing these measures by condition, the Ecology Officer considers the proposal acceptable and compliant with relevant policy.

### **Town/Parish Council**

Farndon Parish Council – A representation from Ms Jayne Saunders stated support for the proposal.

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

#### 6.13. Resident Comments

##### Summarised comments:

One resident comment were received, raising concerns relating to access and road safety. It noted that vehicle access to the site has historically been taken from the riverside onto Farndon Road, with flood defences having previously constructed a road for this purpose. Concern was expressed that the site currently has double gates opening onto this former access, while Crees Lane is a narrow, single private road that already experiences difficulties with existing traffic. It is suggested that the proposed access arrangements would worsen these difficulties. It has also referred to the former garage and workshop, which had collapsed but previously gained access from the riverside rather than Crees Lane, and question why this historic arrangement cannot be retained. Furthermore, it mentioned how the proposed A46 road-widening scheme may be affected by or interact with the development. It had also noted that neighbouring residents are currently abroad and may not have the opportunity to submit their own comments due to the short consultation period.

## **7.0 Appraisal**

### 7.1. The key issues are:

- Principle of development
- Impact on the Character of the Area and Heritage Assets
- Impact on Amenity
- Impact on the Highway
- Impact on Ecology
- Impact on Flood Risk
- Planning Balance

##### Principle of Development

7.2. The Adopted Development Plan for Newark and Sherwood District comprises the Amended Core Strategy DPD (2019) and the Allocations and Development Management DPD (2013). The Core Strategy establishes a settlement hierarchy to guide sustainable growth across the District. This hierarchy directs new residential

development towards locations with the greatest capacity to accommodate growth, namely the Sub-regional Centre, Service Centres, and Principal Villages.

- 7.3. Although located close to the existing settlements of Farndon and Newark and within proximity to existing built form, the site lies outside the settlement boundary for Newark and Farndon and falls within an identified Open Break, and is consequently regarded as open countryside. It is not considered to be an isolated location however. As the site forms part of a designated Open Break, it cannot be considered to lie within a settlement, and the conversion of the Grade II listed windmill and curtilage-listed bakehouse therefore falls to be assessed against Policy DM8, which applies to development in the open countryside. Although the site is close to existing settlements and built form and is not isolated, the principle of development must accordingly be assessed under DM8.
- 7.4. In addition, as the land forms part of the Newark–Farndon Open Break, designated under Policy NUA/OB/1, which seeks to maintain a clear physical and visual separation between the two settlements and prevent incremental coalescence. The Newark Open Break Review identifies this area as providing an important contribution to both perceptual and physical separation, and development within it must therefore avoid any erosion of openness or dilution of the break’s strategic role in safeguarding the distinct identity of Newark and Farndon. Given that the scheme is confined to the conversion, reinstatement and modest extension of existing historic buildings, with a reduction in the scale of ancillary outbuildings and no outward expansion into the surrounding open land, it does not diminish the openness or separation function of the Newark–Farndon Open Break and therefore does not give rise to any conflict with Policy NUA/OB/1.
- 7.5. Spatial Policy 3 allows for limited forms of development within rural settlements where proposals are appropriate in scale and respect local character. In this case, the application sits within the Newark Open Break, the buildings comprise a Grade II listed windmill and a curtilage-listed bakehouse, and the principle of converting these heritage structures, in accordance with the requirements of Spatial Policy 3, would be considered under policy DM8.
- 7.6. Policy DM8 point 3 refers to new and replacement dwellings and states planning permission will only be granted for new dwellings where they are of exceptional quality or innovative nature of design, reflect the highest standards of architecture, significantly enhance their immediate setting and be sensitive to the defining characteristics of the local area and where it can be demonstrated that the existing dwelling is in lawful residential use and is not of architectural or historical merit. In the interests of minimising visual impact on the countryside and maintaining a balanced rural housing stock, replacement dwellings should normally be of a similar size, scale and siting to that being replaced. Furthermore, point 5 refers to conversion of existing buildings and states in the interests of sustainability, consideration should be given to the conversion of existing buildings before proposing replacement development. Proposals should investigate and assess alternative uses for buildings in accordance with the aims of the Spatial Strategy and present a case for the most beneficial use. Planning permission will only be granted for conversion to residential use where it can

be demonstrated that the architectural or historical merit of the buildings warrants their preservation, and they can be converted without significant re-building, alteration or extension. Detailed assessment of proposals will be made against a Supplementary Planning Document.

- 7.7. In line with point 3 of Policy DM8, the replacement ancillary outbuilding would provide an improved design compared to the existing structure and would reduce the overall scale, thereby significantly enhancing and respecting its immediate and sensitive setting. Furthermore, in line with point 5 of Policy DM8, the existing Grade II listed building is included on the local Heritage at Risk Register, with the windmill identified as risk level 3 ('poor'). This demonstrates that the building's historical merit warrants preservation, and while the conversion would include extensions to these heritage assets, they are considered to be proportionate and contextually appropriate. It is therefore considered that the proposed development would comply with Policy DM8.
- 7.8. Policy DM8 also notes all proposals will need to satisfy other relevant Development Management Policies, take account of any potential visual impact they create and in particular address the requirements of Landscape Character, in accordance with Core Policy 13. As the proposed development would enhance the existing buildings overall and does not involve any additional expansion into the surrounding open land, it is considered that the proposal would also comply with Core Policy 13.
- 7.9. Core Policy 14 and Policy DM9 require that proposals affecting heritage assets preserve their significance and setting. The scheme seeks to retain the historic form of the windmill and bakehouse, reinstate lost features such as the gallery, and introduce a glazed link that is clearly modern yet sympathetic to the historic character. These measures align with national and local objectives for heritage conservation.
- 7.10. The National Planning Policy Framework (NPPF) promotes a presumption in favour of sustainable development and requires that great weight be given to the conservation of designated heritage assets. It supports putting heritage assets to viable uses consistent with their conservation. The proposal represents a sustainable form of development that secures the long-term conservation of the Grade II listed windmill and bakehouse while delivering a self-build dwelling that contributes to housing supply. Given the Council's lack of a five-year housing land supply, the tilted balance in favour of development applies, unless the heritage designations (listed building) and flood risk considerations provide a strong reason for refusing development, as these are listed under the protected assets and areas in footnote 7 of paragraph 11(d) of the NPPF. Heritage and flood risk are assessed further in the report below and are not considered to represent strong reasons for refusal in this case, but are finely balanced in the assessment. Therefore, Officers believe the tilted balance is engaged and the provision of one additional dwelling through conversion of the building is a minor but important contribution that has additional weight in the planning balance, as per the tilted balance in para 11.
- 7.11. The description of development specifically refers to 'self-build.' This use is set out at section 1 of the Self-build and Custom Housebuilding Act 2015. Paragraph 73(b) of the Framework supports small sites to come forward for self-build and custom-build

housing. The Framework also supports the delivery of a variety of land coming forward to meet the needs of groups with specific housing requirements. The benefits of self-build and custom housing are recognised by the Planning Practice Guidance (PPG) finding that it helps to diversify the housing market and increase customer choice.

- 7.12. The [Self-build and Custom Housebuilding Act 2015 \(as amended by the Housing and Planning Act 2016\)](#) provides a legal definition of self-build and custom housebuilding. The Act does not distinguish between self-build and custom housebuilding and provides that both are where an individual, an association of individuals, or persons working with or for individuals or associations of individuals, build or complete houses to be occupied as homes by those individuals.
- 7.13. *In considering whether a home is a self-build or custom build home, relevant authorities must be satisfied that the initial owner of the home will have primary input into its final design and layout.* (Planning Practice Guidance, Paragraph: 016 Reference ID: 57-016-20210208 Revision date: 08 02 2021) *emphasis added.*
- 7.14. In line with the Right to Build Task Force’s Custom and Self-Build Planning Guidance (PG3.2 – Counting Relevant Permissioned Plots, April 2024), only the following types of plots granted planning permission will be counted towards meeting demand:
- **Sites with permission which specifically mention self-build or custom build in the development description** or where the self-build box was ticked on the application form.
  - **Sites with a planning condition** confirming that the development will contribute to the supply of custom and self-build plots.
  - **Plots with a Community Infrastructure Levy (CIL) self-build exemption** granted.
  - **Replacement dwellings** where evidence submitted with the planning application indicates self-build or custom-build intentions.
  - **Rural or agricultural worker’s dwelling** where supporting evidence in the application form confirms self-build or custom build delivery.
- 7.15. How is the proposal Custom Self Build (CSB)? The application form has stated the development would be Self-build and custom build. Furthermore, it states the applicants own the windmill and live at Mills House and will be converting the windmill as a self-build dwelling for themselves to live in. As the proposal is for CSB it is considered that the proposal would help to meet the demand in the local area and could contribute to the council’s current Self-Build Register Council’s register.
- 7.16. As stated above, in accordance with the PPG, the LPA must be satisfied that the initial owner will have primary input into its final design and layout. As the proposal is a development of the landowners existing buildings it is considered to be customisable. A condition has been proposed to secure this.
- 7.17. Therefore in summary, with regards to details mentioned above, it is considered that the proposal would be acceptable in principle and is in accordance with DM8, DM9, NUA/OB/1, Core policies 13 and 14, the NPPF, PPG and the self-build and custom building act, which are relevant material planning considerations. The principle of

converting the building into residential use is accepted, subject to the material considerations outlined below.

Design and impact on the Conservation Area and listed buildings

- 7.18. Policy DM5(b) of the amended Allocations and Development Management Plan Document requires that development proposals consider their impact on the amenity of surrounding land uses and neighbouring properties, ensuring that these are not detrimentally affected.
- 7.19. Core Policy 14 'Historic Environment' of the Amended Core Strategy DPD requires 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; and the preservation and enhancement of the special character of Conservation Areas including that character identified through Conservation Area Character Appraisals which form the basis for their management. In accordance with Core Policy 14, development proposals should take account of the distinctive character and setting of individual conservation areas including open space and natural features and reflect this in their layout, design, form, scale, mass, use of materials and detailing as set out in Policy DM9 'Protecting of the Historic Environment' of the Allocations & Development Management DPD.
- 7.20. Core Policy 9 'Sustainable Design' of the Amended Core Strategy DPD requires new development proposals to, amongst other things, "achieve a high standard of sustainable design and layout that is capable of being accessible to all and of an appropriate form and scale to its context complementing the existing built and landscape environments".
- 7.21. Section 12 of the NPPF refers to achieving well-designed places. Paragraph 131 confirms that good design is a key aspect of sustainable development, creating better places to live and work and making development acceptable to local communities. Section 16 (paragraphs 202–213) requires great weight to be given to the conservation of designated heritage assets and supports putting them to viable uses consistent with their conservation. It also states that any harm to significance must be clearly justified and balanced against public benefits.
- 7.22. The application site comprises a Grade II listed windmill dating from 1823 and a former bakehouse, both of which have been derelict for decades. The windmill retains its historic form externally, but internally very little original fabric survives, and the upper floors are unsafe. The bakehouse also shows signs of structural decline. The windmill is identified on the Buildings at Risk Register by the Nottinghamshire Building Preservation Trust, with its condition recorded as poor, including missing windows, rotting doors, severe spalling, and vegetation growth. The proposal involves converting these buildings into a single dwelling, reinstating the windmill's internal levels, adding a gallery and glazed cap, and introducing a glazed link to connect the bakehouse. These interventions have been designed to be sympathetic to the historic

character, with the glazed link clearly modern yet lightweight and reversible, ensuring the distinction between old and new.

- 7.23. The proposed extension to the windmill is a new addition, designed in a traditional form to complement the historic character of the building. The replacement garage and workshop adopt a traditional oak-framed design with pantile roofing, sympathetic to the rural setting. New openings are limited and positioned to avoid harm to significant fabric, while internal works focus on reinstating floors and stairs where structural failure has occurred. The conservation team notes that these changes will result in some loss of historic fabric and alterations to the bakehouse plan form, but this harm is categorised as low and less than substantial.
- 7.24. Conditions will secure a detailed Schedule of Works, material samples, and specifications for key features such as windows, doors, rooflights, and the glazed link. These measures will ensure repairs match existing historic fabric and that any interventions are appropriate and reversible where possible.
- 7.25. Overall, the proposal would result in a low level of less than substantial harm to the significance of the listed windmill and bakehouse. However, this harm is outweighed by the public benefits of securing the long-term conservation of these heritage assets, reinstating lost features, and bringing them back into viable use. The heritage benefits carry particular weight because Farndon Windmill is identified on the Nottinghamshire Listed Buildings at Risk Register.
- 7.26. Core Policy 14 of the Core Strategy explains: “The District Council is committed to addressing those heritage assets at risk in the District, seeking to work closely with asset owners, developers, interested parties and Historic England to take positive action. Heritage assets which are at risk are identified on the Heritage at Risk Register (East Midlands) prepared by Historic England which covers Grade I and Grade II\* Listed Buildings (and Churches that are Grade II Listed Buildings still in ecclesiastical use), Conservation Areas, Scheduled Ancient Monuments, and Registered Historic Parks and Gardens. This is complemented by the Nottinghamshire Listed Buildings at Risk Register which covers Grade II Listed Buildings and is prepared by the County Council.”
- 7.27. The Risk Register entry for Farndon Winmill states: “Overall risk level is Poor. Details: Windows missing. Door rotting and boarded over. Walls have very deeply recessed mortar and have areas of severe spalling next to first and second floor windows with some repointing below. Odd bricks missing. Windows all unglazed, metal frames survive, vegetation growing on window sills. Key stone reading JD 183.”
- 7.28. Core Policy 14 of the Core Strategy states that support should be given for positive action for those heritage assets at risk through neglect, decay, vacancy or other threats where appropriate. DM9 of the Allocation and DM Policies DPD seeks to preserve listed buildings. Heritage at risk is a specific monitoring element of this policy with the clear aim of reducing the number of entries on the national and local Registers.

- 7.29. The windmill structure is currently vulnerable as a result of the loss of original elements, structural failure within parts of the attached bakehouse, and a prolonged period of underuse. The programme of repair, reinstatement and sensitive reconstruction proposed through this application directly tackles the deficiencies that have led to the windmill being placed on the Buildings at Risk Register. The scope of intervention is sufficient to place the building on a stable and sustainable footing, and, subject to the quality of the completed works, the proposal is likely to enable the windmill to be removed from the Buildings at Risk Register. The development therefore complies with Core Policy 14, Policy DM9, Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and the guidance set out in the NPPF, including Section 12 and Section 16.

#### Impact upon Residential Amenity

- 7.30. Policy DM5(b) of the amended Development Plan Document requires that development proposals consider their impact on the amenity of surrounding land uses and neighbouring properties, ensuring that these are not detrimentally affected. In line with the NPPF, proposals should secure high-quality design and deliver a high standard of amenity for all existing and future occupants of land and buildings.
- 7.31. The application site is located on the edge of an established built-up cluster on Crees Lane, forming part of a small group of residential properties and associated outbuildings. The proposed works primarily involve the conversion of existing buildings, with new elements such as the glazed links and a replacement extension positioned on the footprint of former structures. This approach ensures that the overall scale and massing remain modest and appropriate to the context.
- 7.32. The windmill is located approximately 10 metres from the closest part of Mill House, which is the nearest neighbouring property. While new openings are proposed, the layout and orientation of the buildings, along with existing and proposed boundary treatments, are considered sufficient to avoid unacceptable overlooking or loss of privacy. The glazed cap atop the windmill is elevated and set back, and although it may be partly visible, the significantly established trees on site act as a natural screen, limiting any direct views into neighbouring gardens or windows.
- 7.33. The new driveway is proposed off Crees Lane and is designed to serve both Mill House and the new dwelling. It does not disturb existing boundary lines of adjacent buildings and maintains appropriate separation from neighbouring curtilages. The access arrangement is not expected to result in any adverse impact on residential amenity.
- 7.34. Given the location, the limited number of neighbouring properties, and the nature of the proposed works, the development is not considered to result in any significant harm to residential amenity. The proposal complies with Policy DM5(b), Core Policy 9, and relevant sections of the NPPF.

#### Impact upon Highway Safety

- 7.35. Spatial Policy 7 requires new development to provide appropriate and effective parking provision, while Policy DM5(b) states that parking should be proportionate to the scale and specific location of the development. The Newark and Sherwood Residential Cycle and Car Parking Standards and Design Guide SPD (2021) offers detailed guidance on car and cycle parking requirements. Table 2 of the SPD sets out recommended parking provision based on the number of bedrooms and the dwelling's location.
- 7.36. The proposal includes the creation of a new driveway off Crees Lane to serve both Mill House and the new dwelling. The existing outbuilding is to be replaced with a timber-framed garage and workshop, which provides sufficient space for vehicle and cycle storage. The new access arrangement does not disturb existing boundary lines and maintains appropriate separation from neighbouring properties.
- 7.37. The application has been reviewed by both National Highways and Nottinghamshire County Council Highways, who raised no objections to the proposed access or parking arrangements. Therefore, the development is not considered to result in any detrimental impact on highway safety or capacity.
- 7.38. Furthermore, the site is not isolated and occupies an edge-of-settlement position on the periphery of Farndon, with convenient access to the Newark Urban Area. A public right of way runs alongside the buildings, and the site's proximity to the A46 and A1 corridors provides strong connections to the wider transport network. This location supports reasonable access to services, employment opportunities and public transport. This level of accessibility helps to reduce reliance on private vehicles and supports the principle of sustainable development in this location. Therefore, whilst the site is in 'open countryside' as per the spatial strategy, it is connected to existing footpath and road networks so could be considered sustainable.
- 7.39. Overall, given the rural edge of settlement location, the modest scale of the proposal, and the provision of appropriate access and parking, the scheme is considered acceptable in highway terms. In addition, it complies with Spatial Policy 7, Policy DM5(b), and the relevant guidance in the SPD, supporting safe and sustainable access without adverse highway impacts.

#### Impact upon trees

- 7.40. Policy DM7 of the Allocations and Development Management DPD and Core Policy 12 of the Amended Core Strategy require that development proposals conserve, enhance, and restore biodiversity and green infrastructure, including the protection of trees and natural features.
- 7.41. The submitted BS5837:2012 Tree Survey (report reference P2935/0325/02) identifies the removal of two Category B trees, five Category C trees, one Category U tree, and one scrubby group (G29) comprising Category C and U trees. These removals are considered acceptable due to their condition and classification and are balanced by

the retention of higher-quality specimens and the opportunity for compensatory planting.

- 7.42. The Tree Officer has reviewed the tree survey and block plans and agrees the proposed works appear acceptable. Initial concerns regarding hardstanding near trees such as T10, T2, and T6 were resolved following confirmation that hardstanding is already in place. Some canopy reduction may be required as part of ongoing maintenance, which is considered reasonable and typical for a site of this nature.
- 7.43. A group of trees to the north/northwest of the site, protected under TPO N56 (Group G3 – Hawthorn and Elder), lies outside the development boundary are expected to remain in situ.
- 7.44. To ensure the protection of retained trees during construction, a condition is recommended requiring the submission of an Arboricultural Impact Assessment and Method Statement in accordance with BS5837:2012, with reference to standard condition TH2.
- 7.45. The proposal is considered acceptable in arboricultural terms due to the limited impact on tree stock, and the development is therefore considered to comply with Policy DM7, Core Policy 12, and national guidance on biodiversity and green infrastructure.

#### Impact upon Ecology and BNG (Biodiversity Net Gain)

- 7.46. The proposal will result in the loss of some garden space and minor vegetation, which is considered insignificant given the low biodiversity value of the site. The confirmed soprano pipistrelle roost within the windmill requires careful management; works outside the bat activity season or under licence will ensure compliance with legislation. With appropriate mitigation and enhancement measures secured by condition, the development is unlikely to result in significant harm to protected species and will deliver proportionate biodiversity gains. The scheme therefore accords with the National Planning Policy Framework and local policies DM5, DM7 and Core Policy 12.
- 7.47. *Biodiversity Net Gain (BNG)* – 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. However, the site 0.49ha and the proposal is considered a self-build in relation to Biodiversity Net Gain (BNG) requirements. As such, it falls within the scope of BNG exemptions under current legislation, which excludes proposals that do not result in measurable habitat loss or change. Accordingly, BNG provisions are not applicable in this instance.

### Flood Risk

- 7.48. The application site lies within Flood Zone 3a, which the Environment Agency identifies as land at a high probability of flooding. Flood-risk matters are addressed through Core Policy 10 of the Amended Core Strategy and section 9 of Policy DM5 (Flood Risk and Water Management) within the Allocations and Development Management DPD. These policies require that flood risk is properly assessed and managed, that development is safe for its lifetime, that it does not increase flood risk elsewhere, and that appropriate access and egress arrangements are considered during flood events. Furthermore, DM5(b) of the Amended Allocations and Development Management DPD (part 10 Flood Risk and Water Management) also states The Council will, in line with Policy DM5(c), aim to steer new development away from areas at highest risk of flooding. Development proposals within 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. Where development is necessary within areas at risk of flooding it will also need to satisfy the Exception Test by demonstrating it would be safe for the intended users without increasing flood risk elsewhere and where possible, pursue opportunities to reduce flood risk overall.
- 7.49. NPPF Section 14 and the Flood Risk and Coastal Change Planning Practice Guidance requires that development is directed away from areas at highest flood risk and that, where development is necessary, it must be demonstrated to be safe for its lifetime without increasing flood risk elsewhere. Footnote 63 of the NPPF requires that a site-specific Flood Risk Assessment is provided for all development in Flood Zones 2 and 3, and also for certain categories of development in Flood Zone 1. As a change of use and minor development, the proposal is not required to apply the Sequential Test or Exception Test, in accordance with NPPF paragraphs 175 to 176 and the PPG.
- 7.50. Consultation responses highlight significant concerns regarding flood risk. Environment Agency identifies that during the design flood event the external flood depths on the site are modelled to reach as high as 1.07m and up to 550mm internally, creating a danger for all people and noted that the submitted FRA suggests the incorporation of flood resistance measures. However, stated that these measures are only considered effective up to a maximum depth of 600mms. The Council's Emergency Planning Officer raises similar concerns, noting that safe evacuation is unlikely to be achievable and that walking or driving through flood water would be unsafe, and that the development would increase pressure on emergency services which conflicts with emergency planning principles that seek to avoid such reliance.
- 7.51. The applicant has submitted a Flood Risk Assessment and further technical information, including detailed floodplain loss calculations, flow-route analysis and identification of several internal safe refuges. First floor refuge levels are stated as 14.64 metres AOD within the bakehouse and 16.10 metres AOD within the windmill, which are well above extreme flood levels, and additional refuge is available on the

upper floors of the windmill. The applicant also proposes 60.44 cubic metres of compensatory flood storage which exceeds the calculated floodplain loss and therefore avoids increased flood risk elsewhere. While offsite flood risk effects appear capable of mitigation consistent with Policy DM5, both the Environment Agency and Emergency Planning Officer maintain that the development cannot be demonstrated to be safe for its lifetime because the depth and hazard of floodwater present a risk to life and safe access and egress cannot be achieved.

- 7.52. The vulnerability classifications in Annex 3 of the NPPF, shows the development would fall within the 'more vulnerable' category, meaning the proposal would introduce new "more vulnerable" users into a flood zone. However, the agent has provided details demonstrating how this vulnerability can be mitigated as far as possible without causing harm to the heritage asset. Therefore, the concerns arising from the flood risks need to be weight against the proposal and must therefore be balanced against the other benefits of the scheme, including the provision of one new dwelling and the significant heritage benefits associated with the restoration and reuse of the windmill that is on the at risk register, which is considered in the planning balance section below.

#### Planning Balance

- 7.53. In forming the overall planning balance, it is necessary to weigh the significant flood risk concerns against the identified public and heritage benefits. The site lies within Flood Zone 3a, and both the Environment Agency and the Council's Emergency Planning Officer have set out clear and substantial concerns regarding the safety of future occupants during severe flood events. Their position is that safe access and egress cannot be reliably demonstrated and that the characteristics of flooding at this location present a risk to life and property. These matters represent a serious adverse impact and are contrary to the objectives of Core Policy 10, Policy DM5, and Section 14 of the National Planning Policy Framework, which collectively require that development in higher-risk areas can be made safe for its lifetime.
- 7.54. Balanced against this is the considerable public and heritage benefit arising from the conservation of the designated heritage asset. The Grade II listed windmill and the curtilage-listed bakehouse have been subject to many years of deterioration, with the windmill recorded on the Buildings at Risk Register. The proposal would secure their repair, reinstate lost historic elements, and provide a viable long-term use. These outcomes align with Core Policy 14, Policy DM9, Section 16 of the NPPF, and the statutory duties imposed by Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, all of which require that great weight be given to the conservation of heritage assets. These heritage benefits carry very substantial weight and without securing a planning permission there is the risk the building could deteriorate further and be completely lost.
- 7.55. The proposal would also deliver one additional dwelling. Although the scale of this contribution is modest, it remains a material benefit. This benefit attracts moderate weight, particularly in the context of the Council's current inability to demonstrate a

five-year housing land supply. Under NPPF paragraph 11(d), the absence of a five-year supply means the presumption in favour of sustainable development is engaged, and NPPF paragraphs 60 and 74 emphasise the need to significantly boost the supply of homes and maintain an up-to-date understanding of local housing needs. Within this policy context, even a single dwelling contributes positively to addressing the district's acknowledged shortfall. It is further noted that this dwelling would come forwards as a self and custom build property which aids the Council in meeting its statutory duties to make available suitable self and custom build plots for the public. This also carries moderate weight in favour of the scheme.

- 7.56. Taking all factors into account, the judgement is finely balanced. The flood risk concerns are serious, attract significant weight, and represent an area of clear policy conflict. However, the heritage assets at the centre of the proposal are demonstrably at risk, and the evidence indicates that their decline is likely to continue in the absence of timely intervention or potentially result in its total loss. The scheme offers a realistic and deliverable means of securing their long-term future. When the considerable heritage benefits are taken together with the moderate benefits of providing an additional self-build dwelling in a district lacking a five-year housing land supply, Officers consider that the cumulative benefits are sufficient to outweigh the residual harm identified.
- 7.57. Accordingly, the overall planning balance falls marginally in favour of the development.
- 7.58. **Community Infrastructure Levy (CIL)** - The proposal creates a new dwelling, which would ordinarily be CIL liable. In this case, however, the floorspace is only increased by 53m<sup>2</sup>, as the proposed development would result in less than 100m<sup>2</sup> of net additional floorspace/Gross Internal Area, it is considered in this instance that the application is therefore not CIL liable.

## **8.0 Conclusion**

- 8.1. When considered against the strategic aims of the Development Plan as a whole, and the requirements of national policy, the proposal presents a complex but clearly defined set of competing considerations. Policies Core Policy 10, Policy DM5 and Section 14 of the National Planning Policy Framework place significant emphasis on ensuring that development in areas of high flood risk can be made safe for its lifetime. The concerns raised by both the Environment Agency and the Council's Emergency Planning Officer demonstrate that, despite the mitigation offered, there remain unresolved issues regarding safe access and egress and the associated implications for future occupant safety. These concerns carry significant weight and highlight a degree of conflict with the flood risk management expectations of the Development Plan and national guidance.
- 8.2. At the same time, the proposal must be seen in the context of the statutory duties under Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which require that great weight is afforded to the conservation of designated heritage assets. The Grade II listed windmill and the curtilage-listed

bakehouse have suffered long-term deterioration, with the windmill included on the local Buildings at Risk Register, and the evidence indicates that without timely intervention their continued decline is highly likely. The scheme before the authority would secure comprehensive repair, reinstatement of lost architectural detail and the long-term viable use of both structures, directly addressing the vulnerabilities that have led to their at-risk status.

- 8.3. In summary, while the scheme does not fully overcome the flood risk concerns identified by statutory consultees, it delivers an immediate and robust solution to the continuing deterioration of two important heritage assets. The conservation benefits are substantial and are clearly aligned with the objectives of Core Policy 14, Policy DM9, and Section 16 of the National Planning Policy Framework, which collectively emphasise the importance of safeguarding heritage significance for future generations. The proposal therefore engages two competing areas of policy priority, and the decision ultimately requires a balanced judgement of the relative weight to be applied to each. In this instance, Officers have decided that the overall planning balance falls marginally in favour of the development, and recommends permission is granted, subject to the planning conditions.

## **9.0 Implications**

- 9.1. 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.

### **9.2 Legal Implications - LEG2526/9923**

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.

## **10. 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 be carried out in accordance with the application form and the following approved plans:

- Application form - Received 26.05.2025
- Proposed floorplans drawing no 1842 A 1A - Received 26.05.2025

- Block plan drawing no 1842 A 2B - Received 26.05.2025
- Proposed elevations drawing no 1842 A 4A - Received 26.05.2025
- Proposed workshop and garage floor and elevation plans drawing no 1902 A 3A - Received 26.05.2025
- Existing floor plans drawing 5194 - Received 26.05.2025
- Existing bakehouse elevations drawing no 5195 - Received 26.05.2025
- Location plan - Received 26.05.2025

Reason: To define this permission and for the avoidance of doubt

03

Prior to any works on the windmill or bakehouse, a detailed schedule of works shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved schedule.

Reason: To ensure that the works are undertaken in a manner that preserves the historic fabric and significance of the listed buildings.

04

Prior to any works on the windmill or bakehouse, samples of all facing materials, including brick and roofing materials, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out using the approved materials.

Reason: To safeguard the character and appearance of the listed buildings and their setting.

05

Prior to any works on the windmill or bakehouse, full 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. Works shall thereafter be undertaken and retained in accordance with the approved details.

Windows

Doors

Rooflights

Gallery

Verges and eaves

Rainwater goods

Reason: To ensure that the detailing and finish are appropriate to the historic character and significance of the listed buildings.

06

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) (it would be acceptable for the CEMP(B) to be provided as a single or series of annotated plans).

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 species as required by the National Planning Policy Framework, ADMDPD Policy DM5 and Core Strategy Policy 12

07

A. Prior to commencement of the approved development, notice in writing confirming that a named ecologist holding an appropriate Natural England survey licence has been contracted to implement the ‘Precautionary Working Methods’ detailed at Section 4.3 of the Preliminary Ecological Appraisal Report, dated 22/03/2025 and produced by C.B.E. Consulting, or as modified as required by Natural England for the purposes of securing a European Protected Species Licence, shall be provided to, and be approved in writing by, the local planning authority.

B. Within 1 month of completion the Precautionary Working Methods, a report of the supervised works shall be provided to, and be approved 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.

08

A. The approved development shall not commence until faunal enhancement plan has been submitted to, and been approved in writing by, the local planning authority. The plan is to show the type and location of five artificial bat roosts and bird nestboxes integrated into the buildings, box types and details for fixing them into place. It shall also show the location and construction details for hedgehog and reptile refugia.

B. The approved features shall be installed prior to first use of the approved development and photographic evidence of the installed features shall be submitted to, and be approved in writing by, the local planning authority to fully discharge the condition. The approved features shall thereafter be retained and maintained.

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

09

Flood mitigations

No part of the ground floor of the development hereby permitted shall be used for sleeping accommodation at any time. All sleeping accommodation shall be located on floors above ground level to reduce residual flood risk to future occupants.

The compensatory flood storage measures detailed in the submitted EA Response letter prepared by Anthony Northcote, TOWNPLANNING.CO.UK, and dated 12 December 2025 shall be fully implemented prior to the first occupation of the development and shall thereafter be retained and maintained for the lifetime of the development.

Reason: To minimise the risk to life and property from flooding, in accordance with national and local flood-risk policy and the recommendations of the Lead Local Flood Authority.

10

A compliance certificate for the development issued under either:

- Regulation 17 (Completion Certificates) of the Building Regulations 2010; or Section 51 of the Building Act 1984 (Final Certificates).
- Title deeds of the property to which this exemption relates (freehold or leasehold).
- Proof of occupation, in the form of a copy of a utility bill or bank statement showing the applicant's name and the address of the property.

One of the following three documents:

- An approved claim from HM Revenue and Customs under VAT431NB: VAT refunds for DIY housebuilders;
- Proof of a specialist Self-Build or Custom-Build Warranty for the dwelling; or
- Proof of an approved Self-Build or Custom-Build Mortgage from a bank or building society for the dwelling.

Reason: To ensure compliance with the statutory definition of self-build and custom-build housing in accordance with the Self-Build and Custom Housebuilding Act 2015 and relevant planning policy.

### Informatives

1. The application as submitted is acceptable. In granting permission without unnecessary delay the District Planning Authority is implicitly working positively and proactively with the applicant. This is fully in accordance with Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).
2. 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 gross internal area of new build is less 100 square metres.
3. 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. You can contact them on via email at [info@eastmidlandsbc.com](mailto:info@eastmidlandsbc.com) via phone on 0333 003 8132 or via the internet at [www.eastmidlandsbc.com](http://www.eastmidlandsbc.com).
4. The applicant should prepare a contingency plan to address any contamination discovered during construction, conversion, or demolition works. Any findings must be reported to the Pollution Team in Public Protection at Newark and Sherwood District Council on 01636 650000
5. The information provided as part of the application, the development granted by this notice is considered exempt from the biodiversity gain condition.  
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))).

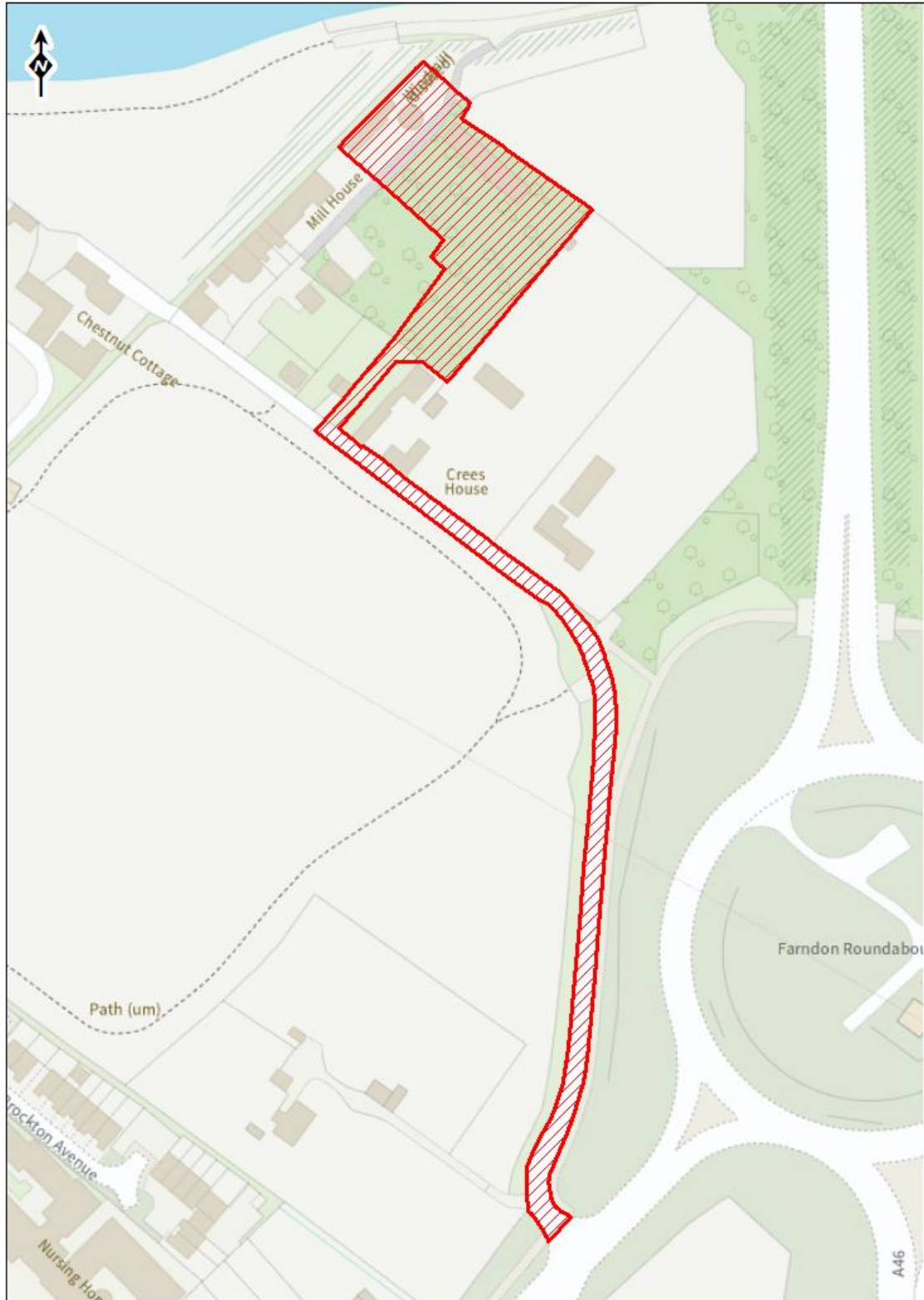
Based on the information available, this permission is considered by NSDC not to require the approval of a biodiversity gain plan before development is begun, because the following reason or exemption is considered to apply: Self-build.

#### 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.

Committee Plan - 25/00869/FUL



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Report to Planning Committee 9 April 2026

Business Manager Lead: Oliver Scott – Planning Development

Lead Officer: Christine Beresford – Planner

Report Summary			
<b>Application No.</b>	25/00870/LBC		
<b>Proposal</b>	Change of Use and Conversion and Alterations of Windmill and Bakehouse to Form Dwelling. Demolish Outbuilding and Erect Replacement Garage and Workshop. Create New Driveway		
<b>Location</b>	Farndon Windmill Crees Lane Farndon		
<b>Applicant</b>	Mr & Mrs Stuart Belton	<b>Agent</b>	Mr Anthony Northcote
<b>Registered</b>	10.06.2025	<b>Target Date Extension of Time</b>	9 <sup>th</sup> April 2026
<b>Recommendation</b>	Approval subject to conditions		

**This application has been referred to Planning Committee by the Business Manager in light of the Environment Agency’s objection, to allow careful consideration of these concerns against the significant heritage benefits of bringing a heritage at risk building back into active use.**

## 1.0 The Site

1.1 The application site comprises Farndon windmill, which is a Grade II Listed Building.

1.2 The site has the following constraints:

- Grade II listed building, which is on the local Heritage at Risk Register by Nottinghamshire County Council (hosted by Building Preservation Trust). The windmill is at risk level 3, ‘poor’.
- Sits in a flood zone 3a within Newark’s open break

## 2.0 Relevant Planning History

- PREAPP/00267/23 - Convert existing Brick built bake house and disused windmill to form x 1, 2 bed dwelling and Convert brick and timber-built chicken shed to form x 1, 2 bed dwelling –Advice given 04.03.2024
- 20/02149/HOUSE - Proposed boundary fencing and access gates (Retrospective) – application permitted 06.01.2021
- 25/00869/FUL - change of Use and ‘Self Build’ Conversion and Alterations of Windmill and Bakehouse to Form Dwelling. Demolish Outbuilding and Erect Replacement Garage and Workshop. Create New Driveway. – Application linked to this LBC.

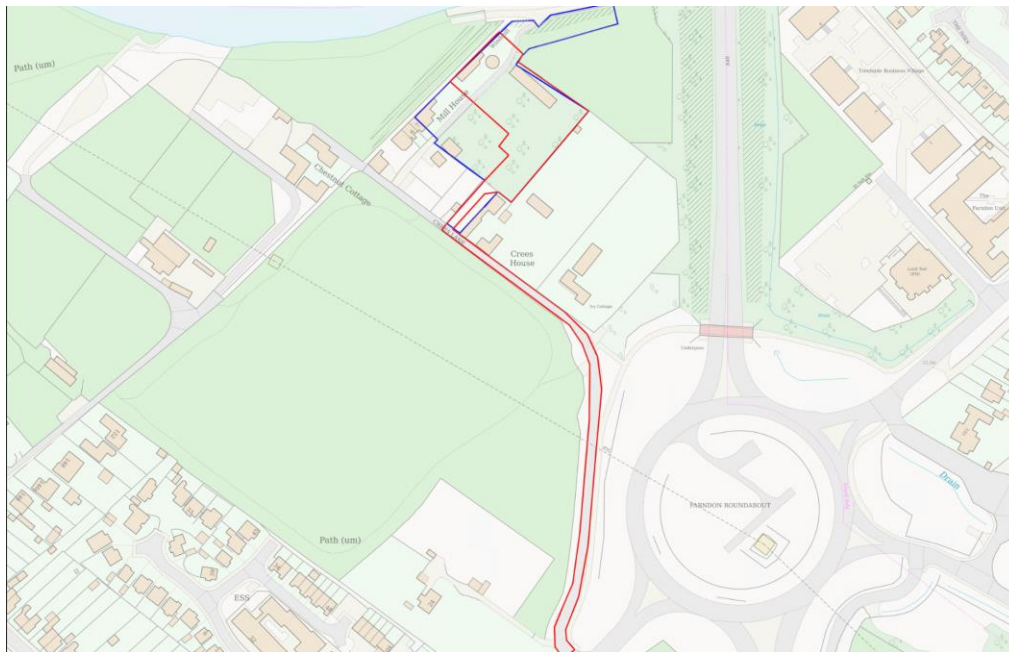
### **3.0 The Proposal**

- 3.1 The proposal involves the conversion and alteration of Farndon Windmill and the adjoining bakehouse to create a single dwelling. It includes rebuilding the collapsed section of the bakehouse, linking the two buildings with a modern glazed structure, and reinstating historic features such as the windmill gallery. A glazed cap will be added to the windmill to provide a viewing platform, and a new extension will be constructed on the footprint of a former building to the north of the tower.
- 3.2 The existing timber outbuilding will be demolished and replaced with a smaller timber-framed garage and workshop, and a new driveway will be created off Crees Lane to serve both the new dwelling and Mill House.
- 3.3 The design retains traditional brick and pantile materials for the windmill extension and bakehouse, introduces a contemporary glazed link, and uses timber and pantile for the new garage/workshop, with most existing vegetation preserved and compensatory planting proposed for any tree loss.
- 3.4 The footprint of the bakehouse and windmill remains unchanged; however, the proposed adjoining link from the bakehouse to the windmill would be 3.32 metres in length, 3.44 metres in width, with a ridge height of 3.05 metres. In addition, the new extension adjoining the windmill would measure approximately 13.12 metres in length and 5.94 metres in width, with a roof height of 4.60 metres.
- 3.5 The proposed timber-framed garage and workshop would measure approximately 21.26 metres in length, 6.25 metres in width, with a ridge height of 6.51 metres. This represents a reduction in length of around 8 metres compared to the existing outbuilding, which measures approximately 30.77 metres, resulting in a smaller overall footprint.
- 3.6 Overall, the windmill and adjoining bakehouse are in a deteriorated and structurally vulnerable condition, with the structural survey identifying extensive weathering, recessed and failing mortar joints, poorly bonded and altered brickwork, corroded window frames, and weakened internal floors resulting from years of limited maintenance. The upper brick courses of the windmill show outward lean and reduced stability, while several openings have been widened or altered in the past in a way that has left lintels and arches inadequately supported. The associated outbuildings include a gable wall that has become dangerously unstable following the collapse of the adjoining roof, with the wall now leaning outward by around 75mm and lacking

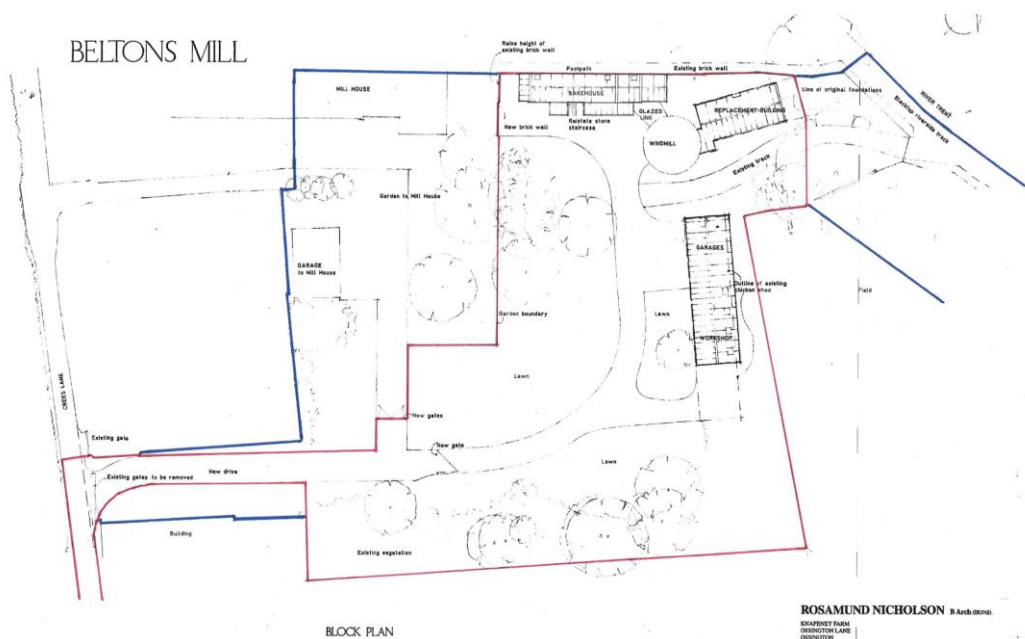
proper bonding to adjacent walls, creating a genuine risk of collapse towards the public footpath if not promptly addressed.

- 3.7 The proposed restoration works are therefore essential to stabilise the structures, involving comprehensive repointing, rebuilding of upper brickwork with reinforcement, reinstatement of original openings, replacement of internal lintels and floors, and the careful dismantling and rebuilding of the unstable gable wall. These interventions are necessary to safeguard the structural integrity and heritage value of the buildings and to ensure that both the windmill and bakehouse can be retained and sensitively adapted as part of the proposed conversion.

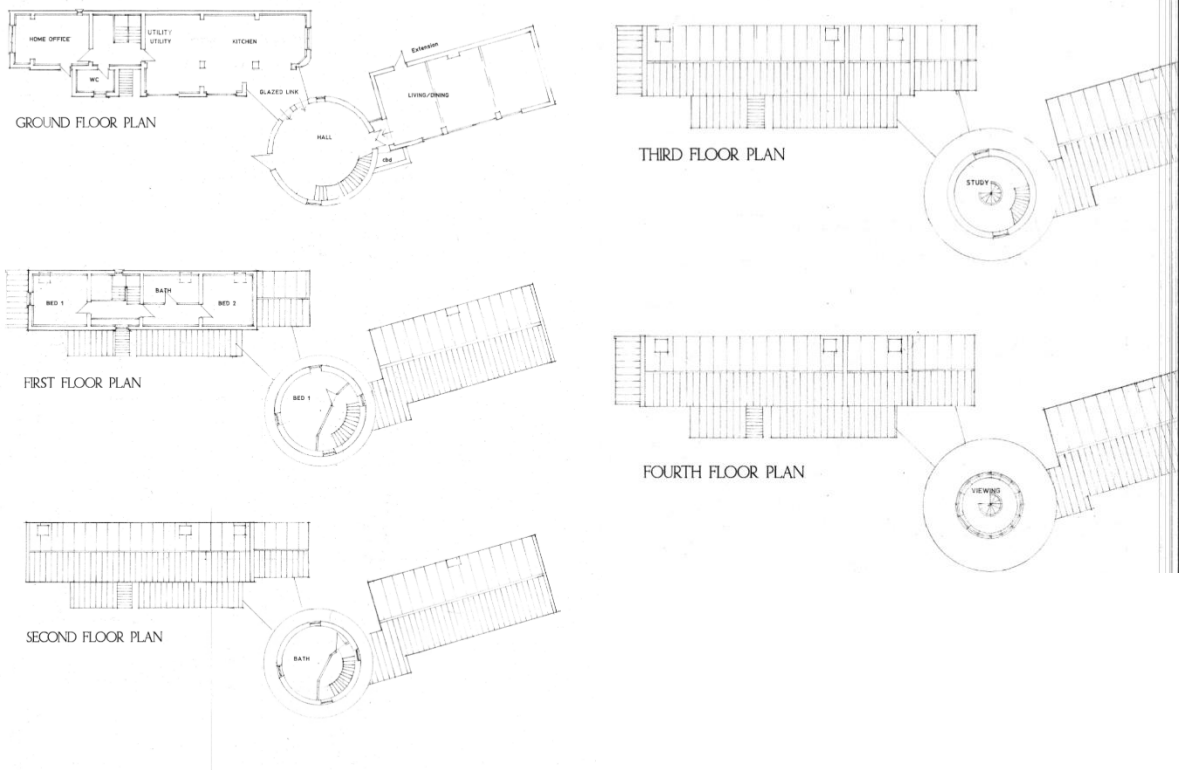
### Location plan



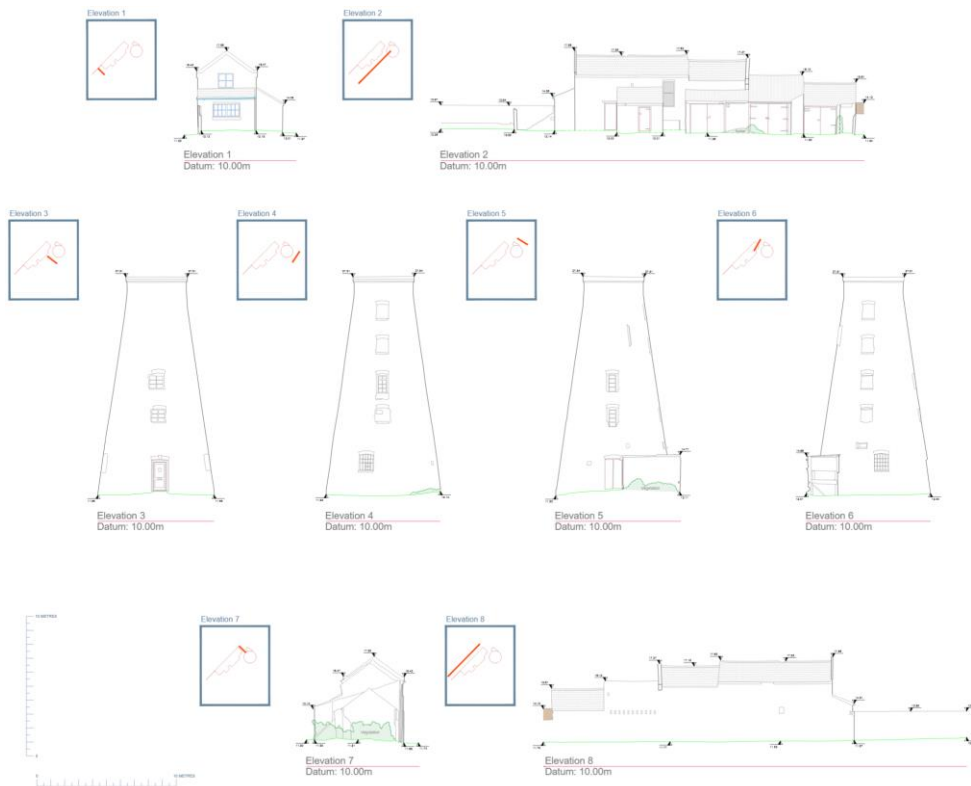
### Proposed block plan



Proposed windmill and bakehouse all floor plans:



Existing windmill and bakehouse elevations:





### 3.2 Documents assessed in this appraisal:

- Application form - Received 26.05.2025
- Proposed floorplans drawing no 1842 A 1A - Received 26.05.2025
- Block plan drawing no 1842 A 2B - Received 26.05.2025
- Proposed elevations drawing no 1842 A 4A - Received 26.05.2025
- Proposed workshop and garage floor and elevation plans drawing no 1902 A 3A - Received 26.05.2025
- Existing floor plans drawing 5194 - Received 26.05.2025
- Existing bakehouse elevations drawing no 5195 - Received 26.05.2025
- Topographical survey 2d drawing no 6576 - Received 26.05.2025
- Location plan - Received 26.05.2025
- Condition report windmill part 1 - Received 26.05.2025
- Condition report windmill part 2 - Received 26.05.2025
- Flood risk assessment - Received 26.05.2025
- Foul drainage assessment form - Received 26.05.2025
- NBGRC LTR and report - Received 26.05.2025
- Planning, design and access statement - Received 26.05.2025
- Preliminary ecological appraisal - Received 26.05.2025
- Structural advice LTR -
- Tree survey - Received 26.05.2025

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

4.1 Occupiers of 11 properties have been individually notified by letter.

4.2 Site notice was posted on the 04.08.2025.

4.3 Advertisement published on 19.06.2025.

### **5.0 Planning Policy Framework**

5.1. The Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act') provides a presumption in favour of the preservation of Listed Buildings and preservation or enhancement of the character and appearance of Conservation Areas.

5.2. The Courts have accepted that Section 54A of the Town and Country Planning Act 1990 does not apply to decisions on applications for Listed Building Consents, since in those cases there is no statutory requirement to have regard to the provisions of the development plan. However, Local Planning Authorities are required to be mindful of their duty under the legal framework in determining such matters, i.e. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and take account of the following other material considerations:

- National Planning Policy Framework 2024 (as amended Feb 2025)
- Planning Practice Guidance (online resource)
- Historic England (2025) Making Changes to Heritage Assets: Advice Note 2
- Historic England (2017) Traditional windows: their care, repair and upgrading

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

Core Policy 14 – Historic Environment

5.4. **Allocations & Development Management DPD (2013)**

DM9 – Protecting and Enhancing the Historic Environment

5.5. The [Draft Amended Allocations & Development Management DPD](#) was submitted to the Secretary of State on the 18th January 2024 and completed its Examination in November 2024. This is therefore at an advanced stage of preparation albeit the Inspector’s report is still awaited. There are unresolved objections to the amended versions of policy DM9 emerging through that process, and so the level of weight to which that proposed new policy can be afforded is currently limited. As such, the application has been assessed in-line with policies from the adopted Development Plan.

**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 NSDC Conservation team

Summarised comments:

The proposed conversion and alteration of the Grade II listed Farndon Windmill and associated bakehouse into a residential dwelling would result in a low level of less than substantial harm to the historic fabric and significance of the buildings. This harm arises from the loss of historic material and changes to the original plan form, particularly through the insertion of new openings and internal modifications. However, the buildings have been derelict for decades, with the windmill in a structurally unsafe condition and lacking many original features. The proposal offers a viable reuse that would secure the long-term conservation of these heritage assets, which is considered to outweigh the identified harm. The reinstatement of the windmill’s internal levels, addition of a gallery and cap, and reconstruction of the adjoining structure with a glazed link are broadly supported, provided that the works are sensitively designed and detailed. Conditions are recommended to secure a Schedule of Works, material samples, and detailed specifications for key architectural elements to ensure the character and significance of the listed buildings are preserved. The proposal does not adversely affect the setting of any other heritage assets.

6.2 Historic England

Summarised comments:

Historic England has confirmed that they are not providing detailed advice on this application, as their engagement would not add significant value in this instance. They recommend that the applicant seek guidance from specialist conservation and archaeological advisers and refer to Historic England's published advice online. Further consultation with Historic England is not required unless there are material changes to the proposals.

### 6.3 Environment Agency

The EA does not comment on Listed Building Consent applications. They have commented on the related planning application separately, 25/00869/FUL.

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

6.4.1 Farndon Parish Council - stated support for the proposal.

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

6.5.1 Resident Comments

#### Summarised comments:

One resident comment was received raising concerns relating to access and road safety. The comment noted that vehicle access to the site has historically been taken from the riverside onto Farndon Road, with flood defences having previously constructed a road for this purpose. Concern was expressed that the site currently has double gates opening onto this former access, while Crees Lane is a narrow, single private road that already experiences difficulties with existing traffic. It is suggested that the proposed access arrangements would worsen these difficulties. It also refers to the former garage and workshop, which had collapsed but previously gained access from the riverside rather than Crees Lane, and questions why this historic arrangement cannot be retained. Comments further query how the proposed A46 road-widening scheme may be affected by or interact with the development. It also noted that neighbouring residents are currently abroad and may not have the opportunity to submit their own comments due to the short consultation period.

One supportive comment was received from an identified local resident, although no detailed observations were provided beyond stating support for the proposal.

### 7.0 **Appraisal**

7.1. The key issue is:

- Impact on the special historic and architectural interest of the listed building.

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. As the application concerns designated heritage assets comprising listed buildings, section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') is particularly relevant. Section 16(2) requires the decision maker in considering whether to grant listed building consent for any works, to *"have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*
- 7.4. Core Policy 14 of the Amended Core Strategy states that the District Council will seek 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. Paragraph 212 of the NPPF states that when considering the impact of a proposed development on the significance of the 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) and this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Policy DM9 of the Allocations and Development Management DPD states that all development proposals concerning heritage assets will be expected to secure their continued protection and enhancement, contribute to the wider vitality, viability and regeneration of the areas in which they are located and reinforce a strong sense of place.
- 7.5. The importance of considering the impact of new development on the significance of heritage assets is expressed in Part 16 of the NPPF. Paragraph 8 of the Framework states that protecting and enhancing the historic environment is part of achieving sustainable development.

#### Significance of Heritage Asset(s) and Assessment of Proposal

- 7.6. The application site contains a Grade II listed windmill of 1823 and its adjoining former bakehouse, both of which have been in a derelict condition for many decades. The Conservation Officer confirms that very little historic fabric survives internally, with the upper floors of the windmill unsafe, structurally compromised and inaccessible due to extensive loss of floor timbers and general decay. Photographs included within the conservation response show that much of the internal structure above the first floor level is either missing or in a dangerous state, and the structural report identifies eroded mortar, unstable high-level brickwork and severely deteriorated openings, leaving the building vulnerable to further decline. The Nottinghamshire Building Preservation Trust has placed the windmill on the Buildings at Risk Register, with its condition recorded as level 3 'poor' noting missing windows, rotting doors, vegetation growth and severe spalling to the masonry. These conditions demonstrate that the building is at a critical stage where deterioration has progressed to a point that, without prompt and comprehensive intervention, there is a real and credible threat

of irreversible loss. The site's location in Flood Zone 3a compounds this vulnerability since continued exposure to extreme weather and moisture will accelerate the decay of already weakened masonry and timber. The combination of heritage at risk and environmental risk elevates the urgency of securing a viable conservation solution that can arrest the decline and prevent long-term structural failure. The proposals to reinstate internal levels, introduce a gallery, provide a glazed cap and reconnect the bakehouse through an appropriately lightweight glazed link have been designed to respect the historic character while delivering the level of repair necessary to stabilise the structures and protect their significance.

- 7.7. The extension proposed to the windmill follows a traditional form to ensure its proportions complement the listed structure and reinforce its historic character. The replacement of the failing timber outbuilding with a smaller oak-framed garage and workshop adopts appropriate rural vernacular detailing and reduces the overall footprint on the site. Alterations to the bakehouse, including new openings and the removal of failing internal walls, respond to the derelict condition of the building and the extensive loss of fabric that has already occurred. The Conservation Officer acknowledges that these interventions will result in the loss of some remaining fabric and changes to the internal plan form of the bakehouse but categorises the overall level of harm as low and less than substantial. The design approach, informed by national guidance including Historic England's Advice Note 2, clearly separates new and old elements, ensures reversibility wherever possible and allows the historic form and character of the windmill and bakehouse to remain legible within the completed scheme.
- 7.8. Conditions will be imposed requiring a full Schedule of Works together with detailed specifications for repairs, reinstated floors, joinery, roofing, the gallery and the glazed link. This ensures that materials, detailing and workmanship accord with the expectations set out under the Planning (Listed Buildings and Conservation Areas) Act 1990 and local policy requirements. These controls will guarantee that all areas of intervention respond appropriately to the architectural significance of the buildings and that the works are carried out in a way that supports their long-term conservation.
- 7.9. The proposals will result in a low level of less than substantial harm to the significance of the windmill and bakehouse. Under the National Planning Policy Framework this harm must be weighed against the public benefits of the scheme. The public benefits here are significant. The Buildings at Risk status of the windmill demonstrates that without intervention the building is likely to suffer further rapid decline, and the structural evidence confirms that masonry failures, internal collapse and vegetation damage are already advanced. Flood exposure further increases these risks and threatens to accelerate structural deterioration. The scheme directly addresses these issues by reinstating lost floors, stabilising and repairing the external masonry, renewing decayed openings and providing a sustainable long-term use. These interventions would remove the windmill and bakehouse from the Buildings at Risk Register, secure their conservation for future generations and reinstate historic features including the gallery, the cap and the built relationship between the two structures. In accordance with Section 16 and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Core Policy 14, Policy DM9 and Section

16 of the National Planning Policy Framework, great weight must be given to the conservation of designated heritage assets. In this case the public benefits associated with securing the long-term future of these buildings clearly outweigh the identified harm.

7.10. The development therefore complies with Core Policy 14 and Policy DM9 of the Local Development Framework together with Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and national guidance contained in the National Planning Policy Framework.

7.11. Although the determination of listed building consent is limited by the parameters of section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, decision-makers must be cognisant of other legislation and relevant considerations. In this case, it is understood that the EA has concerns about the re-use and improvement of the mill tower. Nevertheless, officer's find that the benefits of securing the long-term use of the heritage asset is a strong heritage reason for approval in this case.

## **8.0 Conclusion**

8.1 Overall, it is considered that the proposed works, would preserve the special interest and significance of the listed building at Farndon windmill in accordance with section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is therefore considered to be in compliance with Core Policy 14 of the Core Strategy (2024), and Policy DM9 of the Allocations & Development Management Policies DPD (2013).

## **9.0 Implications**

9.1 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.

### **9.2 Legal Implications - LEG2526/3834**

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.

## **10.0 Conditions**

01

The works to which this consent relates shall be begun no later than three years from the date of this consent.

Reason: In accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

02

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

Amended application plans:

- Application form - Received 26.05.2025
- Proposed floorplans drawing no 1842 A 1A - Received 26.05.2025
- Block plan drawing no 1842 A 2B - Received 26.05.2025
- Proposed elevations drawing no 1842 A 4A - Received 26.05.2025
- Proposed workshop and garge floor and elevation plans drawing no 1902 A 3A - Received 26.05.2025
- Existing floor plans drawing 5194 - Received 26.05.2025
- Existing bakehouse elevations drawing no 5195 - Received 26.05.2025
- Location plan - Received 26.05.2025

Reason: To ensure that the works take the agreed form envisaged by the District Planning Authority when determining the application and thus result in a satisfactory form of works.

03

Prior to any works on the windmill or bakehouse, a detailed schedule of works shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved schedule.

Reason: To ensure that the works are undertaken in a manner that preserves the historic fabric and significance of the listed buildings.

04

Prior to any works on the windmill or bakehouse, samples of all facing materials, including brick and roofing materials, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out using the approved materials.

Reason: To safeguard the character and appearance of the listed buildings and their setting.

05

Prior to any works on the windmill or bakehouse, full 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. Works shall thereafter be undertaken and retained in accordance with the approved details.

Windows

Doors

Rooflights

Gallery

Verges and eaves

Rainwater goods

Reason: To ensure that the detailing and finish are appropriate to the historic character and significance of the listed buildings.

### **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 Listed Building Consent is granted in strict accordance with the approved plans and specifications contained in this application. It should however be noted that:

- a) You and your agent or any other person responsible for implementing this consent should inform the Local Planning Authority immediately of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter, as any unauthorised works undertaken could constitute a criminal offence under the Planning (Listed Building and Conservation Areas) Act 1990 and could be liable for enforcement action.
- b) The owner and/or developer is advised that the proposed works may require approval under the Building Regulations. Any amendments to the hereby 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 and listed building implications arising from those amendments may be properly considered.

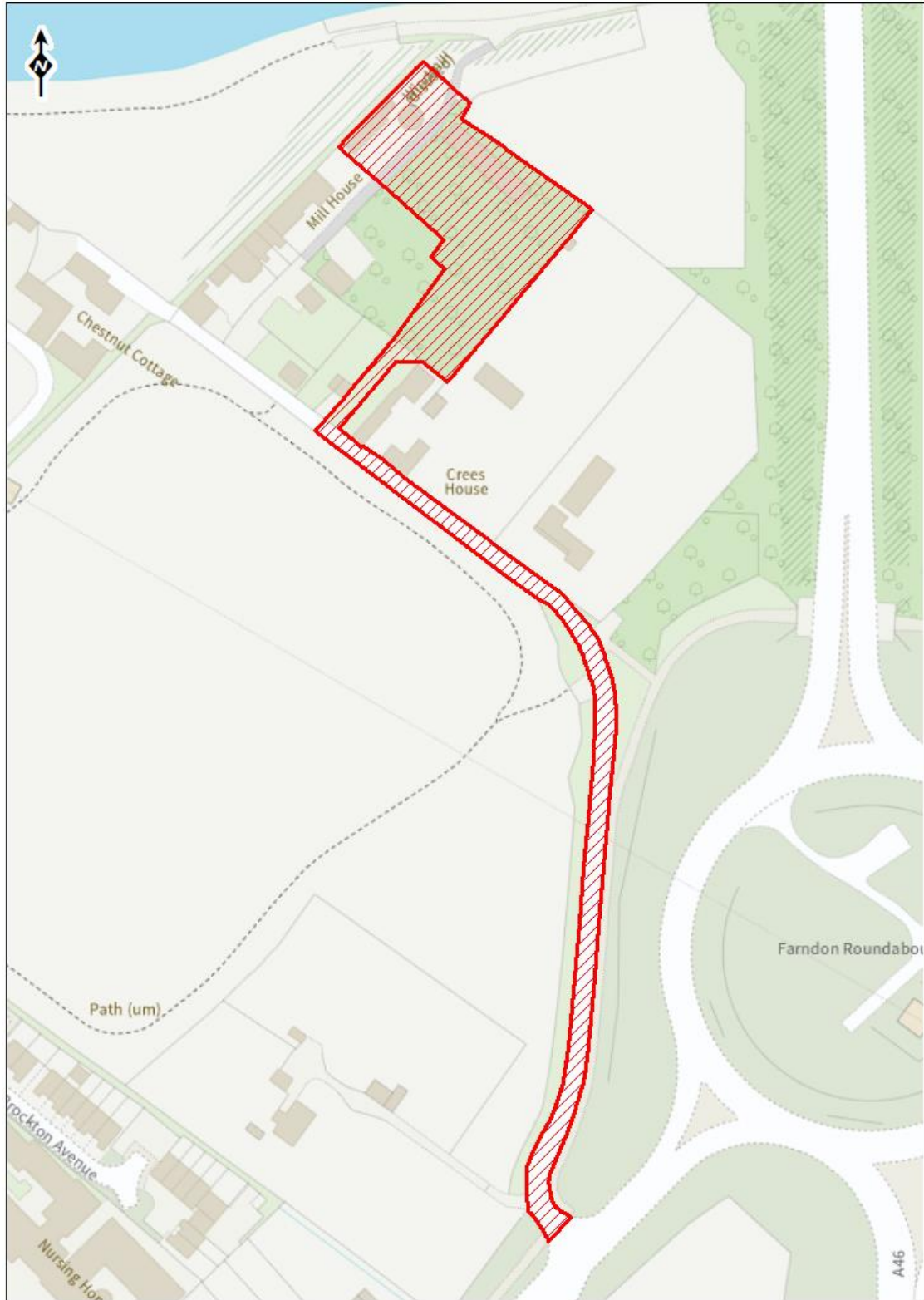
03

Any damage caused by or during the course of the carrying out of the works hereby permitted should be made good within 3 months after they are complete. Unless otherwise stated in the approved plans, works of making good shall match the historic fabric adjacent/found elsewhere on the listed building.

### **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.



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Report to Planning Committee – 9 April 2026

Business Manager Lead: Oliver Scott – Planning Development

Lead Officer: Kirsty Catlow – Planning Development Officer

## Report Summary

<b>Application Number</b>	26/00191/PIP		
<b>Proposal</b>	Application for permission in principle for proposed residential development of a minimum of 4 dwellings and a maximum of 6 dwellings		
<b>Location</b>	Field Reference Number 7509, Dale Lane, Blidworth		
<b>Applicant</b>	Messrs S, K And K Bola	<b>Agent</b>	IBA Planning Ltd - Mr Nick Baseley
<b>Web Link</b>	<a href="#">26/00191/PIP   Application for permission in principle for proposed residential development of a minimum of 4 dwellings and a maximum of 6 dwellings   Field Reference Number 7509 Dale Lane Blidworth</a>		
<b>Registered</b>	09.02.2026	<b>Target Date</b>	16.03.2026
		<b>Ext of Time Agreed</b>	17.04.2026
<b>Recommendation</b>	That Permission in Principle is Approved.		

This application is being referred to the Planning Committee for determination following a call-in request from Cllr Thompson, on the grounds that the site is located within the Green Belt and is not an appropriate location for residential development.

### 1.0 The Site

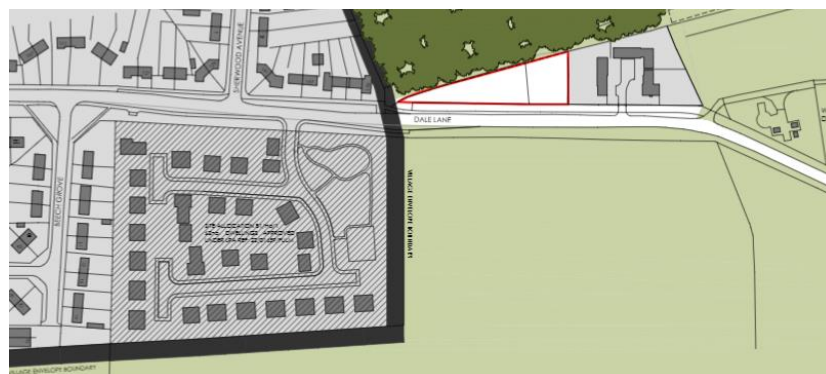
- 1.1 The application site comprises of a triangular parcel of land measuring 0.165 hectares. The site is located to the northern side of Dale Lane, just outside the village envelope

of the Principal Village of Blidworth. The site is currently undeveloped and comprises of overgrown grassland with an established hedge along the site frontage.



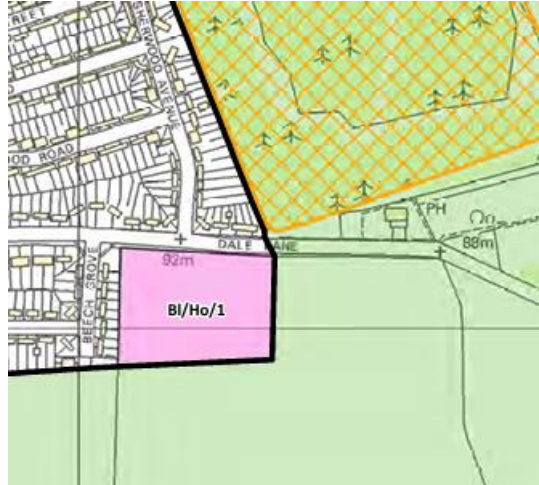
*Photographs of the site taken from Dale Lane*

- 1.2 To the west of the site are residential properties located within the built-up area of the village, to the east of the site is a group of residential properties, on the site of the former Jolly Friar Public House. To the north is a coppice of mature trees. To the south west, on the opposite side of Dale Lane, is a parcel of land allocated for housing on the Allocations & Development Management DPD (adopted July 2013), development of which has commenced.



*Application site shown edged in red*

- 1.3 In terms of site constraints, the site is not located within a designated Conservation Area, nor within the setting of any listed buildings. The site is located within the Nottinghamshire – Derby Green Belt. The land to the north is a site of interest in Nature Conservation.



*Extract of Map 14 – Blidworth contained within the DPD*

- 1.4 In terms of flood risk, the site is located within Flood Zone 1 and is therefore at a low risk of flooding from rivers and seas. The site is also at a very lower risk of flooding from surface water drainage.
- 1.5 In terms of connectivity the site is located adjacent to the eastern entrance into Blidworth, and there is a footpath on the northern side of Dale Lane, connecting the application site to the village. A bus stop is also located approx. 130m to the west of the site which has services to Newark, Eakring and Bilsthorpe.



*Photograph showing footpath link to Blidworth*



*Extract from Google Maps showing bus stop*

**2.0 Relevant Planning History**

- 2.1 The application site has no relevant history.

**3.0 The Proposal**

- 3.1 The application seeks Permission in Principle (the first of a 2-stage process) for residential development of a minimum of 4 dwellings and a maximum of 6 dwellings.
- 3.2 Permission in Principle requires only the location, the land use, and the amount of development to be assessed. If residential development is proposed (as is the case

here), the description must specify the minimum and maximum number of dwellings proposed.

- 3.3 It is the second stage of the process, Technical Details Consent, which assesses the details of the proposal. This must be submitted within 3 years of the Permission in Principle decision.
- 3.4 As the proposal is for permission in principle, no site plan or elevational details are required to be submitted at this stage. Such details would be considered at the Technical Details Consent stage, if permission in principle is approved. The agent has however provided an indicative site layout plan to illustrate how the site could **potentially** be laid out, although this carries **no weight** in decision taking:-



*Indicative Layout Plan submitted in support of the application*

- 3.5 Documents assessed in this appraisal:

Application Form  
Site Location Plan  
Feasibility Layout Plan  
Supporting Letter

Received by the Local Planning Authority on 9<sup>th</sup> February 2026

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

- 4.1 Occupiers of 3 properties have been individually notified by letter, and a site notice has also been displayed near to the site.
- 4.2 Site Visit undertaken: 25.02.2026.

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

##### **5.1 The Development Plan**

*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 4A: Extent of the Green Belt  
Spatial Policy 4B: Green Belt Development  
Spatial Policy 7: Sustainable Transport  
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 (adopted July 2013)*

Policy DM5: Design

Policy DM7: Biodiversity and Green Infrastructure

Policy 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 next stage in the Examination process will be the Inspector issuing their draft report.

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. Through this process representors have been provided the opportunity to raise objections to proposed modifications through the above consultation. Therefore, where content in the Submission DPD is either;

- Not subject to a proposed main modification;
- The modifications/clarifications identified are very minor in nature; or
- No objection has been raised against a proposed main modification

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

[Submission Amended Allocations & Development Management DPD  
Schedule of Main Modifications and Minor Modifications / Clarifications](#)

5.5 The following emerging policies are considered to carry weight in the consideration of this application:-

Policy DM5(b): Design

Policy DM7: Biodiversity and Green Infrastructure

5.6 **Other Material Planning Considerations**

- National Planning Policy Framework 2024
- Planning Practice Guidance (online resource)

6.0 **Consultations**

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

**Statutory Consultees**

6.1 None.

**Town / Parish Council**

6.2 **Blidworth Parish Council** – Object. The Parish Council strongly object to this application. This is on the grounds of flooding issues already raised, site access and sustainability. Building work has already begun on Dale Lane, and more properties are not in keeping with the village character.

**Representations/Non-Statutory Consultation**

6.3 **NCC Highway** – The proposal does not have an unacceptable impact on highway safety as the principle is considered acceptable, and in terms of this application does not justify an objection on highway safety grounds. However, it would need Highway Authority approval to construct the vehicle accesses, particularly the vehicle access serving the 4no. properties where engineering works to the highway verge/footpath are necessary given the difference in ground level of the Dale Lane carriageway in relation to the site's topography. In other words, a suitable gradient must be achieved in accordance with Nottinghamshire CC Highway Design Guide – Part 3.1. Such vehicle access details are to be dealt with at the 'Technical Design Consent' stage of the

planning process. To conclude, having regard to the limited information provided by the applicant/agent, it is considered that the application is acceptable in principle in highway terms.

6.4 Three representations have been received from, and on behalf of local residents, objecting to the application on the following grounds:-

- The site is located outside the village envelope of Blidworth
- The site is located within the Green Belt (and is not Grey Belt)
- The site is not allocated for housing in the Local Development Framework
- The site is previously un-developed land
- The proposed development would not be classed as infill
- The proposed development would encroach into the open countryside and be harmful to visual amenities and landscape character
- The proposed development would result in harmful to residential amenity
- The amount of development is unacceptable
- There is a lack of information on ecology and bio-diversity net gain
- The lack of a five year housing supply does not override the harm

## **7.0 Appraisal**

7.1 The National Planning Policy Framework 2024 (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 Planning Practice Guidance advises that permission in principle consent route is an alternative way of obtaining planning permission for housing-led development, which separates the consideration of matters of principle for proposed development from the technical detail of the development.

7.3 The permission in principle consent route has two stages. The first stage, or permission in principle stage, establishes whether a site is suitable in-principle. The second 'technical details consent' stage is when the detailed development proposals are assessed.

7.4 The PPG also states that the scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these 'in principle' matters should

be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage.

- 7.5 As such, the main issue is whether or not the site is suitable for residential development having regard to its location, the proposed land use and the amount of development.
- 7.6 It is noted that objections have been received on the basis of the application site being located within the Green Belt.
- 7.7 The application site is located within the Nottingham-Derby Green Belt. In accordance with Spatial Policy 1 of the Amended Core Strategy DPD (ACSDPD), which sets out the Settlement Hierarchy for the district and identifies the settlements are central to the delivery of Newark and Sherwood's Spatial Strategy, this proposal should be assessed against Spatial Policy 4B.
- 7.8 Spatial Policy 4B of the ACSDPD relates to development in areas covered by the Green Belt in the District. It sets out new housing and employment development will be focussed on the Principal Villages of Blidworth and Lowdham, along with Gunthorpe and the part of Bulcote which is attached to Burton Joyce. These areas have been excluded from the Green Belt and are defined by settlement boundaries illustrated in the DPD. It should be noted that the application site is not located within the defined settlement boundary of Blidworth.
- 7.9 Spatial Policy 4B also clearly sets out that no villages 'washed over' by the Green Belt have been identified for limited infilling. This is understood to be other villages covered by the Green Belt that have not been excluded from it.
- 7.10 The proposal is not for the development of 'Rural Affordable Housing Exceptions Sites', therefore, in accordance with Spatial Policy 4B, this proposal should be assessed against national Green Belt policy.
- 7.11 Paragraph 154 of the NPPF states that development in the Green Belt is inappropriate unless one of a number of exceptions applies. Inappropriate development is defined in Paragraph 153 as development harmful to the Green Belt and should not be approved except in very special circumstances. It is not considered that any of the exception listed under Paragraph 154 would apply.
- 7.12 However, Paragraph 155 sets out that additionally the development of homes should not be regarded as inappropriate where all the following apply:
  - a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;

- b. There is a demonstrable unmet need for the type of development proposed;
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and
- d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below.

**Paragraph 155 (a.)**

***Whether the application site is grey belt land***

- 7.13 Grey Belt has been defined by the NPPF as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143.
- 7.14 Land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development is excluded from Grey Belt.
- 7.15 Purposes (a), (b), and (d) in paragraph 143 are as follows:
  - (a) to check the unrestricted sprawl of large built-up areas
  - (b) to prevent neighbouring towns merging into one another
  - (c) to preserve the setting and special character of historic towns
- 7.16 Paragraph 005 of the PPG on Green Belt sets out villages should not be considered large built-up areas when assessing purpose (a) in paragraph 143.
- 7.17 Although the Glossary of the NPPF does not include a definition of 'village', having regard to the ACSDPD, which defines Blidworth as one of the six principal villages across the District, it is considered Blidworth is a village and therefore purpose (a) in paragraph 143 is not applicable, as there is no other large built-up area near the application site.
- 7.18 Similarly, Paragraph 005 of the PPG also sets out purpose (b) and purpose (d) in paragraph 143 do not relate to villages. As such, it is considered purpose (b) and purpose (d) in paragraph 143 are not applicable, as there is no other town nor historic town near the application site.
- 7.19 It is therefore considered that the application site would be Grey Belt land.

***Whether the development proposed would fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan***

- 7.20 Paragraph 005 of the PPG sets out authorities should consider whether, or the extent to which, the release or development of Green Belt Land would affect the ability of all

the remaining Green Belt across the area of the plan from serving all five of the Green Belt purposes in a meaningful way.

- 7.21 The site is triangular in shape and is constrained by existing residential development to the east and west, by a group of dense trees to the north and by Dale Lane to the south.
- 7.22 Having regard to the location of the site, its enclosed nature, and the proximity of the built-up urban areas, it is not considered that the proposed development would fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.

**Paragraph 155(b.)**

***Whether there is a demonstrable unmet need for the type of development proposed***

- 7.23 Footnote 56 of the NPPF explains that in the case of applications involving the provision of housing, a demonstrable unmet need means the lack of a five-year supply of deliverable housing sites, including the relevant buffer where applicable, or where the Housing Delivery Tests was below 75% of the housing requirement over the previous three years.
- 7.24 A revised version of the NPPF was published in December 2024 which reintroduced the requirement to include a 'buffer' to the five-year supply of housing. Newark and Sherwood District Council as the Local Planning Authority determining this application currently only has 3.84 years of housing land supply, falling short of the minimum of five years' worth of housing required by the NPPF.
- 7.25 As such, it is considered that there is a demonstrable unmet need for the type of development proposed.

**155(c.)**

***Whether the development proposed would be in a sustainable location***

- 7.26 The application site is located adjacent to the Principal village of Blidworth. Principal Villages are the third highest in the settlement hierarchy after Sub-Regional Centres and Service Centres and have a good range of day to day services and facilities. There is a footpath which runs in front of the application site, connecting it to Blidworth.
- 7.27 In terms of public transport, as detailed above, a bus stop is located approx. 130m to the west of the site which is served by buses to Newark, Eakring and Bilsthorpe.
- 7.28 On balance, having regard to the location of the application site and with particular reference to paragraphs 110 and 115 of this Framework, it is considered that the development proposed would be located in a sustainable location.

**155 (d.)**

***Whether the development proposed would meet the 'Golden Rules' requirements (if applicable)***

- 7.29 Paragraph 156 of the NPPF sets out that where major development involving the provision of housing is proposed on sites in the Green Belt subject to a planning application, specific contributions ('Golden Rules') should be made.
- 7.30 As the proposal does not constitute major development, it is considered Paragraph 155 (d.) is not applicable.
- 7.31 In short, it is considered that residential development in this location would not be inappropriate development in the Green Belt as it would utilise Grey Belt and Paragraph 155 of the NPPF would apply.
- 7.32 In terms of the amount of development, Core Policy 3 of the ACSDPD relates to Housing Mix, Type and Density. It sets out development densities in all housing developments should normally be no lower than an average 30 dwellings per hectare net, and housing developments with a lower density would require justification, taking into account individual site circumstances.
- 7.33 The proposal of a minimum of 4 and a maximum of 6 dwellings on a site measuring 0.165 would equal to between 24 and 36 dwellings per hectare, which would be in the region of the normal requirement of 30 dwellings per hectare net.
- 7.34 For the reasons outlined above, the application site is considered to be suitable in principle for residential development of between 4 and 6 dwellings, having regard to location, land use and the amount of development.

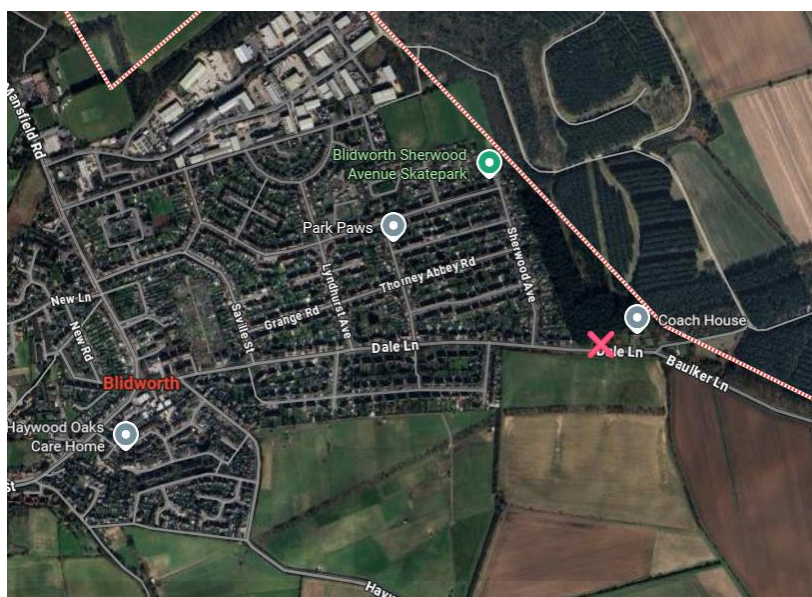
**Matters for Technical Details Consent Stage**

- 7.35 Following a grant of permission in principle, a site must also receive a grant of technical details consent before development can proceed. The default duration of a grant of permission in principle by application is 3 years, and applications for technical details consent must be determined within the duration of the permission granted.
- 7.36 A feasibility layout plan has been submitted in support of the application, which shows 6 no. dwellings, two detached dwelling to the western half of the site, and two pairs of semi-detached dwellings to the eastern half of the site, each half served by a separate vehicular access. This is merely an indicative site layout plan and should not form the basis of decision taking purposes.
- 7.37 It is noted that objections and comments have been received raising concerns in relation to flood risk, highway safety and the amenity of neighbouring properties.

However, these are all technical details and fall outside the scope of this Permission in Principle application.

### Impact upon the openness of Nottingham-Derby Green Belt

- 7.38 As set out in paragraph 7.10, this proposal should be assessed against national Green Belt policy. The application site is bordered by existing residential development to the east and west, with the built-up Principal village of Blidworth located to the immediate west of the site.



*Extract from Google maps with site marked by an X*

- 7.39 Taking the entire Nottingham-Derby Green Belt as a whole, and having regard to existing residential development, subject to an appropriate design, it is considered that the proposal would be capable of being acceptable in relation to the impacts upon the openness of Nottingham-Derby Green Belt, given that it would not be inappropriate development in the grey belt.

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

- 7.40 Core Policy 9 seeks to achieve a high standard of sustainable design which is appropriate in its form and scale to its context, complementing the existing built and landscape environment.
- 7.41 Policy DM5 of the adopted DPD and the changes within Policy DM5(b) of the emerging DPD, requires the local distinctiveness of the district's landscape and character of built form to be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development.

- 7.42 Paragraph 135 of the NPPF states inter-alia that development should be visually attractive, sympathetic to local character and history, and should maintain or establish a strong sense of place.
- 7.43 The design, scale and layout of the dwellings would be a critical consideration at Technical Details Consent stage. The design of any scheme should aim to respect this 'edge of settlement' location and preserve the character of the area and surrounding landscape. The site has strong a hedgerow which should be retained where possible.

#### Impact upon Residential Amenity

- 7.44 Policy DM5 of the adopted DPD and the changes within Policy DM5(b) of the emerging DPD states that development should have regard to its impact upon the amenity of surrounding land uses and neighbouring development to ensure that the amenities of neighbours and land users are not detrimentally impacted. The NPPF seeks to secure high quality design and a high standard of amenity for all existing and future occupants of land and buildings. Paragraph 135 of the NPPF seeks to ensure that developments have a high standard of amenity for existing and future users.
- 7.45 It is noted that there are residential properties to both the east and west of the site. Subject to appropriate siting, scale, massing and design, it is considered that a suitably designed scheme for between 4 and 6 dwellings could be accommodated on the site without harming the living conditions of neighbouring residents.

#### Impact on Highways

- 7.46 Spatial Policy 7 states that new development should provide appropriate and effective parking provision Policy DM5 of the adopted DPD and the changes within and Policy DM5(b) of the emerging DPD state that parking provision should be based on the scale and specific location of development. The Newark and Sherwood Residential Cycle and Car Parking Standards and Design Guide SPD (2021) provides guidance in relation to car and cycle parking requirements. Table 2 of SPD recommends the number of parking spaces depending on the number of bedrooms and location of the dwelling.
- 7.47 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.
- 7.48 It is considered that the site would be large enough to accommodate between 4 and 6 dwellings together with the requisite parking provisions. Whilst the design of the site access would be subject to approval at the Technical Details stage, following consultation with the Local Highways Authority, they have confirmed that the proposal would not have an unacceptable impact on highway safety.

#### Trees, Landscaping and Ecology

- 7.49 Core Policy 12 of the Core Strategy seeks to secure development that maximises the opportunities to conserve, enhance and restore biodiversity. Policy DM5 of the adopted DPD and the changes within Policy DM5(b) of the emerging DPD seek to protect all natural features within or adjacent to development sites. The NPPF also includes that opportunities to incorporate biodiversity in and around developments to provide net gains should be encouraged.
- 7.50 It is noted that there are trees beyond the northern boundary of the site, and a mature hedge along the site frontage. If development is proposed close to established trees or hedgerows, or would result in the removal of such features, a Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan, indicating where trees or hedgerows may be affected by the proposed development would be required. This includes on adjacent land or highways. The survey would need to include all the information required as per the specification of BS 5837: 2012, or by any subsequent updates to this standard.
- 7.51 Furthermore, in order to consider the potential impact of the development upon ecology, particularly having regard to the adjacent site with Nature Conservation interest, a Preliminary Ecology Appraisal (PEA), and any follow up surveys that are recommended by the PEA, would be required to support the Technical Details Consent stage.
- 7.52 Wherever possible, landscaping and ecological enhancements should be incorporated into the proposal and it is strongly recommended that the existing boundary hedgerows are retained and reinforced wherever possible.

#### Flood Risk

- 7.53 Core Policy 10 of the Core Strategy, Policy DM5 of the adopted DPD and the changes within Policy DM5(b) of the emerging DPD, along with the NPPF, set out a sequential approach to flood risk. Core Policy 9 requires new development proposals to proactively manage surface water.
- 7.54 The application site lies within Flood Zone 1 and is therefore at a very low risk of flooding. Details of water management (the disposal of surface water and foul sewage) would be expected to be submitted during the second stage.

#### Contamination Risk

- 7.55 Policy DM10 of the DPD states that where a site is highly likely to have been contaminated by a previous use, investigation of this and proposals for any necessary mitigation should form part of the proposal for re-development.

- 7.56 Paragraph 196 of the NPPF states planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation). After remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.
- 7.57 The application site comprises of previously un-developed land, and there is no suggestion that historic site activities would result in any land contamination. The Council's Environmental Health team would be consulted for comments at Technical Details Consent stage.

#### Community Infrastructure Levy (CIL)

- 7.58 The site is located within the Housing Low Zone 1 of the approved Charging Schedule for the Council's Community Infrastructure Levy. Residential development in this area is rated at £0m2 for CIL purposes.

#### Biodiversity Net Gain (BNG)

- 7.59 Biodiversity Net Gain (BNG) – 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. The grant of permission in principle is not within the scope of biodiversity net gain (as it is not a grant of planning permission), however the subsequent technical details consent (as a grant of planning permission) would be subject to the biodiversity gain condition.

### **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.
- 8.2 Legal Implications - LEG2526/5967

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 Conclusion**

- 9.1 The application site is located in the Nottingham-Derby Green Belt and it is considered that the proposal would not be inappropriate development in the Green Belt as it would utilise Grey Belt land and Paragraph 155 of the NPPF would apply. The proposed range of dwellings on the site is also considered to be appropriate and acceptable.
- 9.2 As such, it is considered that the application site is suitable in-principle for residential development for between four and six dwellings. The proposed development would be in line with Spatial Policy 1, Spatial Policy 4B and Core Policy 3 (in relation to density) of the Amended Core Strategy DPD, and Part 13 of the NPPF in relation to protecting Green Belt Land.
- 9.3 It is therefore recommended that Permission in Principle be approved.

## **10.0 Conditions**

It should be noted that conditions cannot be attached to a Permission in Principle. Conditions would be attached to the Technical Details Consent. The Permission in Principle and the Technical Details Consent together form the full permission. No development can commence until both have been approved.

### **Informatives**

01. The application as submitted is acceptable. In granting permission without unnecessary delay the District Planning Authority is implicitly working positively and proactively with the applicant. This is fully in accordance with Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).
02. The Technical Details Consent application is required to be submitted within three years of the decision date. The Council's Development Plan Policy sets out the criteria for which all new development should be assessed against. These includes but is not limited to safe and inclusive access, parking provision, drainage, impact on amenity, local distinctiveness and character, biodiversity and green infrastructure matters. The Technical Details Consent application would need to carefully consider these criteria and the Applicant's attention is drawn to the Officer Report that accompanies this decision for further advice on these criteria.

03. 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.

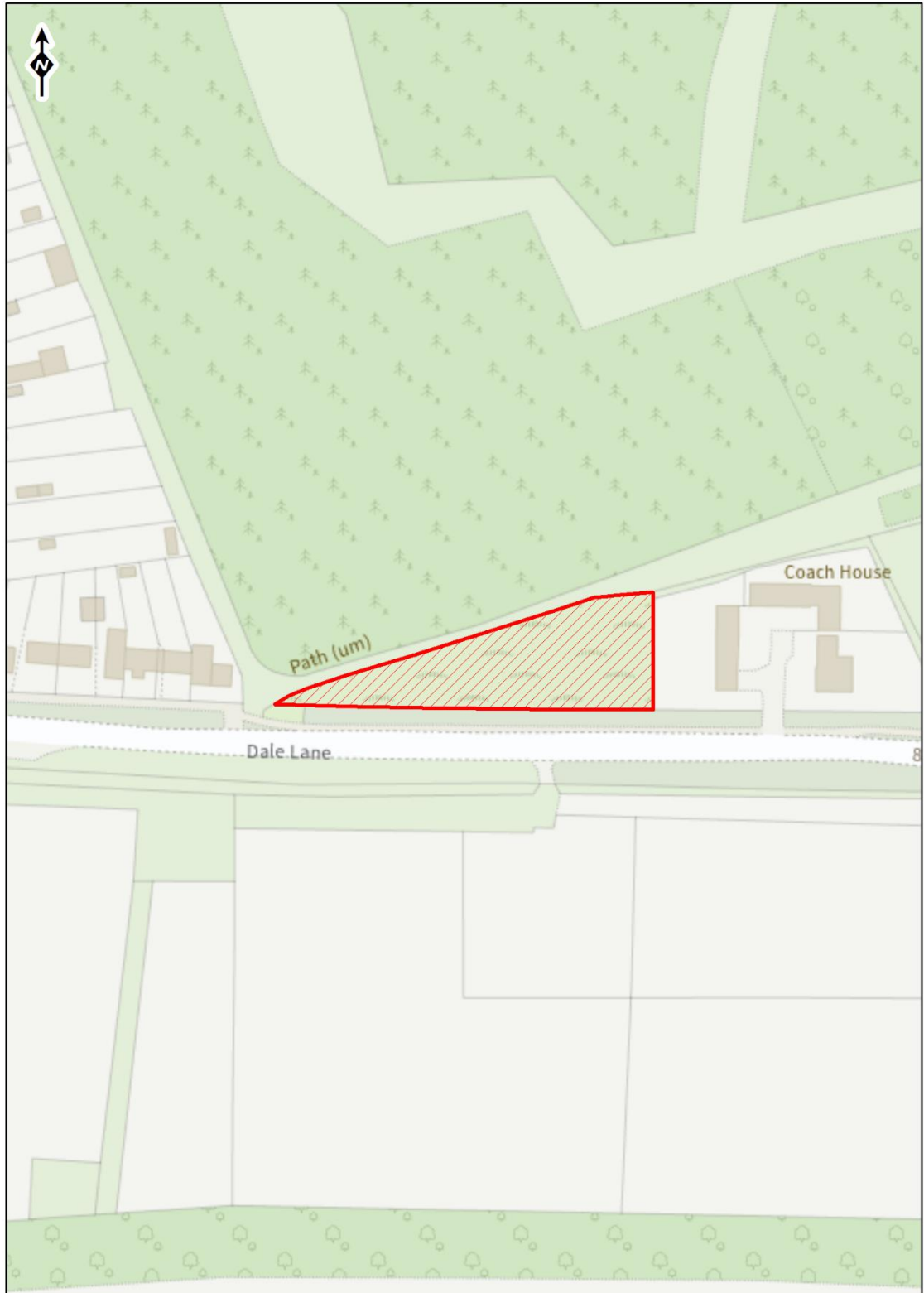
The grant of permission in principle is not within the scope of biodiversity net gain (as it is not a grant of planning permission), but the subsequent technical details consent (as a grant of planning permission) could be subject to the biodiversity gain condition.

04. You are advised that as of 1st December 2011, the Newark and Sherwood Community Infrastructure Levy (CIL) Charging Schedule came into effect. Any subsequent technical details submission may therefore be subject to CIL (depending on the location and type of development proposed). Full details are available on the Council's website [www.newark-sherwooddc.gov.uk/cil/](http://www.newark-sherwooddc.gov.uk/cil/)

#### 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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Committee Report – 9 April 2026

Business Manager Lead: Oliver Scott – Planning Development

Lead Officer: Ellie Sillah, Senior Planner (Development)

Report Summary			
<b>Application Number</b>	25/02049/FUL		
<b>Proposal</b>	2 dwellings with attached garages		
<b>Location</b>	Land Adjacent Church View Farm Swinderby Road South Scarle NG23 7JW		
<b>Applicant</b>	Mr J Williams and Miss A Garner	<b>Agent</b>	John Halton Design Ltd
<b>Registered</b>	8th December 2025	<b>Target Date</b>	2nd February 2026
<b>Recommendation</b>	Approve subject to conditions and a Unilateral Undertaking		

**This application is being presented to the Planning Committee in line with the Council’s Scheme of Delegation as the site lies outside of the village and is contrary to DM8 – the proposal is therefore a departure form the development plan. The application was also called in by Cllr Dales due to concerns raised by the Parish about countryside location and setting of heritage assets.**

## **1.0 The Site**

1.1 The application site lies within the open countryside, next to the village of South Scarle. The site is currently agricultural land and is adjacent to a site which has recently been granted planning permission for a new dwelling (currently under construction), and a bungalow which has permission to be demolished and a new dwelling built in its place. The village is within a conservation area, however the site lies outside of this. There are various listed buildings within the village, including St Helena’s Church which is Grade I listed and located to the south west of the site (a minimum of 60m away).

1.2 The site is approximately 0.31 hectares in size and is accessed from Swinderby Road which lies to the north. This access is an existing shared access for the bungalow and the dwelling currently under construction. To the south of the site is an agricultural building. To the east are open fields.

1.3 The site has the following constraints:

- Open Countryside
- Setting of Conservation Area
- Setting of Listed Buildings

## 2.0 **Relevant Planning History**

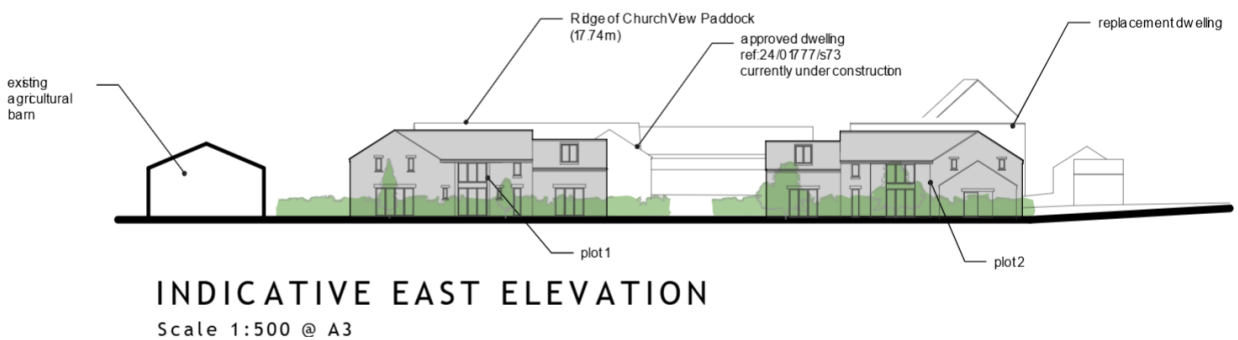
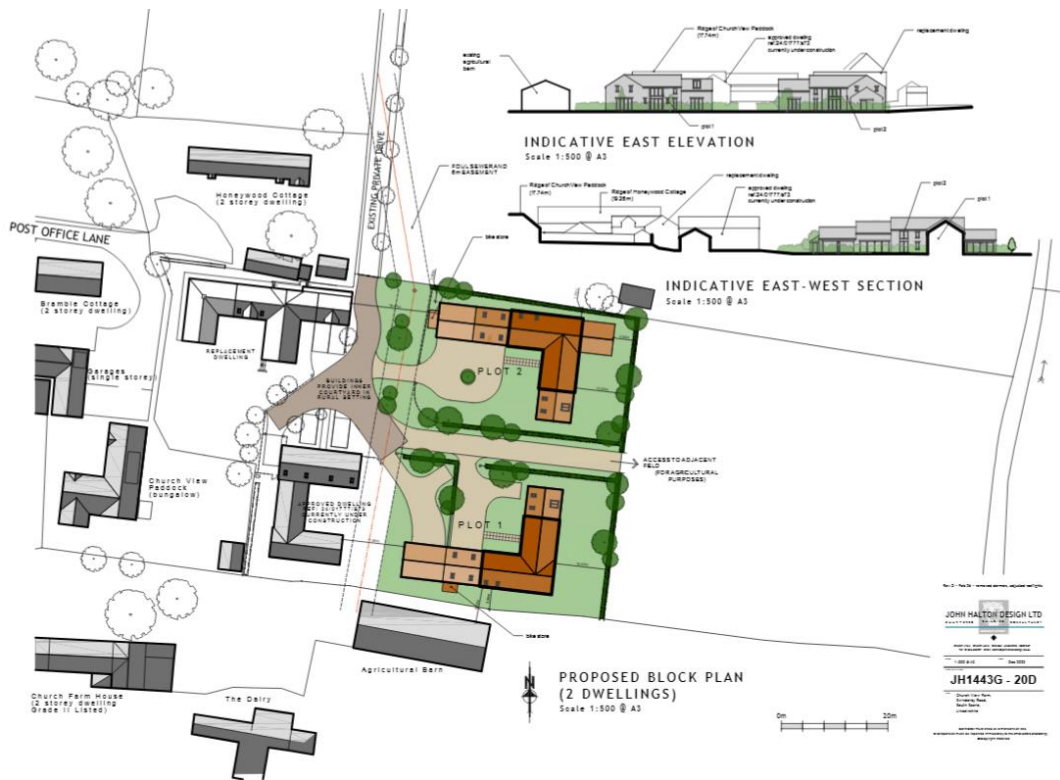
2.1 PREAPP/00204/25 – Advice given on the potential for residential development. Concerns about countryside location balanced against lack of housing land supply.

2.2 25/02052/S73 - Application to vary conditions 02 and 05 to substitute approved drawings with revised to incorporate changes to layout and change window colour as submitted planning statement and materials schedule attached to planning permission 24/00339/FUL. Granted permission.

2.3 24/01244/FUL - Demolish agricultural barn. Erect 1 dwelling. Granted permission.  
*24/01244/FUL and 25/02052/S73 share the same access as the application site however for the most part relate to the adjacent sites to the west of the application site.*

## 3.0 **The Proposal**

3.1 This application seeks permission for 2 detached dwellings with attached garages. Plot 1 would include an additional double garage for the use of the neighbouring dwelling which is currently under construction (approved under 24/01244/FUL). The proposed dwellings would be L-shaped, positioned around a central 'courtyard' area. An access is proposed between the 2 dwellings to allow agricultural access to the land to the east (which is owned by the applicant). The proposed dwellings would use a mix of Ancaster Limestone and red brick, with clay pantiles and slate roof tiles to the roof. Each would have 4 bedrooms.



3.2 Documents assess in this appraisal:

- JH1443G - 01D Visual of Plot 1 Front View
- JH1443G - VIS 03C Visual of Plot 2 Front View
- JH1443G - 20D Proposed Block Plan
- JH1443G – 21E Plot 1 Plans and Elevations
- JH1443G – 22E Plot 2 Plans and Elevations
- JH1443G - LPB Site Location Plan
- JH1443G 01 Existing Block Plan
- JH1443G 23 Swept Path Analysis

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

4.1 Occupiers of 17 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 23<sup>rd</sup> February 2026.

#### **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

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

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

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 next stage in the Examination process will be the Inspector issuing their draft report.

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. Through this process representors have been provided the opportunity to raise objections to proposed modifications through the above consultation. Therefore, where content in the Submission DPD is either;

- Not subject to a proposed main modification;
- The modifications/clarifications identified are very minor in nature; or
- No objection has been raised against a proposed main modification

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 [Submission Amended Allocations & Development Management DPD](#)

5.6 [Schedule of Main Modifications and Minor Modifications / Clarifications](#)

5.7 Other Material Planning Considerations

National Planning Policy Framework 2024

Planning Practice Guidance (online resource)

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

Planning (Listed Buildings and Conservation Areas) Act 1990

Conservation Area Appraisal

**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:**

Nottinghamshire County Council (Highways) – Standing advice applies.

**Town/Parish Council:**

**South Scarle Parish** object to the proposal on the following grounds:

- Outside village envelope – conflict with open countryside policy
- Not ‘infill’ and is undeveloped land
- Adjacent to the conservation area and will cause harm to views of South Scarle from easterly entrance
- Sewerage could be a problem
- 4 houses have been on the market for a considerable amount of time – no more large houses needed

**Representations/Non-Statutory Consultation:**

**NSDC Conservation** – The comments in summary conclude that there would be no harm to the setting of the Grade I listed church, nor the setting of other listed buildings within the vicinity, however the proposal would result in less than substantial harm to the setting of the conservation area due to a reduction in the openness of the site by the large scale of the dwellings and the proximity to the conservation area. This reduction in openness is

somewhat mitigated by the design of the dwellings through the use of appropriate materials, the agricultural design elements and the lower ridge height. Overall conclusion – less than substantial harm to the setting of the conservation area.

**NSDC Ecology** – The proposal would be policy compliant subject to a condition. *Further detail on the comments is provided in the relevant section of this report.*

**Trent Valley Internal Drainage Board** – The site is within the Trent Valley Internal Drainage Board district. The Board maintained South Scarle Moor Drain, an open watercourse exists to the East of the site to which BYELAWS and the LAND DRAINAGE ACT 1991 applies. Surface water run-off rates to receiving watercourses must not be increased as a result of the development. The suitability of soakaways as a means of water disposal should be ascertained prior to planning permission being granted. Soakaways should be designed to an appropriate standard and to the satisfaction of the Approving Authority in conjunction with the Local Planning Authority. If the suitability is not proven the Applicant should be requested to re-submit amended proposals showing how the Site is to be drained. Should this be necessary this Board would wish to be re-consulted. The design, operation and future maintenance of the of site drainage systems must be agreed with the Lead Local Flood Authority.

- 6.1. Comments have been received from 11 third parties/local residents (5 in support, 6 objecting) that can be summarised as follows:

*Objections*

- Proposed properties are outside of the village – open countryside
- Site is agricultural land that enhances conservation area and rural character of South Scarle – proposal would have significant impact to conservation area and list building settings
- Development encroaches excessively into countryside – will severely affect heritage character and views that forms eastern boundary of South Scarle
- Proposed houses are large scale – overbearing impact on historic buildings and adjacent agricultural fields
- Concerns for wildlife – barn owls
- Over-intensification of Church View Farm
- Issues with blockages of foul sewer – additional properties will cause further problems
- Concerns about increased traffic on Swinderby Road
- Expansion of the village – pressure on local services and no facilities within village
- Residents do not want this development

### *Support*

- Beautiful location, not intrusive or invasive - would blend into background.
- Land would benefit from the proposal and two additional executive homes would have a positive effect making the village more desirable.
- Site has not been in agricultural use for years – development would have positive effect on South Scarle
- Government policy is to increase housing stock – the proposal falls within this strategy, contributes to housing shortfall
- Design reflects agricultural style and would be in keeping with the village
- Infrastructure already in place and makes sensible location for 2 dwellings

## **7.0 Appraisal**

7.1 The key issues are:

- Principle of development
- Housing Mix
- Impact on Visual Amenity, Character of the Area, Heritage Assets (setting) and the Landscape
- Impact on Amenity
- Impact on the Highway
- Impact on Ecology
- Flood Risk and Drainage

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 The proposal seeks full planning permission for 2 dwellings. The site is on the edge of South Scarle, identified in the Amended Core Strategy as an 'other village'. There is built form to the south and west of the site, however the site is considered to be located within the open countryside. Policy DM8 strictly controls the type of development supported in the open countryside and only supports new dwellings where the design is exceptional. This is a very high bar and the proposal has not been put forward on this basis. As such, in principle, the proposal is not acceptable due to the conflict with DM8.

- 7.4 Notwithstanding the above, at present the Council cannot demonstrate a 5 year housing land supply, with a current supply of 3.84 years. As such, the presumption in favour of sustainable development set out in paragraph 11 of the NPPF is relevant.
- 7.5 For decision-taking this means:
- c) approving development proposals that accord with an up-to-date development plan without delay; or
  - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
    - i. the application of policies in this Framework that protect areas or assets of particular importance 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.
- 7.6 Due to the lack of 5-year housing supply, the relevant development plan policies are out of date. Therefore the proposal should only be refused if there is a strong reason for refusal relating to protected areas or assets of particular importance, or if the any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 7.7 The site is not within the conservation area, however, is within the setting of the conservation area. Impact on designated heritage assets can be a strong reason for refusal in the context of the presumption in favour of development as set out in footnote 7 of the NPPF.
- 7.8 Given the significant increase in housing target the Council now faces, the principle of development is likely to be considered acceptable, when applying the presumption in favour of development as explained above, subject to detail and site specific impacts. The site is adjacent to an existing settlement which although does not have its own services, is close to Collingham (approximately 2.3 miles), a 'principal village', which has a range of services which would be accessible for future occupants. There would be a reliance on private vehicle, however the distance is reasonable for cyclists as a sustainable mode of transport. In addition, there is a nearby train station at Swinderby, 1.4 miles from the site. On balance, the site can be considered sustainable for 2 new dwellings, and the scheme would make effective use of the land.
- 7.9 The site specific impacts are discussed in more detail in the next sections, however if no harm is identified, or the level of harm is low and not considered a strong reason for refusal, then the proposal should be approved in line with paragraph 11 of the NPPF.

#### Housing Mix

- 7.10 The District Wide Housing Needs Assessment carried out by Arc4 in 2020 is the most up to date Housing Need Survey for the district. South Scarle is within the Collingham sub area of the document and the following table sets out the dwelling mix expected for new developments in the area.

<b>Dwelling type and number of bedrooms</b>	<b>Current stock profile (%)</b>	<b>Market need profile (%)</b>	<b>Affordable rented need profile (%)</b>	<b>Intermediate need profile (%)</b>
1 to 2-bedroom house	9.2	4.9	58.6	6.0
3-bedroom house	30.9	46.8	21.6	35.8
4 or more-bedroom house	31.5	17.9	16.6	35.8
1-bedroom flat	0.3	0.0	0.0	0.0
2 or more-bedroom flat	1.9	1.9	0.0	0.4
1-bedroom bungalow	0.9	2.0	0.0	2.4
2-bedroom bungalow	11.5	12.6	3.1	7.9
3 or more-bedroom bungalow	13.3	13.9	0.0	11.7
Other	0.5	0.0	0.0	0.0
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

7.11

- 7.12 The scheme proposes 2, 4 bed dwellings. Due to the small scale of the scheme in terms of the number of dwellings, the mix of dwellings is not expected to fully reflect the above. It is noted that the highest market need is 3 bedroom houses within this area, however the need for 4 bed dwellings is 17.9% which is the second highest market need in the sub-area. The dwellings would contribute to this need, as well as the overall district need for housing generally. The dwellings have been put forward as self builds therefore would meet the needs of the future occupants. Overall, the fact that the 2 dwellings are both large family homes is not a reason to refuse the application and is acceptable.

Impact on Visual Amenity, Character of the Area, Heritage Assets (setting) and the Landscape

- 7.13 Core Policy 9 seeks to achieve a high standard of sustainable design which is appropriate in its form and scale to its context, complementing the existing built and landscape environment.
- 7.14 Policy DM5(b) of the emerging local plan requires the local distinctiveness of the District's landscape and character of built form to be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development.
- 7.15 Paragraph 135 of the NPPF states that development should be visually attractive, sympathetic to local character and history, and should maintain or establish a strong sense of place.
- 7.16 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to pay special regard to the desirability of preserving listed buildings or their settings when considering planning applications which affect them. Core Policy 14, DM9, and Part 16 of the NPPF seek to ensure designated heritage assets are preserved and enhanced. Any harm to designated heritage assets should be given great weight in the

planning balance. Paragraph 215 of the NPPF states 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.

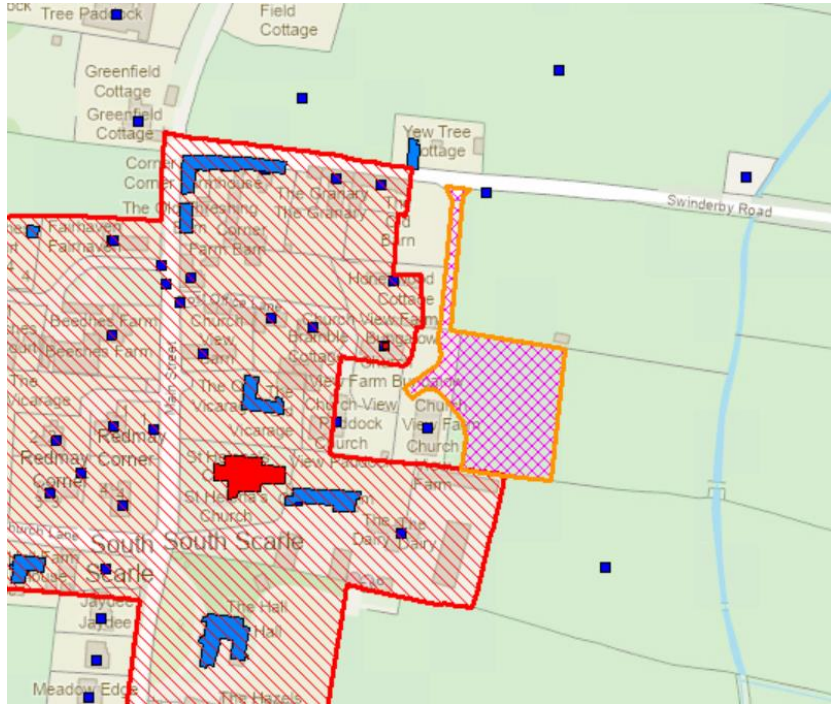
7.17 The conservation comments are noted. The design concept is broadly acceptable (taking reference from traditional agricultural buildings) however the large scale of the dwellings is acknowledged in terms of footprint and floorspace. The mix of stone and red brick is considered acceptable as there are examples of stone buildings within South Scarle, therefore reflecting the character of the conservation area.

7.18 Plot 1 (elevations below) would have a maximum height of approximately 7m. Plot 1 includes 2 double garages. The intention is that one garage would serve the adjacent dwelling currently under construction. The plans and elevations for the dwellings are detailed below:

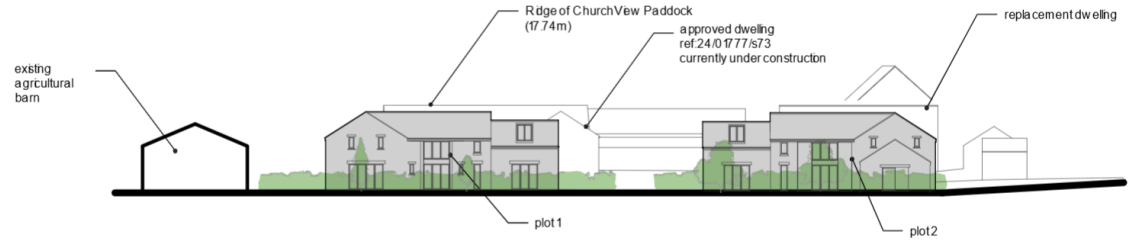




7.22 The conservation area boundary lies to the west (indicated in red) and includes the adjacent bungalow (which has permission for a replacement dwelling). The site is shown in orange. The blue highlighted buildings are Grade II listed and the red highlighted building is the Grade I church. As can be seen from the map extract, there are a number of buildings sited between the site and the listed buildings. The church can be seen from Swinderby Road when approaching the village from the east. It is however considered that the height of the proposed dwellings would be low enough that the visual impact would not compete with the church, but would be viewed in context of the existing built form (see below indicative east elevation).



7.23



**INDICATIVE EAST ELEVATION**  
Scale 1:500 @ A3

7.24

7.25 It is considered that the significance of the church is experienced mostly from Main Street, where the church is prominent, and within the immediate surroundings of the church. The proposal would not impact the church from Main Street, nor its immediate setting.



7.26 Above – St Helena's Church from Main Street.



7.27 Above – View from Swinderby Road when approaching from the east.

7.28 The top of the church can be seen over the top of the existing dwellings when approaching South Scarle from the east, and given the relatively low ridge heights (maximum 7m) it is considered this would continue to be the case. In addition, the proposed layout of the scheme includes a gap between the 2 dwellings where an access is proposed to the agricultural land to the east. The parts of the dwelling in closest proximity to this gap are also lower in height. This aspect of the scheme has been designed with the view of the church in mind to minimise any impact on views.

- 7.29 For the reasons above, it is not considered that the development would impact the setting of the Grade I Listed Church.
- 7.30 It is also considered there would not be any impact to the setting of other listed buildings within the village due to the separation distances and intervening built form.
- 7.31 The conservation team has concluded there would be less than substantial harm to the setting of the conservation area. This is due to the large scale of the dwellings and the prominent position on the edge of the village. The site is only immediately adjacent to the conservation area to the south, with modern dwelling in between the site and the conservation area boundary to the west. Because of this and the positive aspects of the design, the level of harm would be at the lower end and therefore it is not considered the harm would be a strong reason for refusal (within the context of paragraph 11 of the NPPF and the presumption in favour of sustainable development). When weighing up the public benefits of the proposal (2 additional dwellings which would contribute to the Council's housing target), the benefits would outweigh the low level of harm identified. The proposal would be accordance with paragraph 215 of the NPPF.
- 7.32 The site lies within Character Zone ES PZ 4 as identified in the Landscape Character Assessment SPD. The landscape is characterised by mostly flat landform around villages. The landscape condition is described as moderate, as is the landscape sensitivity. The landscape actions are to conserve and create. In relation to built features, the policy seeks to conserve what remains of the rural landscape by concentrating new development around existing settlements and creating new development which reflects the local built vernacular.
- 7.33 There would be some impact to the character of the area and the landscape due to the encroachment of built form to the east of the village where there is currently no development, however the dwellings would be sited immediately adjacent to the village, and the boundary of the site would be set back from Swinderby Road by a minimum of 66m, with an open field being retained between. This would retain the rural character of the area either side of Swinderby Road and on balance, when considering the design of the scheme (which reflects local vernacular), the visual impact is considered to broadly accord with the policy aims of the Landscape SPD and is acceptable.
- 7.34 To ensure boundary treatments are acceptable, the details of hard and soft landscaping can be secured by condition, and permitted development rights for fencing and boundary treatments can be removed. This will enable the Council to retain control over any boundary treatments that are erected that could be prominent within the landscape. The proposed block plan indicates hedgerow to the boundaries – this and/or post and rail fencing would be acceptable to retain the rural character of the area.

#### Impact on Residential Amenity

- 7.35 Policy DM5(b) explains 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.

- 7.36 Paragraph 135 of the NPPF seeks to ensure that developments have a high standard of amenity for existing and future users.
- 7.37 Plot 2 would be sited to the northern part of the site and would be a minimum of 16.47m for the approved replacement dwelling to the west (end gable to end gable). The existing bungalow (to be demolished) is located further away from the proposed dwelling therefore there are no concerns in relation to amenity impact for existing occupiers of the bungalow.
- 7.38 The distance between Plot 1 (in the southern part of the site) to the dwelling approved and currently under construction would be 11.59m (also gable end to gable end). The sections closest to the neighbouring dwellings would be the attached garages which are lower in height and do not have any windows to the side gables, therefore would not pose any overlooking issues nor result in overbearing impacts or any loss of light.
- 7.39 The minimum distance between the 2 proposed plots would be 12.35m. This would be between the two storey gables with windows serving a lounge to the ground floor and a bedroom to the first floor. The agricultural access would be located in between the 2 plots – the windows would face onto this access. Although these are habitable rooms, given the relationship here is not back to back (which would usually require a distance of 21m), the distance is considered acceptable. In addition, the north to south distance between the dwellings would be 38.8m which is more than sufficient to ensure no unacceptable levels of overlooking. There are no neighbouring properties immediately north or south of the site (an agricultural building lies to south).
- 7.40 In terms of amenity space, each plot would have garden space to the east, enclosed by hedgerow. The garden space is considered acceptable and in proportion to the proposed dwellings.
- 7.41 Given the nature of the proposal (residential) there are no concerns in relation to noise generation. In respect of the adjacent agricultural access and use, the area of land is not large and it is not anticipated that intensive agricultural use would take place. As such, there would be limited impact to future occupants in relation to noise from agricultural vehicles or machinery. The land is also owned by the applicant therefore they would retain control over the intensity of the use.
- 7.42 Overall, the proposed layout ensures sufficient separation distances between the 2 proposed dwellings and the neighbouring dwellings, that there would be no issues in relation to overbearing impact, loss of privacy or loss of light, amenity space, or noise impacts.

#### Impact on Highways

- 7.43 Spatial Policy 7 states that new development should provide appropriate and effective parking provision and Policy DM5(b) states that parking provision should be based on the scale and specific location of development.
- 7.44 Paragraph 115 of the NPPF seeks to ensure that safe and suitable access to the site can be achieved for all users.

- 7.45 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.
- 7.46 The existing access is private and has been approved for shared use between the dwelling currently under construction and the replacement dwelling (in place of the bungalow). Typically, private drives should serve no more than 5 dwellings. In this instance the access would serve a total of 4 dwellings which is considered acceptable. Concerns from local residents have been noted, however the addition of 2 dwellings would be highly unlikely to generate a significant increase in traffic movements on Swinderby Road.
- 7.47 The scheme includes garage provision for the dwelling currently under construction, as well as a double garage for each of the proposed dwellings. Parking to the front of the garages would also be available. The Parking SPD requires 3 spaces for each 4 bedroom dwelling – there is therefore more than sufficient space for parking.
- 7.48 Because the access is private, refuse vehicles would not be able to enter the site and occupants would be required to take their wheelie bins over 25m to the public highway on collection days. This is not ideal, however this is the same situation for the other 2 recently approved dwellings and is not a reason to refuse planning permission.
- 7.49 Overall, the impact on highway safety and the network is consider acceptable.

#### Impact on Trees and Ecology

- 7.50 Policy DM5 and Core Policy 12 seek to protect and enhance natural features of importance within or adjacent to development sites. Paragraph 136 of the NPPF states trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change.
- 7.51 There are no trees which would require removal for the proposal – as such the impact on trees is acceptable. There are trees shown on the proposed block plan. Details of the landscaping can be secured by condition.
- 7.52 The Council's Ecology Officer has commented on the application. The following is taken from the comments (full comments are available to view online).
- 7.53 *The site does fall within outer Impact Risk Zone (IRZ) for Besthorpe Meadows Site of Special Scientific Interest (SSSI); however, the proposed development does not fall within a category of development that Natural England would consider likely to pose a risk to the nature conservation status of this designation. Therefore, I can confirm that the proposed development would not have an adverse impact on any site designated for its nature conservation interest.*
- 7.54 *Having undertaken a site visit myself I can confirm that the field comprised of modified grassland that has been previously subject to periodic grazing and is species-poor. The existing access track consists of hardstanding. Part of the southern boundary is bound by a native hedgerow. None of the habitats that would be affected by the proposals have any significant nature conservation value. New hedgerows and trees are proposed as part of*

*the proposals and I would advise that these should comprise of native species of local provenance.*

7.55 *It is considered that there is limited potential for the presence of protected species; however, breeding birds within the hedgerow have not been a consideration, though this is to be retained. If this hedgerow requires any management, the main mitigation measures would be that ecological supervision would be required if vegetation management cannot take place outside of the bird nesting season (April – August).*

7.56 *No other species-specific enhancements have been proposed. Some additional specific enhancement for species would be appropriate, but I consider these should be proportionate to the scale of the development. It is suggested that the provision of at least one bat and one bird box are integrated into the walls of the new dwellings. Details of suitable locations and requirements are provided below.*

7.57 *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 ideally be installed at a height of at least 4m where it is safe to do so*

- *Ideally site boxes away from artificial light sources.*

- *Use untreated wood for any handmade boxes.*

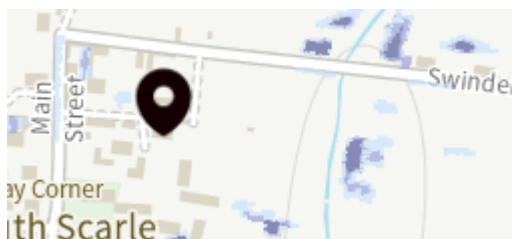
- *Avoid siting bricks where predators (such as domestic cats) can perch or climb.*

7.58 *With the proposed compensation, mitigation and enhancement measures implemented, I consider that the proposal would be compliant with matters relating to biodiversity within the NPPF and relevant local planning policies.*

7.59 *The recommended condition for a bat and bird boxes has been included (albeit it is not considered necessary to be pre-commencement and the wording has been amended to prior to development above damp proof course). In summary the impact on ecology is acceptable.*

Flood Risk and Drainage

- 7.60 The site is within Flood Zone 1 therefore at very low risk of fluvial flooding. The site is also at very low risk of surface water flooding (see map extract below).



- 7.61
- 7.62 The application form states that surface water will be dealt with via soakaways. This is in line with the hierarchy within the PPG, and considering the very low level of surface water risk, is likely to be suitable. Notwithstanding the comments from the Internal Drainage Board, it is not considered that evidence of the ground suitability is required prior to determination due to the low risk.
- 7.63 The application form states that the site will be connected to the main sewer for foul sewage which is also considered acceptable. Comments from local residents have been noted in regard to pressure on existing infrastructure, however the addition of 2 dwellings is not significant and the connection to the public sewer is dealt with via a separate legal process. Adequate drainage is also covered by Building Regulations.
- 7.64 Overall, there are no concerns in relation to drainage, and it is not considered the proposal would increase flood risk within the area (from any source).

#### Other Matters

- 7.65 The concerns raised by local residents which are planning matters have been addressed in the relevant sections of this report. The number of houses for sale in the village is not a material consideration and does not outweigh the overall need for housing within the district which is significant.

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

- 7.66 The site is located within the Housing High Zone 3 of the approved Charging Schedule for the Council's Community Infrastructure Levy. As such residential development in this area is rated at £70m<sup>2</sup> for CIL purposes. Details of the charge will be sent to the applicant separately.

#### **Biodiversity Net Gain**

- 7.67 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. However, there are some developments that are exempt from the BNG such as self builds. The applicant has stated that both dwellings would be

self builds – this will need to be secured by a legal agreement which the applicant has agreed to.

## **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.

### **8.2 Legal Implications - LEG2526/4521**

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 will need to be instructed in relation to the Unilateral Undertaking

## **9.0 Planning Balance and Conclusion**

9.1 In summary, the principle of residential development would usually be unacceptable on this site due to the open countryside location, as the scheme is contrary to DM8. However, as explained earlier in the report, the presumption in favour of sustainable development, set out in paragraph 11 of the NPPF is applicable due to the Council's lack of 5-year housing land supply. Given the location immediately adjacent to the settlement, proximity to Collingham, and the limited scale of the scheme (in terms of number of dwellings), on balance the site's location is considered sustainable.

9.2 Although the site is adjacent to the conservation area, no part falls within it. The conservation team have identified a low level of harm to the setting of the conservation area due to the scale of the dwellings and the reduction in openness to the east of the conservation area.

9.3 This harm amounts to 'less than substantial harm' and is considered to be at the lower end of the scale, as the design of the dwellings reflects characteristics of the conservation area. Paragraph 215 of the NPPF requires less than substantial harm to be weighed against the public benefits of the scheme. In this instance the scheme would contribute 2 dwellings to the Council's housing targets, which although is a small contribution, is given significant weight in the planning balance due to the lack of 5 year housing land supply. The benefit of approving smaller schemes is that these are often built out at a quicker rate than larger schemes. Where harm to a conservation area provides a strong reason for refusal, the presumption in favour of development does not apply (as set out in footnote 7 of the NPPF). However, given that in this instance the public benefits outweigh the less than substantial harm, the harm to the setting of the conservation area is not a strong reason for refusal.

- 9.4 In weighing up the other material planning considerations, there would be no unacceptable impacts in relation to visual impact, residential amenity, highway safety, ecology, trees, drainage or flood risk.
- 9.5 Considering the above, despite the conflict with DM8, there is no strong reason to refuse the application when applying the presumption in favour of sustainable development. The recommendation therefore is to approve the application, subject to conditions and a unilateral undertaking to secure the dwellings as self-builds.

## **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:

- JH1443G - 20D Proposed Block Plan
- JH1443G – 21E Plot 1 Plans and Elevations
- JH1443G – 22E Plot 2 Plans and Elevations
- JH1443G - LPB Site Location Plan

Reason: So as to define this permission.

3. No works in relation to the following details shall be commenced until manufacturer's details (samples upon request) have been submitted to and approved in writing by the Local Planning Authority:

Bricks/Stone  
Roofing materials  
Windows  
Doors  
Garage doors

Works shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the development preserves the character and appearance of the setting of the Conservation Area.

4. Prior to first occupation 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 and these works shall be carried out as approved. These details shall include:

- a) full details of all soft landscaping to be provided on site, to include every tree, shrub, hedge to be planted (including its proposed location, species and size). 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) full details of all hard surfacing materials to be provided to car parking, pedestrian access and circulation areas on site.
- c) means of enclosure.

Reason: To ensure the development preserves the character and appearance of the Conservation Area.

5. Prior to first occupation of the development hereby approved the hard landscaping shall be completed in accordance with the approved details.

Reason: In the interests of visual amenity and highways safety.

6. The approved soft landscaping shall be completed during the first planting season following the first occupation of the dwelling, 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. 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.

7. A. Prior to any development above damp proof course, a Bat and Bird Box Plan shall be submitted to, and approved by, the local planning authority. The plan is to show the type, location of the proposed boxes, and details for fixing them into place.

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

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), no walls or fencing, other than post and rail fencing no greater 1m in height, shall be erected within the site without written approval from the Local Planning Authority.

Reason: In the interest of visual amenity and to ensure the openness of the site is retained

## 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 PAYABLE on the development hereby approved as there is an increase in net floor area. Full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website: [www.newark-sherwooddc.gov.uk/cil/](http://www.newark-sherwooddc.gov.uk/cil/) or from the Planning Portal: [www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

03

All bat species are protected by the Wildlife and Countryside Act 1981 (as amended) and the Conservation (Natural Habitats, &c.) Regulations 1994. This legislation makes it illegal to intentionally or recklessly kill, injure or disturb any bat, or destroy their breeding places. If bats are disturbed during the proposed works, the legislation requires that work must be suspended and English Nature notified so that appropriate advice can be given to prevent the bats being harmed. English Nature can be contacted at the following address: The Maltings, Wharf Road, Grantham, Lincolnshire, NG31 6BH - (tel: 01476 584800).

04

All wild bird species, their eggs and nests are protected by law. Therefore, if the proposed removal of the buildings cannot be undertaken outside of the nesting season for most species (i.e., during the period September-February, inclusive), the buildings to be removed should be checked for nesting birds by a competent ecologist immediately prior to the commencement of approved works.

05

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).

06

#### Biodiversity Net Gain

From the information provided as part of the application, the development granted by this notice is considered exempt from the biodiversity gain condition.

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 not to require the approval of a biodiversity gain plan before development is begun, because the following reason or exemption is considered to apply: Self-build.

#### 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 9 April 2026

Business Manager Lead: Oliver Scott – Planning Development

Lead Officer: Yeung Browne – Planning Development Officer

Report Summary			
<b>Application Number</b>	26/00259/PIP		
<b>Proposal</b>	Application for permission in principle for proposed residential development of a minimum of 1 dwelling and a maximum of 1 dwelling		
<b>Location</b>	Land Off Bilsthorpe Road Eakring		
<b>Applicant</b>	Mr & Mrs A & D Corah	<b>Agent</b>	GraceMachin Planning & Property
<b>Registered</b>	27.02.2026	<b>Target Date</b>	31.03.2026
		<b>Extension of time</b>	15.04.2026
<b>Web Link</b>	<a href="#">26/00259/PIP - Application for permission in principle for proposed residential development of a minimum of 1 dwelling and a maximum of 1 dwelling</a>		
<b>Recommendation</b>	That Permission in Principle is Approved		

**This application is being referred to the Planning Committee for determination as the application represents a departure from the plan.**

## 1.0 The Site

1.1 The site is located at the north of Bilsthorpe Road at the village of Eakring, beyond of the defined built-up area of Eakring. The proposed site consists of a section within a parcel of land, positioned north of the dwelling known as Hawthorn House. A Public Rights of Way (PRoW) known as Eakring FPN0.22 runs across to its west. Open field to the north and east of the proposed site.



**Aerial view of the proposed site**



**Proposed site location plan**

- 1.2 The application site measuring approximately 1.03 hectares (29m by 48m). The whole parcel of land appears to be used as paddock, including land to the east and north. It is noted that a towing caravan is positioned to the northeast of the proposed site within the wider parcel of land on site visit. Mature hedges forms the south and west boundary of the site.
- 1.3 There is an existing gated access to the wider parcel of land from the PRoW, but it is positioned north beyond the proposed site. No trees are visible within the proposed site; some mature hedges separate the dwelling to the south.
- 1.4 According to Environment Agency Flood Maps, the site is in Flood Zone 1 therefore at very low risk of fluvial flooding, and also at very low risk of surface water flooding.
- 1.5 While the site is not within the Eakring conservation area, it is adjacent to the north of the CA and there are number of local interest buildings in close proximity, most notably Ashcroft, Apple Cottage, Manor Farmhouse and outbuildings. The site is considered to fall within open countryside.

## **2.0 Relevant Planning History**

- 2.1 None direct.
- 2.2 Related Application 03/02937/FUL (the whole parcel of land) - Proposed erection of an animal field shelter, 2 loose boxes and tack room was approved in February 2004.
- 2.3 Applications to the south at Cherry View, which are relevant
- 2.4 16/01745/FUL Erection of Two, two-bedroomed dwellings and associated access Refused and Dismissed at Appeal due to the impact on the character and appearance of the Conservation Area.
- 2.5 20/00879/FUL Proposed Erection of Single Storey Dwelling and Garage Refused due to harm to the Conservation Area but ALLOWED on Appeal due to the sensitive design and scale not appearing out of keeping.

## **3.0 The Proposal**

- 3.1 The application seeks Permission in Principle (the first of a 2-stage process) for residential development of minimum of 1 dwelling and a maximum of 1 dwelling on the site. No specific details are required at this stage.
- 3.2 Permission in Principle requires only the location, the land use, and the amount of development to be assessed. If residential development (as is the case in this application), the description must specify the minimum and maximum number of dwellings proposed.
- 3.3 It is the second stage of the process, Technical Details Consent, which assesses the details of the proposal. This must be submitted within 3 years of the Permission in Principle decision.
- 3.4 Documents assessed in this appraisal:
  - Planning Statement received 23 February 2026
  - Application Form received 23 February 2026

- ~~Site Location Plan ref: 01 REV A received 23 February 2026~~
- ~~Block Plan ref: 02 received 23 February 2026~~
- Revised Site Location Plan ref: 0281-01B received 27 March 2026
- Revised Block Plan ref: 0281-02A received 27 March 2026
- Planning Statement received 23 February 2026

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

- 4.1 Occupiers of five properties have been individually notified by letter. A site notice has also been displayed near to the site on 02 March 2026.
- 4.2 Site visit undertaken 02 March 2026.

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

##### **The Development Plan**

##### **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

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

- DM1 – Development within Settlements Central to Delivering the Spatial Strategy
- 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 next stage in the Examination process will be the Inspector issuing their draft report.

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. Through this process representors have been provided the opportunity to raise objections to proposed modifications through the above consultation. Therefore, where content in the Submission DPD is either;

- Not subject to a proposed main modification;
- The modifications/clarifications identified are very minor in nature; or
- No objection has been raised against a proposed main modification

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

[Submission Amended Allocations & Development Management DPD  
Schedule of Main Modifications and Minor Modifications / Clarifications](#)

- 5.5 Relevant policies in the Draft Amended Allocations & Development Management DPD:
- Policy DM1: Development within Settlements Central to Delivering the Spatial Strategy
  - Policy DM5(a): The Design Process
  - Policy DM5(b): Design
  - Policy DM12: Presumption in Favour of Sustainable Development

5.6 **Other Material Planning Considerations**

- National Planning Policy Framework 2024 (with amendment - February 2025)
- Planning Practice Guidance

6.0 **Consultations**

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

**Statutory Consultations**

6.1 None

**Parish Council**

6.2 **Eakring Parish Council** – has no objection to the application.

**Representations/Non-Statutory Consultation**

6.3 **NCC Highway** – The Highway Authority (HA) would need to see consideration for pedestrian visibility splays and direct access to the site from public adopted highway. HA cannot support this application due to the minimal information submitted at this stage, objection would not be raised should the applicant provide sufficient details of the proposed access and resident parking.

- 6.4 **NCC Rights of Way** – No objection providing the followings are acknowledged:
- The development would be expected to recognise the existing of the PRow and any impact upon public access/safety during and after the construction process.
  - The application would need to outline how access and safety of the public would be managed.
  - Border fencing/boundary treatment will need to be assessed and agreement must be reached before any works begin.
  - Consideration at the technical stage should also include additional traffic could affect the safety to the PRow, responsible on surface repairs, treatment on surface of footpath etc.
- 6.5 **NSDC Conservation Team** – stated that if the proposal was brought forwards to the full application stage, the works are not considered to safeguard the street scene of the conservation area. It is considered the proposal represents harmful back land development beyond the rear boundary of the conservation area, which would be harmful to the overall character and appearance of the historic settlement pattern of the Eakring Conservation Area. The open and rural aspect of the CA, as described in the Eakring Conservation Area Appraisal would be negatively impacted upon by the construction of a dwelling in the location.
- 6.6 **No representation has been received from any local residents or interest party.**

## **7.0 Appraisal**

- 7.1 The key issues are:
- Principle of Development
  - Location
  - Land Use
  - Amount of Development
- 7.2 All other matters would be considered as part of the Technical Details Consent (Stage 2) application which would be required if permission in principle (Stage 1) is approved.
- 7.3 The National Planning Policy Framework 2024 (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 of the Allocations and Development Management Development Plan Document (DPD).
- 7.4 On 16th December 2025 the Government Published a consultation on proposed reforms to the NPPF (2024). The consultation and draft NPPF do not constitute Government Policy or Guidance. However, they are capable of being material considerations in the assessment of this application. As the policy document is in the early stages of consultation it has been afforded limited weight.

## Principle of Development

- 7.5 This type of application requires only the principle of the proposal to be assessed against the Council's Development Plan and the NPPF. The 'principle' of the proposal is limited to location, land use, and the amount of development. Issues relevant to these 'in principle' matters should be considered at the permission in principle stage. Any other details regarding the development are assessed at the second stage of the process under a 'Technical Details Consent' application which must be submitted within 3 years of the Permission in Principle decision (if approved).

## Location

- 7.6 The Adopted Development Plan for the District is the Amended Core Strategy DPD (2019) and the Allocations and Development Management DPD (2013). The Core Strategy details the settlement hierarchy which will help deliver sustainable growth and development in the District (Spatial Policy 1). The intentions of this hierarchy are to direct new residential development to the Sub-regional Centre, Service Centres, and Principal Villages, which are well served in terms of infrastructure and services. Spatial Policy 2 of the Council's Core Strategy sets out the settlements where the Council will focus growth throughout the District. In accordance with Spatial Policy 3 (Rural Areas), proposals outside of settlements and villages, within the open countryside, will be assessed against Policy DM8 of the Allocations and Development Management DPD.
- 7.7 Eakring is not defined within the settlement hierarchy and is therefore an 'other village'. Proposed Developments within these villages are assessed against Spatial Policy 3 'Rural Areas'. The locational criteria outlined in Spatial Policy 3 supports the development of sites within sustainable accessible villages. In decision making terms this means locations within the existing built extent of the village, which includes dwellings and their gardens, commercial premises, farmyards and community facilities. It would not normally include undeveloped land, fields, paddocks or open spaces which form the edge of built form.
- 7.8 Eakring, along with many other villages in the district, does not have an established village envelope. The site is located towards the north-western edge of the main built-up area of the settlement and borders open fields to the west and north. To the east are a number of dwellings running along Bilsthorpe Road and Main Street with the main village to the east and southeast of the proposed site.
- 7.9 The village itself is an 'other village' as set out within the Settlement Hierarchy, therefore would fall to be assessed against SP3. The site is located beyond the built up extremities of the village and therefore within the open countryside, however adjacent to the fringe of housing within the village. Policy DM8 therefore applies and this states that – Planning Permission will only be granted for new dwellings where they are of exceptional quality or innovative nature of design, reflect the highest standards of architecture, significantly enhance their immediate setting and be sensitive to the defining characteristics of the local area.
- 7.10 Following the publication of the NPPF on 12th December 2024, the LPA can no longer demonstrate a 5-year housing land supply. The development plan is therefore not up to date

for decision making in respect of housing and the tilted balance will need to be applied as the NPPF is an important material planning consideration.

- 7.11 The NPPF (2024) has introduced changes to the way in which local authorities formulate the number of new homes needed to be delivered in their areas and as such the need for houses in the district has increased significantly which means that the Authority is no longer able to demonstrate a five-year supply of housing. The LPA is currently only able to demonstrate a housing land supply of 3.84 years. This means that the Development Plan is now out of date in terms of housing delivery and the tilted balance has come into effect.
- 7.12 The shortfall in the supply of deliverable housing sites means that, in accordance with the presumption in favour of sustainable development (at paragraph 11d), any adverse impacts caused by the proposal must significantly and demonstrably outweigh its benefits, for planning permission to be refused. This means the Authority has a duty to ‘...grant permission unless:
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear 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.
- 7.13 Footnote 8 (in relation to out of date policies) states, ‘this includes, for applications involving the provision of housing, situations where: the local planning authority cannot demonstrate a five year supply of deliverable housing sites.’
- 7.14 Therefore, it needs to be determined if Eakring is a sustainable village. Eakring has sustainable access into Bilsthorpe, a Principal Village located approximately 2 miles to the south and has a few local services itself, including a public house and church. There is also a bus service to Newark, Mansfield, and Ollerton. As such, the village is considered a sustainable location. Given its location close to an existing settlement this is considered acceptable for a small-scale residential development.
- 7.15 It is acknowledged that NSDC Conservation Team objected to the proposal in principle. The conservation team considered a new dwelling at this location represents harmful back land development beyond the rear boundary of the conservation area, which would be harmful to the overall character and appearance of the historic settlement pattern of the Eakring Conservation Area (ECA).
- 7.16 It would be relevant to take in to consideration that directly south to the proposed site is a new dwelling known as Hawthorn House. This dwelling was refused by the Council under application reference 20/00879/FUL in September 2020 for the reasons of it being within the open countryside and in the Conservation Area, and its siting at the settlement fringe would cause less than substantial harm to the character and appearance of the conservation area by changing the density of development at the transition from the open countryside to the village core.

- 7.17 However, the application was allowed on appeal in February 2021. The Planning Inspector considered while the site is located on the edge of the settlement and within the Conservation Area, given its relationship with nearby buildings and the presence of established landscaping around the boundaries, the proposal would fit in with the existing domestic setting of the area and not upset the rural context or dispersed fringe character of the settlement. Furthermore, the Inspector acknowledged that the site is in close proximity to footpaths which run into the centre of Eakring and to services and facilities. There is a bus stop within relatively short walking distance to the site which provides services to nearby settlements, allowing access to a further variety of facilities. Whilst the comments of the Conservation Officer have been taken into consideration, in accordance with the NPPF the harm caused by the development upon the setting of the Conservation Area, must be considered against the benefits. It is clear that a previous Inspector has already given this consideration and although this was 5 years ago, the landscape has not much changed to a degree that their comments are not still valid. The Council cannot demonstrate a 5 year housing land supply, and in Officer's opinion, the harm to the setting of the Conservation Area is not considered a strong reason to refuse the development at this stage when weighed up against the delivery of 1 dwelling to the local area. (A full copy of the Inspector's decision for 20/00879/FUL is attached to the end of this report under Appendix A).
- 7.18 Overall, the site will provide one additional housing unit on the edge of the village but into land considered open countryside. At this stage it is not known whether the dwelling would be a bungalow or house, nor the final design, but such details would come at the technical detail stage.

#### Amount of Development

- 7.19 The application proposes one dwelling to the fringe of the village. The site measures approximately 29m by 48m. This equates to c.0.13 hectares. The generally accepted density for new residential development within the District is 30 dwellings per hectare. The number of dwelling on site would be 1, which equates to an approximate density of 4 per hectare. Given the rural, edge of settlement location, this maximum is considered acceptable, as any higher density would likely result in an unacceptable visual impact, traffic generation, drainage, sewerage or local infrastructure (these would be matters for the TDC stage).
- 7.20 Given the size of Eakring, it is not considered the additional 1 dwelling would overwhelm the existing village. Furthermore, given the proximity of the site to the service centre of Ollerton and Clipstone, there would be sufficient access to services to serve the additional dwellings without such services becoming overwhelmed. With regards to the provision of affordable housing, there is no policy requirement to provide affordable housing provision on developments of less than 10 dwellings.
- 7.21 In this instance, the proposed site is considered to be within the open countryside adjacent to the fringe of the village of Eakring. There are no impacts at this stage that would warrant refusal when applying the tilted balance in accordance with paragraph 11(d) of the NPPF, which favours the presumption in favour of development unless there are convincing issues which would warrant refusal. Whilst Eakring is an 'other village', with some but not all the essential amenities, the site is located within 1.6 miles of the Principle Village of Bilsthorpe, and approximately 3.4 miles to a Service Centre Ollerton and Boughton, which have wide range of services and amenities. Considering the Council's lack of a five-year housing land supply, and an out-of-date local plan, the provision of housing is given additional weight in

the planning balance. At this stage, there are no impacts that would significantly or demonstrably outweigh the provision of housing, in accordance with NPPF paragraph 11(d). The proposal is therefore considered acceptable in principle when applying the tilted balance.

### **Matters for Technical Details Consent Stage**

- 7.22 The Technical Details Consent application would be required to be submitted within three years of the decision date if the application was approved. Policy DM5 of the DPD sets out the criteria for which all new development should be assessed against. These includes, but are not limited to, safe and inclusive access, parking provision, impact on amenity, local distinctiveness and character, and biodiversity and green infrastructure. The technical details consent application would need to carefully consider these criteria.

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

- 7.23 Core Policy 9 seeks to achieve a high standard of sustainable design which is appropriate in its form and scale to its context, complementing the existing built and landscape environment. Policy DM5 requires the local distinctiveness of the District's landscape and character of built form to be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development.
- 7.24 Core Policy 13 seeks 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.
- 7.25 Paragraph 135 of the NPPF states inter-alia that development should be visually attractive, sympathetic to local character and history, and should maintain or establish a strong sense of place.
- 7.26 The site falls within zone MN PZ 26, part of the Mid-Nottinghamshire Farmlands Regional Character Area as identified in the Landscape Character Assessment SPD. The landscape is characterised by a gently undulating rounded landform, resulting in medium to long distance views with frequent wooded skylines and some pylon lines in the distance. Views are, however, often enclosed due to both topography and mature, species-rich hedgerows bounding lanes and tracks throughout the area. Numerous woodland blocks contribute to an intermittent sense of enclosure. The landscape condition is defined as very good and the landscape action for the area is to 'conserve', including conserving and enhancing the ecological diversity of deciduous riparian woodland through consistent management and conserving and maintaining hedgerows and preventing fragmentation (through lack of management and intensification of arable farming).
- 7.27 Policy DM5(b) states that 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.

- 7.28 As part of the Development Plan, Core Policy 14: Historic Environment and DM9: Protecting and Enhancing the Historic Environment amongst other things, seek to protect the historic environment and ensure that heritage assets are managed in a way that best sustains their significance.
- 7.29 Section 16 of the NPPF states that heritage assets are an irreplaceable resource and should be preserved in a manner appropriate to their significance, so that they can be appreciated for their contribution to the quality of life of existing and future generations.
- 7.30 No details of the proposed scheme have been submitted at this stage. The design, scale and layout of the dwellings will be a key consideration at Technical Details Stage - the proposed dwellings should not result in harm or detrimental impact on the character or appearance of the Eakring Conservation Area. The construction of a single new dwelling would likely be more prominent than the existing structures. The design should aim to minimise the visual impact due to the edge of settlement location, to ensure there is no harm, or limited harm, to the character of the area and surrounding landscape. Soft landscaping should also be utilised to achieve an acceptable design.

#### Impact on Residential Amenity

- 7.31 Policy DM5(b) of the Emerging Allocations and Development Management DPD states that development should have regard to its impact upon the amenity of surrounding land uses and neighbouring development to ensure that the amenities of neighbours and land users are not detrimentally impacted. The NPPF seeks to secure high quality design and a high standard of amenity for all existing and future occupants of land and buildings.
- 7.32 Paragraph 135 of the NPPF seeks to ensure that developments have a high standard of amenity for existing and future users. The immediate neighbouring property to the proposed site would be Hawthorne House to the south and Ashcroft to the southeast. Providing the detached dwellings would have sufficient space apart from each other on their side elevations; and subject to openings on the side elevations (if any) are design/considered carefully and would not have any direct view to each other's internal areas. Given the size of the site, it is considered that acceptable spacing and amenity could be achieved at technical detail stage, thereby achieving a scheme which would not result in unacceptable impacts upon the amenities of neighbouring occupiers, in relation to overbearing impacts, overshadowing, loss of light or loss of privacy. This would be subject to technical details and further assessment.

#### Impact on Highways, Parking and Rights of Way

- 7.33 Spatial Policy 7 states that new development should provide appropriate and effective parking provision and Policy DM5 states that parking provision should be based on the scale and specific location of development. The Newark and Sherwood Residential Cycle and Car Parking Standards and Design Guide SPD (2021) provides guidance in relation to car and cycle parking requirements. Table 2 of SPD recommends the number of parking spaces depending on the number of bedrooms and location of the dwelling.
- 7.34 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.

- 7.35 No details of any accesses have been included in the submission. It is likely that a new access would be created from an unmade track which is also a Public Rights of Way. The Highway Authority advised that consideration should comprise pedestrian visibility splays and a direct access to the public adopted highway. The proposal should also show the site direct access to the public adopted highway at technical details stage. Rights of Way officer at VIA EM, has stated that Footpath 22 does run adjacent to the proposed development site and the application for development is expected to recognise its existence and the impact upon public access/safety during and after the construction process. An increase in vehicular traffic to and from the site is apparent and the applicant would need to outline how access and safety of the public would be managed. Details of the boundary treatment to enclose the site would also be required to ensure the open rural aspect of the location is maintained.
- 7.36 As result of the comments from the highway authority, it is considered essential to have the same red outline of the proposed site at stage 1 (permission in principle) and stage 2 (technical detail stage). The agent has submitted revised site location plan and block plan to include the direct access to the public adopted highway.
- 7.37 Nevertheless, HA stated in the comment that they cannot support this application due to the minimal information submitted at this stage; objection would not be raised should the applicant provide sufficient details of the proposed access and resident parking; of which, these details shall be submitted at the technical details stage for further assessment.

#### Trees, Landscaping and Ecology

- 7.38 Core Policy 12 of the Core Strategy seeks to secure development that maximises the opportunities to conserve, enhance and restore biodiversity. Policy DM5 of the DPD states that natural features of importance within or adjacent to development sites should, wherever possible, be protected and enhanced. The NPPF also includes that opportunities to incorporate biodiversity in and around developments to provide net gains should be encouraged.
- 7.39 Whilst some already fragmented hedge would be removed, the scheme does not appear to be proposing to remove any trees within the site or around the access. If this is the case; in order to consider the potential impact of the development a Preliminary Ecology Appraisal (PEA) and any follow up surveys that are recommended would be required to support the Technical Details Consent application.
- 7.40 Ultimately it is important that all development does not adversely impact the natural environment or surrounding character unnecessarily and that construction is carried out proactively to protect existing ecological features. If development is proposed close to established trees/hedgerows or would result in the removal of such features, you would be required to submit a Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan, indicating where trees or hedgerows may be affected by the proposed development. This includes on adjacent land or highways. The survey would need to include all the information required as per the specification of BS 5837: 2012, or by any subsequent updates to this standard. Further information can be found in the NSDC List of Local Requirements Validation Checklist.

- 7.41 Landscaping and green infrastructure should be incorporated into the proposal in line with Policy DM7. It is strongly recommended that replacement trees of a similar species should be included in the landscaping plan to replace any trees that require removal (if any).

#### Flood Risk and Drainage

- 7.42 The site has a very low risk of flooding from rivers and from surface water. At present the site is undeveloped therefore any development on site would potentially increase the risk of surface water flooding. Paragraph 173 of the NPPF states when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.
- 7.43 In terms of surface water, in accordance with Core Policies 10, and Policy DM5, new development should positively manage 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. Development proposals should wherever possible include measures to pro-actively manage surface water including the use of appropriate surface treatments in highway design and Sustainable Drainage Systems. The PPG explains that sustainable drainage systems (or SuDS) are designed to control surface water run off close to where it falls, combining a mixture of built and nature-based techniques to mimic natural drainage as closely as possible, and accounting for the predicted impacts of climate change.
- 7.44 The application site lies within Flood Zone 1 and is therefore at a very low risk of flooding. It is therefore sequentially preferable in terms of flood risk.
- 7.45 Nevertheless, the proposal would result in the development of an existing greenfield site, which has the potential to increase surface water drainage. Details of how surface water run-off would be suitably disposed of would be considered at the Technical Details Consent stage, however Officers are satisfied that there would be a technical solution to ensure that surface water run-off from the site would not increase. For example, if soakaways are not suitable, the site is large enough to accommodate on-site surface water attenuation measures.

#### Community Infrastructure Levy (CIL)

- 7.46 The site is located within the Housing High Zone 3 of the approved Charging Schedule for the Council's Community Infrastructure Levy. Residential development in this area is rated at £70m<sup>2</sup> for CIL purposes. The development would be subject to CIL at Technical Details Consent stage. As the proposed floorspace is currently unknown, the CIL charge cannot be advised.

#### Biodiversity Net Gain (BNG)

- 7.47 Biodiversity Net Gain (BNG) – 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. The TDC application would need to clearly set out how the application complies with one of the exemptions for BNG or detail how BNG would be achieved on-site or in accordance with the BNG hierarchy.

## **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.

### **8.2 Legal implications - LEG2526/4026**

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 Conclusion**

9.1 The purpose of this application is to assess the acceptability of the proposal on the application site, in relation to location, land use, and amount of development, in principle only. Any other issues should be assessed at Technical Details stage. Further to the above assessment, it is considered that the location and land use is suitable for 1 dwelling and is an acceptable amount of development for the site. The principle of development is therefore acceptable subject to final details, mitigation measures, and site-specific impacts, which would be assessed in detail at Technical Details Consent stage.

9.2 It is therefore recommended that unconditional Permission in Principle is approved.

9.3 It should be noted that conditions cannot be attached to a Permission in Principle. Conditions would be attached to the Technical Details Consent. The Permission in Principle and the Technical Details Consent together form the full permission. No development can commence until both have been approved.

9.4 Technical Consent Submission Requirements:

- Completed Technical Details Consent Application Form
- Site Location Plan
- Existing and Proposed Site Plan (including details of access, boundary treatments and landscaping)
- Existing and Proposed Plans and Elevations
- Further details requested by the NCC Highway Authority and Rights of Way team
- Preliminary Ecology Assessment (and any follow-up surveys as recommended)
- Tree survey, Arboricultural Impact Assessment and Tree Protection Plan (where relevant)
- Details of BNG

## **10.0 Informative Notes to the Applicant**

- 01 The Technical Details Consent application is required to be submitted within three years of the decision date. The Council's up to date Development Plan Policy sets out the criteria for which all new development should be assessed against. This includes but is not limited to safe and inclusive access, parking provision, drainage, impact on amenity, local distinctiveness and character, heritage matters and biodiversity and green infrastructure. The technical details consent application would need to carefully consider these criteria and the Applicant's attention is drawn to the Officer Report that accompanies this decision for further advice on these criteria.
- 02 The grant of permission in principle is not within the scope of biodiversity net gain (as it is not a grant of planning permission), but the subsequent technical details consent (as a grant of planning permission) could be subject to the biodiversity gain condition.
- 03 You are advised that as of 1st December 2011, the Newark and Sherwood Community Infrastructure Levy (CIL) Charging Schedule came into effect. Any subsequent technical details submission may therefore be subject to CIL (depending on the location and type of development proposed). Full details are available on the Council's website [www.newark-sherwooddc.gov.uk/cil/](http://www.newark-sherwooddc.gov.uk/cil/)
- 04 The application as submitted is acceptable. In granting permission without unnecessary delay the District Planning Authority is implicitly working positively and proactively with the applicant. This is fully in accordance with Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

#### 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.

Appendix A – Appeal Decision of Land North of Cherry View off Bilsthorpe Road, Eakring Newark NG22 0DG (Ref: 20/00879/FUL)

## Appeal Decision

Site Visit made on 19 January 2021

**by Chris Baxter BA (Hons), DipTP, MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 11 February 2021**

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**Appeal Ref: APP/B3030/W/20/3262031**

**Land North of Cherry View off Bilsthorpe Road, Eakring, Newark NG22 0DG**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr James Meanley against the decision of Newark & Sherwood District Council.
  - The application Ref 20/00879/FUL, dated 29 May 2020, was refused by notice dated 22 September 2020.
  - The development proposed is proposed erection of single storey dwelling and garage.
- 

### Decision

1. The appeal is allowed and planning permission is granted for proposed erection of single storey dwelling and garage at land north of Cherry View off Bilsthorpe Road, Eakring, Newark NG22 0DG in accordance with the terms of the application, Ref 20/00879/FUL, dated 29 May 2020, and subject to the conditions in the attached schedule.

### Main Issues

2. The main issues are:
  - whether the proposal preserves or enhances the character or appearance of the Eakring Conservation Area; and
  - whether the proposal is in a suitable location with regards to development plan policies.

### Reasons

#### *Conservation Area*

3. The appeal site is a parcel of undeveloped land located within Eakring Conservation Area (ECA).
4. In accordance with the duty imposed by section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 I am required to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Moreover, paragraph 193 of the National Planning Policy Framework (the Framework) states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
5. The ECA in the immediate area of the appeal site is characterised predominantly by residential properties of variant styles with space between the properties being a main aspect. The Council describe the area as representing transition from the open countryside, where isolated agricultural

buildings and farmsteads predominate, to the inner core of the village, which is relatively dense. I concur with this description.

6. The proposal would be sensitive in design and scale, not appearing out of keeping with the mixed styles of the properties in the area. The proposed property would be located centrally within the site ensuring that open space is maintained between the built form. A detached garage is proposed which would not differ from adjacent residential sites that also have separate outbuildings of similar size to the proposed garage.
7. The site is located on the edge of the settlement however, given its relationship with nearby buildings and the presence of established landscaping around the boundaries, the proposal would fit in with the existing domestic setting of the area and not upset the rural context or dispersed fringe character of the settlement.
8. I have had regard to the Newark and Sherwood Landscape Character Assessment (LCA) which identifies the area as being within Policy Zone Mid-Nottinghamshire Farmlands. Beyond the access track to the west and hedgerow to the north of the site, the landscape opens up to expanse views across open countryside. Given the siting of the proposal and its relationship with the existing built form and natural environment, I do not consider that the surrounding landscape would be adversely harmed.
9. Accordingly, the proposed development would preserve the character and appearance of the ECA. The proposal would be in accordance with Spatial Policy 3 and Core Policies 9, 13 and 14 of the Newark and Sherwood District Council Amended Core Strategy 2019 (CS), Policies DM5, DM8 and DM9 of the Newark and Sherwood Local Development Framework Development Plan Document 2013 (DPD), the LCA and the Framework which seeks new development to take account of the distinctive character and setting of Conservation Areas and not have a detrimental impact on the character of the location or its landscape setting.

#### *Location*

10. The appeal site is an undeveloped parcel of land which is accessed off an unmade track and does not appear to be part of a farmyard. Nevertheless, the site is on the edge of the settlement and is bounded by substantial landscaping, particularly to the north, and does sit within close proximity to a number of properties. A number of these neighbouring properties have substantial curtilages some which extend up to and surround the appeal site on most sides. Due to the location of the site, the established natural boundary treatment and its immediate setting within a predominantly residential environment, I find that the appeal site does form part of the village of Eakring.
11. The site would be in close proximity to footpaths which run into the centre of Eakring and to services and facilities. There is a bus stop within relatively short walking distance to the site which provides services to nearby settlements, allowing access to a further variety of facilities. I also note that in the Council's committee report for residential development<sup>1</sup> on a site close to the appeal site, Officers state "that *Eakring has sustainable access into Bilsthorpe, a*

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<sup>1</sup> Council's Reference Number: 19/01701/FUL

*Principal Village located approx. 2 miles to the south and has a few local services itself, including a public house and church.*” On this basis, I am satisfied that future occupants of the proposed development would not be entirely reliant on private motor vehicles to undertake everyday activities. The proposed property would be located where it would enhance the vitality of the rural community of Eakring as well as surrounding settlements.

12. I therefore find that the proposed development for residential accommodation is suitably located. The proposal would not be contrary to Spatial Policy 3 of the CS, Policy DM8 of the DPD and the Framework which seeks to focus housing in sustainable, accessible villages and strictly control and limit development away from main built up areas of villages.
13. I note that there has previously been a refused permission<sup>2</sup> on this site which was subsequently dismissed at appeal. Insufficient information has been provided in respect of this scheme and therefore I cannot be sure it is directly comparable to the appeal scheme, particularly with regards to development plan policies, location and design. In any case, I have determined this appeal on its own merits.
14. I have had regard to the Council’s Officer report and statement of case, including reference to Planning Inspector Reports<sup>3</sup>. The matters raised in these do not alter my findings above.

#### **Other Matters**

15. I have had regard to all representations from local residents, including comments on local need and affordable housing, highway safety in relation to access and traffic, ecological issues, privacy and overlooking. I have given careful consideration to these matters and note that the Council have not raised concerns to some of these matters. They do not lead me to a different overall conclusion on the main issues nor do I find that they would result in the scheme having any harmful effects that would be contrary to the relevant development plan policies.

#### **Conditions**

16. Conditions relating to timeliness and the identification of plans are necessary in the interests of proper planning and to provide certainty. To ensure the development preserves or enhances the ECA, conditions are imposed in relation to materials, external features and landscaping. Details for these conditions are required prior to development commencing due to the sensitive nature of the site being within a conservation area. The Council had recommended multiple conditions relating to existing and proposed landscaping, and protection of trees and hedgerows. In the interests of precision and clarity, I have rationalised these into two landscape conditions.
17. The appellant has indicated that a condition removing permitted development rights would be unreasonable and unnecessary. However, I have noted above that the ECA is characterised by the open space between buildings. Further extending the proposed development could reduce the open space between buildings and potentially have a detrimental effect on the character and

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<sup>2</sup> Council Reference number: 16/01745/FUL

<sup>3</sup> Planning Inspectorate Reference Numbers: PINS/B/3030/429/6 & PINS/B3030/429/8

appearance of the ECA. I have therefore attached a condition removing permitted development rights which is reasonable and necessary.

**Conclusion**

18. For the reasons given above I conclude that the appeal should be allowed.

*Chris Baxter*

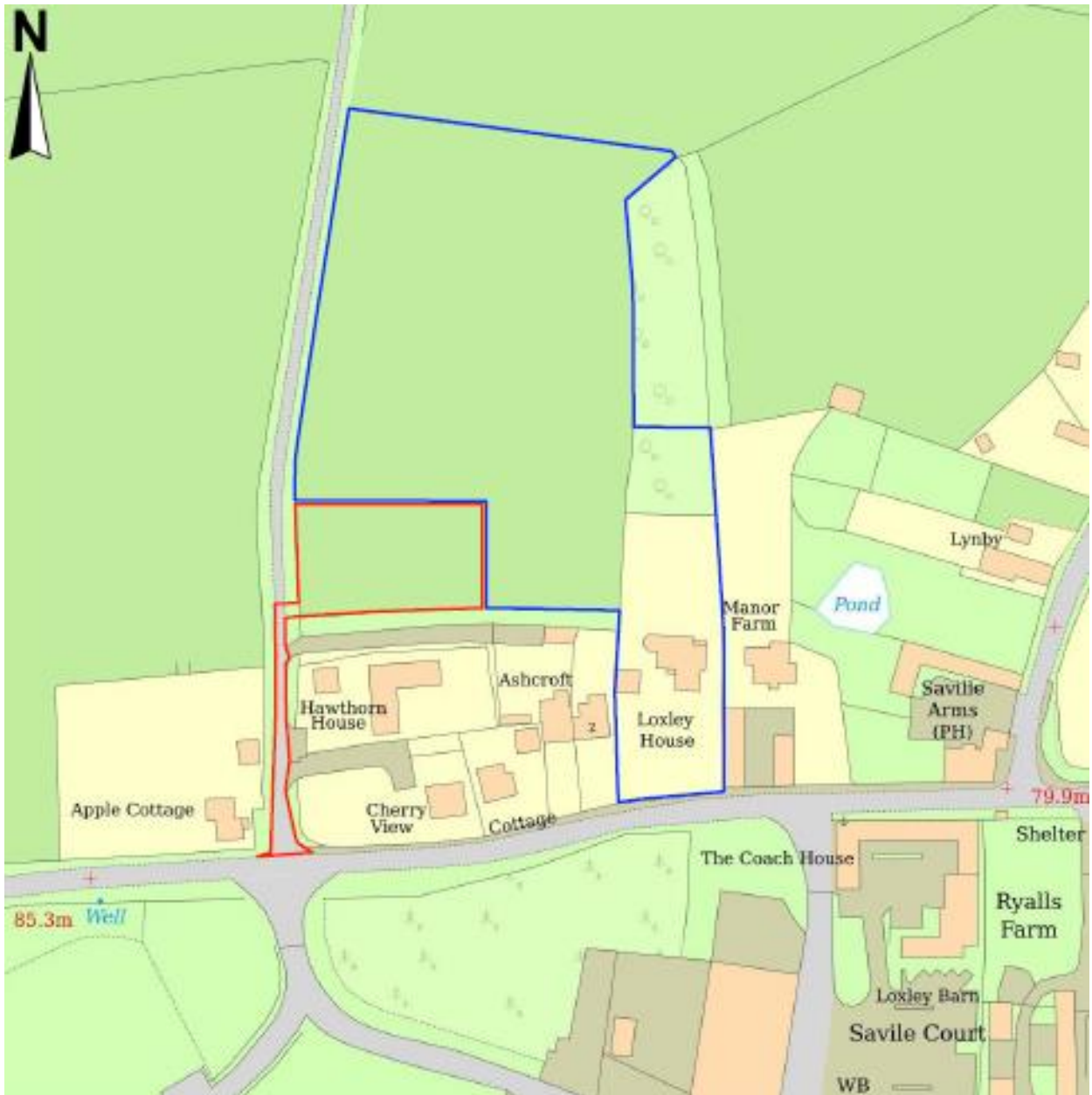
INSPECTOR

### **Schedule of Conditions**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; Block Plan 1806.A.2c; Proposed Plans and Elevations 1806.A.1d.
- 3) No development shall commence until details of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) No development shall commence until drawings and sections at a scale of not less than 1:10 of the features detailed below have been submitted to and approved in writing by the local planning authority.
  - External windows including roof windows, doors and their immediate surroundings including details of glazing and glazing bars;
  - Window and door heads and cills;
  - Verges and eaves;
  - Rainwater goods;
  - Extractor vents;
  - Flues;
  - Meter boxes;
  - Soil and vent pipes.

Development shall be carried in accordance with the approved details and retained for the lifetime of the development.

- 5) No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include indications of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.
- 6) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development falling within Schedule 2, Part 1, Classes A, AA, B, C, D and E shall be constructed other than those expressly authorised by this permission.





Report to Planning Committee 9 April 2026

Business Manager Lead: Oliver Scott – Planning Development

Lead Officer: Lynsey Preston - Senior Planner and Raheel Pasha – Trainee planner.

Report Summary			
<b>Application No.</b>	26/00068/HOUSE		
<b>Proposal</b>	Part-demolition and rebuilding of dwelling, single storey extension, roof re-construction to a slightly higher ridge height, introduction of dormer windows and external alterations (part retrospective).		
<b>Location</b>	Shawfield Main Street Bleasby NG14 7FU		
<b>Applicant</b>	Crew Lane Developments - Mr Samuel Sparks	<b>Agent</b>	N/A
<b>Registered</b>	15.01.2026	<b>Target Date/ Extension of Time</b>	07.04.2026/ 13.04.2026
<b>Recommendation</b>	That Planning Permission is <u>APPROVED</u> subject to the condition(s) detailed at Section 10.0		

This application is presented to Planning Committee in line with the Scheme of Delegation due to a request from Councillor Melton due to concerns on impact upon neighbour amenity including overlooking and overbearing impacts, in addition to the impact on the Conservation Area of Bleasby.

## 1.0 The Site

1.1 The application relates to a modern brick bungalow located on the edge of the Bleasby Conservation Area. The dwelling is set well back from the public highway and is accessed via long private drive running north-east from Main Street, which serves another neighbouring property known as Garden Cottage. The neighbouring properties also comprise of mostly large and modern detached dwellings with their associated private drives and garden spaces. To the north lies open land.

- 1.2 There is a private loose gravel drive south of the dwelling and private garden area to the sides and rear. Boundary treatments consist of wooden fences and hedges and trees are dotted to the north and east.
- 1.3 The bungalow has undergone works which include the removal of the roof.
- 1.4 To the south-west of the site lies the Grade II listed building known as the Fishermans; an 18<sup>th</sup> century building with 19<sup>th</sup> century alterations. To the south-east is The Old Hall, a Grade II\* listed building which dates back to c.1500.
- 1.5 The site lies partially within Flood Zone 2 according to Environment Agency maps, which means it is at medium risk of flooding. The site is at very low risk of surface water flooding.

## **2.0 Relevant Planning History**

- 2.1. 25/00334/HOUSE - Loft conversion including dormer to East elevation. Additional rooflight to West elevation. Application Permitted 26.06.2025.
- 2.2. 92/50131/FUL – CONVERSION TO FORM ROOM IN ROOF WITH ROOF WINDOWS. Application Permitted 02.07.1992
- 2.3. 33920583 - CONVERSION TO FORM ROOM IN ROOF WITH ROOF WINDOWS. Application Permitted 02.07.1992

## **3.0 The Proposal**

- 3.1 The application seeks planning permission for the partial demolition of the bungalow and re-building works, including raising of the roof height, dormer windows and external alterations.

### *Raising of the roof height*

- 3.2 The roof would remain a pitch roof but the ridge would be raised from its current height of approx. 5.8m, to a new height of approx. 6.2m from ground level. The eaves height would also be raised from 2.4m to approx. 2.6m from ground level. The roof would utilise Marley Mendip 12.5 roof tiles in brown finish in its construction.

### *Dormers windows*

- 3.3 Two cat slide dormers are proposed to the east and west elevations. They would measure approx. 5m to the eaves and would match the ridge height of the proposed new roof (6.2m) and would measure approx. 3.1m by 8.9m. The dormer would be constructed with brown hanging tiles. The windows on the west dormer would be obscure glazed up to Level 4 on the Pilkington scale.

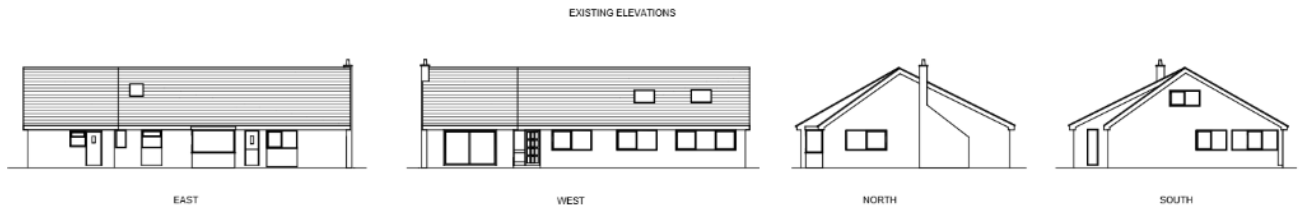
### *Extension*

- 3.4 A single storey extension is proposed on the eastern elevation which would measure approx. 5.3m by 1.6m. The facing materials would comprise of off-white render.

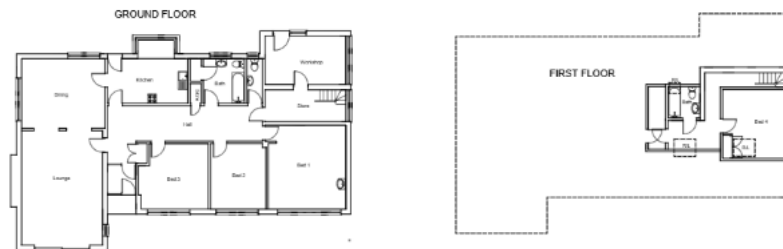
*External Alterations*

3.5 The external alterations would consist of changing the facing materials of the walls from brick to off white render. New windows will also be installed with flush casement windows in agate grey.

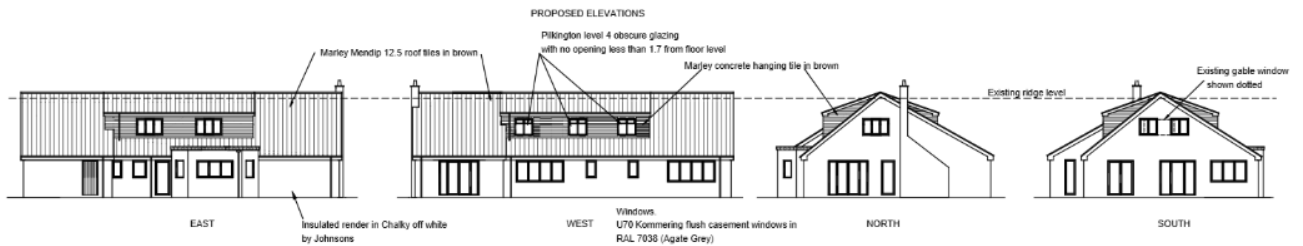
Existing Elevations



Existing Floor Plans



Proposed Elevations



Proposed Floor Plans



Documents assessed in this appraisal:

- Application form received 15.01.2026 SUPERSEDED
- Revised Application Form received 10.02.2026
- Location Plan Drawing No. 1439 3 Received 15.01.2026
- Existing Elevations and Floor Plans Drawing No. 1439 4 received 15.01.2026
- Proposed Elevations and Floor Plans Drawing No. 1439 1 received 15.01.2026
- Block Plan Drawing No. 1439 2 received 24.02.2025
- Proposed Elevations and Floor Plans Drawing No. 1439/1 REV A received 10.02.2026
- Proposed Demolition Part Retrospective Drawing No. 1439/4 REV:A received 10.02.2026
- EA Flood Risk Assessment Drawing received 15.01.2026
- Supporting and Heritage Statement received 15.01.2026
- Supporting and Heritage Statement received 15.01.2026
- Supporting and Heritage Statement received 15.01.2026
- Preliminary Bat Roost Assessment received 15.01.2026

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

- 4.1 Occupiers of 7 properties have been individually notified by letter. A site notice has been displayed near to the site, and an advert has been made in the local press.
- 4.2 Site visit undertaken on 13<sup>th</sup> February 2026 (by Raheel).

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

##### **5.1. The Development Plan**

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

Spatial Policy 7 – Sustainable Transport  
 Core Policy 9 – Sustainable Design  
 Core Policy 10 – Climate Change  
 Core Policy 12 – Biodiversity and Green Infrastructure  
 Core Policy 14 – Historic Environment

##### **5.3. Allocations & Development Management DPD (adopted July 2013)**

DM5 – Design  
 DM6 – Householder Development  
 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 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 next stage in the Examination process will be the Inspector issuing their draft report.

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. Through this process representors have been provided the opportunity to raise objections to proposed modifications through the above consultation. Therefore, where content in the Submission DPD is either;

- Not subject to a proposed main modification;
- The modifications/clarifications identified are very minor in nature; or
- No objection has been raised against a proposed main modification

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

[Submission Amended Allocations & Development Management DPD Schedule of Main Modifications and Minor Modifications / Clarifications](#)

Relevant Policies that have substantial weight from the above referenced emerging plan:

Policy DM5(a) – The Design Process

Policy DM5(b) – Design

Policy DM6 – Householder Development

Policy DM7 – Biodiversity and Green Infrastructure

Policy DM9 – Protecting and Enhancing the Historic Environment

#### 5.5. **Other Material Planning Considerations**

National Planning Policy Framework 2024

Planning Practice Guidance (online resource)

Householder development SPD 2014

Residential Cycle and Car Parking Standards SPD 2021

Sections 66 and 72 of The Planning (Listed Buildings and Conservation Area) Act 1990

#### 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. **Historic England** comments received 23.06.2026 – No technical comments provided.
- 6.2. **Historic England** comments received 17.02.2026 (following re consult) – No technical comments provided.

### Town/Parish Council

- 6.3. **Bleasby Parish Council** — Bleasby PC supported the previous application for a loft conversion and dormer approved under 25/00334/HOUSE. The PC believed that this would not impact the setting of the nearby listed buildings or the character of the conservation area. It was also believed that the previous application would not result in material overbearing or overlooking impact on neighbours.
- 6.4. Bleasby PC object to the proposal in this application 26/00068/HOUSE. The proposed dormers would impact the privacy of neighbours and the raising of the roof (which has not been made clear from the proposed plans) will render Shawfields taller than neighbouring properties. The proposal will negatively impact the character of the Bleasby Conservation Area and would have a negative impact on the nearby listed buildings (The Old House and Fishermans).
- 6.5. Bleasby PC wishes for the developer to be made aware that the planning process is a democratic process for the benefit of entire communities and neighbourhoods. The demolition already undertaken on site has brought great distress to villagers and disregard for the process should not be allowed.

### Representations/Non-Statutory Consultation

- 6.6. **NSDC Conservation** – Shawfields is a late 20<sup>th</sup> century dwellinghouse within the Bleasby CA.

The complex roof form would conflict with the architectural restraint found within the conservation area, and simplicity of form of the host dwelling. Complex roofscapes are anachronous to the Conservation Area, however owing to the existing modern character of the site, this would not be considered to be harmful to the CA.

In addition, given the discreet location of the development, and the presence of mature trees around the plot, this results in limited public visibility and reduces the impact development upon the character and appearance of the Bleasby Conservation Area.

The host dwelling is of a suburban mid-century dwelling, already out of context with the traditional vernacular of Bleasby. The proposed dormers would not be overly prominent within the context due to the step-in from the side elevations. Furthermore, the street scene has a mixed character and it is not considered that the proposed dormers would detract from the local vernacular and character of the CA.

In terms of the raising of the roof - the additional 0.4m in height is not considered to result in any additional harm to the setting of the nearby designated heritage assets, and the contribution to the character and appearance of the CA would remain neutral.

In terms of impact on nearby listed buildings – the proposal would be near to The Old House (a Grade II\* listed building) and Fishermans (Grade II listed building). The harm to the setting of The Old House has already been established through the original construction of Shawfields and the proposed works are not considered to increase this level of harm. The Fishermans is a well contained site and it is not considered that the proposal would impact the setting of this Grade II listed building.

In summary, it is considered that the proposed development preserves the character and appearance of the conservation area. The development is considered to be in accordance with DM9 of the Allocations & Development Management DPD (2013) and Core Policy 14 of the Newark and Sherwood Amended Core Strategy DPD (2019), S.66 & S.72 of the Planning (Listed Buildings & Conservation Areas) Act 1990, as well as the guidance within section 16 of the NPPF (2024).

Therefore, there are no objections from conservation subject to conditions.

**NCC LLFA (comments received 29.01.2026)** – Standing advice applies.

**NCC LLFA (comments received on 18.02.2026 following reconsult)** – Standing advice applies.

Comments from 8 local residents have been received which can be summarised as follows:

Original application was for a simple ‘loft conversion’ which was in keeping with the design of the existing bungalow. The proposal would represent a significant change from that proposal and the dormers would not respect privacy to neighbouring dwellings;

Demolition work has already commenced (08/01/2026), with the roof completely demolished;

Harm to the setting, appearance, character and amenity of this rural conservation area;

More visible from the public footpath which borders Shawfield;

Change in materials would make the building over-bearing and not in keeping with the existing conservation landscape or character of the surrounding properties;

Impact on the setting of the nearby listed buildings;

The property is being rebuilt and not just extended;

Loss of human rights being put at risk by not allowing neighbours to enjoy the privacy in their home;

Rooflights provide more light than dormers;

Windows to Pilkington level 4 obscure glazing reduces the level of light to the rooms and increases the likelihood of clear glass future replacements;

Should be rebuilt to the previous height with rooflights in the west elevation to protect the privacy of the surrounding occupants.

## **7.0 Appraisal**

7.1. The key issues are:

- Principle of development
- Impact on the Visual Amenities of the Area (including Heritage)
- Impact on Residential Amenity
- Impact on Highway Safety
- Impact on Ecology and Protected Species
- Impact on Flood Risk

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. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') outlines the general duty in exercise of planning functions in respect to listed buildings stating that the decision maker "shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses." Section 72(1) also requires the Local Planning Authority (LPA) to pay special attention to the desirability of preserving or enhancing the character and appearance of conservation areas.

7.4. The duties in s.66 and s.72 of the Listed Buildings Act do not allow a local planning authority to treat the desirability of preserving the settings of listed buildings and the character and appearance of conservation areas as mere material considerations to which it can simply attach such weight as it sees fit. When an authority finds that a proposed development would harm the setting of a listed building or the character or appearance of a conservation area, it must give that harm considerable importance and weight.

7.5. Section 16 of the NPPF states that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

### Principle of Development

- 7.6. Policy DM6 of the Allocations and Development Management DPD outlines the criteria for Householder Development. These criteria include the provision that the proposal should respect the character of the dwelling and surrounding area and have no adverse impact upon the amenities of neighbouring properties. The overall shape, size and position of an addition must not dominate the existing house or the character of the surrounding area. In principle, the development to extend existing dwellings is considered acceptable subject to other matters which are explained below.
- 7.7. Concern has been expressed from surrounding residents that the development had already commenced due to the removal of the roof and it is more akin to a new dwelling now as opposed to an extension to an existing dwelling. When the Council was made aware of the works, the Planning Enforcement Team attended the site and works stopped. A new application was consequently submitted. In addition, given the remaining walls and the fact that the roof would have to be removed to carry out the works anyway, it is not unreasonable for the application to be accepted as a householder application and not a 'rebuild'. Officers in any case have a duty to consider the application on its own merits regardless of the works already carried out. The work already undertaken has been carried out at the risk of the applicant of the application being refused.

### Impact upon Visual Amenities of the Area (including heritage)

- 7.8. Policy DM6 states that planning permission will be granted for householder development provided that the proposal reflects the character of the area and existing dwelling in terms of design and materials. Policy DM5 requires any new development to achieve a high standard of design and layout that is of an appropriate form and scale whilst complementing the existing local distinctiveness and built and landscape character.
- 7.9. As part of the Development Plan, Core Policy 14: Historic Environment (Core Strategy DPD) and DM9: Protecting and Enhancing the Historic Environment (Allocations and Development DPD) amongst other things, seeks to protect the historic environment and ensure that heritage assets are managed in a way that best sustains their significance.
- 7.10. Core Policy 9 'Sustainable Design' of the Amended Core Strategy DPD requires new development proposals to, amongst other things, "achieve a high standard of sustainable design and layout that is capable of being accessible to all and of an appropriate form and scale to its context complementing the existing built and landscape environments". In accordance with Core Policy 9, all proposals for new development are assessed with reference to Policy DM5 of the Allocations & Development Management DPD, which, amongst other things, require new development to reflect the rich local distinctiveness of the District's landscape and character through scale, form, mass, layout, design, materials, and detailing.
- 7.11. Section 12 of the NPPF (2024) refers to achieving well designed places. Paragraph 131 states that "*Good design is a key aspect of sustainable development, creates better*

places in which to live and work and helps make development acceptable to communities.” Paragraph 139 of the NPPF (2024) advocates that where a development is not well designed and fails to reflect local design policies and government guidance on design planning permission should be refused.

- 7.12. Members will see from the site history that the site gained planning permission in 2025 under 25/00334/HOUSE, for a loft conversion to include a dormer to the east elevation and rooflights on the west elevation (see below).



- 7.13. The previous application was concluded that it would not result in harm to the setting of the neighbouring Listed Building or harm the character or appearance of the surrounding Conservation Area. The proposal utilised materials to match that of the host dwelling. The proposed revised design will see an increase in the roof height ridge from its current height of approx. 5.8m, to a new height of approx. 6.2m from ground level. The eaves height would also be raised from 2.4m to approx. 2.6m from ground level with a change to the materials from typical brick to white render with concrete interlocking rooftiles and hanging tiles.
- 7.14. The householder SPD states that proposed roof alterations should be designed in a way which is sympathetic to the host dwelling and prevailing character of the surrounding area. It also requires for roof alterations to have a proportioned and balanced appearance to the main dwellinghouse and should not result in a ‘top heavy’ appearance and consideration should be given to whether alterations would be desirable or potentially harm the character of the dwellinghouse.
- 7.15. Officers are aware of the concern raised by the proposal on the neighbouring residents, and their concern over the impact upon the surrounding area. Historic England have been consulted due to the proximity to listed buildings but they have chosen not to specifically comment but instead leave the advice to the Council’s Conservation Officers.

- 7.16. The Council's Conservation Officer states that the proposal would have a neutral impact upon the character and appearance of the Conservation Area. With regards to the setting of the nearby listed buildings, the significance of the Old Hall (Grade II\*) is derived mainly from its historic and architectural interest, and its significance is not mainly derived from its setting of which the host site forms a part, although the verdant and rural setting does make a positive contribution to the setting of The Old Hall. The harm to the setting of the listed building has already been done, through the original construction of Shawfield, and the proposed works are not considered to increase the level of harm. Fisherman's is a well contained site, with prominent road frontage, bound by outbuildings and cottages. The separation distance between the site and Fisherman's is considered acceptable so that it would not harm the setting of the listed building.
- 7.17. The proposed dormer would be subservient in scale to the dwelling and would be constructed out of tiles to match that of the former roof. Details of the tiles have been outlined in the submitted application form and drawings which states the tiles would be Marley concrete hanging tiles in brown. Although the proposed dormer would have a modern appearance, given the modern appearance of the host dwelling, the dormer would not appear to be uncharacteristic. Furthermore, the host dwelling has limited architectural and historic merit. Therefore, the proposed dormer is considered to not detract from the character of the dwelling nor the conservation area. The Council's Conservation Officer has requested that details of the tiles, dormer cheeks/face and render colour/finish to be submitted despite them being shown on the submitted drawings, and has requested the use of pantiles on the roof for enhancement. However, given the siting of the dwelling from the main road and presence of similar finishes in the area (tiles and render colour) and the lack of historical significance to the existing dwelling, Officers consider that the stated materials are acceptable and does not result in harm and further information is not considered necessary.
- 7.18. The proposed windows would be grey composite as opposed to the existing white UPVC. The elevations are finished in white render and given that there are existing examples of such finishes including render and painted brick and for this reason it is therefore considered that these alterations would not detract from the character of the dwelling or conservation area or other nearby heritage assets and is therefore considered acceptable.
- 7.19. It is considered that there would be no direct relationship between the listed buildings and the site. As such, it is considered that there would be no negative impact on the setting of any nearby listed buildings as a result of the proposed development.
- 7.20. With the above in mind, it is considered that the proposal accords with the aims of Policies DM5, DM6 and DM9 of the Allocations and Development Management DPD, CP9 and CP14 of the Amended Core Strategy, the provisions of the NPPF and the guidance contained within the Householder Development SPD, which are material

considerations. The special duty to preserve or enhance under sections 16(2) and 66 and 72 of the Act has been given appropriate consideration in this case.

#### Impact upon Residential Amenity

- 7.21. Policy DM6 'Householder Development' of the Allocations & Development Management DPD is permissive of the erection of the extensions to dwellings provided there is no adverse impact on the amenities of neighbouring resident in terms of loss of privacy, light and overbearing impact.
- 7.22. The neighbouring properties that would be most affected by the proposal would be The Old Hall (approx. 25m to the south-east) and Garden Cottage (approx. 23m to the south-west). The dormer windows proposed would be facing towards the open fields directly to the east and west and would not directly face towards the property known as The Old Hall. Therefore, due to the orientation and separation distances from neighbouring properties, it is considered that the proposal would not result in loss of privacy, light and overbearing impacts. Therefore, having considered the concerns of residents in the area, it is officer's opinion that there are no concerns on neighbouring amenity.
- 7.23. The proposal includes the windows in the new dormer to the west elevation all being obscurely glazed to level 4 on the Pilkington scale (the minimum we would normally require is 3 which this exceeds). These windows serve the ensuite, a bathroom and a hallway/landing. The windows are shown to be top opening only which are above 1.7m from internal floor level. Whilst concern was raised that these could be changed to clear windows in the future, these could be conditioned to be retained for the lifetime of the development, however given the uses of the rooms they serve and the orientation of the windows to neighbours, it is not considered that there would be harm in any case to the surrounding occupiers.
- 7.24. The window in the gable end on the south elevation would be amended from one window to two. The use of the rooms the windows serve would remain for bedrooms and although there are now 2 windows, it is not considered that the impact would be any more significant. The other new gable window would face the open fields to the north.
- 7.25. Neighbours to the site would experience a heightened perception of the development, however as explained above, it is not considered that this impact would be directly harmful to the extent that it would warrant a refusal of development alone.
- 7.26. Officers have considered the impact of the development to all other nearby occupiers, however the impact on residential amenity is acceptable in line with Policy DM6 of the Allocation & Development Management DPD, and Part 12 of the NPPF.

#### Impact upon Highway Safety

- 7.27. Policy DM5 requires provision of safe access to new development and appropriate parking provision. Policy DM6 states that provision for safe and inclusive parking provision should be achieved and parking arrangements are maintained as a minimum. Spatial Policy 7 seeks to ensure that vehicular traffic generated does not

create parking or traffic problems. Paragraph 115 of the NPPF (2024) states that schemes can be supported where they provide safe and suitable access for all. The Council has also adopted a Residential Cycling and Car Parking Standards Design Guide SPD which is material to decision making.

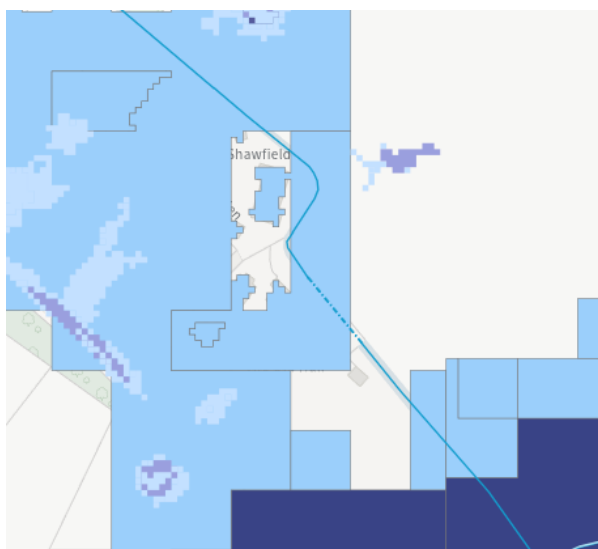
- 7.28. The proposal would see the dwelling increase in the number of bedrooms from 4 to 5. The proposal would not encroach or alter the existing access. The existing dwelling contains a private gravel drive to its frontage which has space for approximately 4 cars. Therefore, it is considered that the proposal is in line with the Newark and Sherwood Residential Cycling and Parking Design Guide SPD, which recommends a minimum of 3 spaces for 4 + bedroom dwellings in this location.
- 7.29. The proposal is therefore considered acceptable in this regard.

#### Impact upon Ecology and Protected Species

- 7.30. Core Policy 12 of the Amended Core Strategy DPD and Policy DM7 of the A&DM DPD seeks to secure development that maximises the opportunities to conserve, enhance and restore biodiversity. 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.
- 7.31. Given the proposal would be to the existing roofscape, the applicant has submitted a Preliminary Bat Roost Assessment (PBRA) survey to assess the presence/absence of protected species such as bats. The PBRA is the same submitted for the previous application. Although it is acknowledged that the roof is no longer on the building, the PBRA is a useful tool to understand the bat activity previously. The report stated that the building did not contain any significant structural features of potential interest to roosting bats or nesting birds. As a result, no evidence of bat activity or field signs of roosting bats was found in the roof at the time and no evidence of other field signs of any significant wildlife was identified in the garden areas either. Therefore, no further surveys were recommended to be carried out.
- 7.32. The proposal is considered to be acceptable in relation to CP12 and DM7 in this respect.

#### Impact on Flood Risk

- 7.33. Part of the application site (including the area where the dwelling is located) lies within Flood Zone 2 whereas land immediately around the dwelling is located within Flood Zone 1 according to Environment Agency flood data. The area to which the proposed development is located is at low risk of surface water flooding.



7.34. *Extract of flood map.*

7.35. The proposed development is considered to be 'minor development' in accordance with the NPPG (householder development), as such Flood Risk Standing Advice applies. Paragraph 176 of the NPPF advises that applications for minor development should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments.

7.36. Core Policy 10 requires development to be adequately drained and Policy DM5 relates to flood risk and water management.

7.37. Although the proposed development lies within Flood Zone 2, and would contain a very small ground floor alteration, it would be constructed so that the floor levels would not be lower than the existing dwelling. As such, no Flood Risk Assessment is required alongside this application. It is not considered that the proposal would result in increased flooding elsewhere.

7.38. Therefore, there are no concerns in relation to flooding.

7.39. **Community Infrastructure Levy (CIL)**

7.40. The proposed development would result in less than 100m<sup>2</sup> of net additional floorspace/Gross Internal Area and is therefore not CIL liable.

Other Matters

7.41. **Biodiversity Net Gain (BNG)** – 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. However, there are some developments that are exempt from the BNG such as Householder Developments (under Regulation 5<sup>1</sup>). BNG is therefore not

<sup>1</sup> [The Biodiversity Gain Requirements \(Exemptions\) Regulations 2024 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

applicable in this case.

## **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.

### **8.2. Legal Implications - LEG2526/7205**

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 Conclusion**

9.1. In conclusion, it is considered that the proposal accords with Core Policy 9 (Sustainable Design), Core Policy 10 (Climate Change), Core Policy 12 (Biodiversity) and Core Policy 14 (Historic Environment) of the Amended Core Strategy and policies DM5 (Design), DM6 (Householder Development) and DM7 (Biodiversity and Green infrastructure) and DM9 (Protecting and Enhancing the Historic Environment) of the Allocations and Development Management DPD, as well as the NPPF and Newark and Sherwood Householder SPD which are material planning considerations. The duties under Sections 66 and 72 of the Planning (LB&CA) Act 1990 have been appropriately applied and it is concluded that the proposal would result in a neutral impact and thus no harm to significance to the setting of the listed buildings. The proposal would also preserve the character and appearance of the conservation area. It is therefore recommended this application be approved subject to conditions set out below.

9.2. The Emerging Allocations and Development Management DPD has been given due consideration, however the amended policies do not introduce additional considerations above those already explored in the above report.

## **10.0 Conditions**

01

The development hereby permitted shall be carried out only in accordance with the details and specifications included on the submitted application form and shown on the submitted drawing as listed below:

- Location Plan Drawing No. 1439 3 Received 15.01.2026
- Proposed Elevations and Floor Plans Drawing No. 1439 1 received 15.01.2026
- Block Plan Drawing No. 1439 2 received 24.02.2025
- Proposed Elevations and Floor Plans Drawing No. 1439/1 REV A received 10.02.2026

- Proposed Demolition Part Retrospective Drawing No. 1439/4 REV:A received 10.02.2026
- EA Flood Risk Assessment Drawing received 15.01.2026
- Supporting and Heritage Statement received 15.01.2026
- Preliminary Bat Roost Assessment received 15.01.2026

Reason: To define this permission.

02

The development hereby permitted shall be constructed entirely of the material details submitted as part of the planning application and colour finish details as stated on the submitted drawing no. 1439/1 Rev A.

Reason: In the interests of visual amenity and to preserve or enhance the character and appearance of the conservation area and the setting of the listed buildings.

03

The first floor window openings on the west elevation shall be obscured glazed to level 4 or higher on the Pilkington scale of privacy or equivalent and shall be non-opening up to a minimum height of 1.7m above the internal floor level of the room in which it is installed. This specification shall be complied with before the development is occupied and thereafter be retained for the lifetime of the development.

Reason: To safeguard against overlooking and loss of privacy in the interests of amenity of occupiers of neighbouring properties.

### Informatives

01

The application as submitted is acceptable. In granting permission without unnecessary delay the District Planning Authority is implicitly working positively and proactively with the applicant. This is fully in accordance with 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 gross internal area of new build is less than 100 square metres.

03

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. You can contact them via email at [info@eastmidlandsbc.com](mailto:info@eastmidlandsbc.com) via phone on 0333 003 8132 or via the internet at <https://www.eastmidlandsbc.com/>

04

#### Biodiversity Net Gain

From the information provided as part of the application, the development granted by this notice is considered exempt from the biodiversity gain condition.

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 not to require the approval of a biodiversity gain plan before development is begun, because the following reason or exemption is considered to apply – The proposal is for Householder development.

#### 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.

Committee Plan - 26/00068/HOUSE



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Report to Planning Committee 9 April 2026

Director Lead: Matt Lamb, Planning & Growth

Lead Officer: Oliver Scott, Business Manager – Planning Development

Report Summary	
<b>Report Title</b>	Planning committee reform: statutory consultation on draft Regulations and guidance & Consultation on fees for planning applications
<b>Purpose of Report</b>	To provide an overview to Members of the Planning Committee on the committee reforms proposed.
<b>Recommendations</b>	<p>That Members of Planning Committee note the consultations on planning committee reform and fees for planning applications.</p> <p>That the Council’s representations on planning committee reform and local fee setting be delegated to the Director for Planning &amp; Growth in consultation with the Chair and Vice-Chair of Planning Committee.</p>

## 1.0 Planning committee reforms

- 1.1 The government introduced measures through the Planning and Infrastructure Act 2025 (the Act) to give a new power to the Secretary of State to set out which planning functions should be delegated to planning officers for a decision and which should instead go to a planning committee. The Act also gives a new power to the Secretary of State to control the size and composition of planning committees and to impose a new requirement for members of planning committees to be trained, and certified, in key elements of planning.
- 1.2 The measures in the Act are enabling powers, with the detailed provisions to be set out in subsequent regulations. In May 2025, the government launched a public consultation to seek views on what detailed provisions should be included in the regulations. The Council responded and raised a number of observations, including concerns about the gateway arrangements for call-in via Tier B and whether a reduced number of Members would be appropriate in areas with wide ranging political representation.
- 1.3 The government has reflected on the consultation responses. The government suggests that in general, respondents were in favour of the proposals for a tiered approach to

the national scheme of delegation which would allocate types of applications as being always delegated to officers (Tier A), or being able to be brought to committee subject to a gateway test (Tier B).

- 1.4 The government recognised feedback on the technical issues related to Tier A and Tier B which they feel they have reflected on in the preparation of the draft regulations. They also acknowledge feedback on the size of planning committees (including practical points on those councils with a wide range of political representation) and the potential for mandatory training.
- 1.5 The government proposes to bring forward the regulations and statutory guidance for a national scheme of delegation and size of planning committees so that the **reforms will be in place by the end of September**.
- 1.6 There is a statutory requirement to consult on both draft regulations and guidance under section 319ZZE (6) of the Town and Country Planning Act 1990. This statutory consultation seeks views on the technical detail and drafting of the regulations and guidance which reflect these principles and supports Local Planning Authorities (LPAs) in delivering planning decisions that are transparent, accountable and community focused.

## 2.0 The Draft Regulations

- 2.1 The draft regulations make provision for a national scheme of delegation and the size threshold for committees in England.

<b>Schedule 1 (Tier A)</b>	<b>Schedule 2 (Tier B)</b>
Schedule 1 sets out the list of types of applications that must in all circumstances be delegated to officers. These includes applications for planning permission for householder, minor residential and minor commercial development, as well as a number of supplementary and technical consents such as discharge of conditions, reserved matter approvals (for non-phased development), lawful development certificates, and non-material amendments.	Schedule 2 sets out the list of types of applications that may be referred to a committee subject to the circumstances set out in Regulation 5 and must be delegated to an officer where those circumstances have not been met. These include other applications for planning permission not in Schedule 1, reserved matters approvals for phased development, variations of permissions, and special controls such as listed building and tree preservation order consents.

- 2.2 Regulation 1 sets out geographic extent, citation and commencement details of the Regulations. Regulation 2 sets out definitions of how terms used in the regulations should be understood. Regulation 2 also sets out restrictions on limiting officer discretion where applications have been delegated to officers and arrangements for joint committees where local planning authorities have made such arrangements.

- 2.3 Regulation 4 requires decisions on types of applications that are set out in Schedule 1 of the Regulations to be delegated to officers (Tier A under the previous consultation).
- 2.4 Regulation 5 gives local planning authorities the ability to refer decisions on the types of application that are set out in Schedule 2 to a committee, subject to the nominated officer and nominated member agreeing to this (Tier B under previous the consultation). In their agreement they must have concluded that the proposal raises:
- one or more issues of economic, social or environmental significance to the local area
  - one or more significant planning matters having regard to the development plan and any other material consideration
- 2.5 Regulation 5 also sets out that where a local planning authority has not made such arrangements to refer an application to a committee, it must be determined by an officer. In considering whether to refer an application, the relevant officer and relevant member must have regard to guidance issued by the Secretary of State.
- 2.6 Regulation 6 sets out the procedure for linked persons applications – which are applications made by the authority itself, or a member or officer of the authority or an entity owned or controlled (whether wholly or partly) by that authority or any of its members or officers. In these circumstances the nominated member and the nominated officer may refer the application to the committee. There is no need to have regard to the gateway test in Regulation 5 in this determination.
- 2.7 The role of the Committee Chair and Chief Planner in this proposed delegation model is critical and it remains unclear how this relationship will be supported and protected in contentious scenarios. In addition, where officers are likely to make a greater number of delegated decisions, public frustration and perceived loss of localism will be noticeable. The RTPI raises this as a significant concern in their feedback to government.
- 2.8 Regulation 7 sets out that committee discharging a function in Schedule 2 of the Regulations must be capped at 13 members. Members will see that this total has increased from the maximum of 11 advocated in the technical consultation last year. This is welcomed.
- 2.9 The consultation on the proposals will last for 4 weeks from 26 March 2026, closing on 23 Apr 2026.
- 2.10 The Council can either use the online survey to respond, or otherwise email a response to the questions in the consultation to: [planningcommittees@communities.gov.uk](mailto:planningcommittees@communities.gov.uk).

### **3.0 Consultation on fees for planning applications**

- 3.1 In addition to the committee regulation consultation, the government has also launched a consultation on planning fees. This consultation seeks views on proposals to:

- establish a new national default fee schedule, based on 90% of estimated costs, to bring planning fees to a level closer to cost recovery and act as a baseline from which a new local fee setting model will operate
  - introduce new fees and restructure existing fee categories in order to reduce complexity for users
  - implement a surcharge on planning fees for statutory consultees, set in the region of 10% of the national default fee
  - establish the key principles behind local fee setting, as well as seek views on the potential to implement a cap on locally set fees
  - review the future role of discretionary services such as Planning Performance Agreements and pre-application advice in light of proposed increases to default fees and the introduction of the local variation model
- 3.2 Planning application fees are currently set nationally in England by central government to help LPAs meet the costs of determining applications. The government argues that LPAs should have the resources they need to deliver timely, high-quality planning decisions. This is seen as essential to achieving their mission to unlock economic growth and deliver 1.5 million new homes during this Parliament. A new National Default Fee Schedule, designed to better reflect the costs LPAs incur, is a key step towards better resourcing LPAs and driving better outcomes including faster determination times, improved service standards and stronger performance across the planning system.
- 3.3 Fees will be increased in line with inflation from 1 April 2026. However, even with this adjustment and earlier uplifts, the government believes there remains a substantial gap between fee income and service costs. In 2024/25, the annual shortfall is estimated to be around £330 million. This underfunding limits LPA capacity, leading to delays and poorer decision-making.
- 3.4 The Act introduced new powers for local fee setting which will enable LPAs to set their own planning application fees through a local variation model. Under this approach, a national default fee will remain in place and apply to all LPAs, unless an LPA chooses to vary from the default fee for any or all application fee categories to reflect their own costs recovery needs. The national default fee should not be considered a minimum. Where efficiency gains are achieved, such as through improved processes, new ways of working, or through digital tools and emerging technologies like AI, these savings should be reflected appropriately in locally-set fees so that charges remain proportionate and aligned with the actual cost of delivering the service.
- 3.5 These proposals sit alongside wider proposed reforms in the draft NPPF, published for consultation on 16 December 2025. These include streamlined requirements for medium-sized developments and greater standardisation of information, conditions and section 106 planning obligations. The government hopes that these measures will improve efficiency and productivity in LPAs and reduce the costs of processing planning applications.
- 3.6 The engagement with LPAs in August-September last year via the Local Government Association and Planning Advisory Service revealed that no planning fee fully covers the cost of determining a planning application, with shortfalls ranging from 18% for the least

underpriced to 60% for the most underpriced. The applications most frequently considered underpriced, identified by 92% of LPAs, were applications to remove or vary a condition following grant of planning permission (section 73 applications) for major developments and applications to discharge conditions. Outline planning applications, particularly for major developments, and section 73 applications for non-major developments, were also highlighted, with 88% of LPAs considering them to be underpriced. These application types were also identified as the highest priority for review.

- 3.7 This consultation seeks views on a proposed National Default Fee Schedule as the foundation for the local variation model. It also proposes restructuring certain existing fee categories, and introducing new fees for prior approval applications, permission in principle, and applications to vary planning permissions under section 73 and section 73B. Details of these changes are included in Annex A of the consultation documents. The government also invites feedback on how local fee setting should operate in practice, including whether a cap on local variations is appropriate and how these changes might affect the future role of planning performance agreements and other discretionary charges.
- 3.8 The proposed National Default Fee Schedule would increase all current planning fees to 90% of the estimated full cost of processing each application type. For applications where no direct evidence was available, proposed fee increases have been based on comparable application types. In some cases, fees and the maximum caps have also been adjusted to ensure alignment across similar application categories. The proposed increases vary according to the current shortfall for each application type. For example, to achieve 90% of the estimated cost, the increase for householder applications for the enlargement, improvement or alteration of an existing dwellinghouse is £27, around 8% of the fee as indexed from 1 April 2026. For major section 73 applications, the increase is more significant at £1,074, around 52% from the fee as indexed from 1 April 2026. The maximum application fee would increase by around 25% from £427,537, as indexed from 1 April 2026 to £513,512. The national default fee would continue to be uplifted annually in line with inflation to maintain its real value over time.
- 3.9 Note that the government is not proposing to introduce national fees for applications for listed building consent or works to protected trees. These special control consents have historically been exempted from fees in order to encourage owners to engage proactively with LPAs, reduce the risk of unauthorised works to listed buildings or protected trees, and recognise that the conservation of historic buildings and the natural environment is a public good.
- 3.10 The Act 2025 introduced powers to levy a surcharge on planning fees to help fund organisations such as national statutory consultees which support the planning application process. To enable informed responses to the wider proposed increases to the national default fee, this consultation seeks initial views on the surcharge being in the region of 10% of the national default fee, even where local variations exist. We will consult in due course on further details of the surcharge via a separate consultation, including the types of planning applications where the surcharge would apply.

3.11 The consultation for planning fees closes on 18 May.

#### **4.0 Recommendation**

4.1 That the Council's representations on planning committee reform and local fee setting be delegated to the Director for Planning & Growth in consultation with the Chair and Vice-Chair of Planning Committee.

#### **5.0 Implications**

5.1 In writing this report and in putting forward recommendations' 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.

5.2 Legal Implications - LEG2526/4026

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.

#### **Background Papers and Published Documents**

[Planning committee reform: statutory consultation on draft Regulations and guidance - GOV.UK](#)

[Reform of planning committees: technical consultation - GOV.UK](#)

[Fees for planning applications - GOV.UK](#)

## Planning Committee – 9 April 2026

### **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 (received between 2 March 2026 and 30 March 2026)**

Appeal and application refs	Address	Proposal	Procedure	Appeal against
APP/TPO/B3030/11108  25/02099/TPO	8 And 10 Beaconsfield Drive Coddington Newark On Trent NG24 2RX	Undertake works to trees protected by Tree Preservation Order N174 - The Old Hall, Coddington Undesignated oak tree overhanging number 8's boundary is covered in ivy with one limb in particular dropping a lot of dead wood. This drops close to the property and has the potential to cause harm to occupants. T2, T3, T4, T5 and T6 need dead wood removing. Local Tree surgeon has already viewed the work and advised on the extent needed	Written Representation	refusal of a planning application
6005553  25/01241/FUL	Tom Browns Brasserie The Old School House Trentside Gunthorpe Nottingham NG14 7FB	External seating, bar area and wall.	Written Representation	refusal of a planning application

If you would like more information regarding any of the above, please do not hesitate in contacting the case officer.

**Planning Committee – 9 April 2026**

**Appendix B: Appeals Determined (between 02 March 2026 and 30 March 2026)**

App No.	Address	Proposal	Application decision by	Decision in line with recommendation	Appeal decision	Appeal decision date
25/01080/HOUSE	1 White Lion Yard Main Street Blidworth NG21 0QD	Change of use of the land to domestic use and proposed detached garage with room over.	Delegated Officer	Not Applicable	Appeal Dismissed	10th March 2026
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=SYO88ULBMUZ00">https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=SYO88ULBMUZ00</a>						
25/00126/FUL	207 London Road Balderton Newark On Trent NG24 3HB	Change of Use of house (Class C3) to Children's Care Home (Class C2)	Delegated Officer	Not Applicable	Appeal Dismissed	2nd March 2026
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=SQLPW7LBKAP00">https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=SQLPW7LBKAP00</a>						
24/01878/FUL	Land Adjacent To Tesco Express Kirklington Road Rainworth	Proposed Retail Unit with Parking.	Planning Committee	Committee Overturn	Appeal Dismissed	24th March 2026
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=SLV9TBLBIVU00">https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=SLV9TBLBIVU00</a>						
25/00990/FUL	Land Adjacent Low Meadow Lambley Road Lowdham	Demolition of Existing Stables and the Erection of a Proposed Mobile Home and Field Shelter	Delegated Officer	Not Applicable	Appeal Dismissed	13th March 2026
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=SXY2JZLBMM00">https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=SXY2JZLBMM00</a>						

### 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