



*Castle House
Great North Road
Newark
NG24 1BY*

Tel: 01636 650000

www.newark-sherwooddc.gov.uk

Wednesday, 28 August 2024

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

Members of the Committee:

**Councillor A Amer
Councillor C Brooks
Councillor L Dales
Councillor P Harris
Councillor K Melton
Councillor E Oldham
Councillor P Rainbow**

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

MEETING:	Planning Committee
DATE:	Thursday, 5 September 2024 at 4.00 pm
VENUE:	Civic Suite, Castle House, Great North Road, Newark, NG24 1BY

**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.**

If you have any queries please contact Catharine Saxton
on catharine.saxton@newark-sherwooddc.gov.uk.

AGENDA

	<u>Page Nos.</u>
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 1 August 2024	3 - 6

Part 1 - Items for Decision

5. Land South of Dale Lane, Blidworth - 22/01459/FULM (Major) Site Visit at 1pm.	7 - 49
6. Land rear of The Vineries, Lower Kirklington Road, Southwell - 23/01836/RMAM (MAJOR)	50 - 114
7. Newark Castle, Castle Gate, Newark-on-Trent - 24/01268/S73	115 - 144

Part 2 - Items for Information

8. Appeals Lodged	145 - 149
9. Appeals Determined	150 - 152

Part 3 - Statistical and Performance Review Items

There are none.

Part 4 - Exempt and Confidential Items

There are none.

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Planning Committee** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Thursday, 1 August 2024 at 4.00 pm.

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

Councillor C Brooks, Councillor P Harris, Councillor K Melton, Councillor E Oldham, Councillor P Rainbow, Councillor M Shakeshaft, Councillor T Smith and Councillor L Tift

APOLOGIES FOR ABSENCE: Councillor A Amer, Councillor L Dales, Councillor S Saddington and Councillor T Wildgust

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

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

40 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

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

41 MINUTES OF THE MEETING HELD ON 11 JULY 2024

AGREED that the minutes of the meeting held on 11 July 2024 were approved as a correct record and signed by the Vice-Chair.

42 LAND REAR OF THE VINERIES, LOWER KIRKLINGTON ROAD, SOUTHWELL - 23/01836/RMAM (MAJOR)

The Committee considered the report of the Assistant Business Manager – Planning Development, which sought the submission of Reserved Matters (layout, scale, appearance, landscaping) pursuant to outline consent 20/01190/OUTM; Outline planning application for 45 dwellings.

A site visit had taken place prior to the commencement of the Planning Committee, on the grounds that the impact of the proposed development was difficult to visualise.

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

A Schedule of Communication was circulated prior to the meeting which detailed correspondence received following publication of the agenda from the Nottinghamshire County Council (NCC) local flood Authority; Residents; and LLC Archaeological specialist.

Mr M Cooper, local resident, spoke against the application.

Councillor M Brock representing Southwell Town Council spoke against the application.

Mr N Cox (Evolve Planning & Design) agent for the applicant, spoke in support of the application.

Members considered the application and the local Ward Member raised concern regarding the ecological impact and the housing need. The housing need contained within the Southwell Neighbourhood plan had been followed, which was considered out of date and the revised draft Neighbourhood plan, which was out for consideration should have been considered instead. It was therefore suggested that the application be deferred for further negotiation with the developer to address the housing mix and the siting of site 37. Members also requested comments from the Biodiversity Officer and Tree Officer, for Members to be satisfied that the ecology issues had been properly considered.

AGREED (with 6 votes For and 4 votes Against) that the application be deferred pending further negotiation with the developer and further information from the Tree Officer and the siting of site 37.

REASON: Defer to address concerns on mix (to accord with Neighbourhood Plan) and siting of plot 37 (this being the most concerning in terms of impact on the private road and Avondale). In addition, to seek clarification of the further information requested by the tree officer and ecologist.

43 LAND OFF MANSFIELD ROAD, CLIPSTONE - 23/00832/FULM

The application was withdrawn from the agenda.

44 LAND OFF MILL LANE, EDWINSTOWE - 24/00496/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought the demolition of an existing store and construction of replacement secure store.

A site visit had taken place prior to the commencement of the Planning Committee, on the grounds that the impact of the proposed development was difficult to visualise.

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

A Schedule of Communication was circulated prior to the meeting which detailed correspondence received following publication of the agenda from Edwinstowe Parish Council.

Mr K Rodgers agent, spoke in support of the application.

The Business Manager – Planning Development suggested an amendment to Condition 09 to make it clear what ‘equipment’ related to, an additional condition to prevent the building being used as a garage which would read as the opposite to Condition 09 to enable materials etc. to be stored, but not including a vehicle.

Members considered the application, and the proposed replacement store was considered an improvement which would help to tidy the site, make improvements to the access which in turn may improve highway safety.

AGREED (with 8 votes For, 1 vote Against and 1 Abstention) that Planning Permission be approved subject to the conditions contained within the report, plus the amendment and the additional condition, to prevent the storing a vehicle in the store.

45 NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECT - ONE EARTH SOLAR FARM

The Committee considered the report of the Director – Planning & Growth, which provided the pre-application response to the statutory consultation update.

AGREED that the report be noted.

46 APPEALS LODGED

AGREED that the report be noted.

47 APPEALS DETERMINED

AGREED that the report be noted.

48 DEVELOPMENT MANAGEMENT PERFORMANCE REPORT

The Committee considered the report of the Director – Planning & Growth relating to the performance of the Planning Development Business Unit over the three-month period April to June 2024. In order for the latest quarter’s performance to be understood in context, in some areas data going back to April 2022 was provided. The performance of the Planning Enforcement team was provided as a separate report.

AGREED that the report be noted.

49 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 first quarter of the current financial year.

The report provided Members with examples of cases that had been resolved, both through negotiation and via the service of notices and provided detailed and explanations of notices that had been issued during the period covered 1 April 2024 – 30 June 2024.

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

Meeting closed at 6.00 pm.

Chair



Report to Planning Committee 5 September 2024

Business Manager Lead: Lisa Hughes – Planning Development

Lead Officer: Julia Lockwood, Senior Planner, julia.lockwood@nsdc.info

Report Summary			
Application Number	22/01459/FULM (Major)		
Proposal	Development for 62 dwellings on grazing land, south of Dale Lane, Blidworth.		
Location	Land South of Dale Lane, Blidworth		
Applicant	Tune Nottingham One Limited & Richard Gretton Thomas	Agent	Andrew Gore – Marrons Planning
Web Link	22/01459/FULM Development for 62 dwellings on grazing land, south of Dale Lane, Blidworth. Land South Of Dale Lane Blidworth NG21 0SU (newark-sherwooddc.gov.uk)		
Registered	7 December 2022	Target Date Extension of time	8 March 2023 9 Sept 2024
Recommendation	That full planning permission is APPROVED, subject to conditions set out in Section 11 in the report		

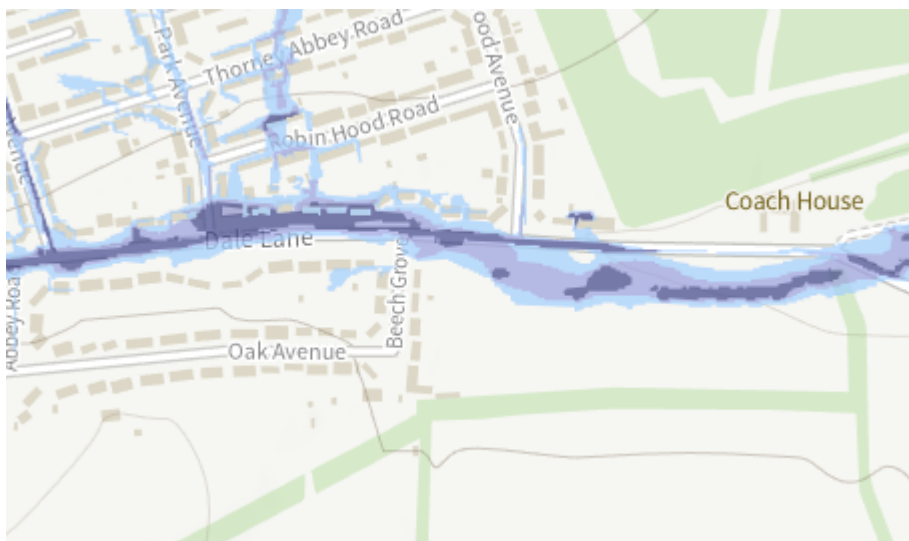
This application has been referred to the Planning Committee for determination by the local ward member, Councillor Tina Thompson, on the grounds that the development is a far denser than stated by the site allocation and it is therefore an over intensification of the site and adjacent land has not been allocated, yet the submitted plan leaves access routes for additional housing in the future but this would be result in a highly dangerous highway issue for the future.

1.0 Background

The delay in forming a recommendation on this application is due to enabling the applicant the opportunity of addressing various concerns raised by the case officer and consultees on numerous occasions. This has resulted in the number of dwellings proposed on the site reducing from 73 to 62. This has demonstrated that the Local Planning Authority has sought to work positively and proactively with the applicants as required by the NPPF and the Town and Country Planning (Development Management Procedure) (England) Order 2015.

2.0 The Site

- 2.1 The application site comprises a rectangular shaped 1.81ha of greenfield land used for agriculture on the south side of Dale Lane, to the east side of Beech Grove and opposite Sherwood Avenue on the eastern edge of the settlement of Blidworth.
- 2.2 There are residential properties to the north fronting Dale Lane, set behind a grass verge often occupied by mature trees and to the west where houses back onto the site and front Beech Grove. There are open fields to the south and east, which fall within the Nottingham-Derby Green Belt, whose designation surrounds Blidworth village on all sides. The southern and eastern boundaries of the site extend into the designated Green Belt. However, the vast majority of the site itself is excluded from the Green Belt. Dale Lane represents one of the main entrances into the village from the east.
- 2.3 There is a fall in ground levels across the site from the south-west (ground levels of 97.33m AOD) to the north-east (89.98m AOD), a difference of 7.35m. The land is situated within Flood Zone 1, at lowest risk from main river flooding. However, the site does have areas at high (dark blue), medium (medium blue) and low (light blue) risk of surface water flooding, towards the northern (Dale Lane) boundary of the site (see the plan below).



- 2.4 An international designation located approx. 11km to the north of the site is the Birklands and Bilhaugh Special Area of Conservation (SAC), designated due to its old acidophilous oak woods. There are no national ecological designations within 2km of the site. Non-statutory designations within 1km of the site include a Local Nature Reserve, Tippings Wood 900m to the north-west, Blidworth Colliery Spoil Local Wildlife Site (LWS) 22m to the north and Blidworth Playing Fields LWS approx. 470m to the north-east. The site is within 400m of Sherwood Forest ppSPA for woodlark and nightjar.
- 2.5 In heritage terms, opposite the site on the other side of Dale Lane is a Non-Designated Heritage Asset known as Blidworth Colliery Village comprising early to late 20th

century development set out in a planned layout with similar designed housing, for colliery workers.

3.0 Relevant Planning History

3.1 10/01648/OUTM – Residential development and new vehicle access, refused 25.03.2011 on the grounds that it represented inappropriate development in the Green Belt, insufficient information on impact on protected species and that the Council were able to demonstrate the provision of a 5 year land supply of housing.

4.0 The Proposal

4.1 The application seeks full planning permission for the erection of 62 dwellings comprising the following:

House Type	Tenure: Affordable rent/Shared ownership	No of Units	No of Beds/Persons	Type	Plot Nos
HT1A	AR	4	1B/2P	Flat	21-24
HT1B	AR	2	1B/2P	Flat	1, 2
HT1C	AR	2	1B/2P	Flat	3, 4
HT1D	AR	4	1B/2P	Flat	15-18
HT1E	AR	2	1B/2P	Flat	9, 10
HT1F	AR	2	1B/2P	Flat	19, 20
HT1H	AR	2	1B/2P	Bungalow	35, 36
HT2A	AR	8	2B/4P	Semi	25-28, 39-42
HT2B	AR	6	2B-4P	Semi	13,14; 31-34
HT2C	AR	4	2B/4P	Semi	11,12,37,38
HT2C	SO	2	2B/4P	Semi	49, 50
HT2D	AR	2	2B/4P	Semi	7, 8
HT3A	AR	2	3B/5P	Semi	29, 30
NT3A	SO	2	3B/5P	Semi	47, 48
HT3B	SO	8	3B/5P	Semi	51-58
HT3C	AR	2	3B/5P	Semi	43,44,
	SO	6			45, 46, 59-62
HT3D	AR	2	3B/5P	Semi	5, 6
Totals	AR 44; SO 18	62			

4.2 All the house-types are two storey, apart from the two bungalows located in the north-west corner of the site. The plans have been amended on more than one occasion during the life of the application, reducing numbers down from the initial 73 to the current 62, as well as seeking to address the case officer and other consultee concerns. The gross internal floor area of each of the house types range from 48 sqm (1 bed flat) to 85 sqm (3 bed house). The application form states materials proposed would a multi red brick with timber cladding panels in a dark stain and no roof materials have been confirmed.

- 4.3 The whole development is served by a single vehicular access point from Dale Lane towards the north-east corner of the site, although there is also a pedestrian footway link to Dale Lane at the north-west corner of the site. The position of the access road would result in the loss of 1 of the existing trees along the site's frontage.
- 4.4 All of the dwellings would be defined as affordable housing, with 70% being affordable rent and 30% shared ownership. The application has been accompanied by a draft Heads of Terms document which confirms the intention to assist towards a number of contributions, including libraries and community facilities (full details are set out below in the S106 section of the report).
- 4.5 An area of public open space is proposed to the eastern side of the site, which includes an attenuation pond in the north-east corner, and a children's play area (LEAP) in the south-east corner. The plan shows that the southern and eastern boundaries of the site, extend narrowly beyond the allocation site and therefore includes designated Green Belt. The Green Belt land includes a belt of newly planted trees along the southern boundary and proposed new planting along the eastern boundary to provide a landscaped buffer to the site.



Plans and Documents submitted and considered:-

- OS Location Plan (Drawing No: PL-001B);
- Topographic Survey (Drawing No: 25878_06_170_01);
- Proposed Site Plan – External Finishes (Drawing No: PL-005M);
- House Type 1A: 1B/2P – 48/61sq.m GIA (Drawing No: PL-010C);
- House Type 1B: 1B/2P – 48/61sq.m GIA (Drawing No: PL-011A);
- House Type 1C: 1B/2P – 48/61sq.m GIA (Drawing No: PL-012A);
- House Type 1D: 1B/2P – 48/61sq.m GIA (Drawing No: PL-013D);
- House Type 1E: 1B/2P – 48/61sq.m GIA (Drawing No: PL-014B);
- House Type 1F: 1B/2P – 48/61sq.m GIA (Drawing No: PL-015A);
- House Type 1H: 1B/2P – 48sq.m GIA (Drawing No: PL-017B);
- House Type 2A: 2B/4P – 70sq.m GIA (Drawing No: PL-020A);
- House Type 2B: 2B/4P – 70sq.m GIA (Drawing No: PL-021A);
- House Type 2C: 2B/4P – 70sq.m GIA (Drawing No: PL-022A);
- House Type 2D: 2B/4P – 70sq.m GIA (Drawing No: PL-023A);
- House Type 3A: 3B/5P – 85sq.m GIA (Drawing No: PL-030A);
- House Type 3B: 3B/5P – 85sq.m GIA (Drawing No: PL-031A);
- House Type 3C: 3B/5P – 85sq.m GIA (Drawing No: PL-032);
- House Type 3D: 3B/5P – 85sq.m GIA (Drawing No: PL-033A);

- Street Scene Elevations (1 of 2) (Drawing No: PL-150E)
- Street Scene Elevations (2 of 2) (Drawing No: PL-150G)
- Photomontage - Approach to Blidworth from Dale Lane (Jan 2024)
- Northern Boundary Position (Drawing No: PL-008)
- General Arrangement & POS Planting Plan (Drawing No: 09808-FPCR-XX-XX-DR-L-0001 Rev P13);
- Detailed Landscape Proposal Onplot (Sheet 1 of 2) Drawing No: 09808-FPCR-XX-XX-DR-L-0002 Rev P13);
- Detailed Landscape Proposal Onplot (Sheet 2 of 2) (Drawing No: 09808-FPCR-XX-XX-DR-L-0003 Rev P13);

- Tenure Plan – 62 units (Drawing No: TE-001M);
- Accommodation Schedule
- Storey Heights (Drawing No: PL-0009);
- Adoption Plan (Drawing No: PL-006D);
- Bin Collection Points (Drawing No: PL-007D);
- Proposed Play Area Layout (Scheme No: 2587rev1 Date:19/4/24);
- Design of Children’s Play Equipment (Scheme No:25870/NOT Date: 24/1/24);
- S278 General Arrangement Option 3 (Drawing No: DLB-MT-XX-XX-DR-C-0012 Rev P1);
- S38 Swept Path Analysis (Drawing No: DLB-MT-XX-XX-DR-C-0004 Rev P4);

- Energy Report by Tune dated 21 March 2023;
- Ecological Appraisal by FPCR dated July 2022;
- Archaeological Desk-Based Assessment by Midland Archaeological Services dated Feb

2023 V1;

- Arboricultural Assessment Rev A by FPCR dated July 2024;
- Flood Risk Assessment & Drainage Strategy by BSP dated November 2022;
- Drainage Strategy Statement by Mortec Projects dated 1 February 2024;
- Drainage Strategy – Infiltration Basin Detail (Drawing No: DLB-MT-XX-XX-DR-C-0501 Rev P1);
- Soakaway Testing report by GeoDyne dated 14 June 2022;
- Sections through and soil logs from GeoDyne;
- Combined Phase I Desk Study & Phase II Exploratory Investigation Report by Geodyne dated October 2021;
- Transport and Accessibility Statement by Mortec Projects dated Sept 2023 (Rev 1 – Jan 2024)
- Proposed Developer Contributions (Draft Heads of Terms) dated 30.01.2024;
- Email from Agent sent 03.05.2025 responding to Request from NCC for contribution to bus transport facilities to serve the development;
- Email from Agent sent 30.07.2025 responding to issues regarding trees.

5.0 Departure/Public Advertisement Procedure

5.1 Occupiers of 46 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.

5.2 Site Visit 03.01.2023

6.0 Planning Policy Framework

The Development Plan

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

Spatial Policy 1 - Settlement Hierarchy
Spatial Policy 2 - Spatial Distribution of Growth
Spatial Policy 4A – Extent of the Green Belt
Spatial Policy 4B– Green Belt Development
Spatial Policy 6 – Infrastructure for Growth
Spatial Policy 7 - Sustainable Transport
Core Policy 1 – Affordable Housing Provision
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

6.2 Allocations & Development Management DPD

DM1 – Development within Settlements Central to Delivering the Spatial Strategy
DM2 – Development on Allocated Sites

DM3 – Developer Contributions and Planning Obligations
DM5 – Design
DM7 – Biodiversity and Green Infrastructure
DM9 – Protecting and Enhancing the Historic Environment
DM12 – Presumption in Favour of Sustainable Development
Policy BI/Ho/1 – Blidworth Housing Site 1

6.3 The [Draft Amended Allocations & Development Management DPD](#) was submitted to the Secretary of State on the 18th January 2024. This is therefore at an advanced stage of preparation albeit the DPD is yet to be examined. There are unresolved objections to amended versions of all the above policies emerging through that process, and so the level of weight which those proposed new policies can be afforded is currently limited. As such, the application has been assessed in-line with policies from the adopted Development Plan, with consideration to the Draft Amended DPD, as applicable.

6.4 **Other Material Planning Considerations**

- National Planning Policy Framework 2023
- Planning Practice Guidance (online resource)
- National Design Guide – Planning practice guidance for beautiful, enduring and successful places September 2019
- Newark and Sherwood District Wide Housing Needs Survey by Arc 2020
- Residential Cycle and Car Parking Standards & Design Guide SPD June 2021
- Landscape Character Assessment SPD 2013
- Affordable Housing SPD 2013
- Developer Contributions and Planning Obligations SPD, December 2013 (as amended by 2016 indexation figures)
- NCC Developer Contributions Strategy 2021
- Fields in Trust Guidance for Outdoor Sport and Play
- Building for a Healthy Life 2022, Homes England

7.0 **Consultations**

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

(a) Statutory Consultations

- 7.1 **Environment Agency** – No formal comment to make as no fluvial flood risk concerns given the site is within Flood Zone 1.
- 7.2 **NCC, Lead Local Flood Authority** – No Objection, subject to a standard condition requiring details of disposal of surface water from the development.
- 7.3 **National Highways** – No Objection.

7.4 **NCC, Highway Authority** – No objection, subject to conditions relating to a Construction Management Plan, details of new roads, no development to be occupied until the access has been provided, no dwelling to be occupied until parking for that unit is in hard bound material with measures to prevent egress of surface water to the public highway, traffic management measures to control parking in turning heads, details of boundary treatments, infrastructure for an EV fast charging point must be installed for each dwelling and improvements to two bus stops.

7.5 **NCC, Planning Policy** - The planning obligations sought by NCC in order to mitigate the impact of the proposed development are:

- Transport - The imposition of conditions to seek improvements of 2 bus stops NS0375 Sherwood Avenue and NS0376 Sherwood Avenue and requiring a scheme for introductory bus passes to occupiers.
- Education – Primary – there is a forecasted surplus of places in the planning area and the impact of the development would not lead to a deficit in provision, so no primary education contribution is sought. Secondary and post 16 education – based on current pupil projection data there would be insufficient places in the planning area to accommodate the additional pupils that would be generated by this proposal. However, this is funded through the Community Infrastructure Levy.
- Library stock contribution of library stock of **£2,190** for Blidworth Library.

They also refer to the Nottinghamshire Spatial Planning and Health Framework, referencing Active Design principles.

(Full justification for all the above is set out in the response received from NCC Policy).

7.6 **The Coal Authority** – The site falls within the Development Low Risk Area so no comments to make.

(b) Town/Parish Council

7.7 **Blidworth Parish Council** – Object on the following grounds:

- Overdevelopment – allocation refers to 55 units and spacings (gardens and privacy distances etc) are very tight;
- Design and Visual impact - due to being former green belt and used as agricultural land high density, layout and design will have negative impact on the landscape;
- Drainage – the area is subject to severe surface water flooding with standing water on the site during heavy rain and water runs down Dale Lane due to insufficient run off capacity. Concern that attenuation basin would likely overflow. Residents of Beech Grove and Dale Lane particularly concerned and worry over not being able to insure their homes against flood risk if development goes ahead;
- Loss of light and privacy to properties near to the development;
- Noise, smell and pollution – no explanation as to how pollution to groundwater would be controlled or mitigated which is essential. Severn Trent Water should be commenting on local infrastructure capacity. Mains drains in the village (on Mansfield

Road) have constant problems with blockages and in heavy rain Severn Trent regularly attend Dale Lane to pump and clean up sewerage that has overflowed. As water and sewerage infrastructure is already inadequate, the proposed development will only compound this extremely significant public health and quality of life issue;

- Access and Traffic – significant cumulative impact of additional traffic driving through and causing congestion, increasing likelihood of accidents, increasing pollution to detriment of Blidworth residents due to other local developments – 81 dwellings on New Lane, 201 dwellings on Blidworth Lane and further development in Rainworth/Mansfield/Ravenshead. Traffic surveys need to be carried out before further developments are proposed. Dale Lane already experiences minor collisions due to number of roads joining it and limited visibility due to parked cars and shrub beds and this development will only exacerbate this. The development would result in further pressure on junction of Dale Lane with Mansfield Road and traffic control needs to be considered here. Traffic speeds along Dale Lane and do not respect local speed limits;
- Health and Safety – from sewerage and flood water, traffic making it hazardous for children walking to school, current roads and pavements are neither safe nor suitable for walking/cycling within the village;
- Ecology/Landscape – Development would significantly harm local wildlife within the area due to loss of habitat and food sources through urban sprawl. Submitted Ecology Assessment has been submitted but not very informative and little reference to maintaining existing habitat and no mention of Biodiversity Net Gain which needs to be considered;
- Archaeology – no information submitted even though policy requires appropriate assessment;
- Crime and fear of crime – this will increase with increased population and diminishing police presence;
- Community Facilities – local schools and doctors surgeries in Blidworth and neighbouring villages of Rainworth and Ravenshead are at full capacity with long standing villagers having to travel outside the village for such services. This development will put additional strain on these resources and is unviable without provision for the services that the village already needs;
- Design and Access Statement does not provide a robust design story or justification for the proposal;
- Lack of sustainability information or any BREEAM rating;
- Blidworth is an important historic village and dates back before the Domesday Book and has significant historic feature – Church of St Mary of the Purification dates back to 1066, Rockings ceremony and sculpture, Will Scarlet’s grave, the Druid Stone and memorial to Mathew Clay and Mill refurbishment and does not receive the due care and respect it deserves. Blidworth should have its own conservation appraisal and be afforded similar protections afforded to Southwell;
- There is no joined up thinking in terms of adjacent/area developments and the Parish Council expects Newark and Sherwood District Council to listen to local communities required under the Localism Act;
- The land should be removed from the Development Plan due to its unsuitability for development of any kind.

(c) Representations/Non-Statutory Consultation

- 7.8 Severn Trent Water** – Foul is proposed to connect not the public combined water sewer, which will be subject to a formal section 106 sewer connection approval. Surface water is proposed to connect into the public surface water sewer, which will be subject to a formal 106 sewer connection approval. Planning Practice Guidance and section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and there is no watercourse available and an alternative other sustainable method should also be explored. If these are found unsuitable, satisfactory evidence will need to be submitted, before a discharge to the public sewerage system is considered. No surface water is to enter the foul or combined water system by any means.
- 7.9 NHS Nottingham/Nottinghamshire Clinical Commissioning Group** - Confirm that local health practices are working at capacity and this scheme would lead to pressure upon services. A financial contribution of £982 per dwelling is sought towards enhancing capacity/infrastructure with existing local practices at any one of the three closest to the site – Abbey Medical Group, Rainworth Health Centre, Hill View Surgery.
- 7.10 NSDC, Archaeology Adviser** – No Objection subject to a condition that requiring an archaeology condition for a mitigation strategy, including a phased approach to investigation followed by mitigation work, should it be necessary.
- 7.11 NSDC, Conservation** – Do not wish to comment.
- 7.12 NSDC, Strategic Housing** – support proposals as it will provide the level of need identified in the Arc4 District Wide housing needs survey (2020) and the Council’s housing register.
- 7.13 NSDC, Environmental Health** – To protect existing residents from potential disturbance during construction, a construction management plan should be submitted to be implemented during the construction phase of the development.
- 7.14 NSDC, Contaminated Land** – No Objection, no further investigation is required.
- 7.15 NSDC, Community Facilities** – A community facility contribution should be secured in accordance with the Council’s current Developer Contributions SPD that would be used to support the provision or improvements to the community assets in the Parish of Blidworth for the benefit of the wider community.
- 7.16 NSDC, Trees and Landscape Officer** – **Tree Survey (July 2024)** states the mature trees on the north side of Dale Lane to be Category A, while the younger trees on the south side are stated to be Category B trees, which appears to be an oversight, as the trees on the south side are healthy and contribute to a distinct linear feature, justifying the need for a tree preservation order. One Category A tree would be removed to provide access, which should be avoided however, if removal is unavoidable, then suitable compensation should be ensured. This standard has not been met. It is also highly concerning that the design does not

account for the anticipated growth of the retained trees.

Proposed landscaping – previous comments have not been taken into account, the proposed “prunus” selected are suggested to be de-minimus, to respond poorly to the urban environment, with a high nuisance factor to residents. None of the suggested street trees are intended for public ownership, contradicting the NPPF, is misaligned with the scale of development and provided with inadequate space to mature properly.

7.17 NSDC, Lead Biodiversity and Ecology Officer – No overall concerns but recommends three conditions requiring a Construction Environmental Management Plan (CEMP), one relating to the provision of bat and birds boxes and one relating to external lighting details to be submitted and approved.

7.18 Notts Police – Secured by Design recommends that a cul-de-sac is not linked by footpaths (as here where Road C is connected to Dale Lane) as ‘leaky cul-de-sacs’ experience the highest levels of crime when compared to a true cul-de-sac and so should be avoided.

7.19 Cadent – No objection, informative note required.

7.20 Representations from 69 third parties/local residents can be summarised follows:

- Blidworth needs heavy and much needed Investment before you propose additional housing;
- Don't want any more houses in the village;
- The application proposes more properties than the allocation states;
- There is not enough infrastructure with the village for these houses;
- The doctors surgeries are full, with a 3 to 4 week wait for a non urgent appointment;
- Local dentists are no longer taking new patients;
- The primary school is full and over subscribed, neighbouring village schools within catchment are the same;
- Two secondary schools that feed the village are also over subscribed;
- S106 money would be insufficient to deal with these issues;
- The land should be used to build small bungalows that are warden aided and run by the Council to enable elderly residents to remain independent and free up family homes within the village;
- All this was exacerbated by The Green development influx;
- The introduction of hundreds of cars onto Dale Lane, the main route in and out of the village;
- Public transport is almost non-existent and the extra cars will contribute to carbon emissions;
- It will result in the loss of agricultural and equestrian land, where stables have not been approved and so these houses should not be approved;
- This plot of land should remain as part of the countryside and remain a green space;
- It is acknowledged there is a housing crisis and more homes need to be built, especially affordable homes;

- There needs to be more joined up thinking in relation to new housing development;
- The land is stated as Green Belt on my deeds and so should be prevented from being built on;
- Should build on derelict land before greenfield, there are plenty of alternative sites within the local area;
- My garden is shorter than previously built council houses;
- There are no separate footpath/cycle paths within the development, segregating vehicles and pedestrians on any of the development;
- There should be a pavement along the whole frontage of the site along Dale Lane;
- The parking spaces are not big enough;
- The site should include a small park as the nearest one is at the top of Sherwood Avenue, which is very steep;
- With 200 dwellings built down Blidworth Lane and 81 houses built on the Meadows, some of which have not yet been sold – is there any need for anymore? These issues are not addressed in the Transport Statement;
- The development is too dense and above the number stated in the policy;
- Parking at the local shops is horrendous;
- Anti-social driving, speeding, road noise and pollution are also primary concerns, that would be exacerbated by the development and are not mitigated in anyway;
- Will increase the risk of accidents at Dale Lane/Rufford Road junction;
- Will cause even more damage to the road surface that is not being repaired;
- At certain times of day the roads in the village become gridlocked with traffic without this development;
- Traffic problems and disturbance/disruption during the construction period;
- Dangerous blind corner pre-entrance to the development;
- It would destroy habitats of hedgehogs, foxes, hares, mice and red kites in the field, as well as more importantly insects and micro-organisms;
- The proposed design would cause a net loss of ecological value;
- Loss of important trees, hedge and other vegetation, destroying traditional field patterns and diminishing the local equestrian culture of the village;
- Apart from the trees none of the planting plans is native or wildlife friendly;
- Tree are drawn smaller than the real eventual size, eg oaks can mature to more than 8m of spread, whereas all trees are drawn with 3 or 4m spread;
- Mixed meadow and wet grasslands would need annual maintenance to ensure genuine ecological value;
- Hedgerows are drawn 1m wide, and made up only of beech. Hedges needs a mix of species and be at least 1.5m wide to have any genuine wildlife value;
- The loss of native hedgerow along the northern boundary to allow the access and footpath to the development reduces value of this existing habitat;
- The Ecological Appraisal is provided by the same company as the planting and landscaping design, which amounts to a conflict of interest given the commercial benefit to minimise ecological objections;
- Will have an adverse visual impact on the local landscape;
- The local vernacular is 1930s red brick and Mansfield stone up in the old part of the village, the proposed layout, design and cladding does not compliment but jars against the appearance of the village;
- Designs are over-bearing and out of scale and out of character, due to over

- development and over-crowding on the site;
- Its changing the village into a town;
- Flood risk is a concern due to the additional surface water run-off;
- The corner of Dale Lane and Bulker Lane floods regularly causing road safety and sewerage smell issues for residents;
- Residents are fed up with sewerage running down Dale Lane;
- I have witnessed over 2ft of water funnelling through the middle of this site from the surrounding fields;
- The development will cause flooding at the top part of Beech Grove and lower part of Dale Lane;
- Flooding was cited in a number of objections on the previous application rejected in 2013 (10/01648/OUTM) and there has been no material change;
- The sewers are not big enough to support the properties already in place;
- The site accommodates an aquifer but no account is given of how the risk of pollution to the ground water will be controlled or mitigated;
- Loss of privacy to houses adjoining the development;
- The land is full of sink holes and the land is unstable for development;
- I have had an amazing view for the last 30 years, which would be lost;
- It will de-value properties so who will reimburse this?

8.0 Comments of the Business Manager – Planning Development

8.1 The key issues are:

- Principle of Development
- Housing Type, Mix and Density
- Impact on Land Use and Character
- Impact of Design and Layout
- Impact on Residential Amenity
- Impact on Highway Safety
- Impact on Flooding and Drainage
- Impact on Ecology and Trees
- Impact on Archaeology
- Other Matters
- Development Contributions

8.2 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 of the Allocations and Development Management DPD.

Principle of Development

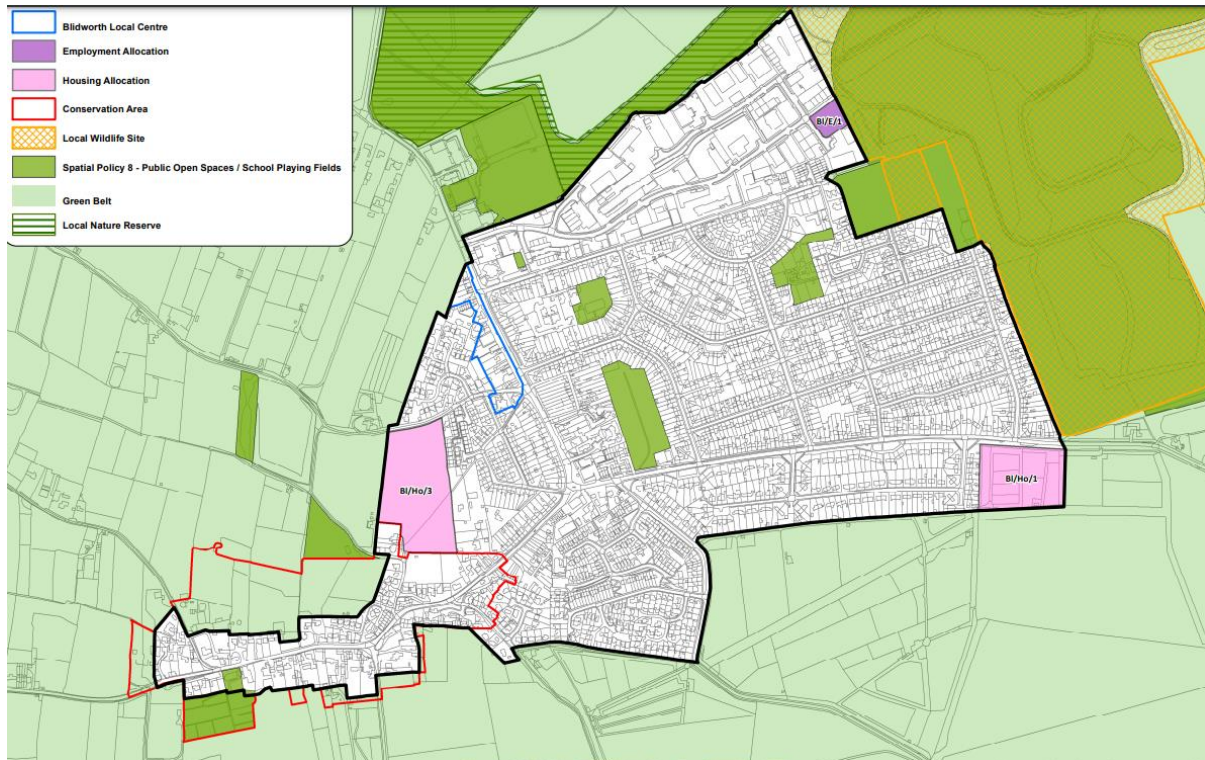
- 8.3 Spatial Policies 1 (Settlement Hierarchy) and 2 (Spatial Distribution of Growth) of the adopted Amended Core Strategy, identify Blidworth as a Principal Village where the focus, as a sustainable settlement, is for housing and employment growth. Blidworth is expected to accommodate 20% of housing service centre growth over the development plan period. The majority of the site is located within the defined Urban Boundary of Blidworth as identified on the proposal map in the Allocations and Development Management DPD, however there are narrow strips along the southern and eastern boundaries of the site that extend into the designated Green Belt. The majority of the site forms part of an allocation for housing development under policy Bl/Ho/1 (Blidworth- Housing Site 1). The policy states the land has been allocated for residential development providing around 55 dwellings and as a consequence, the site is no longer part of the Nottingham-Derby Green Belt.
- 8.4 Spatial Policy 5 (Delivering the Strategy) states that to ensure the housing and employment needs of the District are delivered over the plan period, sufficient sites have been allocated to more than meet the requirements. Over the plan period, the supporting text to this policy anticipates that development of additional housing and employment will occur in sustainable locations across the District.
- 8.5 Policy DM1 (Development within Settlements Central to Delivering the Spatial Strategy) of the Allocations & Development Management Development Plan Document (DPD) refers to proposals being supported for housing within the Village Envelopes of the Principal Villages that are appropriate to the size and location of the settlement, its status in the settlement hierarchy and in accordance with the Core Strategy and other relevant Development Plan Documents.
- 8.6 The site allocation Policy Bl/Ho/1 is being proposed to be carried through as part of the Amended Allocations & Development Management DPD. No objections have been received in relation to the new wording of the policy within the Review. As such the Review Policy can be afforded weight.
- 8.7 The emerging policy is set out below with the proposed changes to the current adopted policy showing wording proposed to be removed 'struck through' and new wording proposed to be inserted in red:

"Land at Dale Lane has been allocated on the Policies Map for residential development providing around 55 dwellings. ~~Consequently, the site is no longer part of the Nottingham-Derby Green Belt.~~

In addition to the general policy requirements in the Core Strategy and the Development Management Policies in Chapter 7, with particular reference to Policy DM2 Allocated Sites and Policy DM3 Developer Contributions, development on this site will be subject to the following:

- *The positive management of surface water through the design and layout of development to ensure that there is no detrimental impact in run-off into surrounding residential areas of the existing drainage regime.*

- *That as this allocation is within 400m of Sherwood Forest ppSPA, and the risk based approach set out in DM7 Biodiversity and Green Infrastructure should be followed.*
- *Appropriate design which addresses the site's gateway location and manages the transition into the main built up area. To support this approach landscape buffering will be required along the eastern edge of the allocation; and*
- *Pre-determination archaeological evaluation submitted as part of any planning application and post-determination mitigation measures secured by condition on any planning consent are likely to be required."*



Extract of Inset Map from Allocations and Development Management Plan Review

- 8.8 Whilst the concerns of the Parish Council and local residents are noted and acknowledged in relation to the provision of further housing on this site, the majority of it is in fact allocated for housing in the Allocations and Development Plan and has been since 2013. As such, the principle of housing development on this site has already been considered at the plan making stage and found to be acceptable and this application therefore accords with the adopted Development Plan.
- 8.9 The only parts of the red line application site beyond the boundaries of the allocated site are narrow edges along the southern and eastern boundaries. The submitted plan shows that these areas are to be used for new tree and hedgerow planting to buffer the impact of the development on the surrounding open green fields to the south (10m deep) and east (7m deep), in accordance with policy BI/Ho/1. New planting does not represent development and therefore there would be no policy justification to object in Green Belt terms. This does not undermine the purpose and function of the Green Belt. Indeed the buffer planting is important along these boundaries to soften

the built form from the open landscape and Green Belt and could be secured by condition.

Housing Type, Mix and Density

- 8.9 Core Policy 3 (Housing Mix, Type and Density) sets out that densities in all housing developments shall normally be no lower than 30 dwelling per hectare. The overall site area comprises 1.96ha. Based on this figure, a scheme of 62 dwellings would create a site density of around 31 dwellings per hectare. This quantum of development therefore complies with these density requirements.
- 8.10 In terms of the mix of units, Core Policy 3 sets out that the District Council will seek to secure a housing development which adequately addresses the housing need of the District, namely family housing of 3 bedrooms or more, small houses of 2 beds or less and housing for the elderly and disabled population. It goes on to say that the Council will seek to secure an appropriate mix of housing to reflect local housing need and reflect the local circumstances of the site which may include viability considerations.
- 8.11 The proposal seeks permission to provide a 100% affordable housing scheme. The Housing Needs Study and Sub Area Summaries 2020 for the Mansfield Fringe Area set out that the overall housing mix for affordable dwellings required in this area is:

House Type	Affordable Rent (homes needed per annum)	Shared Ownership (Homes needed per annum)	Proposed Scheme	
			AR	SO
1-2 bed house	23	15	20	2
3 bed house	9	6	6	16
1 bed flat	3	2	16	-
1 bed bungalow	5	3	2	-
2 bed bungalow	10	7	-	-
3 bed + bungalow	4	3	-	-

- 8.12 It appears from the table above that the proposed scheme is providing an excess of 1 bed flats and 3-bed houses and not enough 2 bed bungalows compared to the Housing Needs Survey published in 2020. Having said that, the Council’s Strategic Housing Officer has confirmed that they are happy to support the proposal as it will support the level of need identified in the Housing Needs Survey and on the Council’s housing register. It is also considered that as the applicant is Nottingham Community Housing Association, they are highly unlikely to want to build a development that would not be occupied and therefore to a certain extent, greater weight is given to these two local experts in affordable housing who know the current market well. On this basis then, the mix is not considered to be fatal to the scheme to warrant refusal of permission. The dimensions of all units are above the national described space standards minimums (best practice).
- 8.13 Paragraph 66 of the NPPF sets out that planning decisions for major development involving the provision housing should expect at least 10% of the total number of homes to be available for affordable home ownership. Exemptions to this 10%

requirement is made for development that is exclusively for affordable housing as in this case.

- 8.14 In relation to affordable housing, Core Policy 1 seeks to secure 30% of all qualifying new housing development as affordable housing. The submitted Heads of Terms for the S106 agreement indicate that 100% affordable housing is proposed. The policy states the split between Affordable Rent and Shared ownership should be split into the proportion of 60%/40%. This scheme has a split of 70%/30%, with the majority being for affordable rent. Again, although this does not strictly comply with the split set out in Core Policy 3, weight is given to the Council's Strategic Housing Officer and the proposed managers of the site Nottingham Community Housing Association that they have an up to date and greater local knowledge of the current affordable housing sector to warrant support. This is particularly so, given that we would be achieving more affordable housing overall than if it were just a policy compliant 30% offer. It is however disappointing that only two 1 bed bungalows have been provided out of the proposed 62 dwellings.
- 8.15 It is fully acknowledged that this 100% affordable scheme does not strictly comply with the Affordable Housing SPD where the preferred approach would be to provide a mixed development of affordable and market housing on the same site. However, it is also recognised that there are very high levels of affordable housing need in the Blidworth area, as in most areas of the District and it is considered that the provision of 100% affordable housing would be of considerable benefit in meeting this need. It is generally accepted that the policy compliant 30% affordable provision on market housing sites across the District in the last 5-10 years or so has not been achieved (often on viability grounds) which has led to a shortfall in affordable housing delivery. It is also acknowledged, that some may take the view that a 100% affordable development could be seen as an undesirable, over-concentration, resulting in an exclusive, homogenous tenure community, rather than a more appropriate mix of market and affordable units. However, in the overall balance, it is considered that the provision of the much needed affordable housing weighs heavily in favour of the development in this case. The provision would need to be secured within an associated legal agreement as discussed further in the relevant section below.

Impact on Land Use and Character

- 8.16 Core Policy 13 of the Core Strategy addresses issues of landscape character. It states that development proposals should positively address the implications of the Landscape Policy Zones in which the proposals lie and demonstrate that such development would contribute towards meeting the Landscape Conservation and Enhancement Aims for the area.
- 8.17 Paragraph 128 of the NPPF states that: 'Planning policies and decisions should support development that makes efficient use of land, taking into account:
- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
 - b) local market conditions and viability;
 - c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limited future car use;

- d) the desirability of maintaining an area's prevailing character and setting... and
- e) the importance of securing well designed and beautiful attractive and healthy places.

- 8.18 Whilst the NPPF states that the effective use of land should be encouraged by re-using land that has been previously developed; the NPPF does not promote a sequential approach to land use and there is no presumption that greenfield sites are unsuitable for development per se. The presumption in favour of sustainable development is an important part of the NPPF and it is noted that delivery of sustainable development is not restricted to the use of previously developed land and can include the development of greenfield land.
- 8.19 Paragraph 180 of the NPPF indicates that local planning authorities should take into account economic and other benefits of the best and most versatile agricultural land. The loss of the land from agricultural land has already been accepted in principle through the site allocation process. It would therefore be inappropriate to resist the current application on this basis.
- 8.20 The District Council has undertaken a Landscape Character Assessment (LCA) to assist decision makers in understanding the potential impact of the proposed development on the character of the landscape. The LCA provides an objective methodology for assessing the varied landscape within the District and contains information about the character, condition and sensitivity of the landscape. The LCA has recognised a series of Policy Zones across the 5 Landscape Character types represented across the District.
- 8.21 The application site is within the Blidworth and Rainworth Wooded Estate Lands Policy Zone 18 where the landscape condition and sensitivity are both defined as moderate. In terms of built features, the landscape actions are to conserve the sparsely settled character of the area by concentrating any new development around the existing urban fringe of Blidworth village and maintaining existing field boundaries. It is also to create by adding new woodland planting, which would be secured along the southern and eastern boundaries to some extent. The application site is within the village envelope for Blidworth as defined through the Allocations Map and thus the proposal would meet the aspirations of the LCA.
- 8.22 There is no doubt that a scheme for residential development as proposed would alter the existing character of the site, a matter which was indisputable in its allocation for residential development. The development would necessitate not only the built form of the dwellings, but also internal infrastructure such as the road network and boundary treatments between the dwellings and on the boundaries of the site itself. The development proposed on the other hand would introduce the rear elevations of two storey dwellings to the settlement edge. However, having considered the specifics of the site surroundings it is not considered that this would be necessarily fatal in landscape character terms. Specifically, the site is immediately adjacent to residential curtilages to the north which offer similar relationships with the boundary of the Green Belt.

- 8.23 Overall, and indeed in line with the site allocation, Officers have not identified the proposal to be detrimental to landscape character in itself. The proposal is therefore compliant with Core Policy 13. The impacts of the design and layout of the proposal in terms of the internal intricate arrangements are discussed in further detail below.

Impact of Design and Layout

- 8.24 Core Policy 9 requires new development proposals to demonstrate a high standard of sustainable design that both protects and enhances the natural environment. Policy DM5 (Design) 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.
- 8.25 The site would be adjacent to existing housing development to the west from properties fronting Beech Grove and to the north by properties fronting Dale Lane, with the adjacent land to the east and south remaining open fields and designated as Green Belt. The land slopes upwards away from Dale Lane and with the open land to the east, and so the proposed development could be a prominent visual feature. However, the properties are limited to two storey only and in line with the allocation policy, landscape buffers are proposed along the eastern and southern boundaries which would assist in softening the transition from the rural setting in the east and south into the main built up area of the village, with the setting of the Green Belt beyond.
- 8.26 Matters of layout and design were raised as a cause for concern in respect to the original scheme for 73 units, including streets dominated by rows and rows of car parking. Many of those concerns the applicant has attempted to address through revised plans. However, matters that remain an issue include the fact that the dwellings adjacent to the Dale Lane frontage have their backs to the main road instead of facing it, which can be considered poor design. However the tree belt along the frontage of Dale Lane would be retained (apart from one) offering a moderate level of screening in mitigation. The regimented road layout and rows of two storey semi-detached properties with simple forms, would largely reflect the layout of colliery housing, which represent a Non-Designated Heritage Asset. The lack of street trees set out in proper grassed verges (in public rather than private owned land) along the main thoroughfares is also disappointing. The applicant's response to this request is that the soft landscaping on the site would be managed by Nottingham Community Housing Association. As such, the occupiers of the development would be prevented from removing any trees and they would be appropriately retained and maintained by the Housing Association staff only. On this basis, it was considered that there would be a much greater degree of control over and above that which would arise in an open market type development.
- 8.27 The overall design approach is modern in interpretation but with a reflection of the traditional colliery housing, which is as to be expected from a regional housebuilder on a scheme of this size. Street scenes have been submitted which do show there would be a rhythm of similar sized blocks. Overall, officers do not intend to be overly prescriptive on matters of design. The revisions submitted during the life of the

application have taken on board some of the comments of Officers and Consultees and made meaningful improvements to the overall design approach of the proposal. Whilst there are still small areas of compromise, these are considered acceptable in the context of a major development of this size and would not in their own right justify refusal of the application.

Impact on Residential Amenity

- 8.28 Policy DM5 of the DPD states that development proposals should ensure no unacceptable reduction in amenity including overbearing impacts and loss of privacy upon neighbouring development. The NPPF seeks to secure high standard of amenity for all existing and future users of land and buildings.
- 8.29 Some local residents have commented on the proposal resulting in a loss of a view out onto green fields, however, this is not a material planning consideration that can be given any weight in reaching a planning decision on this case. Loss of privacy is material. It is noted that the nearest dwellings to the proposed development are those along the western boundary which front Beech Grove and back onto the application site. Their closest distance between the rear elevation of those existing two storey properties and the rear elevation of two storey proposed properties that back onto this boundary is 22.5m. However, the general slope of the land is likely to result in the proposed houses being set at a lower level than the existing fronting Beech Grove. Plot 35 is much closer to this common boundary (2.5m) but this is a bungalow and it is not set directly to the rear of any Beech Grove house. The distance between the nearest two storey flats (Plots 1 and 2) and the two storey houses fronting Dale Lane is 30m.
- 8.30 These sorts of relationships are not uncommon between houses and it is not considered sufficient to represent any unacceptable loss of privacy, light or overbearing impact.
- 8.31 Other matters raised by local residents relate to noise and disturbance from the additional vehicles accessing the development. Whilst it is accepted that the development would result in an increase of traffic and therefore its associated noise, it is not considered that the level of noise is likely to increase to an unacceptable level as a result of this development.
- 8.32 The living environment presented by the scheme for future occupiers is considered to be satisfactory. Overall, the amenity impacts are considered acceptable against the provision of Policy DM5.

Impact on Highway Safety

- 8.33 Spatial Policy 7 of the Core Strategy seeks to ensure that vehicular traffic generated does not create parking or traffic problems. Policy DM5 of the DPD requires the provision of safe access to new development and appropriate parking provision. In addition, the Council has adopted a Supplementary Planning Document (SPD) to guide the design and quantum of new residential development.

- 8.34 Nottinghamshire County Council as the Highway Authority (NCC HA) initially raised a number of objections to the scheme due to various highway safety issues, mostly connected to access works on the highway and internal layout. Through amendments (several iterations) these are finally resolved and the Highway Authority have removed their objection to the scheme. They remain concerned that the turning heads will end up being used for parking and the fact that previous indications were that agricultural access adjacent to Plots 48 and 62 may be used, however, these matters can both be controlled by conditions.
- 8.35 A number of conditions are recommended by NCC HA, most of which are reasonable and necessary and have been included in the list of recommended conditions. A condition is recommended to deal with surface water disposal from the drives and parking areas (which must be hard bound) to prevent it from running onto the public highway. It is also noted that a condition is requested to require each dwelling to be fitted with electric vehicle fast charging points. This is also a matter encouraged by the Council's SPD. However, building regulations now require all new dwellings to have these for each associated parking space and it is therefore not appropriate to duplicate these controls. The condition is therefore not reasonable as it is covered by other legislation and is not imposed.

Parking

- 8.36 Building for a Healthy Life (design guidance) acknowledges that well designed development will make it more attractive for people to choose to walk or cycle for short trips. Parking should also be sufficient and well-integrated. With regards to the latter, the Council has adopted a supplementary planning document (SPD) for cycle and car parking standards which sets a number of expectations on design and quantum for residential developments.
- 8.37 For Bildworth, the quantum of car parking spaces required (as a minimum) per dwelling would be as follows to meet the requirements of the published Parking SPD:

1 bed	1 space
2 bed	2 spaces
3 or more beds	3 spaces

- 8.38 Visitor parking is only required where the minimum number of spaces has not been met. Parking spaces are expected to meet the minimum dimensions set out in the SPD including garages where they are relied upon for parking. Secure undercover cycle is also expected at a minimum rate of 1 space per 1 bedroom dwelling, 2 spaces for 2 or 3 bedroom dwellings.
- 8.39 No garages are proposed within the development at all and so timber sheds are provided for each dwelling within private gardens for secure cycle storage.

- 8.40 The layout relies on a variety of parking solutions including frontage parking and parking to the sides in tandem. No triple tandem parking is proposed. The parking is legible and generally well related to each dwelling they are intended to serve. In addition, 4 visitor spaces are proposed adjacent to Plot 49 and 2 on front of Plots 19 and 20. It is therefore considered that the parking quantum is acceptable.
- 8.41 Subject to appropriate conditions, set out within Section 11 below, the proposal would not result in unacceptable impacts in terms of highway safety and would accord with Spatial Policy 7 and Policy DM5 and the associated SPD.

Impact on Flooding and Drainage

- 8.42 Core Policy 9 requires new development proposals to pro-actively manage surface water. The land is classified as being within Flood Zone 1 and as such it is not at risk from main river flooding. However, according to the Environment Agency maps there is a section of the site at high risk of surface water flooding. The size and nature of the development nevertheless warranted the submission of a Flood Risk Assessment (FRA).
- 8.43 The submitted Flood Risk Assessment identifies the majority of the site is at very low risk of surface water flooding but that there is a risk ranging from low to high, indicating a flow route through the north of the site. This surface water flood flow appears to follow the course of Dale Lane, running in an easterly direction before entering the site at the north-western corner and existing to the north-east corner before returning to the highway as Dale Lane turns into Baulker Lane.
- 8.44 The surface water mapping suggests a low spot between Dale Lane and the site which allows surface water to enter the site and run between a raised verge and higher ground within the site. However, the topographical survey of the site shows the site is consistently at a higher level than the adjacent highway. As such, should surface water flooding occur, it is likely that this would be contained on Dale Lane rather than entering the site. This modelling does not account for the presence of sewers and culverted watercourses, in particular the 370-450mm diameter combined sewer and 675mm diameter surface water sewer which are likely to convey much of the indicated surface water. Therefore the FRA concludes site is considered to be at very low risk of surface water flooding.
- 8.45 In relation to the implications of climate change for surface water drainage, the upper end allowance of 40% is applied to design rainfall intensity to allow for potential implications of climate change.
- 8.46 The local sewers are operated and maintained by Severn Trent Water and there are no public sewers within the site boundary. There are however, a number of public combined sewers in close proximity, at Beech Grove to the west and Dale Lane to the north, the latter comprising 370-450mm diameter public combined sewer running from west to east, a 225mm diameter combined rising main running alongside in the opposite direction and a 675mm diameter public surface water sewer running from west to east. The Assessment identifies the sewers in Dale Lane to present the most significant risk to the site, however with ground levels on site falling towards Dale

Lane, the site would unlikely be affected from flooding from these sewers should such an event occur and STW have not raised any concerns regarding existing flood issues or capacity problems.

- 8.47 There are no canals or other manmade watercourses within close proximity of the site and it is not near any reservoirs or wet process industrial works. The report concludes that the sewers and infrastructure flood risk source can therefore be discounted as a significant source of flood risk to the site. The FRA states the site is not at risk of flooding from ground water or tidal sources.
- 8.48 Severn Trent Water have made comments on the application and they state that foul is proposed to connect into the public combined sewer, which will require a formal section 106 sewer connection approval. Surface water is proposed to connect into the public surface water sewer, which will also be subject to a formal section 106 (of the Water Industry Act 1991) sewer connection approval.
- 8.49 Further comments from Severn Trent are summarised in the consultation section above, but they conclude that no surface water is to enter the foul or combined water system by any means. They state that a sewer modelling study may be required to determine the impact this development will have on the existing system and if flows can be accommodated. Severn Trent may need to undertake a more comprehensive study of the catchment to determine if capital improvements are required. If Severn Trent needs to undertake capital improvements, a reasonable amount of time will need to be determined to allow these works to be completed before any additional flows are connected.
- 8.50 The proposal has been assessed by NCC as the Lead Local Flood Authority with their comments listed in full in the consultation section above. They raise no objection to dealing with any surface water disposal through the imposition of a condition. There is therefore no justifiable reason to resist the application on flood or drainage grounds.
- 8.51 Subject to conditions, it is considered that the surface water disposal can be adequately controlled through condition and the proposed development would need to be able to deal with any surface water that comes onto their site without passing it on and increasing flood risk elsewhere. In this regard the proposal would comply with Core Policy 9 of the Amended Core Strategy.

Impact on Ecology and Trees

- 8.52 Core Policy 12 states that the District Council will:
“Expect proposals to take into account the need for continued protection of the District’s ecological, biological and geological assets. With particular regard to sites of international, national and local significance, Ancient Woodlands and species and habitats of principal importance identified in Section 41 of the Natural Environment and Rural Communities Act 2006 and in the Nottinghamshire Local Biodiversity Action Plan;
Seek to secure development that maximises the opportunities to conserve, enhance and restore biodiversity and geological diversity and to increase provision of, and

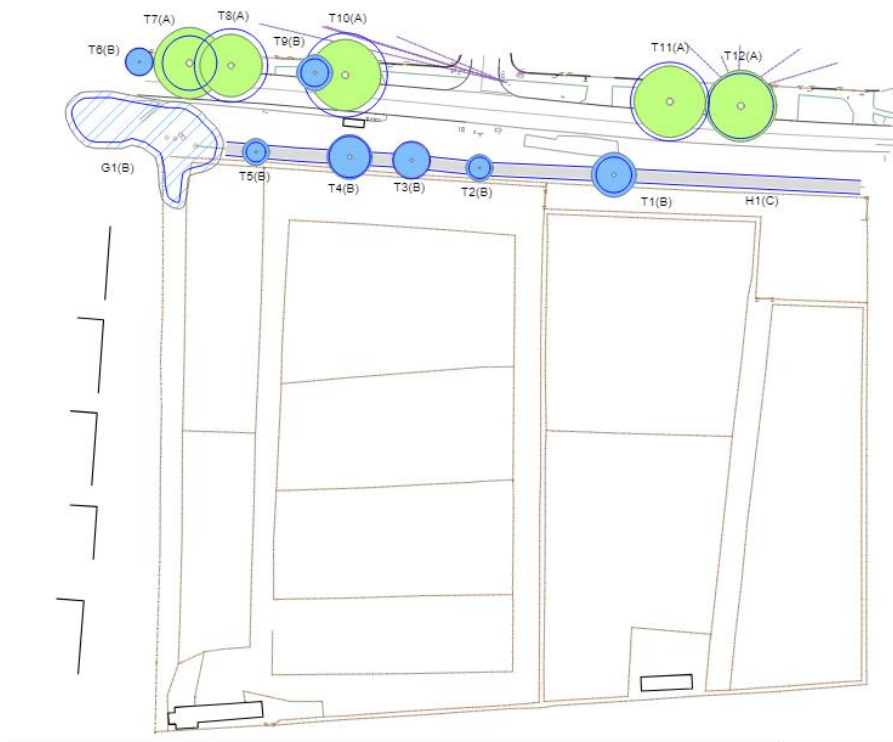
access to, green infrastructure within the District;...”

- 8.53 Paragraph 180 of the NPPF states:
“Planning policies and decisions should contribute to and enhance the natural and local environment by:...
- ...a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
 - ...d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”
- 8.54 Paragraph 186 states:
“When determining planning applications, local planning authorities should apply the following principles:
- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;”
- 8.55 The submitted Ecological Appraisal supports the proposed application and assesses the potential ecological impacts of the proposed development.
- 8.56 The assessment has concluded that there would be no impact on any site afforded either a statutory or non-statutory designation because of biodiversity interest and the Council’s Lead Biodiversity and Ecology Officer concurs with this conclusion.
- 8.57 The grassland forming most of the application site is species-poor with ruderal species and is of low biodiversity value. The single hedgerow within the site meets the criteria for ‘hedgerow’ habitat of principal importance, although this is being formed by a single species and some loss will occur to facilitate access into the site. As such, some loss would not be a significant impact and can be mitigated by utilising native species in the landscaping scheme and creation of wildflower areas in the Public Open Space. The hedge along the north boundary would just be beech and the one along the eastern boundary would just be hawthorn. The Council’s Ecologist considers this is a missed opportunity to create hedgerow of a higher biodiversity value by using more diverse planting mixes.
- 8.58 The assessment has identified the following potential impacts on protected and/or notable species.
- 8.59 Bats: There would be potential impacts on foraging and commuting bats from increased lighting on the hedgerow along Dale Lane and removal of short sections. Proposed mitigation would be a sensitive lighting scheme and the creation of ‘hop-overs’ which are both appropriate and proportionate. ‘Hop-overs are formed by the use of heavy standard trees at the edges of the gaps in the hedgerow. However, these again are not reflected in the landscaping scheme submitted.

- 8.60 Birds: The habitats present form limited suitable habitat for a range of common and widespread species and consequently loss of this habitat would be mitigated by the proposed landscaping within the areas of Public Open Space. In addition, the gardens of the proposed dwellings will likely provide more foraging and nesting opportunities than currently available. Any clearance within the bird nesting period (March to September inclusive) should involve a pre-clearance check by a suitably experienced ecologist.
- 8.61 Reptiles: the site contains limited suitable habitat for reptiles and as such no survey was undertaken. However common lizard has been identified close to the site in the past and a proposed method of working vegetation removal has been proposed which is acceptable and required.
- 8.62 Potential enhancements for bats and birds have been recommended in the form of boxes which would be integrated within some of the proposed dwellings, which can be conditioned.
- 8.63 The Council's Biodiversity and Ecology Officer has advised that there would be no significant harm to biodiversity and the mitigation measures proposed are both appropriate and proportionate. The proposed soft landscaping and the development gardens are likely to represent a net gain for biodiversity given the poor existing grassland and therefore the proposals are in accordance with the requirements of the NPPF and CP12, subject to the three conditions requiring a Construction Environmental Management Plan (CEMP – to secure mitigation measures for reptiles and breeding birds) to be submitted, details of bird and bat boxes and details of external lighting.
- 8.64 Given the comments made regarding the submitted soft landscaping scheme, it is recommended that the submitted landscaping schemes not be approved and that new proposals be required to be submitted.
- 8.65 The submitted desk top study has failed to identify the fact that the application site is within an area concerned with the possible future classification of parts of Sherwood Forest as a Special Protection Area. Currently no formal consultations have been started which would then classify the area as a potential Special Protection Area (pSPA), so this area is referred to as a possible, potential SPA (ppSPA). There continues to be uncertainty about the future classification of a SPA within the Sherwood Forest area, but a possibility of there being a recommendation for classification in the future. Therefore, Natural England have recommended a precautionary approach in the interim when Local Plans are made and planning decisions made. This advice is set out in their Advice Note, which states that:
- “...LPAs [should] seek to ensure that plans and proposals are accompanied by an additional and robust assessment of the likely impacts arising from breeding nightjar and woodlark in the Sherwood Forest Area.”
- This advice is then expanded further, “We also advise that LPAs should seek to satisfy themselves that planning applications contain sufficient objective information to ensure that all potential impacts on the breeding nightjar and woodlark populations

have been adequately avoided or minimised as far as is possible using appropriate measures and safeguards.”

- 8.66 Although there is no formal boundary of any future SPA, the Advice Note includes a plan showing Natural England’s Indicative Core Areas (ICA) for breeding nightjar and woodlark, the RSPB Important Bird Area (IBA) boundary and a 5km buffer around the IBA. The desktop study has failed to identify that the site is located ca. 330m to the west of one of the ICAs and is within the IBA 5km buffer. Consequently, there has been no consideration of the ppSPA in the assessment.
- 8.67 The ppSPA is a material consideration within the planning process, despite the lack of assessment undertaken. However, the Council’s Biodiversity and Ecologist has advised that given the habitats present, and its proximity to existing residential development forming part of Blidworth, they are confident that the site would not be suitable to support breeding nightjar or woodlark.
- 8.68 It must be acknowledged that the site has been allocated for residential development for around 55 dwellings. As part of the plan making process, the LPA were required to undertake appropriate habitat assessments (including consideration of cumulative impacts) which would have included consideration of this site. There is therefore no requirement to proceed to take an appropriate assessment (under the HRA regulations) for this specific application.
- 8.69 Policy DM5 states that in accordance with Core Policy 12, natural features of importance should, wherever possible, be protected and enhanced. A Tree Survey has been submitted which identifies that the most visually prominent trees as existing are long the northern boundary with Dale Lane. The Tree Survey identifies these existing trees as Category B. However, the Council’s Tree and Landscape officer considers that the Trees are Category A trees and worthy of a Tree Preservation Order. The Tree Survey identifies that only one of these trees needs to be lost as a result of the proposed development as it would be located in the middle of the proposed access road into the site. The plan below shows the existing trees with Category B trees in blue and Category A trees in green. So T1 (English Oak), the easternmost blue tree would be lost to allow for the access road.



8.70 T2 and T3 are Field Maples with T4 and T5 English Oak. G1 at the western end is a group of Wild Cherry trees, multi-stemmed from the base and it is proposed to remove two of the Wild Cherry trees, but this would not result in any detrimental impact on the G1 grouping. The hedgerow (H1) is intended to be retained save for the removal required to facilitate the site access. In response to the Council's Tree and Landscape Officer's concern about the loss of T1, the agent has submitted justification as to why the access point cannot be moved from its current position and it relates to the new location of the east-bound bus stop given the number of existing trees and access driveways on the opposite side of Dale Lane. Having fixed the bus stop position, the new pedestrian refuges requested by the Highway Authority had to be located in a safe position. The highway splitters areas had to be designed to not impinge on the proposed access point or impinge too greatly on existing road /driveway access points to the north side of Dale Lane. To seek to keep T1 and move the access point further east, it would result in vehicles leaving the site and turning eastwards having to potentially manoeuvre directly behind a stationary bus or cross a hatched splitter area. Either way this would not be satisfactory in highway safety terms. As a compensation for the loss of T1, the agent has agreed to place 2no. heavy standard Oaks within the new trees to the north side of the Public Open Space along the Dale Road frontage, which is allowed for in the latest Landscape Plans. This is considered to be acceptable compensation for the necessary tree removal.

8.71 The Council's Tree and Landscape Officer has also raised concerns regarding the impact that T2 and T3 trees along the site frontage would have on the plots sitting adjacent to the northern boundary. The concern is that these trees are young specimens currently but when they grow, the branches of the trees will grow out over the rear gardens of these properties and it would result in pressure to remove the trees. In response, the agent say they disagree and state that as the trees are set to

the north of the proposed properties, they would not have any over-shadowing effect on the garden space. The built properties would not impact on the Root Protection Areas of these trees. Furthermore, they state it is subjective to try and predict what the spread of these trees will likely have at full maturity. The trees sit within a strip of land to be dedicated to the maintenance of Nottingham Community Housing Association and would therefore be maintained accordingly.

- 8.72 The agent acknowledges that that the units in the far north-west corner, would have an impact on the Root Protection Area of the T5 Oak tree. Therefore, the design was amended and the bungalows were moved 90 degrees to face Dale Lane, which has reduce the impact on the oak (T5) but would result in the loss of two of the Wild Cherry trees in G1, however, it would not result in any material impact on the group.
- 8.73 Amendments have been made to the Soft Landscaping Details. It proposes 71 new trees within the development, all Heavy Standard as a minimum. They have also altered the species that do not give off sap or residue. The trees are ornamental trees, due to it not being a large development but also due to the highly permeable soils present in the ground.
- 8.74 Whilst I acknowledge the views of the Tree and Landscape Officer, in this case it is considered that the loss of T1 is regrettable but necessary to form a safe access. It would be pragmatic and appropriate to ensure it is replaced with two heavy standard trees. It is also considered that the other tree impacts are acceptable and can be mitigated through new soft heavy standard planting as part of the scheme. To conclude, tree replacements would be secured by condition within the soft Landscaping proposals which would ensure the development is appropriately mitigated and compliant with Policy DM5.

Impact on Archaeology

- 8.75 Core Policy 14 relates to the historic environment and states that the District has a rich and distinctive historic environment and that the Council seeks, 'the continued preservation and enhancement of the character, appearance and setting of the Districts heritage assets and historic environment....including archaeological sites...'
- 8.76 Policy BI/Ho/1 requires the investigation of potential archaeology on the site and any necessary post determination mitigation measures. An Archaeological Desk-Based Assessment has been submitted. The Council's Archaeological Consultant has raised no objection to the proposed development but subject to a condition for a mitigation strategy, including a phased approach to investigation followed by mitigation work, should it be necessary. The standard archaeological condition should therefore be imposed on any planning permission granted.

Other Matters

- 8.77 Community Infrastructure Levy (CIL)** - The site is located within Housing Low Zone 1 of the approved Charging Schedule for the Council's Community Infrastructure Levy. As such residential development in this area is rated at £0m² for CIL purposes.

8.78 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 the application was submitted prior to the legislation coming into force.

Developer Contributions

8.79 Spatial Policy 6, Policy DM2 and Policy DM3 set out the approach for delivering the infrastructure necessary to support growth. This states that infrastructure will be provided through a combination of the Community Infrastructure Levy, developer contributions and planning obligations and where appropriate funding assistance from the District Council. It is critical that the detailed infrastructure needs arising from development proposals are identified and that an appropriate level of provision is provided in response to this. The Developer Contributions and Planning Obligations SPD provides the methodology for the delivery of appropriate infrastructure. The following contributions are appropriate to this scheme (policy position set out and the provision achieved follows) and would be secured by way of a section 106 planning obligation.

	Contribution Based on 62 Dwellings (all index linked)		
Affordable Housing	<p>Policy Requirement: 30% on site provision (60% social/affordable rent; 40% shared ownership)</p> <p>Proposed: 100% affordable housing (70% social rent; 30% shared ownership)</p>		
Open Space / Children's Play Area/Outdoor Sports Facilities	<p>Policy Requirement: On site provision & maintenance of amenity green spaces and for children and young people including:</p> <p>Provision of Amenity Green Space 14.4 sqm per dwelling = 892.8 sqm (Policy Requirement 892.8 sqm).</p> <p>Provision for children and young people 18 sqm per 2 bed and above dwellings = 792 sqm (Policy Requirement 792 sqm).</p> <p>Total required: 892.8 + 792 = 1,684.8sqm Total provision in the north-east corner of the site: 2,884.61sqm</p> <p>Natural and Semi-natural Green Space (Policy Requirement 10 hectares per 1000 population or commuted sum in lieu of provision of no existing facility within 300m of site) Proposal: Boundary Wood is within 100m of the development site and therefore satisfies the requirement</p> <p>Long term maintenance of the on-site public open space will be undertaken by Nottingham Community Housing Association.</p>		
Education	None required		
Community Facilities	Off-site community facilities contribution £1,384.07 x 62 = £85,812.34 + indexation		
Libraries	£2,190 towards library stock		
NHS/Health (for 65+ dwellings)	Development is less than trigger of 65 houses - No contribution required.		
Monitoring Fees (sums for each phased payment / monitoring event, if applicable)	Financial Obligation	Community Facilities	£390
		Libraries	£390
	Physical Obligation	Affordable Housing	£595
		Open Space	£595
		Transport	£595

- 8.80 The developers have confirmed that the scheme would be fully policy compliant in terms of the required Developer Contributions that could be secured through a S106 agreement.
- 8.81 Concerns have been expressed by the Parish Council and local residents that the development will put increased pressure on services that are already under significant pressure. Nottinghamshire County Council have confirmed that there are sufficient existing education places at primary school level to accommodate the children that would live at the proposed development. The secondary and post 16 education contribution requested by Nottinghamshire County Council has not been included above as this is covered by Community Infrastructure Levy contributions. Should planning permission be granted, financial contributions necessary to support occupiers of the development in terms of libraries and community facilities as set out above, would be secured through an obligation. No health contribution could be secured because the number of units has now fallen below the 65 trigger point.

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.

10.0 Conclusion

- 10.1 The proposal relates to an allocated site in the settlement of Blidworth which is considered sustainable in principle. There is no doubt from the level of neighbour representations received that the site is highly contentious in the local community and all comments received have been carefully considered.
- 10.2 The applicant has accepted a willingness to provide the contributions requested in all aspects which would be secured by an associated legal agreement. The applicant has taken on board some comments of Officers and consultees during the life of the application through the submitted revised plans. The revisions made during the life of the application are an improvement in comparison to the original scheme presented for 73 units.
- 10.3 Taking all material considerations into account, Officers have attached meaningful positive weight to the housing delivery of an allocated site in a sustainable settlement for 100% affordable units. There are some compromises such as loss of trees but mitigation can be secured to deal with this. However, overall, the scheme as revised can be appropriately mitigated by conditions and therefore, despite the significant level of local objections which have been received, the recommendation is one of approval as outlined below.

11.0 RECOMMENDATION:

Approve full planning permission subject to:

- 1) The completion of a signed S106 agreement to secure the details set out in the table at paragraph 8.77 above; and**
- 2) The conditions set out below.**

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

Notwithstanding the details submitted relating to elevation materials which are not hereby approved, no development above damp-proof course shall take place until details of all external materials have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of the impact on the Non-Designated Heritage Asset.

03

Notwithstanding the soft landscaping works that have been submitted that are not hereby approved, prior to first occupation of any of the dwellings 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:

- full details of every tree, shrub, hedge to be planted (including its proposed location, species, size and approximate date of planting) and details of tree planting pits including associated irrigation measures, tree staking and guards, and structural cells. The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species;
- existing trees and hedgerows, which are to be retained pending approval of a detailed scheme, together with measures for protection during construction;
- proposed finished ground levels or contours;
- means of enclosure;
- car parking layouts and materials;
- other vehicle and pedestrian access and circulation areas;
- hard surfacing materials;
- minor artefacts and structures for example, furniture, play equipment, refuse or other storage units, signs, lighting etc.

- proposed and existing functional services above and below ground and their proximity to proposed new trees within the streets (for example, drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.).

Reason: In the interests of visual amenity and biodiversity.

04

The approved soft landscaping shall be completed during the first planting season following the first occupation of the 30th dwelling hereby approved. 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. All tree, shrub and hedge planting shall be carried out in accordance with BS 3936 -1992 Part 1-Nursery Stock-Specifications for Trees and Shrubs and Part 4 1984-Specifications for Forestry Trees ; BS4043-1989 Transplanting Root-balled Trees; BS4428-1989 Code of Practice for General Landscape Operations. 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.

05

Prior to any landscape work being undertaken a landscape management plan, including long term objectives, management responsibilities and maintenance schedule for all landscape areas, other than privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the work is carried out within an agreed appropriate period and thereafter properly maintained in the interests of visual amenity and biodiversity.

06

No development shall commence until an arboricultural method statement and scheme for protection of the retained trees has been agreed in writing with the Local Planning Authority. This scheme shall include

- a. A plan showing details and positions of the ground protection areas.
- b. Details and position of protection barriers.
- c. Details and position of underground service runs and working methods employed should these runs be within the designated root protection area of any retained tree/hedgerow on or adjacent to the application site.
- d. Details of any special engineering required to accommodate the protection of retained trees (e.g. in connection with foundations, bridging, water features, hard surfacing).

- e. Details of construction and working methods to be employed for the installation of drives and paths within the root protection areas of any retained trees/hedgerow on or adjacent to the application site.
- f. Details of timing for the various phases of works or development in the context of the tree/hedgerow protection measures.

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

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

07

No development shall take place until an archaeological Mitigation Strategy for the protection of archaeological remains is submitted to and approved by the Local Planning Authority. The Mitigation Strategy will include appropriate Written Scheme of Investigation for a geophysical survey and trial trench evaluation and provision for further mitigation work as necessary. These schemes shall include the following:

1. An assessment of significance and proposed mitigation strategy (ie preservation by record, preservation in situ or a mix of these elements)
2. A methodology and timetable of site investigation and recording
3. Provision for site analysis
4. Provision for publication and dissemination of analysis and records
5. Provision for archive deposition
6. Nomination of a competent person/organisation to undertake the work

The scheme of archaeological investigation must only be undertaken in accordance with the approved details.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with the National Planning Policy Framework.

08

The archaeological site work must be undertaken only in full accordance with the approved written schemes referred to in the above Condition. The applicant will notify the Local Planning Authority of the intention to commence at least fourteen days before the start of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without prior consent of the Local Planning Authority.

Reason: To ensure satisfactory arrangements are made for the recording of possible archaeological remains in accordance with the National Planning Policy Framework.

09

A report of the archaeologist's findings shall be submitted to the Local Planning Authority and the Historic Environment Record Officer at Nottinghamshire County Council within 3 months of the archaeological works hereby approved being commenced. The post-investigation assessment shall be completed in accordance with the programme set out in the approved Written Scheme of Investigation and shall include provision for analysis, publication and dissemination of results and deposition of the archive being secured.

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

010

No part of the development hereby approved shall commence until a details surface water drainage scheme based on the principles set forward by the approved BSP Flood Risk Assessment (FRA) and Drainage Strategy drawing ref: BWNS-BSP-XX-XX-D-SK-001 P03 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to any occupation of any dwelling. The scheme to be submitted shall:

- Demonstrate that the development will use SuDS through-out the site as a primary means of surface water management and that design is in accordance with CIRClA C753 and NPPF Paragraph 169.
- Limit the discharge generated by all rainfall events up to the 100 year plus 40% (climate change) critical rain storm to QBar rates for the developable area.
- Provide detailed design (plans, network details, calculations and supporting summary documentation) in support of any surface water drainage scheme, including details on any attenuation system, the outfall arrangements and any private drainage assets.
Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods.
No surcharge shown in a 1 in 1 year;
No flooding shown in a 1 in 30 year;
For all exceedance to be contained within the site boundary without flooding properties in a 100 year plus 40% storm.
- Evidence to demonstrate the viability (eg condition, capacity and positive onward connection) of any receiving watercourse to accept and convey all surface water from the site.
- Details of STW approval for connections to existing network and any adoption of the site drainage infrastructure.

- Provide a surface water management plan demonstrating how surface water flows will be managed during construction to ensure no increase in flood risk off site.
- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term effectiveness.

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

011

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

- a) Measures to minimise the transfer of mud and deleterious material to the public highway to include wheel washing facilities for construction traffic and provision of mechanical sweeper.
- b) A layout of the construction access and compound.
- c) Details regarding parking provision for construction workers and plant on the site.

Once approved, the Construction Management Plan shall be adhered to at all times throughout the construction process.

Reason: In the interests of highway safety.

012

No works above foundation level shall be carried out until full details of the new roads have been submitted to and approved in writing by the Local Planning Authority to include as a minimum: longitudinal and cross sectional gradients, street lighting, drainage and outfall proposals and construction specifications. The development shall be implemented in accordance with the approved details.

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

013

The development shall not be occupied until the access as indicatively shown on Drawing No: DLB-MT-XX-XX-DR-C-0012 P1 has been provided.

Reason: In the interests of highway safety.

014

Each dwelling shall not be occupied until the access and parking space(s) for that dwelling have been provided in a hard bound material with measures to prevent the egress of surface water to the public highway.

Reason: To reduce the chance of delirious material and surface water being transferred to the highway.

015

No dwelling shall be occupied until an application for suitable traffic management measures to control parking in the turning heads has been made to the Highway Authority. The approved measures shall then be implemented prior to any dwelling being occupied.

Reason: To reduce the chance of obstruction on the public highway in the interests of highway safety.

016

No dwelling shall be occupied until the boundary treatments at the end of the turning heads between Plots 48 and 49 and between Plot 62 and the LEAP have been provided in accordance with a drawing to be first submitted to and approved in writing by the Local Planning Authority. Only the approved boundary treatments shall be implemented within the development.

Reason: To prevent off site access by large vehicles into the land beyond in the interests of highway safety.

017

No part of the development hereby permitted shall be occupied unless or until the improvements to two bus stops have been made to the satisfaction of the Local Planning Authority, and shall include:

- a) NS0375 Sherwood Avenue – removal of current brick bus stop/shelter and foundations, provide real time bus stop poles and displays, low voltage power sources to within 1metre of the real time pole location, polycarbonate bus shelter, solar or electrical lighting, raised boarding kerbs, lowered access kerbs, enforceable bus stop clearway.
- b) NS0376 Sherwood Avenue - provide real time bus stop poles and displays, low voltage power sources to within 1metre of the real time pole location, polycarbonate bus shelter, solar or electrical lighting, raised boarding kerbs, lowered access kerbs, enforceable bus stop clearways and extended hardstands/footways.

Reason: To encourage sustainable forms of public transport and the reduction of carbon dioxide and greenhouse gases.

018

No part of the development hereby permitted shall be occupied until the details of a scheme for provision of free bus passes to residents of the development upon occupation are submitted and approved by the Local Planning Authority. The scheme should include details of the bus pass(es) including period of validity or equivalent, the area of coverage, arrangements for promoting the passes, application and monitoring arrangements. The approved scheme shall then be implemented in full in accordance with the approved details.

Reason: To encourage sustainable forms of public transport and the reduction of carbon dioxide and greenhouse gases.

019

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.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: In the interests of protecting biodiversity during the construction period.

020

No development shall take place (including ground works, vegetation clearance) until bat box and bird nesting box plan has been submitted to and approved in writing by the Local Planning Authority. The annotated plan shall include the details of the numbers, location, type and installation details (i.e., orientation, height etc.). The annotated plan shall be fully implemented on each dwelling prior to its first occupation.

Reasons: In the interests of biodiversity.

021

No development shall take place (including ground works, vegetation clearance) until an external lighting scheme (excluding highway street lights) has been submitted to and approved in writing by the Local Planning Authority. The scheme should identify how measures have been undertaken to minimise lighting impacts on the features highlighted in the supporting Ecological Appraisal (i.e., the boundary features alongside Dale Lane, and created vegetation in the area of Public Open Space) which are likely to be utilised by foraging/commuting bats.

Reasons: in the interests of biodiversity.

022

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

- OS Location Plan (Drawing No: PL-001B);
- Proposed Site Plan – External Finishes (Drawing No: PL-005M);
- House Type 1A: 1B/2P – 48/61sq.m GIA (Drawing No: PL-010C);
- House Type 1B: 1B/2P – 48/61sq.m GIA (Drawing No: PL-011A);
- House Type 1C: 1B/2P – 48/61sq.m GIA (Drawing No: PL-012A);
- House Type 1D: 1B/2P – 48/61sq.m GIA (Drawing No: PL-013D);
- House Type 1E: 1B/2P – 48/61sq.m GIA (Drawing No: PL-014B);
- House Type 1F: 1B/2P – 48/61sq.m GIA (Drawing No: PL-015A);
- House Type 1H: 1B/2P – 48sq.m GIA (Drawing No: PL-017B);
- House Type 2A: 2B/4P – 70sq.m GIA (Drawing No: PL-020A);
- House Type 2B: 2B/4P – 70sq.m GIA (Drawing No: PL-021A);
- House Type 2C: 2B/4P – 70sq.m GIA (Drawing No: PL-022A);
- House Type 2D: 2B/4P – 70sq.m GIA (Drawing No: PL-023A);
- House Type 3A: 3B/5P – 85sq.m GIA (Drawing No: PL-030A);
- House Type 3B: 3B/5P – 85sq.m GIA (Drawing No: PL-031A);
- House Type 3C: 3B/5P – 85sq.m GIA (Drawing No: PL-032);
- House Type 3D: 3B/5P – 85sq.m GIA (Drawing No: PL-033A);

- Street Scene Elevations (1 of 2) (Drawing No: PL-150E)
- Street Scene Elevations (2 of 2) (Drawing No: PL-150G)
- Photomontage - Approach to Blidworth from Dale Lane (Jan 2024)
- Northern Boundary Position (Drawing No: PL-008)

- Tenure Plan – 62 units (Drawing No: TE-001M);
- Accommodation Schedule
- Storey Heights (Drawing No: PL-0009);
- Adoption Plan (Drawing No: PL-006D);
- Bin Collection Points (Drawing No: PL-007D);
- Proposed Play Area Layout (Scheme No: 2587rev1 Date:19/4/24);
- Design of Children’s Play Equipment (Scheme No:25870/NOT Date: 24/1/24);
- S278 General Arrangement Option 3 (Drawing No: DLB-MT-XX-XX-DR-C-0012 Rev P1);

- S38 Swept Path Analysis (Drawing No: DLB-MT-XX-XX-DR-C-0004 Rev P4).

Reason: So as to define this permission.

Informatives

01

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

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

02

This application has been the subject of discussions during the application process to ensure that the proposal is acceptable. The District Planning Authority has accordingly worked positively and pro-actively, seeking solutions to problems arising in coming to its decision. This is fully in accordance with Town and Country Planning (Development Management Procedure) Order 2010 (as amended).

03

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe in legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

04

Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under, The Transfer Of Sewers Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will

seek to assist you in obtaining a solution which protects both the public sewer and the building.

05

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the HA, the new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for road works.

- a) The advanced Payments Code in the Highways Act 1980 applied and under Section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the HA with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore it is recommended that the developer contact the HA as early as possible.
- b) It is strongly recommended that the developer contact the HA at an early stage to clarify the codes etc with which compliance will be required in the particular circumstance. It is essential that design calculations and detailed construction drawing for the proposed works are submitted to and approved by the County Council in writing before any work commences on site.

Correspondence with the HA should be addressed to hdc.north@nottscc.gov.uk

06

In order to carry out the off-site works required, the applicant will be undertaking work in the public highway which is land subject to the provisions of the Highway Act 1980 (as amended) and therefore land over which the applicant has no control. In order to undertake the works, which must comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks, the applicant will need to enter into an agreement under Section 278 of the Act. The Agreement can take some time to complete as timescales are dependent on the quality of the submission, as well as how quickly the applicant contacts the Highway Authority as early as possible. Work in the public highway will not be permitted until the Section 278 Agreement is signed by all parties.

07

The applicant should email: hdc.north@nottscc.gov.uk to commence the technical approval process, prior to submitting the related discharge of conditions application. The Highway Authority is unlikely to consider any details submitted as part of the discharge of conditions application prior to technical approval of the works being issued.

08

Planning permission is not permission to work on or from the public highway. In order to ensure all necessary licences and permission are in place you must contact licences@viaem.co.uk

09

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

010

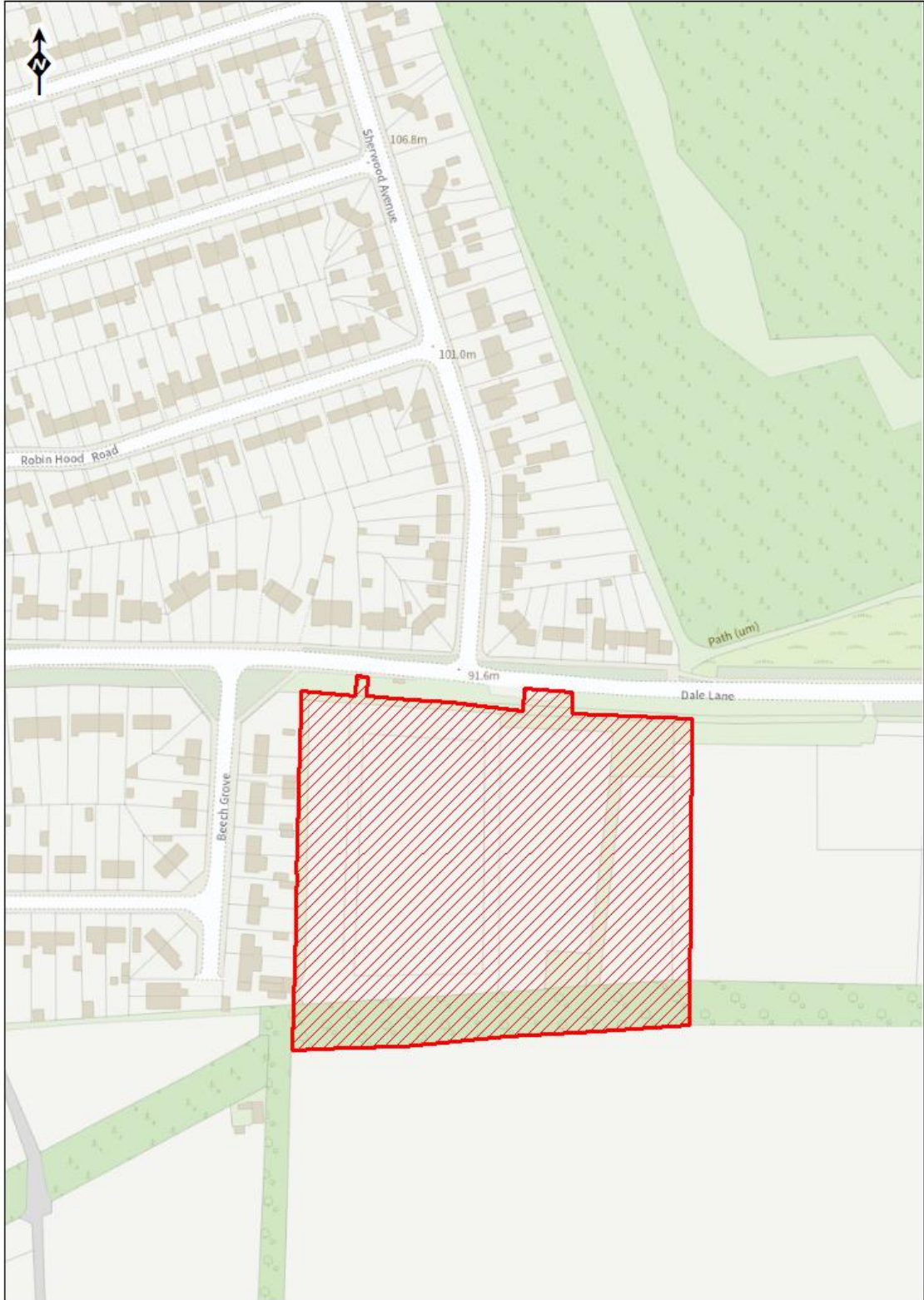
List of Supporting Reports and Documents:

- Energy Report by Tune dated 21 March 2023;
- Ecological Appraisal by FPCR dated July 2022;
- Archaeological Desk-Based Assessment by Midland Archaeological Services dated Feb 2023 V1;
- Arboricultural Assessment Rev A by FPCR dated July 2024;
- Flood Risk Assessment & Drainage Strategy by BSP dated November 2022;
- Drainage Strategy Statement by Mortec Projects dated 1 February 2024;
- Drainage Strategy – Infiltration Basin Detail (Drawing No: DLB-MT-XX-XX-DR-C-0501 Rev P1);
- Soakaway Testing report by GeoDyne dated 14 June 2022;
- Sections through and soil logs from GeoDyne;
- Combined Phase I Desk Study & Phase II Exploratory Investigation Report by Geodyne dated October 2021;
- Transport and Accessibility Statement by Mortec Projects dated Sept 2023 (Rev 1 – Jan 2024)
- Proposed Developer Contributions (Draft Heads of Terms) dated 30.01.2024;

BACKGROUND PAPERS

Application case file.

Committee Plan - 22/01459/FULM



© Crown Copyright and database right 2022 Ordnance Survey. Licence 100022288. Scale: Not to scale



Report to Planning Committee 5 September 2024

Business Manager Lead: Lisa Hughes – Planning Development

Lead Officer: Clare Walker, Senior Planner, 01636 655834

Report Summary			
Application Number	23/01836/RMAM (MAJOR)		
Proposal	Submission of Reserved Matters (layout, scale, appearance, landscaping) pursuant to outline consent 20/01190/OUTM; Outline planning application for 45 dwellings		
Location	Land rear of The Vineries, Lower Kirklington Road, Southwell		
Applicant	Cameron Homes Ltd, Sir John Starkey, Mr Keith Maxey, Mrs Katherine Maxey, Mr John Judson, Mrs Ann Judson and Mr Richard Mullard	Agent	Evolve Planning & Design Ltd
Web Link	23/01836/RMAM Reserved Matters application (layout, scale, appearance, landscaping) pursuant to outline consent 20/01190/OUTM; Outline planning application for 45 dwellings Land Rear Of The Vineries Lower Kirklington Road Southwell (newark-sherwooddc.gov.uk)		
Registered	30.10.2023	Target Date	26.01.2024 EOT 06.09.2024
Recommendation	That planning permission is approved subject to the conditions at Section 10.0 of the report		

UPDATE

This application was presented to the Planning Committee on 1st August 2024 with a recommendation of approval.

During the debate some Members raised concerns regarding the tree and ecological impacts (including the lack of comments from the relevant officers) and whether the housing mix reflected the local housing need, stating that the need contained within the draft Neighbourhood Plan should be considered instead. Concern was also raised regarding the size and siting of Plot 37.

The application was therefore deferred to allow for further negotiation to take place with the developer to address these concerns.

Amendments

In response to concerns raised by the Planning Committee the applicant has amended Plot 37 to a 'Denver' house type (3 bed with upstairs study) and increased the level of planting between it and the two adjacent properties which would now be located within the management company control. These changes are shown on the following amended plans received 9th August 2024. Some minor revisions to the Landscape and Ecology Management Plan have also been made in response to late comments from the Council's Lead Ecologist and Biodiversity Lead Officer, received 23rd August 2024.

- Drawing no. 2322-03- Site Layout Rev AA
- 11515-FPCP-XX-XX-DR-L-0001 P14 – Detailed POS Structural Landscaping Proposals (P14 replaced P13, received 15.08.2024)
- 11515-FPCP-XX-XX-DR-L-0002 P09 – On Plot General Arrangement (Landscaping)
- 11515-FPCP-XX-XX-DR-L-0003 P09 – On Plot General Arrangement (Landscaping)
- 11515-FPCP-XX-XX-DR-L-0004 P09 – On Plot General Arrangement (Landscaping)
- 2322-05-01- Maintenance Rev G – Maintenance Area Plan
- 2322-04-02 Surface Materials Rev J
- 2322-04-01 Materials Rev K – Materials Layout
- RSE_6749_R3_V3_LEMP – Landscape and Ecology Management Plan, August.

Given the extent of amendments, only limited re-consultation has taken place with relevant parties for completeness.

Further Representations

The further representations received since the previous committee are set out in the table below.

Date received	Correspondent	Points Raised (Summary)	Officer Response
06.07.2024	Southwell Civic Society	<p>Letter asking number of questions including clarity on deferral reasons. Continue to raise concerns.</p> <p><u>Housing Mix</u> HNS shows housing stock is skewed towards larger homes and target mix won't be met unless larger homes are restricted. Any further 4/5 bed dwellings will increase the skew. The Civic Society challenges the proposed change to table HE1.1</p>	This is covered in the update below.

		<p>shown in the R14 May 2013 consultation draft.</p> <p><u>Flood Risk</u> The details being left to condition leaves LPA open to challenge</p> <p><u>Ecology</u> The width of buffer along the eastern boundary needs to be specified to ensure the important hedgerow is retained as wildlife corridor.</p>	<p>A drainage strategy has been provided and officers are satisfied that the detail is sufficient. Any changes beyond the strategy could necessitate a further application.</p> <p>The hedgerow along the eastern boundary would be retained and managed within the management company as shown on the drawings. This measures approx. 3.5m wide from the centre of the boundary.</p>
07.08.2024	NSDC Tree/Landscape Officer	No objections, concerns addressed	None required.
12.08.2024	Local Resident	<p>The important hedge along the eastern boundary hedge and Maple tree is to be protected and retained. We happily accept the proposal as concerns have been met and mitigated.</p> <p>Housing mix is very good and not in anyone's interest to have fewer large family houses as would produce imbalance in the social mix and not desirable result.</p>	None required.
13.08.2024	Biodiversity and Ecology Lead Officer	I have reviewed the Landscape and Ecology Management Plan (LEMP) Ref: RSE_6749_R2_V2_LEMP – 08/07/2024 and the Detailed POS Structural Landscape Proposals Ref:	

		<p>11515-FPCR-XX-XX-DR-L-0001 Rev P12 – 27/07/2024.</p> <p>Whilst I concur with your assessment and conclusions within your report for the Planning Committee of 01 August regarding ecology matters I would make the following comments, which I don't think are material to the decision.</p> <p>The POS Structural Landscape Proposals reflect the recommendations within the LEMP with two exceptions.</p> <ol style="list-style-type: none"> 1. The LEMP proposes ground flora enhancement for the woodland areas via seeding with an appropriate woodland seed mixture. This is not shown on the landscaping plans. 2. The LEMP recommends that the pond planting should consider inclusion of species with emergent leaves and totally submerged oxygenating plants (noting that it includes broadleaved pondweed <i>Potamogeton natans</i> in this category which is incorrect as this is a floating-leaved species). The landscaping plans do not include such species. <p>I also have one comment to make regarding the LEMP. Whilst this correctly includes a section covering monitoring in Section 1.18 but whilst an element of monitoring is shown in Appendix 2: Management Timetable this does not fully meet the objectives of Section 1.18; for example there isn't any specific monitoring of the woodland</p>	<p>An amended landscape plan has been received that includes a note to confirm that wildflower seeding will take place and that 2 additional species have been added to the marginal planting mix.</p> <p>An amended LEMP has been received which now explicitly and adequately addresses the issues raised.</p>
--	--	--	--

		<p>habitat. Also, and importantly, there is no requirement for monitoring reports to be prepared and submitted to the local planning authority, which is considered to be important. These do not need to be extensive and complicated reports but consider are necessary so that as the determining authority we can ensure that the ecological mitigation and enhancement that is proposed and required to make the application acceptable in respect of ecology matters is implemented and maintained appropriately.</p>	
19.08.2024	Local Resident	<ul style="list-style-type: none"> • Share concerns of Southwell Civic Society. • Raise concerns regarding overlooking of no. 1 Private Drive from plots 38 to 41 and the uncertainty around the buffer strip between Private Drive and the development, distance of which should be stated. • Concerns have been dismissed at para. 8.68 of the committee report. • Independent architect has shared they would also be concerned if it was their house. • Planning condition should be imposed to prevent roof space conversions. 	<p>Noted.</p> <p>As set out above the width of the buffer is approx. 3.5m wide from the boundary fence of the new dwellings.</p> <p>The distances between dwellings are considered sufficient to avoid impacts such as direct overlooking and loss of privacy.</p> <p>It is not considered reasonable or necessary to remove permitted development rights for loft conversions.</p>
27.08.2024	Local Resident	Previous concerns remain the same.	These are considered within the previous committee report.

28.08.2024	Southwell Civic Society	Letter dated 23.08.2024 reiterating concerns in relation to: <ul style="list-style-type: none"> • Housing Mix • Flooding, and • Ecology Request the committee reject the application	Matters have already been addressed in this report.
28.08.2024	Local Resident	Concern that there is no landscape buffer shown between Oak Tree House and plots 33 and 34 and that the hedgerow planted by the occupants of the existing house is to be trimmed back	A landscape buffer in this location is not considered necessary to make the development acceptable. Any cutting back of existing planting would need to be undertaken with the consent of the owners.
28.08.2024	Local Resident	Remain concerned for reasons already set out such as; <p>The treatment of the Southern Boundary</p> <p>The creation of a new footpath to join PROW55 due to safety concerns which have been ignored.</p>	Matters already addressed within the report.

Any additional representations will be reported to the Committee as a late item.

Officer Assessment of Amendments

Notwithstanding that the officer recommendation was for approval without the amendments, the following comments are provided for Members.

Housing Mix/Size and siting of Plot 37

Housing mix is addressed in the original committee report at paragraphs 8.10 to 8.22. As stated at paragraph 8.21, the latest housing needs evidence for Southwell was not publicly available to review at the time of writing the original report. For completeness, officers had therefore reviewed the latest version of the SNP in respect of housing mix (which would have been based on this evidence) even though the SNP Review in itself cannot attract weight as it hasn't been through examination process.

The Southwell Housing Needs Assessment, by AECOM dated May 2022 has now been published on the STC website. This asserts that new development should be focused on medium and smaller homes. 3-bedroom properties are the largest need, followed by 2 bedroom dwellings. The HNA is also clear however, that it is never advisable to entirely restrict the supply of 4+ bedroom dwellings and makes clear that it would be unwise for new housing to come forward in an unbalanced way (para. 170). The following table is an extract from the HNA:

Table 5-9 Suggested dwelling size mix to 2031, Southwell

Number of bedrooms	Current mix (2011)	Target mix (2031)	Balance of new housing to reach target mix
1 bedroom	7.3%	6.2%	0.7%
2 bedrooms	19.9%	24.1%	28.9%
3 bedrooms	35.9%	48.3%	70.4%
4 bedrooms	28.0%	16.2%	0.0%
5 or more bedrooms	8.9%	5.3%	0.0%

The 'target mix' in the table above is contained within the SNP Plan Review and was considered by officers previously. The table under paragraph 8.21 of the original committee report set out this target mix and compared it against the proposed scheme which officers considered (and still consider) represents a good mix as stated in the report.

Nevertheless, the applicants have heard the views of Members (and residents) and in response have made a further amendment in an attempt to address the concerns raised. Noting the specific concerns relating to Plot 37, this has been amended from a large 5-bedroom dwelling to a large 3-bedroom dwelling with the garden land available reduced to allow additional land along the boundary to be placed into the management company control to create a stronger, more robust buffer between dwellings. The effect on housing mix is shown in the Table below (noting the strikethrough and bolded text to show the changes) as follows:

No. of beds	SNP Plan Review (target mix)	Proposed Scheme (overall mix of market and affordable)
1	6.2%	8.8%
2	24.1%	35.5%
3	48.3%	35.5% 37.77%
4	16.2%	-
5+	5.3%	20% 17.77%

Notwithstanding this, in any event it should also be noted there is now case law around housing mix in a reserved matters context. A High Court challenge between CPRE Warwickshire and Coventry City Council was settled on account of other similar cases that concluded that mix does not fall within the scope of a Reserved Matters application where there is no condition attached to the outline consent to prescribe that mix. In this case, there was no condition attached requiring a specific mix, albeit affordable mix was settled at outline stage, controlled via the s.106 agreement. Nevertheless, officers have sought to

negotiate a suitable mix that reflects the local need.

The conclusions previously drawn by officers, as set out at paragraph 8.22 of the original committee report remain true and the mix proposed is appropriate when taken as a whole, noting that it includes 30% much needed affordable housing and 20% bungalows. Officers are of the firm view that there are no grounds to refuse the application on housing mix.

Furthermore, as the size of Plot 37 has been reduced, so has the impact on neighbouring dwellings through its siting further away from neighbours. The intervening land (shown on the circled area on the extract to the right below) is now shown to be falling within the control of the management company.

Left: Extract of revised site plot showing P37 Right: Extent of Management Company land shown in red



Due to this amendment the quantum of Public Open Space on site would increase by approximately 511m² to 11,099m².

Landscape and Ecology Consultations

Members expressed concerns regarding the lack of formal consultation responses from colleagues. In order to make most efficient use of resources, comments are only made where necessary.

The Landscape and Tree Officer has confirmed that they have read the officer report, that it covers their previous concerns fully and they reaffirm they have no objection to the proposals.

Likewise the Council's Lead Ecologist and Biodiversity Officer has also confirmed they have no objections, although did note two areas that needed further clarification. An amended

landscaping plan and revised Landscape and Ecological Management Plan have been submitted which adequately deal with the comments raised.

Referral Conclusions

The applicants have sought to address the concerns of Members and from the outset have been working positively with officers to achieve a good scheme that delivers this allocated housing site. The view of officers is that the scheme meets the expectations of our policies and there are no reasonable grounds for refusal. The recommendation remains for approval subject to amended conditions to reflect the minor changes to the plans. These changes are shown in strikethrough and bolded text for ease of reference in the original committee report that follows.

ORIGINAL COMMITTEE REPORT DATED 01.08.2024

This application has been referred to the Planning Committee by Cllr P Harris in the event of a recommendation for approval. The reasons for the referral relate to changes in impacts upon trees and ecology and housing mix from the outline consent. The request was made prior to the recently adopted changes to the Planning Protocol.

1.0 Background

1.1 The delay in forming a recommendation on this application is due to enabling the applicant the opportunity of addressing various concerns raised by consultees (mainly NCC Highways) on numerous occasions. This has demonstrated that the local planning authority has sought to work positively and proactively with the applicants as required by the NPPF and by the Town & Country Planning (Development Management Procedure) (England) Order 2015.

2.0 The Site

2.1 The application site comprises c2.8ha of land containing a mix of agricultural land, grassland, former allotments and former apple orchard to the east of Kirklington Road and to the south of Lower Kirklington Road in Southwell. There are a number of mature trees and hedgerows within the site. The vast majority of this land is allocated for housing in the Council's Allocations and Development Management DPD albeit the allotments were not included in the allocation.

2.2 There are several components to the site including land north of The Vineries which comprises a field that is now overgrown, a protected Walnut tree and informal grassland with a driveway and hardstanding associated with the existing properties, including The Vineries, to its south. It also includes domestic outbuildings located close to the eastern boundary that serve The Vineries which are excluded from the application site. These properties comprise a row of 5 cottages with their frontages facing the parking/garage area at the north and rear gardens orientated to the south. No. 5 has a sunroom/conservatory located on its east side.

2.3 The site is bound to the west by Kirklington Road with its boundary being a managed high native hedgerow along its length, aside from the gap which forms the current existing vehicular access to the site. Beyond this (to the west) is Norwood Golf course.

2.4 The site frontage with Lower Kirklington Road is bound with a managed hedgerow. To the north, adjacent to the highway is a grassed verge which contains several evenly spaced Acer trees. Towards the northern end of the site, close to the Lower Kirklington Road boundary, positioned centrally is a Walnut tree that is subject to a Tree Preservation Order.

2.5 A public right of way (no. 55) extends along the southern boundary before projecting southwards to link with Kirklington Road and Springfield Road. A local watercourse (Springfield Dyke) is located south of the application site.

2.6 Three properties off Avondale Lane lie to the north of the south-eastern section of the site; 'Benaiah', 'Oak Tree House' and 'Oaklands' which are all substantial two storey

dwellings. In addition, 3 detached dwellings have now been constructed to the rear of the bungalow ‘Brooklyn’ under planning reference 19/01615/RMA. These are set in a linear, tandem arrangement alongside the eastern site boundary with Plot 3 sitting alongside Benaiah adjacent to the northern boundary of the dog-leg. These are accessed via their own private drive (known as Private Drive) between ‘Brooklyn’ and the proposed site access.

2.7 The site lies in flood zone 1 according to the Environment Agency maps.

3.0 **Relevant Planning History**

3.1 **20/01190/OUTM** – Outline planning application for 45 dwellings was granted 1st June 2021. All matters were reserved except for the means of access. The resolution to approve was as recommended by the Planning Committee in November 2020, subject to a number of conditions and a Planning Obligation under section 106 to secure the following:

Contribution	Policy Requirement	Contribution Achieved	Trigger Points
Affordable Housing	30% on site, (tenure split 60% social rent, 40% home ownership products)	Policy compliant contribution of 14 affordable units as follows unless otherwise agreed: <u>Social/Affordable Rent:</u> 4 x 1 bed maisonette 1 x 2 bed bungalow 2 x 2 bed house 1 x 3 bed house <u>Home Ownership Product:</u> 1 x 2 bed bungalow 4 x 2 bed house 1 x 3 bed house Plot numbers to be provided at RMA stage.	Not to occupy more than 22 dwellings (c48%) until 7 (50%) of the affordable units are provided. Not to occupy more than 36 (80%) dwellings until remaining affordable units provided and TF to provider
Health	Contribution towards health infrastructure £982.62 per dwelling	Justification has been provided to show the need. Policy compliant £44,217.90 to be secured towards expansion of infrastructure within the area.	Prior to occupation of 10 th dwelling
Public Open Space	Combined POS (‘Amenity Open Space’ of 14.4m per dwelling and ‘Children’s and Young Person’s Space’ of 18m per dwelling)	Not less than 1,458m of public open space to be provided on site and to include a Locally Equipped Area for Play (LEAP) (size not to be specified to allow flexibility) details of which will need to be agreed with LPA prior to first occupation.	Provided on site in accordance with scheme to be agreed before works commence Not to commence until

		Maintenance of all public open space (including footpath links, LEAP, SUDs and landscape buffers) to be secured through management company for the lifetime of the development	management plan and spec has been submitted and not to occupy until this has been approved
Community Facilities	Off-site contribution of £1,384.07 (indexed at 2016 and to be uplifted) per dwelling	Total policy compliant contribution of £62,283.15 to be spent within Southwell.	Not to occupy more than 22 dwellings (c48%) until sum paid
Transport	Contributions made upon subject to justification	£7,000 towards bus stop infrastructure to improve bus stop at NS0188 Norwood Gardens including raising boarding kerbs and replacing polycarbonate bus shelter.	Not to occupy any dwelling until sum paid
TOTALS		14 affordable dwellings plus £113,501.05	
Monitoring fees of £1,260 also have been agreed, to be payable when other contributions are paid by the developer			

- 3.2 Applications to discharge conditions attached to 20/01190/OUTM have been made and considered as follows: Conditions 12 (trees to be felled subject to endoscope survey) acceptable, 14 (clearance works) methodology acceptable, 16 (CEMP) not yet discharged, 17 (updated protected species survey) details acceptable (**23/01822/DISCON**), Request to discharge condition 9 (land contamination) not yet agreed (**23/02070/DISCON**), Condition 18 (archaeology 1) details agreed 24.10.2023 (**24/00099//DISCON**) and conditions 19 & 20 (archaeology 2 & 3) pending consideration (**24/01039/DISCON**).
- 3.3 Prior to the outline scheme above having gained consent the following applications also relate to the site:
- 3.4 **17/00605/OUTM** – This application related to part of the wider allocated site (the western part) and was for outline consent (all matters reserved except for the means of access) for up to 18 dwellings including the provision of 5 affordable houses and to include the provision of off- site Highway works including (but not limited to) the provision of a mini roundabout at the junction of Kirklington Road and Lower Kirklington Road Southwell. This application was refused under delegated powers on 12th October 2018 for the following summarised reasons:
- 1) *Failure to demonstrate that developing this part of a wider housing site allocation independently would not prejudice the delivery of the remainder of*

the site in an appropriate way. Specifically the drainage strategy as advanced is not fit for purpose.

2) *Scheme did not secure appropriate range of developer contributions to mitigate the impact of the development.*

3.5 **16/01352/OUT** - Construction of 9 no. 4/5 bedroom detached houses - Phase 1 of the proposed development. (Outline application with matters of access and layout for consideration with all other matters reserved). This application was withdrawn prior to a formal decision being made due to various concerns being raised. This related to the western part of the enquiry site owned by the Maxey's.

3.6 **16/00007/TPO** - A Tree Preservation Order (no. N362) was made and confirmed on 19th October 2017 in relation to the walnut tree on site.

3.7 **13/00823/FUL** – ‘Formation of new vehicular access and mini-roundabout with associated highway works.’ This was a standalone 3 arm roundabout at the junction of where Lower Kirklington Road meets Kirklington Road which was approved 20th August 2013 under delegated powers and has now time expired without a start on site being made. The applicants were the same as this scheme, Mr & Mrs Maxey.

4.0 The Proposal

4.1 Reserved matters approval is sought in respect of layout, scale, appearance and landscaping for 45 dwellings. This follows the granting of outline consent for 45 dwellings in June 2021.

4.2 The scheme would take its vehicular access from Lower Kirklington Road (a matter already approved by the outline consent) with the road layout taking a cul-de-sac form.

4.3 Fourteen house types are proposed, comprising single and two storey dwellings with a mix of terrace, semi and detached units. An area of play space is located centrally to the eastern side of the highway and on-site sustainable urban drainage features are located to the north-west site frontage and to the south-east corner of the site. Landscaping buffers are to be provided to the boundaries of the site which would be within the control of a management company, secured through the legal agreement at outline stage.

4.4 The following table provides details of the house types proposed. Plots in bold text in the far-right column indicate affordable housing provision.

House Name	House type	No. of Bedrooms	Floorspace in m ²	Plots
622	Semi-detached two storey dwelling	1 (Upside-down house - bedroom 16.5m ²)	55.6	Four Plots: 11, 12, 13, 14
657	Detached/semi detached bungalow	2	61	Six Plots: 4, 5, 15, 16 , 29, 30

761	Semi-detached two storey dwelling	2	69.3	Six plots: 6, 7, 9, 10, 18, 19
Annesley	Semi-detached two storey dwelling	2	68.9	Four Plots: 23, 24, 43, 44
920	Semi-detached 2 storey	3	83.2	Two plots: 8, 17
Barton	Detached bungalow	3	78.3	Two plots 21, 22
Cardew	Detached/semi 2 storey	3	86.4	Three plots: 3, 39, 40
Chapman	Detached 2 storey (variations of brick and render)	3	90.6	One plot: 38
Denver	Detached 2 storey	3 beds + study (study 7m ² ; 2.79 x 1.98m) Integral garage	147.50	Five Six plots: 1, 2, 25, 37 , 41, 42,
Richardson	Detached 2 storey	5 Integral garage	224.4	Four plots: 27, 33, 34, 45
Seymour	Detached 2 storey	5 Integral garage	227	Two Plots: Plot 26, 28
Stansfield	Detached 2 storey	5	196	Two Plots: 35, 36
2600	Detached 2 storey	5	266.7	One Plot: 37

4.5 The scheme has been amended several times throughout the course of the application to address officer concerns, including those from the Highways Authority. The application is accompanied by various plans (as listed in suggested condition 13) and the following documents/plans:

- Site Location Plan, 2322/02
- Drainage Strategy (100 Rev F)
- Technical specifications of manhole structures (drainage)
- Topographical Survey (2322-01-01)
- Construction and Ecology Management Plan, Ramm Sanderson, August 2023
- Design and Access Statement by White Ridge Architecture, August 2023
- Ground Level Tree Survey Update by Ramm Sanderson
- Landscape and Ecology Management Plan by Ramm Sanderson, July 2023
- Planning Statement by Evolve Planning & Design
- Arboricultural Assessment and Arboricultural Method by fpcr, May 2024 (revised)
- Site Waste Management Plan by Reconomy, July 2023
- Gas Risk Assessment Update, MEC, December 2023
- Basin Section Sheet 1 of 2, drawing no. 115
- Basin Section Sheet 2 of 2, drawing no. 116
- Parking Heat Map, drawing 2322-PARKING HEAT MAP Rev A

NB – also see amended plans received 09.08.2024

5.0 Public Advertisement Procedure

- 5.1 Occupiers of 34 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. Further re-consultation has taken place in respect of the amended plans as necessary.
- 5.2 Site visits undertaken on 2 November 2023 and 16 July 2024.

6.0 Planning Policy Framework

6.1 Southwell Neighbourhood Plan 'made' 2016

- SD1 – Delivery Sustainable Development
- E1 – Flood Risk Assessments and Mitigation
- E2 – Flood Resilient Design
- E3 – Green Infrastructure and Biodiversity
- E4 – Public Rights of Way and Wildlife Corridors
- E5 – Green Link
- E6 – Climate Change and Carbon Emissions
- DH – Sense of Place
- DH2 - Public Realm
- TA1 - Cycle and Pedestrian Routes
- TA2 – Public Transport Connectivity
- TA3- Highways Impact
- TA4 – Parking Standards
- HE1 – Housing Type and Density
- Policy SS4 – Land east of Kirklington Road (So/Ho/4)
- Appendix 1 - Southwell Design Guide

Note: some of these policies are based on out-of-date evidence. Where applicable, the amount of weight that can be attached is discussed within section 8.0 of the report.

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

- Spatial Policy 7 - Sustainable Transport
- Spatial Policy 8 – Protecting and Promoting Leisure and Community Facilities
- Core Policy 1 – Affordable Housing Provision
- 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
- SoAP1 – Role and Setting of Southwell

6.3 Allocations & Development Management DPD

- So/Ho/4 – Southwell Housing Site 4
- So/HN/1 – Southwell Housing Need
- DM1 – Development within Settlements Central to Delivering the Spatial Strategy
- DM2 – Development on Allocated Sites
- DM5 – Design
- DM7 – Biodiversity and Green Infrastructure
- DM9 – Protecting and Enhancing the Historic Environment
- DM12 – Presumption in Favour of Sustainable Development

6.4 The [Draft Amended Allocations & Development Management DPD](#) was submitted to the Secretary of State on the 18th January 2024. This is therefore at an advanced stage of preparation albeit the DPD is yet to be examined. There are unresolved objections to amended versions of the above policies emerging through that process, and so the level of weight which those proposed new policies can be afforded is currently limited. As such, the application has been assessed in-line with policies from the adopted Development Plan, unless material consideration indicates otherwise.

6.5 **Other Material Planning Considerations**

- National Planning Policy Framework 2023
- Planning Practice Guidance (online resource)
- National Design Guide – Planning practice guidance for beautiful, enduring and successful places September 2019
- Residential Cycle and Car Parking Standards & Design Guide SPD June 2021
- Technical Housing Standards - Nationally Described Space Standard 2015
- Fields in Trust Guidance for Outdoor Sport and Play
- Building for a Healthy Life, Urban Design Group

7.0 **Consultations**

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

(a) **Statutory Consultations**

7.2 **NCC Highways Authority** - (22.07.2024) Raised issues with additional landscaping drawings (revisions P06) due to some hedges being within the visibility splays shown on drawing 2322-03 Rev Y. Requested amendments to address these concerns which have been received and NCC Highways have confirmed (23.07.2024) that this issue has now been satisfactorily addressed.

(27.06.2024) Remove their holding objection based on drawing no. 2322-03 Rev Y. Key points made:

- Layout now shows the required visibility splays.
- Parking is compliant but Plots 31, 35, 38 & 39 are not of standard width and Plot

8 has disassociated parking. However only Plots 8, 38 & 39 would impact on the highway and are unlikely to cause an issue such that it would be viewed as unacceptable.

- Safe and suitable access would be secured as per Condition 5 of the outline consent.
- The development is of a quantum where we may agree to adopt the internal roads should they be offered and where constructed to adoptable standards. This is not something that can be conditioned, but unless the development is gated the highway authority still have some duties and responsibilities and we therefore request a condition to ensure that the roads are built to adoptable standards (even if not offered).
- To reduce the chance of issues arising on highway during the construction period, we would request that a Construction Management Plan is conditioned.

Conditions are then recommended, summarised as follows:

1. Requirement to submit details of the longitudinal and cross-sectional gradients, street lighting, drainage and outfall proposals, construction specification, provision of and diversion of utilities services, and any proposed structural works and then implemented as approved.
2. Construction Management Plan to deal with measures to prevent mud etc on the highway, storage of materials and internal routes for construction staff, parking for site operatives and details of build programme.
3. Drive and parking areas to be provided in bound material before first occupation.
4. Drainage scheme to show how surface water from drives/parking areas will be prevented from entering the highway.
5. Visibility splays to be provided and kept clear.
6. Electric vehicle fast charging provision to be provided for each dwelling.

(04.04.2024) Objection based on revision W; issued in summary were that the private drive needs tracking, pedestrian visibilities have been inconsistently applied, parking for plot 15 within pedestrian visibility, visibility splays for plots 1-3, 15-20 pass over private land and therefore unacceptable and there are concerns regarding refuse collection/turning points on private drives.

(23.02.2024) Object with summarised areas of concern below:

- Issues with private drives and turning facilities and length exceeds that allowed for waste collection.
- Bin collection points potentially insufficient size risking that bins will be left out on the footway or obstruct the private drives.
- Vehicular visibility splays required for Plot 38
- Pedestrian visibility splays are insufficient in size
- Visibility splay from the drive serving Plots 1-3 and 15-19 passes over what appears to be private curtilage, which is not acceptable.
- Tracking information has not been updated as requested.

- There is no speed attenuation and the length of this road exceeds that permissible. It is unlikely that this can be resolved with layout due to the shape of the development land and therefore suitable traffic calming measures are required.
- Private drives are often a concern with regards to visitor parking as there is no space afforded within the layout and therefore all visitors and any impacts of under provision result in parking on highway. Visitor parking should be considered at a rate of 0.3 per dwelling.
- 'Heat Map' of parking requested
- House Type 'Denver' indicates an upstairs study. The Highway Authority do not accept this and this house should be counted as a 4-bed house. However, this should be provided with 3 spaces whether 3 or 4 bed.

(17.11.2023) Object – similar issues to those already mentioned above.

7.3 **NCC Transport and Travel Services -**

(10.01.2024) - The closest bus stops are approximately 580 metres from the centre of the site on Lower Kirklington Road.

Bus Service - Stagecoach operate Service 29 between Southwell and Newark/Mansfield every 2 hours Monday to Saturday daytimes which operates along Lower Kirklington Road adjacent to the site. The site is situated approximately 500m from a bus stop served by daily Service 26 to Nottingham which is commercially operated by Nottingham City Transport and operates up to every 30 minutes. Additional services to Mansfield are operated by Stagecoach from the centre of Southwell.

Bus Stop Infrastructure

This planning consent for this site included a Highways contribution of £7,000 payable towards the improvement of the bus stop at NS0188, Norwood Gardens to include raising boarding kerbs and bus shelter replacement.

New Bus stop - the Council request that the S278 civils works includes raised boarding kerbs to support a new pair of bus stops on Lower Kirklington Road fronting the site, to provide access to Service 29. Preferred locations are illustrated on an indicative map.

7.4 **NCC Rights of Way** – No response has been received to consultation requests to amended plans.

(24.11.2023) - Southwell Footpath No. 55 is within the southern boundary of the site and links Lower Kirklington Road and Springfield Road.

Public Rights of Way (PROW) are the minor highway element of the public highway network and are afforded the same level of protection and control as the major highway network (i.e. all classes of roads including motorways).

They are a material consideration in the planning process and due attention should be made to the treatment of them in the application for development.

They form part of the sustainable transport network that has links to healthy living, reducing carbon footprints, safe non-motorised links to local facilities, so it is important ensure that they are linked to the other networks and are of a good design that encourages safe use.

NB – the paragraph numbers in the response below are now out of date as the NPPF has since been revised. Up-to-date paragraph numbers are included for completeness in brackets next to the original.

Para 100 (104) of the NPPF states that planning policies and decisions should protect and enhance PROW including taking opportunities to provide better facilities for users. Para 110 (114) states that sustainable transport should be considered and the same and suitable access to the site for all users should be achieved. This encourages safe connectivity to routes, leading to healthier living, reduced carbon emissions etc. Para 112 (116) states applications should prioritise pedestrian and cycle movements and create places that are safe, secure and attractive, minimising the scope for conflicts between users and vehicles.

This application is for 45 dwellings and as such the footpath is likely to have an increased level of use which should be encouraged by using this as an opportunity to improve the existing footpath. The applicant is proposing the provision of a surfaced footpath link from the south of the proposed development to link to Southwell Footpath No. 55. The applicant will need to confirm the status of the link and how it will be maintained in the future. However the Rights of Way Team is disappointed that the applicant has missed the opportunity to improve the Public Footpath thereby improving pedestrian links to amenities, work and school away from motorised vehicles. We invite the applicant to also surface the rest of the footpath through the site from Lower Kirklington Road to where it leaves the site at the southeast corner and look to make a contribution to the improvement of the rest of the PROW. The applicant proposes a hoggin type surface for the path link which unless there is good subsurface drainage can end up being muddy and wet in winter and bake hard and uneven in summer and is unsuitable. A crushed stone surface will be more appropriate.

It is recommended that early discussions are held with the RoW team at NCC (Via) on any impact a development might have on a right of way (surface, width, location etc) or potential change to the route, before the development commences.

- 7.5 **NCC Lead Local Flood Authority – (29.07.2024) Refer to previous comments made on 30 May.** Insufficient information to consider the drainage in any detail. Point out this is covered by condition 4 of the outline consent.

(b) Town Council

- 7.6 **Southwell Town Council – Object:**

(25.06.2024) – Unanimously object for following reasons:

- This is sixth iteration of plans and previous comments remain valid

- Ongoing concerns regarding the number of trees affected and the council will ask for comments from Tree and Landscape Officer as well as the Ecology Officer
- Massing of the properties has been increased due to increase in number of bedrooms from 105 to 125 which is unacceptable

(04.04.2024) Concerns relate to flooding, hedgerows and ecology, design and layout and highways. STC unanimously object based on the significant differences from the outline planning to the reserved matters application and the previous comments. They also point out that the Denver house type has a study which could be used as 4th bedroom – how might this impact parking provision?

(08.03.2024) – challenge the validation of this application for the following reasons:

1. Outline application 20/01190/OUTM was for a development "of up to 45 dwellings, all matters reserved except for access". There was no indication that other, existing properties would utilise the new access and it was on this basis that the Highway Authority considered and NSDC approved the outline application.
2. 23/01836/RMAM is the related reserved matters application and the submitted documents and plans are for a total of 45 new dwellings. However, page 21 of the Planning Statement logged on 13/10/2023 makes clear that, additionally, "Access to the Vineries will be provided via the site to replace the closed access" (i.e. the existing access to the north of Kirklington Road).
3. The intended use of the approved access for the existing properties at the Vineries is equally shown on the submitted plans and is referenced by the Highways Authority in their formal objection dated 30/10/2023.
4. In consequence, 23/01836/RMAM proposes that up to 50 dwellings would now use the access approved under 20/01190/OUTM as suitable for "up to 45 dwellings".
5. If the RMAM application had been for 50 or even 46 NEW dwellings it would have been ruled invalid. It is difficult to understand how NSDC could argue that this application for 50 or even 46 new and EXISTING should be treated differently.
6. Therefore, it is Southwell Town Council's contention that the current reserved matters application is not valid and cannot be determined as it stands; and that a new planning application, either outline or full is required unless the current application is amended to show the approved access being used by no more than 45 new and existing properties.

In addition to our previous comments, we would like to note that we strongly object to the planning as per reasons (summarised) below:

Significant impact on The Properties on Private Drive and Oak Tree House, Avondale need to be addressed and investigated thoroughly and with urgency. In Particular, Plots 33 and 37. We stress the unacceptable variance in the outline planning permission, the loss of the Copse, a 50% increase of floor area than that of the outline

planning permission and the disregard to the 2022 Housing needs assessment which clearly states there is no further need for 4/5 bedroomed homes in Southwell.

No consideration for the “Hedgerows act 1987” and the changes from the outline planning have not been addressed. Nor have the reservations and comments from NCC Highways.

Plot 33 is particularly of concern due to its proximity of Avondale being now proposed only 12m away rather than the 27m previously. This alongside a 17m brick wall behind the hedge which is overshadowing, over bearing and the evidential “shadow study” holds zero credibility.

This alongside the ecological devastation, no plans for solar, water harvesting and the imminent “flood risk” involved. No Consideration for increase impact on cars parked and not to mention the additional burden on the NHS.

(05.01.2024) – Objection as per 08.03.2024

(08.12.2023) Objection – inconsistency of plans, design and layout, ecology issues – refer to neighbourhood plan Policy E2 and N 554 Flood Risk and Highways.

(c) Representations/Non-Statutory Consultation

7.7 **Trent Valley Internal Drainage Board** – make general comments

7.8 **Southwell Civic Society** – Strongly object

(03.07.2024) – 1) There is no revised Landscape and Ecology Management Plan; 2) Housing mix doesn't meet the requirements of the Neighbourhood Plan nor of the revised plan; and 3) There are no detailed dimensions of buffer strips but they clearly don't meet Neighbourhood Plan requirements.

(20.03.2024) – disappointed as the revisions do not attempt to address previous concerns raised. Omission of a buffer strip to Kirklington Road which is contrary to Policy SS4. Also contrary to Second Publication Amended Allocations and Development Management DPD where buffer strip is shown 25% of site width (25m) yet submitted plans show 6-7%. In places the edge of houses are only 5m from centre of hedge and car parking only 3m.

Deviations from outline stage are so significant the application must be refused.

(18.12.2024 and 02.01.2024) Objections summarised:

Highways - The overriding issue is the access and the relationship between this site and So/H/05. The proposed position of the access and the mini roundabout conflict with and are unreconcilable with the previous planning refusals and Appeal refusals in relation to site So/Ho:05 Land off Lower Kirklington Road. There are serious flaws in the drainage and flood proposals, the Arboricultural Assessment, the Landscape and Ecology Management Plan

There are failures to comply with the Southwell Neighbourhood Plan.
The site layout is significantly different from that approved in 20/01190/OUTM. The application should be re-submitted as a full and detailed application. The conditions applied to the outline are not all relevant to this new layout.
We note the applicants are different to those who were granted outline planning permission, 20/01190/OUTM
There is no provision to improved footpath 55 as required by Policy E4
Drainage – concern that increased runoff will increase flooding along the footpath. There should be a 8m buffer between the watercourse and boundary of property to allow for maintenance and as a pollution prevention measure required by Southwell NP policy E2.

7.9 NSDC (Conservation) –

(July 2024) - No overall objection, although raise queries regarding the screening and enclosures proposed in relation to the Vineries (now confirmed to be hedgerow as requested) and the use of peat brown roof tiles which would not accord with the more vibrant orange/red local clay tiles which typifies most roof coverings in Southwell. Balanced judgement will be required as per para.209 of the NPPF.

(05.12.2024) Conclude that there would unlikely be harm to the historic environment. We encourage retaining/improving green infrastructure at the edges to help integrate development with the rural edge of the town and be sympathetic to buildings with some local interest such as The Vineries and Pear Tree Cottage. This will help protect the wider setting of Norwood Park to the west (an unregistered park and garden).

7.10 NSDC (Environmental Health) – (18.01.2024) - In relation to Land Contamination, Reviewed the Gas Risk Assessment update letter report by MEC which describes the ground gas sources and determines that no ground gas protection measures are required. Officers concur with the findings. Comments relating to the limited soil sampling remain applicable and as such recommend the use of the full phased contamination condition.

Make observations in respect of waste management, including some concerns regarding refuse collection for plots 33-37 off a private driveway and that each property will need capacity for 4 bins.

A development of this size should contain a locally equipped area for play

Would like to see provision of conservation measures such as bee bricks, habitat piles and boxes.

7.11 NSDC Biodiversity and Ecology Lead Officer – No comments received.

7.12 NSDC Tree and Landscape Officer –

(06.03.2024) - In summary, adjustments and further information are requested:

- Tree removal has been significantly underestimated, with clear actionable conflict readily apparent in the design.
- Full impact of works immediate to the TPO tree have not been explored.
- Matters to note include T14 (field maple) works requested to crown reduce by 2m. Noting this tree should be expected to increase by approximately 1/3 given normal growth.
- Construction within the RPA is directly against BS5837 for example T13 (Ash) crown raise to height 3m to facilitate car parking construction. Changes in hydrology around TPO tree have not been addressed.
- Fruit bearing trees over hard standing/surface are suggested to constitute a statutory actionable nuisance.
- Some species are considered inappropriate to hedgerow due to impact on litter snagging.
- Suggested changes to the native tree planting.

(10.11.2024) - Previously raised concerns including conflicts between drawings, including drainage drawings and trees. Pointed out that STW have minimum stand off distances to drains for new planting which don't appear to be met. Species of trees could give birds dysentery which could in turn cause a statutory nuisance and lead to trees not being retained within frontages. Need more information regarding future expected growth of proposed trees at maturity to demonstrate trees are likely to be retained for the longer term. Lack of tree lined streets and point to a number of discrepancies showing conflicting information on tree loss/retention.

7.13 Archaeological Specialist – There are no archaeological implications to the proposal.

7.14 Representations from 18 households have been received during the course of the application. The majority have commented multiple times to the various amendments, all raising concerns and objections some of which have been addressed through the variations and some of which relate to matters considered at outline. The comments are summarised as follows:

General

- Annoyance that the developer is on 6th iteration of revisions;
- Concerns raised regarding number of conflicts/discrepancies between drawings/plans requiring clarity;
- Concern that important hedgerow along Private Drive incorporated into the site when not owned by the developer/concern that this hedgerow is absent from plans and could be under threat.
- Asher House is referred to a Beechwood on the plans

Matters relating to the principle already considered at outline

- 45 dwellings would generate 90+ vehicle movements daily;
- Noise levels would rise;
- Edge of town location would interfere with wildlife;
- More congestion at school times as most parents drive;
- Insufficient doctors appointments available without 105+ new patients;

- Insufficient school places for extra children this development would accommodate;
- Transport links to nearby shopping centres are extremely inadequate;
- Southwell becoming too busy and overcrowded;
- Concerns regarding proposed new roundabout;
- Concerns at speeding cars, safety of pedestrians and cyclists;
- Kirklington Lane is too narrow;
- Too many access points along Kirklington Road and creating another would increase traffic from Springfield Road which is already used as a cut through for the Lowes Wong Primary school.

Housing Mix

- Plans ignore Southwell's housing requirement and deviates from outline permission
- Some plots (41 & 42) have upstairs studies which could be used as bedrooms
- Plot 37, 50% larger than at outline and others are 25% larger
- 23% increase in total number of bedrooms since outline stage
- Appreciate the need for affordable houses but not the larger houses that will be sold for £1m+

Residential Amenity

- First floor windows facing Private Drive should have frosted glass;
- Plot 37 overbearing to Asher House and would cause loss of privacy;
- Concerns that the larger 5 bedroom houses would cause loss of amenity and reduce effectiveness of solar panels;
- Concerns with siting of Plot 33 so close to Oak Tree House causing harm to living conditions (now re-sited)
- A topographical plan needs to be insisted upon to avoid buildings being set too high causing over-bearing issues
- Concern that properties on eastern side of access all have bedroom windows overlooking Brooklyn
- Adverse impacts relating to Sycamore – front elevation has 5 windows facing north which will look at rear elevation of 7 x 2 storey properties which would adversely affect amenity. This could be remedied with bungalows along this boundary instead.
- Footpath link through the development would bring about reduction in privacy and creating potential safety issues to those residents.
- Part of no. 90 Kirklington Road's garden is included within the plan as green space in the Southwell Neighbourhood Plan without knowledge of owner/occupier (*this comment does not appear to relate to this application*)

Public Open Space/Management/Footpath

- Detailed management plan required for the maintenance;
- 6th Feb plan now shows PROW and all of Springfield Dyke outside of the application site, concern as to who takes ownership and responsibility for maintenance;
- Maintenance of all hedgerows. - There must be a stipulation for the maintenance of the hedgerows around the whole of the development once complete.

- There has never been a right of way in the field besides the Vineries but the landscape plan shows footpath access – which is unnecessary and make this a shortcut and increasing the footfall
- If PROW is used as access to Kirklington Rd, pedestrians will need to cross the road to reach the Kirklington Rd footpath at an extremely dangerous point due to the close proximity of two sharp *bends on a fast road*.
- The character of the southern footpath gives the feel of being in the countryside which should be preserved for those who value this rural experience, hedged off and gapped up. Submission is not clear what is proposed.
- There should be no pedestrian access from the development to the PROW to ensure safety and minimise wildlife disturbance

Character/Design/Visual Amenity

- Removal of 2.5 storey houses is welcome provided they aren't later amended to have rooms in the roof;
- Concern at inappropriate setting 2.5 storey housing which would be high and overbearing at edge of rural open space, more suited to town environment;
- Houses would be out of keeping
- Concern regarding boundary treatments, will existing eastern hedge be used instead of boundary fences?

Trees and Ecology

- Concerns with siting larger 5 bed house in copse and should be revised as per the outline;
- Concern regarding impacts on established hedgerows and wildlife that use them. Further bat and badger surveys should be carried out given passage of time;
- Hedgerow should be protected during construction;
- Concerned about the loss of trees (15 would be category B which is excessive) and many trees are being removed from rear of Asher House that if repositioned could retain more;
- Concern at loss of eastern hedgerow on boundary with Private Drive;
- Concern expressed mid -march that hedgerows were being removed from the site
- Concern at loss of hedgerows which are wildlife corridors.
- Mature maple tree in hedge between Brooklyn and Plot 45 seems to be lost and would help retain privacy.

Highways

- Further traffic calming measures are required to slow traffic down

Drainage and Flooding

- Insufficient regard to existing properties around the boundaries;
- Strong flood risk and drainage concerns from Southwell Flood Forum – concern that the attenuation ponds may overtop and cause flooding issues elsewhere;
- Excess surface water from pond 1 to be fed into drain that feeds under LKR –which is totally inadequate field ditch and cant cope which would in turn have serious detrimental impact on residents.

- Flood risk problems are underestimated in the FRA and it should be updated to be based on new data.
- Lacking detail for drainage strategy and condition 4
- Concern at possible flooding impacts to nearby residents as southern on site drainage pond is close to gardens on Springfield Road and worried it might overflow;
- Will the drainage ditches be dry or hold water – will life jackets be sited for safety?
- Concern regarding maintenance of the local water course to the south of the site and impacts from the development;
- The dyke is overgrown and the wooden dams installed by Via East Midlands appear to be of very little use in controlling water flow. Concern that Pond 2 could flood and subsequently the PROW, surrounding gardens and the land to the rear of 76 Kirklington Rd will become flooded. A detailed management plan needs to be provided and discussed with local residents and the Flood Forum Team in order to reassure that the matter has been adequately addressed.
- Land owners will have riparian rights and will be responsible for upkeep from their side and there is concern as to who will take responsibility

8.0 Comments of the Business Manager – Planning Development

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

8.2 The following matters have been identified as key issues:

- The Principle
- Housing Need, Mix and Density
- Landscaping, Trees and Public Open Space
- Impact on Ecology
- Design and Character
- Residential Amenity
- Highways and Parking
- Drainage and Flood Risk

8.3 These matters shall be discussed in turn. However, before doing so, preliminary matters need to be dealt with first as follows.

Preliminary Matters (including Access)

8.4 The validity of this application has been raised as an issue by Southwell Town Council due to the Planning Statement stating that 'Access to the Vineries will be provided via

the site to replace the closed access' which they are concerned would mean that the application proposes up to 50 dwellings that would use the new access from Lower Kirklington Road approved under the outline consent.

- 8.5 The proposed layout shows an access link from within the site to The Vineries which would replace the one to be lost. It should be noted that the existing access (marked by the red arrow on the aerial image below) serving numbers 1 to 5 The Vineries would remain from Kirklington Road to the west and is not proposed to be stopped up. It has been clarified that the reference made within the Planning Statement relates to a singular right of way for one resident of The Vineries and this is the access that will be closed as marked by the red cross on the aerial image below. This was shown on the indicative site plan that was submitted at outline stage.

Aerial image showing access points



- 8.6 Access is a matter that has already been consented by the outline permission. Layout however was reserved. The indicative plan at outline stage did not explicitly show access from within the application site into The Vineries. However access is not a matter for consideration at this stage and cannot be revisited. It is clear that the proposal is for 45 new dwellings as per the consent. This outline consent does not restrict access to just the residents of those 45 new dwellings only; it could lawfully be used by any member of the public such as visitors or delivery vehicles etc. The outline application was supported by a Transport Assessment which was based on a maximum quantum of 50 dwellings which NCC Highways Authority considered and found to be acceptable, and consequently it would not have altered the decision to approve in any case. It is therefore considered that the application has been appropriately made in accordance with the outline consent.

The Principle

- 8.7 The site is allocated within the Allocations and Development Management DPD for a housing development of around 45 dwellings under Policy So/Ho/4. This allocation

remains in the Amended version of the Plan Document submitted to the Secretary for State in January 2024.

- 8.8 Moreover, the principle of 45 new dwellings on this site (and the associated infrastructure requirements through developer contributions) has been established through the granting of an outline consent. This established the quantum of development (and therefore the density of 15.8 dwellings per hectare) plus the means of access which would be taken from Lower Kirklington Road alongside a new, 3 arm mini roundabout at the junction with Kirklington Road. This consent was granted on 1st June 2021 with condition 1 requiring that applications for reserved matters approval be made no later than 3 years from that date. The application was made and validated on 27th October 2023; so within the prescribed timeframe and if granted, would need to begin 2 years from the date of any reserved matters approval. If this application were to be refused, the extant permission would now be time expired with no opportunity for any further reserved matter applications to be made under the auspices of the outline consent.
- 8.9 Given that the principle is already established through the site allocation and the outline consent, there is no requirement to rehearse the principle of development further. Developer contributions have been secured to mitigate any additional pressure on existing services and facilities, as can be noted in the site history section of this report.

Housing Need and Mix

- 8.10 Policy So/HN/1 (Southwell Housing Need) of the adopted Development Plan sets out that the majority of dwellings on development sites in the town should comprise one- or two-bedroom units. However, this policy is now based on out-of-date housing needs evidence and is proposed to be deleted in the Plan Review. I therefore give this policy very limited weight.
- 8.11 Policy HE1 (Housing Type and Density) of the SNP sets out a required mix for greenfield sites of 20% 1 bed apartments, 50% 2 bedrooms and 30% 3 or 4 bedroom family homes. However the SNP was adopted in 2016 and is also based on out of date housing need evidence so this is also given limited weight. Whilst the SNP is in the process of being reviewed, at the time of writing this hasn't been submitted so any newer version cannot attract weight.
- 8.12 Core Policy 3 of the Amended Core Strategy (2019) sets out that development should secure new housing which adequately addresses the housing need of the District namely family housing of 3 bedrooms or more, smaller housing of 2 bedrooms or less and housing for the elderly and disabled population. It goes on to say that the District Council will seek to secure an appropriate mix of housing types to reflect the local housing needs. Such a mix will be dependent on the local circumstances of the site, the viability of the development and any localised housing need information.
- 8.13 Paragraph 60 of the NPPF (December 2023) states that the overall aim of delivering a sufficient supply of homes should be to meet as much as the area's identified

housing need as possible, including with an appropriate mix of housing types for the local community.

- 8.14 The District Council commissioned a district wide housing needs survey undertaken by ARC4 in 2020. This attracts more weight than the adopted policies SS4 and So/HN1 given it is based on the most up to date housing needs evidence available. In the Southwell Sub Area (within which this scheme falls) the housing need is for family housing of 3 and 4 bedrooms, then 3 or more bedroom bungalows, 2 bedroom bungalows, followed by 1 or 2 bed roomed dwellings, followed by 2 or more bedroom flats.
- 8.15 Members should note that the affordable housing mix is already secured through the outline permission and is not open for reconsideration. It is therefore necessary to look at the market mix and then compare the overall mix to that of the latest evidenced need.
- 8.16 It is noted that one house type (The Denver) is shown to have 3 bedrooms and an upstairs study. However, the study at 7m² in floorspace is below the minimum nationally described space standard of 7.5m² (and insufficiently wide at 1.98m instead of 2.15m) to be counted as a (single) 4th bedroom. For the purposes of housing mix it has been counted as a 3-bedroom dwelling albeit it is noted that this could be marketed as a four bedroom dwelling.

House Type	Affordable Mix (Fixed by outline consent)	Market Mix	Overall Mix	Overall Identified Need in Southwell Sub Area according to 2020 HNS
1 bed bungalow	-	-	-	-
1 bed flat	4 (4 x AR*)	0	4 (8.88%)	-
1 & 2* bedroom houses	6 (2 x AR*, 2 x SO*)	4 (12.9%)	10 (22.2%)	6.6%
2 or more bed flat	-	-	-	5.6%
2 bed bungalow	2 (1 x AR*, 1 x SO*)	4 (12.9%)	6 (13.33%)	14.8%
3 or more bed bungalow	-	5 (16.12%)	5 (11.11%)	15.2%
3 bed house	2 (1 x AR*, 1 x SO*)	9 (29.03%)	11 (24.44%)	33.3%
4 & 5 bed house	-	9 (29.03%)	9 (20%)	24%
Other	-	-	-	0.5%
Totals	14	31 (100%)	45 (100%)	100%

NB – this table hasn't been updated to reflect the change to Plot 37. See Update for this.

- 8.17 As the table above demonstrates, the proposed scheme offers a good mix of dwellings that would help in meeting the evidenced needs of the locality. Given the need has changed since the outline consent secured the affordable element, it is not possible to reflect the need exactly, but the mix overall is within a 10% tolerance of the latest evidence and includes 20% bungalows, terraces, semi-detached and detached dwellings.
- 8.18 It is noted that concern has been expressed by Southwell Town Council (STC) that the scheme shows a 50% increase of floor area than the outline planning permission and that it disregards the Housing Needs Assessment (HNA) 2022, which according to STC shows there is no further need for 4 or 5 bedroom dwellings in Southwell.
- 8.19 Firstly, it should be noted that layout and scale were not considered at outline stage; the block plan provided was only ever indicative so does not restrict the units from being larger subject to an appropriate housing mix. The national technical guidance entitled 'Nationally described space standards' 2015, provides useful guidance on expected minimum gross internal floor space for dwellings. The table below shows how this scheme compares with these minimum standards.

Technical Guidance: Nationally Described Space Standards				
Number of bedrooms (b)	Number of bed spaces (persons)	1 storey (m²)	2 storey (m²)	GIA proposed by this scheme m²
1b	1p	39		55.6
2b	2p	50	58	61, 68.9, 69.3
2b	3p	61	70	
3b	4p	74	84	83.2, 78.3, 79, 86.4 90.6 and 147.5
3b	5p	86	93	
3b	6p	95	102	
4b	5p	90	97	-
4b	6p	99	106	
4b	7p	108	115	
4b	8p	117	124	
5b	6p	103	110	196-266.7
5b	7p	112	119	
5b	8p	121	128	

- 8.20 The above table shows that there is a range of unit sizes that meet the minimum standards set. The Denver house type is large for a 3 bedroom dwelling but the upstairs study would cater for many families requiring a home office so offers flexibility. The 5-bedroom units are large compared to the standards, but these are minimum not maximum standards and still offer a range of houses to help meet the needs.

8.21 Secondly, it is understood that this Housing Needs Assessment (HNA) referred to by STC, is evidence associated with the Southwell Neighbourhood Plan Review, yet to be submitted. However this HNA is not currently in the public domain, is not available to view on the STC website and hasn't been through the plan examination process. Whilst the evidence itself is capable of being a material consideration, as the HNS isn't publicly available to review, officers have sense checked the SNP Review (which will be based upon that evidence) to understand what the latest evidence is likely to show:

No. of beds	SNP Plan Review	Proposed Scheme
1	6.2%	8.8%
2	24.1%	35.5%
3	48.3%	35.5%
4	16.2%	-
5+	5.3%	20%

8.22 As can be seen from the table above (which is contained within the latest SNP update) there is still a 21.5% need for larger 4 and 5 bedroom homes in the town. The proposed mix is not wildly different from this emerging position (for example 4 and 5 bedroom dwellings on this scheme equate to 20% of the mix compared to the identified need of 21.5%) and does not affect the conclusions drawn that the mix on offer is appropriate when taken as a whole.

Landscaping, Trees and Public Open Space

8.23 Policy So/Ho/4 of the Allocations & DM DPD and Policy SS4 of the Southwell Neighbourhood Plan (SNP) are the site specific policies that allocate the site for around 45 dwellings. These policies require compliance with a number of criteria, some of which were considered at outline stage. Relevant to this reserved matters application (in respect of landscaping) is the following requirement:

'ii) Appropriate design, density and layout which addressed the site gateway location and managed the transition into the main built up area. In order to assimilate the development and limit the impact of the development on the character of the area provision should be made for landscape buffering on the sites northern and western extents within the design and layout of any planning application. In considering such buffering this should be particularly extensive to the south of The Vineries to help retain the semi-rural character of this section of Kirklington Road.'

8.24 The scheme advanced has a similar layout and disposition in terms of the developable area to the indicative layout shown at outline stage.

Indicative Layout at Outline Stage

Superseded Layout and Structural Landscaping



Revised Layout and Structural Landscaping (following amendments in Aug '24)



- 8.25 It is noted that concern has been expressed that there have been changes to the layout and associated impacts on trees/ecology since the outline approval. However, it should be noted that neither the layout nor landscaping were fixed by the outline consent and some change is therefore inevitable.
- 8.26 In any event, the reserved matters application details a landscape belt alongside the western boundary with Kirklington Road which varies in width from between

approximately 3.8m to 10m (on land north of The Vineries) not including the existing hedgerow already present. South of The Vineries the landscaping buffer is wider at approximately 26m narrowing to 5.7m at its southern extremity. All of the buffer (including the 'important' hedgerow to the eastern site boundary) would be within the control of a management company (secured as part of the outline consent via the planning obligation) rather than being within gardens to allow its retention and management.

- 8.27 The site frontage with Lower Kirklington Road would retain much of its greenery with an area (comprising approximately 1321m²) to the north-west of the site being devoid of built development. This allows the protected walnut tree (T2) to be a key feature that would sit alongside a balancing pond (sustainable urban drainage feature) to deal with surface water attenuation. I consider that this green approach at the site entrance and alongside the western edge of the development, meets the policy expectations in achieving an appropriate level of greenery that would help to soften the built form given its edge of settlement location.
- 8.28 Policy So/Ho/4 also requires at vi):
'The undertaking of a Tree Survey by the applicant, assessing and informing the retention of the best specimens into public and private amenity space within the design and layout of any planning application.'
- 8.29 A tree survey was submitted to inform the outline application and Condition 10 of the consent required that any reserved matters application should either be in compliance with it or that a new survey and impact assessment should be submitted. The applicant has provided a new Arboricultural Assessment with an associated Arboricultural Impact Assessment (AIA).
- 8.30 This shows a total of 91 trees, ten groups of trees and 7 hedgerows were surveyed. The vast majority of these were assessed as being category B (good/moderate quality or value) or C (low quality or value). None were assessed as category A (high value) and 11 were assessed as being unsuitable for retention.
- 8.31 The AIA asserts that in terms of trees loss this would comprises 11 category U trees, 16 category B trees, 11 category C trees as well as 3 tree groups (C) and 2 hedgerows (C). Whilst this seems a significant proportion, it should be stressed that in allocating the site for development it would have been expected to involve substantial tree/hedgerow losses given the nature of the site at that time.
- 8.32 Of the 16 number B graded trees to be lost, 13 are mature apple trees alongside a field maple, ash and cherry. This will cause an adverse impact but is necessary to form a link between the western and eastern parts of the site, to allow excavation to undertake the drainage swales and to increase the developable area for the amount of development allocated. This is proposed to be mitigated by the planting of a community orchard alongside retained apple trees to provide betterment and is necessary to ensure continuation of this habitat as many of the apple trees have reached the end of their life expectancy. This area would be managed (by the management company) to help prolong the life of the trees and provide habitat.

Other tree loss is mainly towards the south-eastern part of the site which are lower quality self-set trees in the main and mitigation in the form of a landscape/tree belt to the western edge of the site would provide suitable and more appropriate mitigation for the tree loss.

Tree Removal Plan



Hedgerows and trees in green are retained and in red are to be removed

**Please note -
This plan has not
been amended
to show the Aug
'24 amendment**

- 8.33 Put in context, tree retention is greater than the loss; 53 individual trees, 12 groups of trees and hedgerows would be retained (23 of which are category B) compared with 38 individual trees to be lost and 5 groups (11 of which are category U). Notwithstanding this, clearly tree loss and hedgerows would have an adverse impact but is one that can be mitigated by the soft landscaping scheme discussed below. Most of the trees on site lie to the southern part of the site. There are two B graded Walnut trees within the northern section of the site and both are to be retained, alongside the public open space.
- 8.34 The AIA submitted (containing tree protection measures for the construction period) accords with the requirements of Condition 10 of the outline consent and development will need to accord with this. No further tree protection conditions are required.
- 8.35 As reflected by the third-party consultation responses, the initial submission presented conflicting information about tree loss and retention which have now been clarified. The majority of existing vegetation to be retained is now clearly shown on the Structural Landscape Proposals plan and would be within the control of the management company.

Proposed Landscaping

- 8.36 Initial concerns were raised with regards to the proposed landscaping scheme following discussions with the Council's Tree and Landscape Officer. These concerns have now been addressed with the submission of amended landscape proposals which have also rectified conflicts between drainage and landscape plans. In addition, conflicts between landscaping and required highway visibility splays have been resolved by moving hedgerows.
- 8.37 The strategic landscaping plan now shows the western boundary to comprise woodland tree planting set amongst meadow grassland which is more robust and will assist with providing compensation for the trees being lost. The woodland planting would comprise 17 x Alder, Field Maple, Silver Birch, Wild Cherry and Oak (85 new trees in total), along with 37 individual trees (7 of which would be extra heavy standards to help early establishment). The new orchard tree planting (12 trees comprising 3 types of apple) is proposed and is necessary to mitigate harm from the partial loss of the traditional orchard. Mixed native hedgerows (double staggered to include field maple, dogwood, hazel, hawthorn, guelder rose and purging buckthorn) are proposed along with single species hedgerows amongst other planting. Bearing in mind tree losses (38 individual trees, 3 groups of trees and 2 hedgerows), I am satisfied that the level of new landscaping will adequately compensate for the losses over time, in the context of this site allocation. The structural planting would be within the control of the management company and are all considered acceptable.
- 8.38 In addition to the structural planting, landscaping is also to be provided within each plot, an extract of this is shown below.

On-plot Landscaping (left is now superseded by revision made following committee deferral shown on right)



- 8.39 Paragraph 136 of the NPPF sets the expectation that planning decisions should ensure that new streets are tree-lined and that appropriate measures are in place to secure the long-term maintenance of newly planted trees. There is an acknowledgement that solutions may need to be sought to ensure that planting is compatible with highways standards.
- 8.40 Whilst the layout shows trees to the property frontages, the majority of these would be within garden plots which, in the longer term, wouldn't enjoy protection. It is however acknowledged that the site entrance would be flanked by trees and there are existing and proposed trees alongside the eastern carriageway adjacent to the play area and woodland. Given the width of the site is somewhat constrained to accommodate a verge specifically for tree planting, I consider that this is an appropriate compromise, and the scheme would not be unattractive or devoid of trees so would still meet the overall design objectives of local and national policy.

Public Open Space

- 8.41 The outline application secured the provision of not less than 1458m² of public open space (POS) as well as a locally equipped play area (LEAP) which are usually aimed at children who can go out independently. The plan provided by the applicant (to show the areas that would be maintained by the management company), indicates significant areas of the site would be public areas, equating to approximately ~~10,588m²~~ **11,099m²** including the play area.
- 8.42 The SNP site specific policy SS4 requires at point ix):
'The provision of an open space/play area as a focal point of the development.'

The shape of the site constrains the play space to a certain degree, but the application shows the provision of a play area on the eastern side of the access, roughly centrally within the development that links to the POS to the south. This would comprise approximately 1300m² of space that would be a focal point for the development and provide a place for children to play. With a buffer zone of 20m to the closest dwellings to protect against amenity disturbance, the area of play is limited to a triangular parcel of land comprising c167m² which is below the 400m² Fields in Trust Guidelines for a Local Equipped Area of Play (LEAP) and is more akin with a LAP (Local Area of Play) aimed at younger children which generally have activity zones of c100m² and expect 5m buffers.

- 8.43 This provision is therefore a combination of a LAP and a LEAP. However the size of the space is as expected (at outline this was shown to be in the region of 150m²) and in the circumstances the play space is considered acceptable. The more informal green space surrounding the site and level of POS on the site overall compensates for the shortfall in formal play space and in negotiating the type of equipment to be provided on site (via the obligation) officers can seek to achieve an enhancement where possible to ensure the equipment is multi-purpose and best uses the space available. Overall, I am satisfied that the location and size of the play area is acceptable being located as a focal point and accessible to all of the development.
- 8.44 There is an existing public right of way (footpath no. 55) that runs alongside the southern boundary and there is a watercourse (Springfield Dyke) south of that. It has been clarified during the course of this application that a small part of this footpath is within the site but the majority is outside of the application site boundary. Given that the majority of this path lies outside the red line boundary it is not proposed to alter the surface at all (as this would result in an inconsistent surface), however a new connection is proposed to the PRow to the south of Plot 32. This accords with the policy expectation 'v' of So/Ho/5 which requires the *'provision of pedestrian access as part of the design and layout of any planning application which utilises the existing Right of Way to the south of the site.'*
- 8.45 It is noted that in their initial comments NCC Rights of Way team made comment that the footpath should be resurfaced. This was before it was clarified that the right of way lies predominantly outside of the application site. No further comments have been received from the rights of way team. The right of way would therefore remain as existing.
- 8.46 Through the public consultation process some third parties have raised whether the drainage ponds would hold water or whether they would be dry basins. These ponds have been designed to hold some low levels of water all year round which will deepen at certain times. With that in mind, a condition has been suggested that requires details of signage warning of dangers plus the requirement of buoyancy aids present as a precaution. Details of street furniture, litter, and dog foul bins etc to be provided within the public open space on site are also requested to be agreed by condition in the interests of visual amenity and public safety.

Summary

8.47 Overall the scheme retains many of the best tree specimens on site. It has been clarified that all boundaries are formed by existing trees and hedgerows which would remain and in places be supplemented, helping to provide mature screening for existing residents and an attractive mature environment for new occupiers. Trees to be removed would need to be removed outside of bird breeding season as already controlled by Condition 14 of the outline consent and also subject to checks for bats also secured at outline consent. The public open space to be provided exceeds by far the minimum quantum obligated by the s.106 agreement and the disposition and quality of that provision is considered appropriate and acceptable. The landscaping scheme is acceptable and provides appropriate soft buffers and compensation for trees to be felled.

Impact on Ecology

8.48 CP12 (Biodiversity and Green Infrastructure) seeks to conserve and enhance biodiversity whilst Policy DM7 sets out the policy context for biodiversity and ecology.

8.49 This green field site has the potential to provide habitat for wildlife and as such the outline application was supported by a number of Ecological Appraisals and additional surveys. There are a number of controls already in place through conditions imposed on the outline permission in the interests of biodiversity. These conditions remain and will need to be complied with. It is not necessary for these to be reimposed or duplicated. A summary of these controls is detailed in the next paragraph.

8.50 Condition 012 provides that no tree identified as having moderate bat roost potential in the original survey should be felled until an endoscope survey has been undertaken within 24 hours of their felling. No clearance work, including the removal of trees should take place during bird breeding season which is a requirement of Condition 14. External lighting needs to be agreed prior to first occupation, in order to protect foraging and commuting bats which is controlled by Condition 15. A Construction Environmental Management Plan and timetable is a requirement of Condition 16 and remains to be discharged. An updated Badger survey is also required prior to commencement on site which is controlled by Condition 17.

8.51 In order to secure the necessary mitigation and enhancement measures to protect biodiversity, Condition 13 of the outline consent required the reserved matters application to be accompanied by a Scheme of Ecological Mitigation and Enhancement building upon the previously identified recommendations.

8.52 In support of this application (and Condition 13), a Landscape and Ecological Management Plan (LEMP) has been submitted. This has been updated during the application process as the initial submission related to the indicative outline plan which was not sufficiently precise.

8.53 The revised LEMP clearly sets out the purpose, aims and objectives of the scheme, along with method statements for establishing vegetation, the timing of the works and details of monitoring and management. It also now details a range of specific

mitigation and enhancement measures including details of 18 integrated bird boxes within the new builds across the site, 5 integrated bat boxes and 5 boxes to be placed on trees, 3 reptile hibernacula, 10 bee bricks, a hedgehog highway (by way of holes in fencing though the site) and just over 200m of new hedgerow planting. It also details enhancements through native woodland and wildflower planting, including supplementary planting within the old traditional orchard and red bed planting around the SUDs to increase the foraging opportunities for bats and invertebrate species. The details are acceptable and in line with the expectations of the condition imposed. Therefore Condition 13 has been satisfactorily addressed.

- 8.54 Condition 16 of the outline consent requires that a Construction Environmental Management Plan is approved. Whilst one was submitted under a separate condition discharge application, the details were not precise enough at that time and the condition remains outstanding. However, the trigger for this discharge is prior to commencement of development and therefore it need not be agreed at this stage.
- 8.55 In conclusion, the scheme has been designed to appropriately mitigate the impacts of the development in line with the expectations of both the outline consent and policies CP12 and DM7.

Design and Character

- 8.56 Core Policy 9 (Sustainable Design) seeks a high standard of sustainable design and layout that, amongst other things is capable of being accessible to all and of an appropriate form and scale to its context complementing the existing built and landscape environments and well as provide for development that proves to be resilient in the long-term. Policy DM5 requires all new development to ensure that the rich local distinctiveness of the District's landscape and character of built form is reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development.
- 8.57 In addition to policies E1-3 and DH1-3 of the Southwell Neighbourhood Plan, an accompanying Design Guide also sets out additional information on existing characteristics and vernacular of the parish to aide in planning development.
- 8.58 The NPPF seeks to achieve well designed places and at para. 131 sets out the following objective: *'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities....'*
- 8.59 Other design guidance such as the National Design Guide – Planning practice guidance for beautiful, enduring and successful places, September 2019 and Building for a Healthy Life set out key principles for good, sustainable design which have been used to appraise the scheme.
- 8.60 The scheme advances 14 house types comprising mainly two storey dwellings but includes 11 single storey bungalows. The scale of the housing reflects the locality,

noting that the 2.5 storey dwellings have now been deleted from the scheme. The disposition of the housing is considered acceptable, noting that the bungalows are focused to the south-west and west of the site adjacent to the western landscape buffer (which helps manage the transition from countryside to built form) and around the existing dwellings at The Vineries which helps in managing impacts on existing dwellings. The larger two storey dwellings are located to the south-east where they would be visually least impactful and would be viewed amongst the backdrop of the existing larger scale dwellings to the north.

Extract of layout with bungalow disposition denoted in yellow



- 8.61 The house types themselves are attractive and reference detailing that can be found locally, such as Edwardian details found in the town centre. They adopt a palette of materials including red brick, subtle traditional detailing, Tudor boarding to gables, porch canopies and hanging tiles. The house types are considered to be appropriate for their context. The external materials have been shown on plan and include use of red brick, red and grey colour roof tiles and limited use of render on front elevations of key plots. However, insufficient detail has been provided in terms of manufacturing details and there is concern regarding the placement of some of the roof tiles which may not reflect the more vibrant terracotta local clay tiles that typifies most roof coverings in Southwell. Notwithstanding this, it is a matter that can be dealt with through the imposition of condition.
- 8.62 Up to date street-scene plans are expected in time for planning committee. Examples of some house types (front) elevations (not to scale) are shown below:

Chapman



Benson



Richardson



Denver



8.63 On plot landscaping plans show that soft planting would be used along most prominent boundaries in the public realm, including around The Vineries. No details of the hard boundary treatments have been provided but this is also a matter that can be controlled by condition. The design and layout of the parking is considered acceptable overall. Overly engineered frontages have been avoided by breaking spaces up with soft landscaping which is in accordance with the SPD on residential parking design.

Residential Amenity

8.64 Policy DM5 of the Allocations and Development Management DPD states that development proposals should ensure no unacceptable reduction in amenity including overbearing impacts and loss of privacy upon neighbouring development. Core Policy 9 also seeks a high standard of design that contributes to a compatible mix of uses.

Overlooking, Privacy and Amenity

8.65 The application site is bound by a number of existing residential properties, such that the impacts upon these dwellings requires careful consideration. I have identified the properties that are most likely to be affected by the development and shall consider each in turn.

➤ *Brooklyn, Lower Kirklington Road*

8.66 This one and a half storey dwelling fronts onto Lower Kirklington Road. Its side elevation (which has one first floor gable window – possibly a bedroom- facing the application site) is located c19m away from the side elevation of proposed Plot 45 which features an ensuite bathroom window at first floor level facing its neighbour thus avoiding any loss of privacy. Plots 42-45 are sited side on with the garden of Brooklyn, however the distance of in excess of 18.5m minimum would avoid issues of loss of privacy. It is also noted that existing trees and vegetation are to be retained between the dwellings which would also assist in providing additional privacy from the outset. No harm has been identified.

➤ *Properties rear of Brooklyn on new Private Drive (Sycamore, Oakley House & Asher House/Beechwood)*

8.67 These three detached dwellings are located in tandem off a shared Private Drive and are all orientated with their front elevations facing north such that they are side/oblique front on with the application site. Each has only one non-habitable first floor window within its side elevation serving either an ensuite bathroom or dressing room facing west towards the site. Each is assessed in more detail below.

8.68 Four proposed properties have their rear elevations facing the site boundary with 'Sycamore' with each having either bathroom and bedroom or landing windows at first floor level; Plot 38 (c23m rear to side), Plot 39 (20m rear to side), Plot 40 (19.3m rear to oblique/front where the closest first floor window in Sycamore is a dormer bathroom) Plot 41 (23m rear to oblique/front). All of these distances and relationships means there is adequate distance to meet the needs of privacy.

8.69 Oakley, a two storey detached dwelling, would be adjacent to the proposed play area with a 20m standoff distance to the equipped activity zone (the recommended distance set out in the Fields in Trust guidance) so is considered to have an acceptable relationship with the development.

8.70 Beechwood (otherwise known as Asher House) has no proposed dwelling to the west, although Plot 37 would be approximately ~~29m~~ **31.3m** to the south thus avoiding issues of loss of privacy or amenity harm.

➤ *Properties on Avondale Lane (Benaiah, Oak Tree House, Oaklands)*

8.71 Benaiah is located ~~25m~~ **27.8m** to the corner of Plot 37 and 46m from Plot 35 with distances capable of meeting privacy needs. Likewise Oaklands, a detached dwelling to the east lies approximately 30m from its corner to the nearest dwelling and there would be no adverse impacts arising.

8.72 Oak Tree House is a detached dwelling that sits with its rear elevation slightly elevated (FFL 35.97) compared with the application site. Its windows at ground floor serve the rear of its garage, utility, kitchen and family room whilst at first floor they serve bathrooms, a study and a projecting balcony (not shown on the layout plan) from the

master bedroom. Following amendments, Plots 33 and 34 are proposed to be located adjacent to the shared boundary at around 28-29m away. At this distance the proposal meets the needs of privacy.

➤ *1-5 The Vineries*

8.73 Four properties back directly on to the dwelling at number 5 The Vineries. The three plots immediately east are now proposed to be bungalows. The distances between the two storey element of no. 5 and the nearest of three bungalows is 16.6m at the closest point (12.3m to its existing sunroom) which is considered acceptable given there would be no first floor windows to cause overlooking. Plot 23 (slightly south) would be orientated with its rear directly facing west with no. 5 to the north-west some 19m away. Given the oblique nature and the distances involved, this is not considered to cause a loss of amenity.

➤ *Properties to east on Springfield Road*

8.74 The eastern part of the development site comprises public open space/surface water attenuation for the development so the nearest dwelling would be at least 37m from edge of site such there would be no adverse impacts on their amenity.

8.75 Properties to the south on Kirklington road are also assessed as not being adversely impacted by the built form of the development.

➤ *Impacts from Public Footpath linkages*

8.76 Local residents have raised concerns regarding the footpath access to the south of the site which some feel is unnecessary. There is concern that this would increase the footfall through the development with a resulting reduction in privacy and creating potential safety issues to those nearby residents due to fear of crime. Whilst these concerns are acknowledged, there is a clear policy expectation at point 'v' of Policy So/Ho/5 regarding '*the provision of pedestrian access as part of the design and layout of any planning application which utilises the existing Right of Way to the south of the site.*' The increased footfall would not automatically give rise to unacceptable impacts. Given the nature of the footway in this semi-rural environment it would not be appropriate to illuminate it and its use is likely to be limited therefore to daylight hours by the community. It is considered very unlikely that the use would be so greatly intensified that it would cause harm to residential amenity.

➤ *Amenity of Proposed Dwellings*

8.77 Whether the proposal creates a satisfactory living environment for the proposed new dwellings is material to decision making. As has been established earlier in the report, all new dwellings exceed the national described space standards for new dwellings and all have a private garden space commensurate to the size of the dwellings. The amenity of proposed occupiers is therefore acceptable.

➤ *Noise – Pumping Station/Sub Station*

- 8.78 A pumping station is shown on the layout to the south of the site along the southern boundary, away from existing dwellings. I am aware that pumping stations rarely cause any adverse impacts in terms of noise. Details of the drainage are not required at this stage (it forms part of an outline condition to be approved prior to commencement) however in order to ensure no unacceptable noise impact, a condition is recommended to require submission and approval of a noise assessment and implementation of any mitigation measures identified as necessary via this assessment. This would be required prior to first operation of the foul pumping station. Given the nature of the pumping station, and the separation distance to the nearest residential properties it is considered that any necessary mitigation measures could be readily accommodated within the proposed development.

Highways and Parking

- 8.79 Spatial Policy 7 of the Core Strategy seeks to ensure that vehicular traffic generated does not create parking or traffic problems. Policy DM5 of the DPD requires the provision of safe access to new development and appropriate parking provision. In addition, the Council has adopted a Supplementary Planning Document (SPD) to guide the design and quantum of new residential development.

Highway Safety

- 8.80 Whilst access (and implicitly capacity) have already been consented at outline stage, this reserved matters is required to demonstrate that the internal road layout is safe from a highway safety perspective.
- 8.81 Members will note that Nottinghamshire County Council as the Highways Authority (NCC HA) initially raised objection to the scheme due to various issues including, but not limited to matters such as visibility splays, tracking information not being available to demonstrate safety and issues with private driveway lengths etc. Through amendments (several iterations) these are finally resolved and the Highways Authority (NCC HA) have removed their objection to the scheme. Notwithstanding this, further comments have been received from them in respect of the updated landscaping plans pointing to conflicts between hedgerows obstructing visibility splays which the applicant is working to address by adjusting the soft landscaping. These are not considered to be insurmountable, and a further update will be provided as necessary to the Planning Committee.
- 8.82 A number of conditions are recommended by NCC HA, most of which are reasonable and necessary and have been included in the list of recommended conditions. A condition is recommended to deal with surface water disposal from the drives and parking areas to prevent it from running onto the public highway. Whilst there is some overlap with Condition 4 of the outline consent, I take the view that C4 deals more with the generally overarching strategy whereas this is specific to how it would affect the highway. I therefore consider it is reasonable and will allow for easier approval. It is noted that a condition is requested to require each dwelling to be fitted with electric vehicle fast charging points. This is also a matter encouraged by the Council's SPD.

However building regulations now requires all new dwellings to have these for each associated parking space and it is therefore not appropriate to duplicate these controls. The condition is therefore not reasonable as it is covered by other legislation and is not imposed.

Parking

8.83 Building for a Healthy Life (design guidance) acknowledges that well designed development will make it more attractive for people to choose to walk or cycle for short trips. Parking should also be sufficient and well-integrated. With regards to the latter, the Council has adopted a supplementary planning document (SPD) for cycle and car parking standards which sets a number of expectations on design and quantum for residential developments.

8.84 For Southwell, the quantum of car parking spaces required (as a minimum) per dwelling would be as follows to meet the requirements of the published Parking SPD:

1 bed	1 space
2 bed	2 spaces
3 or more beds	3 spaces

8.85 Visitor parking is only required where the minimum number of spaces hasn't been met. Parking spaces are expected to meet the minimum dimensions set out in the SPD including garages where they are relied upon for parking. Secure undercover cycle parking (not to impinge on the minimum garage dimensions set out above) is also expected at a minimum rate of 1 space per 1 bedroom dwelling, 2 spaces for 2 or 3 bedroom dwellings, and 3 spaces for 4 or more bedroom units.

8.86 In this case, following amendments, all plots have been provided with the appropriate quantum of parking spaces to accord with the SPD. This no longer involves the reliance on integral garages for parking, albeit most accord with the size dimensions in any event. It should be noted that irrespective of whether 'The Denver' house type is considered either a 3 or 4 bedroom dwelling, the parking provision would meet expectations as per the table above given that there are 3 external parking spaces plus an integral garage.

8.87 The layout relies on a variety of parking solutions including frontage parking and parking to the sides in tandem. No triple tandem parking is proposed. The parking is legible and generally well related to each dwelling they are intended to serve. In addition, 2 visitor spaces are proposed adjacent to the 1 bedroom apartments. It is therefore considered that the parking quantum is acceptable and unlikely to lead to highway related issues.

8.88 No specific mention has been made to cycle storage in the application albeit the house types with garages would have secure storage and secure cycle provision could be provided within the rear gardens which could be secured by condition.

Drainage and Flood Risk

- 8.89 The site lies entirely within Flood Zone 1 and is therefore not a site which has been identified as being at risk of flooding. A Flood Risk Assessment and Sustainable Drainage Strategy were submitted at outline stage which aligned with the requirements of policies E1 and E2 of the SNP.
- 8.90 Flood risk to the site from a variety of sources was considered and it was concluded that there is no significant risk from river, groundwater or sewer-based sources. This was made in the knowledge that Southwell has experienced several flood events over recent years; these events have comprised a mix of fluvial, pluvial and sewer-based events. However, it was established that the proposed site is in a location where these known sewer and fluvial risks are not significant. Pluvial risk has been considerably reduced at the southern edge of the site since a culvert drain was built along Kirklington Road, as part of the Southwell Flood Alleviation Scheme, diverting flows from the small water course at the southern boundary. The topography of the site is such that the site drains to two separate catchments and the layout continues shows two attenuation ponds; one close to the site entrance at the north and one to the eastern part in the southern area as were indicated at outline stage. The proposed layout is therefore aligned with the proposed drainage already submitted.
- 8.91 Condition 4 imposed at outline stage, requires that prior to commencement of development, details of surface water disposal be submitted and approved. Whilst the layout shows the broad strategy of a sustainable urban drainage provided by on site attenuation including the two balancing ponds, insufficient details is yet to be presented to allow the condition to be considered satisfied according to the Lead Local Flood Authority.
- 8.92 The majority of the comments received from neighbouring residents raise concerns with flood risk as many have experienced flooding of their properties during heavy rain and worry this development could exacerbate existing problems. As set out at outline stage, it appears that the issues were in part due to a lack of maintenance of the existing drainage ditches downstream (off site) where there are riparian rights. This is not a matter that the developer can be obligated to fix as the land here is not within their control and the LPA cannot require them to undertake future maintenance works. However the drainage solutions set out in the strategy already approved should not give rise to any increase in flooding problems as a result of the development.
- 8.93 Condition 4 - which remains undischarged - allows an appropriate mechanism to agree the final technical details of the drainage strategy and there is no requirement for any further controls or assessment at this stage.

Waste Audit

- 8.94 In the interests of sustainable development, NCC requested that any reserved matters application be accompanied by a waste audit which was secured by Condition 3 of the outline consent. The waste audit is to set out the anticipated nature and volumes of

waste that the development will generate; the steps to be taken to ensure effective segregation of wastes at source including, as appropriate, the provision of waste sorting, storage, recovery and recycling facilities and any other steps to be taken to manage the waste that cannot be incorporated within the new development or that arises once development is complete.

- 8.95 The applicant has submitted a Site Management Waste Plan (July 2023) which NCC as minerals and waste authority have chosen not to comment on. However the Plan submitted appears to work to best practice methods in terms of recycling, segregation on site and waste management and storage.

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.

10.0 **Planning Balance and Conclusion**

- 10.1 The principle and quantum of housing is established through the site-specific allocation policy and the outline planning consent. The dwelling types and mix proposed are broadly in accordance with the most up to date housing needs evidence available and would offer a good mix of housing including 20% bungalows, terrace, semi-detached and detached units that would help meet the aspirations of CP3 providing family dwellings. 30% affordable housing and developer contributions to mitigate infrastructure impacts have already been secured at outline stage.

- 10.2 Landscaping and ecological impacts, with the mitigation and compensation proposed are considered acceptable. Impacts to the character and appearance of this gateway site are also considered to be acceptable with the proposal respecting the semi-rural location of the site through its design and layout. Whilst there are some minor compromises, notably the lack of street trees in places, these compromises are tempered by the fact that there would be trees at the entrance, alongside the public open space and woodland planting adjacent to the site edges such that the site would still create an attractive place to live set amongst a strongly landscaped setting. Impacts on the highway network, parking and living conditions of neighbours have been found to be acceptable. Matters of drainage are controlled by conditions imposed at outline stage and need not be considered further at this stage.

- 10.3 Overall the proposal is considered to accord with the development plan when considered as a whole, would help deliver the housing that the site is allocated for thereby boosting housing supply. No demonstrable harm has been identified. The recommendation is therefore one of approval.

11.0 **Conditions**

11.1 Conditions attached to the outline consent remain in place and require compliance or satisfactory discharge. They do not need to be repeated. A list of these conditions forms Appendix 1 with an update on position for completeness.

01 (Details of roads)

No part of the development hereby permitted shall take place until details of the new road have been submitted to and approved in writing by the Local Planning Authority, to include longitudinal and cross-sectional gradients, street lighting, drainage and outfall proposals, construction specification, provision of and diversion of utilities services, and any proposed structural works. The development shall be implemented in accordance with these details to the satisfaction of the Local Planning Authority prior to first occupation.

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

02 (Construction management plan)

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

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

Once approved, the Construction Management Plan shall be adhered to at all times.

Reason: In the interests of Highway safety.

03 (Provision of drives and parking)

No part of the development hereby permitted shall be brought into use until all drives and parking areas are surfaced in a bound material (not loose gravel). The surfaced drives and parking areas shall then be maintained in such bound material for the life of the development.

Reason: To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc).

04 (Surfacing and drainage of roads/drives)

Prior to the final surfacing of the access drives, driveways and/or parking areas of each plot a drainage scheme shall be submitted to and approved in writing by the Local Planning Authority demonstrating how surface water will be prevented from entering the public highway from these areas. The approved scheme shall thereafter be implemented on site prior to first occupation and retained for the lifetime of the development.

Reason: To ensure surface water from the site is not deposited on the public highway causing dangers to road users.

05 (Visibility splays)

The visibility splays as shown on Drawing number 2322-03 rev ~~Y~~ **AA** (Site Layout) shall be kept clear of all obstruction above 600mm above carriageway level for the lifetime of the development.

Reason: In the interests of highway safety.

06 (Noise assessment for pumping station)

No development shall commence in respect of the pumping station until a Noise Assessment (and associated Mitigation Strategy as necessary) relating to the on-site pumping station have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of amenity.

07 (Boundary treatment details)

Prior to first occupation, a scheme detailing all hard boundary treatments (as shown locationally on the approved site layout plan) shall be submitted to and approved in writing by the Local Planning Authority. Details shall include heights, design and elevation details and materials. The approved scheme for each respective plot shall be implemented on site prior to first occupation of each respective dwelling or in accordance with an alternative timetable embedded within the scheme and shall also comply with Appendix 3: Enhancement Plan of the Landscape and Ecology Management Plan in terms of the provision of the hedgehog highway.

Reason: Insufficient details have been provided with the application and the condition is necessary in the interests of residential amenity and to accord with the ecological mitigation and enhancement measures recommended as part of the submission.

08 (Cycle Storage Provision)

Prior to first occupation, details of secure covered cycle parking provision within each plot that has no associated garage shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the precise location, design and specification of the cycle storage. The approved details shall be made available within each plot prior to first occupation.

Reason: In the interests of encouraging modes of sustainable transport.

09 (External facing materials)

Notwithstanding details of the external materials shown on drawing no. (2322-04-01 Rev ~~H~~ **J** (Materials Layout), the bricks and roof tiles are not approved. Prior to the laying of any facing

bricks above damp-proof course and the installation of any roof tiles on site, details (including manufacturers name, colour and material) shall first be submitted to and approved in writing by the Local Planning Authority. The approved materials shall be used in the development.

Reason: Insufficient details have been provided. In any event, consideration should be given to the placement of clay/terracotta colour roof tiles around the edge of the development that would better reflect the vibrant orange/red local clay tiles which typifies most roof coverings in Southwell in the interests of visual amenity.

010 (On-plot landscaping)

The approved 'on-plot' soft landscaping (detailed on drawing numbers: ~~11515-FPCR-XX-XX-DR-L-0002-P08 (On-plot general arrangement) 11515-FPCR-XX-XX-DR-L-0003-P08 (Detailed on-plot proposals Sheet 1 of 2 and 11515-FPCR-XX-XX-DR-L-0004-P08 (Detailed on-plot proposals Sheet 2 of 2))~~ 11515-FPCP-XX-XX-DR-L-0002-P09 – On Plot General Arrangement (Landscaping), 11515-FPCP-XX-XX-DR-L-0003-P09 – On Plot General Arrangement (Landscaping), 11515-FPCP-XX-XX-DR-L-0004-P09 – On Plot General Arrangement (Landscaping)) shall be completed during the first planting season following first occupation of each plot which the associated landscaping falls within, 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 current or next planting season with others of similar size and species unless otherwise agreed in writing by the local planning authority.

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

011 (Structural Landscaping within Public Areas)

Prior to first occupation of any dwelling hereby approved, a scheme for the phasing of the approved structural landscaping scheme detailed on drawing no. 11515-FPCR-XX-XX-DR-L-0001 ~~P12 P13~~ (Detailed POS – Structural Landscape Proposals) shall be submitted to and approved in writing by the Local Planning Authority. The approved phasing plan shall thereafter be implemented as approved. Any trees/shrubs which within a period of five years from being planted die, are removed or become seriously damaged or diseased shall be replaced in the current or next planting season with others of a similar size and species.

Reason: To ensure that the work is carried out within an agreed appropriate period and thereafter properly maintained in the interests of visual amenity and biodiversity.

012 (Details of artefacts in public area)

Prior to first occupation of any dwelling hereby approved, details of the following (to be located in the public areas of the site) shall be submitted to and approved in writing by the Local Planning Authority:

- street furniture such as benches;
- litter bins, dog foul bins;

- signage (for example those warning of danger for attenuation ponds and rules of play at play area etc);
- any means of enclosure (e.g. for safety etc) within the public open areas;
- external lighting (that is not street lighting);
- lifebuoys to be provided at each attenuation pond;
- any other minor artefact and structure to be located in the public areas of the site.

The details approved shall be provided on site prior to first occupation or to an alternative timescale to be approved in writing.

Reason: Insufficient detail has been provided and the condition is necessary in the interests of amenity and public safety. The play equipment is controlled via the s.106 agreement and this condition is necessary to capture all other artefacts that would need to be located within the public areas.

13 (Approved plans)

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

~~Colour Site Layout (03-02)~~

Site Layout (03 Rev ~~Y-AA~~)

PROW Plan, 2322-09-PROW

Fire Vehicle Tracking (110 Rev A)

Refuse Vehicle Tracking (111 Rev A)

Surface Materials Layout (232204-02 **Rev H J**)

Maintenance Area Plan (2322-0501 REV G **received 09.08.2024**)

Garage Type (DGAR13-FTB-1 OWNER)

2322-04-01 Rev ~~H~~ **J** (Materials Layout - except for facing bricks and roof tiles as set out in condition 9)

Arboricultural Assessment and Arboricultural Method by fpcr, May 2024 (revised)

Site Waste Management Plan by Reconomy, July 2023

H-5-2154 RICHARDSON-FORMAL-1 Rev A (brick)

H-5-2154 RICHARDSON-PLANS Rev A,

H-5-2154 RICHARDSON-FORMAL 3 Rev A

AB-2-657-FORMAL 1 Elevations and Floor Plan

AB-2-657-WF-FORMAL 1 - Elevations and Floor Plan

AH-1-622-FORMAL 1 -Elevations and Floor Plans

H-2-761-FORMAL 1 Elevations and Floor Plans

H-2-783-ANNESLEY-FORMAL 2

H-3-1009-CHAPMAN-FORMAL 2

H-3-1009-CHAPMAN-FORMAL 5

H-5-2600- FLOOR PLANS

H-5-2600-FORMAL 1

H-3-920-FORMAL 1

H-3-962-CARDEW-FORMAL 1

H-3-962-CARDEW-FORMAL 2

H-3-1405-DENVER SP-FORMAL 1 Rev B

H-3-1405-DENVER SP-FORMAL 2 Rev B
H-3-1405-DENVER SP-FORMAL 3 Rev B
H-3-843-BENSON-FORMAL 1 REV A
H-3-838-BARTON-FORMAL 1 REV A
H-5-2171-SEYMOUR-PLANS Rev A
H-5-2171-SEYMOUR-FORMAL 1 Rev A
H-5-2600-FLOOR PLANS
H-5-2600-FORMAL 1
H-5-2166 Stansfield

Reason: So as to define this approval.

Informatives

01

Nottinghamshire County Council and Highways Authority set out the following advice notes:

- It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.
- The applicant should note that notwithstanding any planning permission, if any highway forming part of the development is to be adopted by the Highways Authority, the new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks. The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible. It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site.
- Any details submitted in relation to a reserved matters or discharge of condition planning application are unlikely to be considered by the Highway Authority until after technical approval of the works is issued.
- The applicant should email hdc.north@nottscc.gov.uk to commence the technical approval process, prior to submitting the related discharge of conditions application. The Highway Authority is unlikely to consider any details submitted as part of a discharge of conditions application prior to technical approval of the works being issued
- All correspondence with the Highway Authority should be addressed to hdc.north@nottscc.gov.uk

02

This application has been the subject of discussions during the application process to ensure

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

03

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

The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved as is detailed below. 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/ or from the Planning Portal: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

04

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.

05

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 it relates to a major development for an application made before 12 February 2024 and in any case the proposal is for reserved matters only where BNG does not apply.

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 1: Outline Conditions

Condition no.	Content	Status
01	<p>Application for approval of reserved matters shall be made to the local planning authority not later than three years from the date of this permission.</p> <p>The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.</p> <p>Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.</p>	For compliance.
02	<p>Details of the appearance, landscaping, layout and scale (hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.</p> <p>Reason: This is a planning permission in outline only and the information required is necessary for the consideration of the ultimate detailed proposal.</p>	For compliance and details form part of this reserved matters application.
03	<p>Any reserved matters application pursuant to this outline consent shall be accompanied by a waste audit in line with paragraph 049 of the National Planning Practice Guidance which details:</p> <ul style="list-style-type: none"> o the anticipated nature and volumes of waste that the development will generate; o the steps to be taken to ensure effective segregation of wastes at source including, as appropriate, the provision of waste sorting, storage, recovery and recycling facilities; o any other steps to be taken to manage the waste that cannot be incorporated within the new development or that arises once development is complete. <p>Reason: To ensure the development proceeds in a sustainable way and to enable the LPA to be satisfied that it does not prejudice the implementation of the waste hierarchy.</p>	This condition is satisfied by the submission of an adequate waste audit as part of this RMA.
04	No part of the development hereby approved shall commence until a detailed surface water drainage	Condition is not yet satisfied and a

	<p>scheme based on the principles set forward by the approved Lumax Flood Risk Assessment (FRA) and Drainage Strategy LMX296-LMX-00-ZZ-RP-D-002 Rev B., has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:</p> <ul style="list-style-type: none"> o Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753. o Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods. o Demonstrate all exceedance shall be contained within the site boundary without flooding new properties in a 100year+40% storm. o Provide details of STW approval for connections to existing network and any adoption of site drainage infrastructure. o Evidence how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term <p>Reason: A detailed surface water management plan is required to ensure that the development is in accordance with NPPF and local planning policies. It should be ensured that all major developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.</p>	<p>further application will be require prior to commencement</p>
05	<p>No development hereby permitted shall be commenced until the roundabout junction, gateway feature and</p>	<p>For compliance</p>

	<p>housing land access as shown for indicative purposes on drawing 001 Rev. D has been provided in accordance with the approved details.</p> <p>Reason: In the interests of highway safety and capacity and to avoid unnecessary disruption and delays to highway users.</p>	
06	<p>Notwithstanding the submitted Illustrative Masterplan, all site highway layouts shall comply with the Highway Authority design guide (current at the time of submission) and be first submitted to and agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure the development is constructed to adoptable standards.</p>	This condition is satisfied given that NCC HA have raised no objection.
07	<p>No part of the development hereby approved shall be occupied until the off-site traffic management works required to extend the 30 mph speed restriction on Lower Kirklington Road have been undertaken in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: In the interests of highway safety.</p>	Details not yet submitted
08	<p>No part of the development hereby permitted shall be brought into use until visibility splays as shown on drawing no. 001 Rev D are provided. The area within the visibility splays referred to in this Condition shall thereafter be kept free of all obstructions, structures or erections exceeding 0.6 metres in height above carriageway level.</p> <p>Reason: In the interests of highway safety.</p>	For compliance
09	<p>Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until Parts A to D of this condition have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until Part D has been complied with in relation to that contamination.</p> <p>Part A: Site Characterisation</p>	No details have been submitted in respect of this condition and it remains undischarged.

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

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

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

Part B: Submission of Remediation Scheme

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

	<p>Protection Act 1990 in relation to the intended use of the land after remediation.</p> <p>Part C: Implementation of Approved Remediation Scheme</p> <p>The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.</p> <p>Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.</p> <p>Part D: Reporting of Unexpected Contamination</p> <p>In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part B, which is subject to the approval in writing of the Local Planning Authority.</p> <p>Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Part C.</p> <p>Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.</p>	
--	--	--

<p>010</p>	<p>Any reserved matters application pursuant to this outline consent shall either be accompanied by a new Arboricultural Impact Assessment or be made in accordance with the Arboricultural Survey by Quants Environmental dated March 2020 and in either case shall be accompanied by an Arboricultural Method Statement which shall include;</p> <ul style="list-style-type: none"> a) A plan showing details and positions of the ground protection areas. b) Details and position of protection barriers. c) Details and position of underground service/drainage runs/soakaways and working methods employed should these runs be within the designated root protection area of any retained tree/hedgerow on or adjacent to the application site. d) Details of any special engineering required to accommodate the protection of retained trees/hedgerows (e.g. in connection with foundations, bridging, water features, hard surfacing). e) Details of construction and working methods to be employed for the installation of drives and paths within the root protection areas of any retained tree/hedgerow on or adjacent to the application site. f) Details of working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the root protection areas of any retained tree/hedgerow on or adjacent to the application site. g) Details of any scaffolding erection and associated ground protection within the root protection areas h) Details of timing for the various phases of works or development in the context of the tree/hedgerow protection measures. <p>The approved tree protection measures shall be implemented on site prior to development commencing on site and shall be retained for the construction period unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: In order to afford existing trees adequate protection during the construction phase.</p>	<p>A new survey and AIA supports this application which meets the requirements of this condition which will need to be complied with during development. No further condition is necessary.</p>
------------	---	---

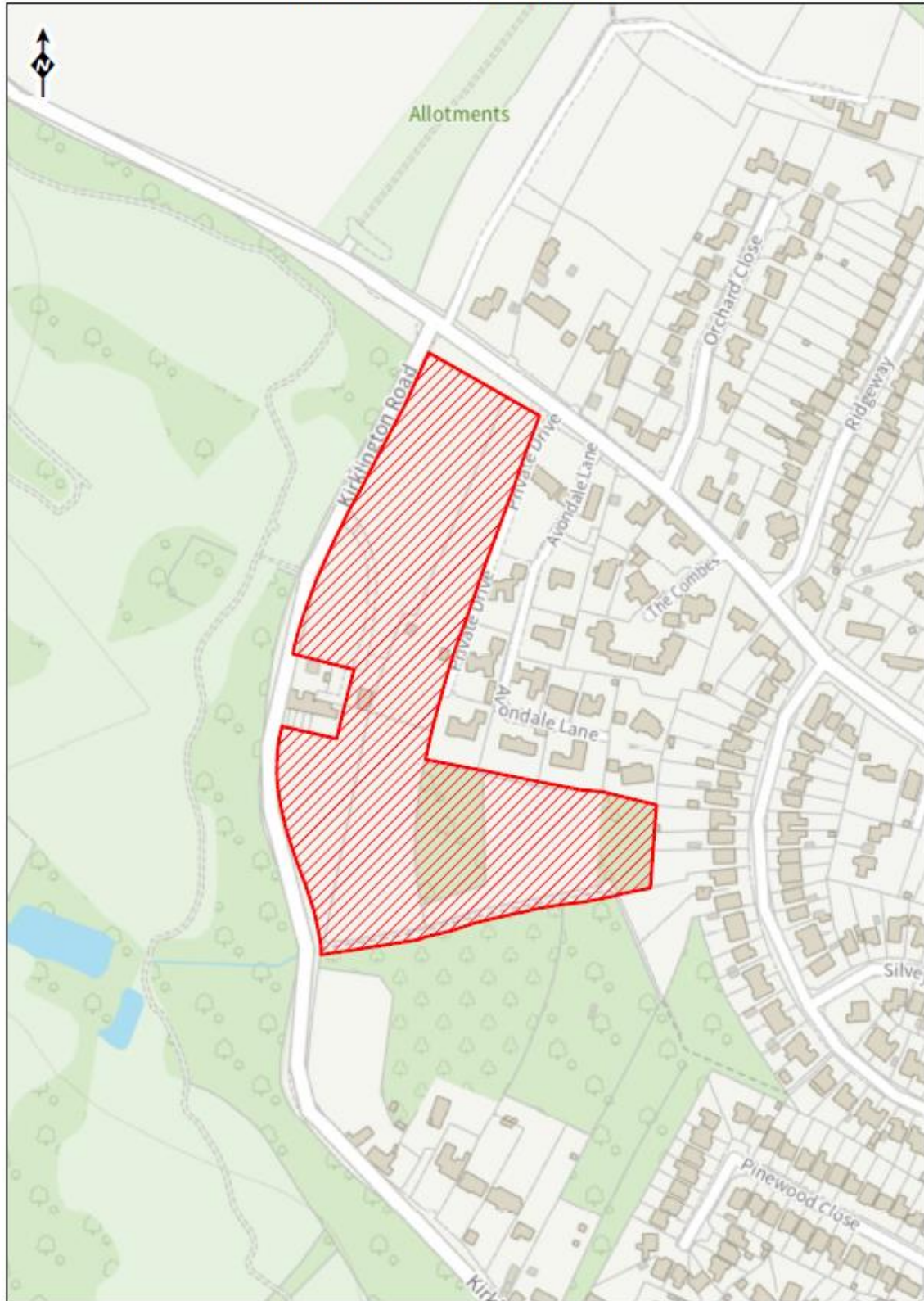
011	<p>The following activities must not be carried out under any circumstances.</p> <ul style="list-style-type: none"> a) No fires to be lit on site within 10 metres of the nearest point of the canopy of any retained tree/hedgerow on or adjacent to the proposal site. b) No equipment, signage, fencing etc shall be attached to or be supported by any retained tree on or adjacent to the application site, c) No temporary access within designated root protection areas without the prior written approval of the District Planning Authority. d) No mixing of cement, dispensing of fuels or chemicals within 10 metres of any retained tree/hedgerow on or adjacent to the application site. e) No soak-aways to be routed within the root protection areas of any retained tree/hedgerow on or adjacent to the application site. f) No stripping of top soils, excavations or changing of levels to occur within the root protection areas of any retained tree/hedgerow on or adjacent to the application site. g) No topsoil, building materials or other to be stored within the root protection areas of any retained tree/hedgerow on or adjacent to the application site. h) No alterations or variations of the approved works or protection schemes shall be carried out without the prior written approval of the District Planning Authority. <p>Reason: In order to afford trees adequate protection.</p>	For compliance
012	<p>No tree identified as having a moderate bat roost potential in the Ecological Impact Assessment (by Quants Environmental dated September 2020) shall be removed from the site until it has been subject to an endoscope survey by a suitably qualified ecologist within a 24 hour period prior to it being felled. Should a roost be found, the tree shall not be felled until such time as a licence is received from Natural England to undertake works and the Local Planning Authority have been informed of this in writing.</p> <p>Reason: In order to safeguard protected bats from harm that could otherwise result from the development in line with the recommendations of the assessment submitted in support of this application. For the avoidance of doubt this condition will relate to trees T1, T2, T3, T4, T5, T6 and T7.</p>	For compliance

013	<p>Any application for reserved matters approval pursuant to this outline consent shall be accompanied by a Scheme of Ecological Mitigation and Enhancement which shall build upon the recommendations set out in the Ecological Impact Assessment, by Quants Environmental, dated September 2020 and shall include:</p> <ul style="list-style-type: none"> a) purpose, aims and objectives of the scheme; b) a review of the site's ecological potential and any constraints which shall include an updated ecological walkover survey if this is submitted after February 2022; c) description of target habitats and range of species appropriate for the site; d) selection of appropriate strategies for creating/restoring target habitats or introducing target species; e) selection of specific techniques and practices for establishing vegetation; f) sources of habitat materials (e.g. plant stock, log piles) or species individuals; g) method statement for site preparation and establishment of target features; h) extent and location of proposed works; i) aftercare and long term management; j) the personnel responsible for the work; k) timing of the works; l) monitoring; m) disposal of wastes arising from the works; n) a plan showing the areas of retained habitats; o) clear commentary on what is considered mitigation and what is an enhancement. <p>It shall also include as a minimum details of;</p> <ul style="list-style-type: none"> o deadwood log piles using the trees felled within the site; o the contribution that the sustainable urban drainage scheme will make to habitat creation; o 6 integrated terrace house sparrow boxes, 6 integrated starling boxes and 6 integrated swift boxes (the scheme shall identify precise locations and the position of the boxes as well as manufactures details) o 5 integrated bat boxes to be installed within the new builds (the scheme shall identify which plots and the position of the boxes as well as manufactures details); o 5 bat boxes to be installed on trees within the site (the scheme shall identify the precise location, height of installation and manufactures details of the boxes) 	The revised LEMP complies with this condition, which has been satisfactorily addressed.
-----	---	---

	<ul style="list-style-type: none"> o a minimum length of 90 metres of new diverse hedgerow to be planted for mitigation purposes for that lost; o a minimum of 10 integrated bee sticks at locations to be specified; o permeable boundary treatments to be installed to allow hedgehogs to move through the site (including designs and locations). <p>The approved details shall be implemented on site to an agreed timetable which shall be embedded within the scheme.</p> <p>Reason: In order to secure mitigation and enhancement measures that are identified as necessary within the submission to protect biodiversity.</p>	
014	<p>No clearance work including the removal of hedgerows, trees, semi-improved grassland, scrub or woodland that is to be removed as part of the development hereby permitted shall be lopped, topped, felled or otherwise removed during the bird nesting period (beginning of March to end of August inclusive) unless otherwise agreed in writing by the local planning authority. Any active nest found should be left undisturbed until the chicks have fledged or the nest is no longer in use.</p> <p>Reason: To ensure that adequate provision is made for the protection of nesting birds on site.</p>	For compliance
015	<p>Prior to first occupation, details of any external lighting to be used in the development shall be submitted to and approved in writing by the local planning authority. The details shall include location, design, levels of brightness and beam orientation, together with measures to minimise overspill and light pollution with particular regard to nocturnal wildlife. The lighting scheme shall thereafter be carried out in accordance with the approved details and the measures to reduce overspill and light pollution retained for the lifetime of the development unless otherwise agreed in writing by the local planning authority.</p> <p>Reason: In the interests of visual and residential amenity and to minimise impacts on foraging and commuting bats.</p>	No details submitted

016	<p>No development shall be commenced until a Construction Environmental Management Plan and timetable has been submitted to and approved in writing by the local planning authority. The plan shall identify appropriate measures for the safeguarding of protected and locally important species and their habitats during the construction period and shall include:</p> <p>a) an appropriate scale plan showing protection zones where construction activities are restricted and where protective measures will be installed or implemented;</p> <p>b) details of protective measures (both physical measures and sensitive working practices) to avoid impact during construction including those highlighted within the Ecological Impact Assessment, by Quants Environmental, dated September 2020</p> <p>c) a timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed;</p> <p>d) details of a person responsible for the management of the protection zones.</p> <p>Development shall be carried out in accordance with the approved details and timetable unless otherwise agreed in writing by the local planning authority.</p> <p>Reason: In the interests of maintain and enhancing biodiversity.</p>	Not yet discharged – see 23/01822/DISCON
017	<p>No development, including site clearance, shall be undertaken after March 2021 unless an updated Badger Survey (including mitigation as necessary, detailing timings of this) has been undertaken and the findings have been submitted to and approved in writing by the Local Planning Authority. Any proposed mitigation measures embedded in the Survey shall be carried out in full.</p> <p>Reason: In order to adhere to the recommendations contained within the Ecological Impact Assessment, by Quants Environmental, dated September 2020 given the transient nature of badgers.</p>	Discharged 22.11.2023 by 22/01822/DISCON
018	No development shall take place until a written scheme of archaeological investigation has been submitted to	Details submitted under planning reference

	<p>and approved in writing by the Local Planning Authority. This scheme shall include the following:</p> <ol style="list-style-type: none"> 1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements); 2. A methodology and timetable of site investigation and recording; 3. Provision for site analysis; 4. Provision for publication and dissemination of analysis and records; 5. Provision for archive deposition; and 6. Nomination of a competent person/organisation to undertake the work. <p>The scheme of archaeological investigation must only be undertaken in accordance with the approved details.</p> <p>Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with the National Planning Policy Framework.</p>	<p>24/01039/DISCON – pending consideration. Discharged</p>
019	<p>The archaeological site work must be undertaken only in full accordance with the approved written scheme referred to in the above Condition 18. The applicant shall notify the Local Planning Authority of the intention to commence at least fourteen days before the start of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without prior consent of the Local Planning Authority.</p> <p>Reason: To ensure satisfactory arrangements are made for the recording of possible archaeological remains in accordance with the National Planning Policy Framework.</p>	For compliance
020	<p>A report of the archaeologist's findings shall be submitted to the Local Planning Authority and the Historic Environment Record Officer at Nottinghamshire County Council within 3 months of the works hereby approved being commenced unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: In order to ensure that satisfactory arrangements are made for the investigation, retrieval and recording of any possible archaeological remains on the site in accordance with the National Planning Policy Framework.</p>	For compliance



© Crown Copyright and database right 2022 Ordnance Survey. Licence 100022288. Scale: Not to scale



Report to Planning Committee 5 September 2024
 Business Manager Lead: Lisa Hughes – Planning Development
 Lead Officer: Julia Lockwood, Senior Planner, 01636 655902

Report Summary			
Application Number	24/01268/S73		
Proposal	Application for Variation of condition 20 to substitute approved drawings with revised plans for the multi functional building following archaeological investigations attached to planning permission 21/02690/FUL (Engineering works to form new gatehouse approach, alterations to existing castle, creation of new pedestrian access, construction of new entrance pavilion and multi-functional events facility and landscaping works)		
Location	Newark Castle, Castle Gate, Newark- on-Trent		
Applicant	Newark And Sherwood District Council – Steven Chitty	Agent	Lucy Wilson – 5 Bingham Enterprise Centre
Web Link	https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SGPSLHLB0BV00		
Registered	17.07.2024	Target Date	11.09.2024
Recommendation	That planning permission is APPROVED, subject to the conditions set out within Section 10 of this report		

This application is being presented to the Planning Committee in line with the Council’s Scheme of Delegation because Newark and Sherwood District Council is the applicant.

1.0 The Site

1.1 The application site relates to Newark Castle and Gardens which are located on the edge of Newark Town Centre on the east bank of the River Trent, opposite the Ossington (Grade II* Listed Building) and at the junction between Beast Market Hill to the north and Castle Gate to the east.

- 1.2 The castle is a Grade I listed building and a Scheduled Monument and dates back to 11th century. The gardens are a Grade II registered park and garden. The site is also located within Newark Conservation Area.
- 1.3 The Grade II listed now Federation of Women's Institute (former Tollhouse) building (known as Trent Bridge House) is located to the north-west of the site fronting Beast Market Hill. This building is used as offices and meeting rooms. To the east of the site and within the castle grounds (but not within the application site) is the Grade II listed Gilstrap Building which houses the registry office and is owned and run by the County Council. To the south of the site is a footpath which connects Castle Gate to the path along the river. There are many other Grade II listed buildings located along Castle Gate.
- 1.4 The western boundary of the site is formed by a dwarf brick wall that forms the riverbank adjacent to the river path. Beyond this on the opposite side of the river is Riverside Park which forms an open setting to the castle from the west. All other boundaries are formed by low stone walls supporting iron railings with mature tree and hedgerow planting behind. All trees on the site are protected by virtue of their siting within the Conservation Area.
- 1.5 Pedestrian access is currently achieved from Castle Gate at the northeast and southeast corners of the site (with vehicular access also from Castle Gate at the southeast entrance).
- 1.6 The lower land levels, including the river path, to the west of the castle curtain wall lies predominantly within Flood Zone 3a (with a very small area in Flood Zone 3b) which means it is at high risk of main river flooding with Flood Zone 2 (medium risk) extending further into the site to up the gatehouse ruin. Surface Water Flood Risk is very low within the site.
- 1.7 Ground levels on the site range from 10.5m AOD (adjacent to the River Trent) to 19.3m AOD across the grounds.

2.0 Relevant Planning History

- 2.1 24/00403/LDO - Application for draft Local Development Order to enable and control filming at Newark Castle - pending consideration.
- 2.2 **21/02690/FUL** - Engineering works to form new gatehouse approach, alterations to existing castle, creation of new pedestrian access, construction of new entrance pavilion and multi-functional events facility and landscaping works. Approved, as recommended, on 19.01.2024 by the Planning Committee.
- 2.3 96/50975/CAC - Demolish existing public toilets facilities. Approved 01.01.1996.
- 2.4 98/51120/FUL - New vehicular entrance, replacement railings, repairs to perimeter wall and demolition of existing toilet block. Approved 20.05.1998.

3.0 The Proposal

- 3.1 Although Newark Castle is a listed building, it is also a Scheduled Monument. As such, no application for listed building consent is required to be determined by the Local Planning Authority for these proposals, as any physical alterations to the building would require Scheduled Monument Consent from Historic England, which would override the need for listed building consent in this case.
- 3.2 This application seeks to vary Condition 20 (the plans condition) of planning permission 21/02690/FUL which was granted permission earlier this year. This original application sought permission for the creation of a new pedestrian access from Beast Market Hill adjacent to the Women's Institute building and the formation of a new gatehouse approach, the construction of a new multi-function building (positioned underneath the new walkway proposed to the Gatehouse from Beast Market Hill) and a new entrance pavilion (within the castle wall) and insertion of new floors within the Gatehouse, providing an improved events facility and visitor experience.
- 3.3 This application seeks a number of amendments to the approved scheme, which are required following archaeological investigations which have identified below ground archaeology whose retention in situ would affect the siting and design of the currently approved scheme. This revised application will ensure that all archaeology discovered can remain in situ adjacent to the multi functional building. It also seeks revision to the design of the pavilion building to improve accessibility, inclusivity, security concerns and limit impacts on the historic fabric.
- 3.4 The following key changes are proposed to the currently approved scheme:
- The entrance/multi-functional building is set at a higher ground level of approx. 400mm to avoid clashes with archaeology. It is intended for interpretation of archaeology findings to be showcased on the retaining walls. Raising the external slab has resulted in the reconfiguration of internal service routes due to restricted head height. The building has had to be re-shaped in form and internally reconfigured. Externally, the elevations have been simplified with large glazed extents and limit louvres to the facades. It also allows for a larger viewing deck at first floor. An air source heat pump will be added to the west façade that will be encased by bronze casing. The landscape proposals to the entrance have been revised to address the new building position and enhancements seek to retain the 'hidden' appearance from the Jubilee Gardens. The previously proposed blue lias stone is proposed to be replaced with a more appropriate local, suitably sourced Cadeby Bed magnesium limestone (which has been used for repairs for the Castle masonry). A new low level (1.2m high) retaining wall has also been inserted, at the foot of the entrance walkway, to be constructed in Cadeby stone to match the multi-functional building;
 - The ticket/pavilion building reconfigures the stairs and lift, creating an enclosed core which will improve the visitor reception area and provide better accessibility in adverse weather. It also seeks to address concerns of anti-social behaviour in relation to the previously approved external staircase and reduces visual clutter. There has

been an increase in height to the building of approx. 200mm and which allows a fully level deck (with no stepped platform) creating a single accessible deck from the Gatehouse to the North-East Tower. The existing roof that abuts the main building will be fixed to the masonry using traditional lead flashing tying into existing mortar courses. In terms of materials, the previously approved zinc cladding has been removed and replaced with the Cadeby stone.

- Gatehouse alterations – all works are as previously approved, but due to the ‘hanging’ structure approach to inserting internal floors and concerns from structural engineers of top-loading the monument, a more sympathetic solution has been agreed with Historic England, reducing the stress on the historic masonry at high level. The proposed roof drainage will also be revised to connect to a below ground system.

3.5 All new windows and doors will be finished in a bronze colour, including the louvres/grills and the anti-climb balustrade (as per the previous approval).

3.6 All other elements of the scheme including trees and ecology remain as set out in the previously approved application and would not be affected by the newly proposed alterations.

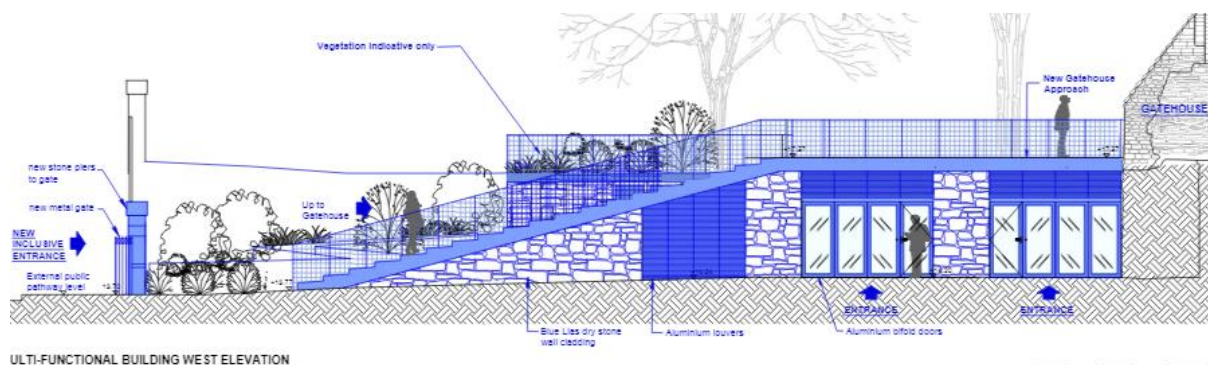
Previously approved site layout:

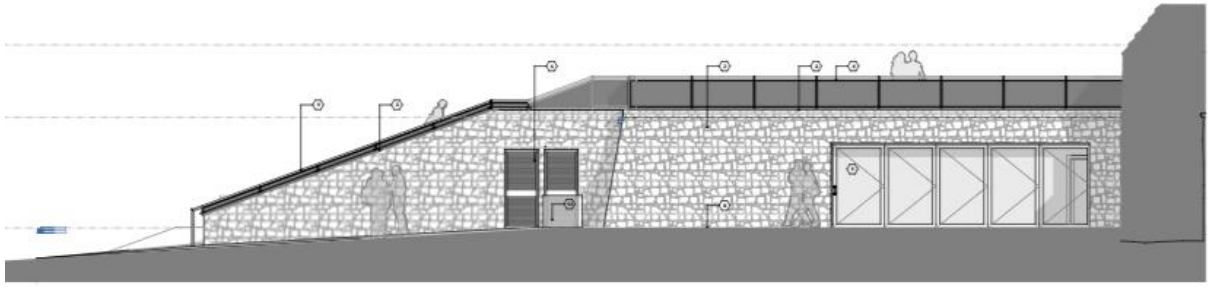


Newly proposed site layout:

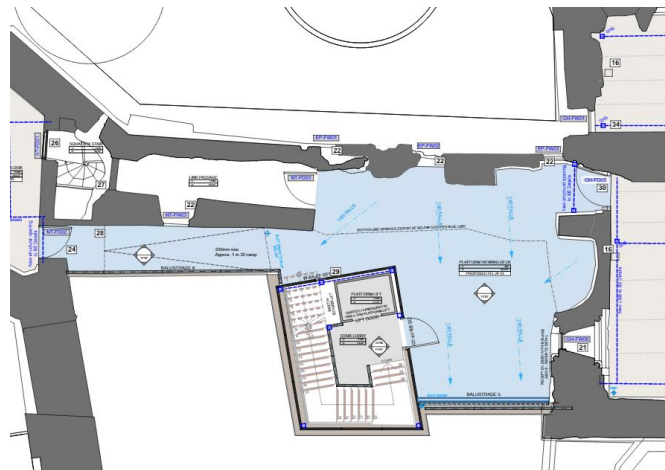
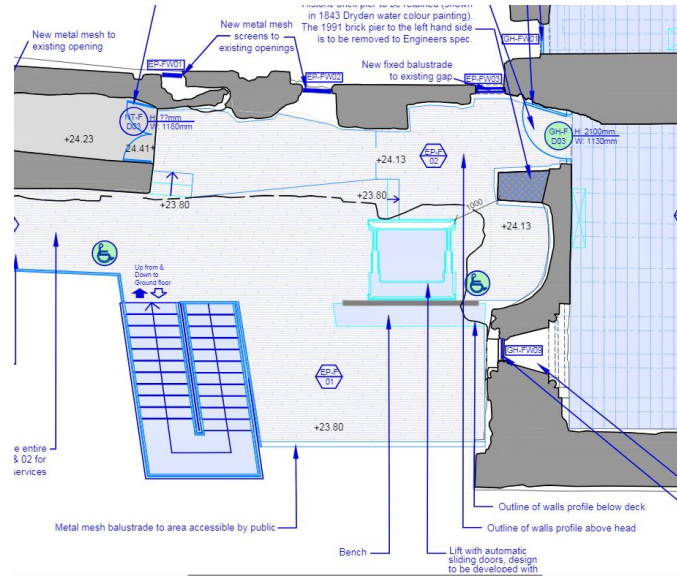


Multi-functional building elevation (as currently approved and then as currently proposed):

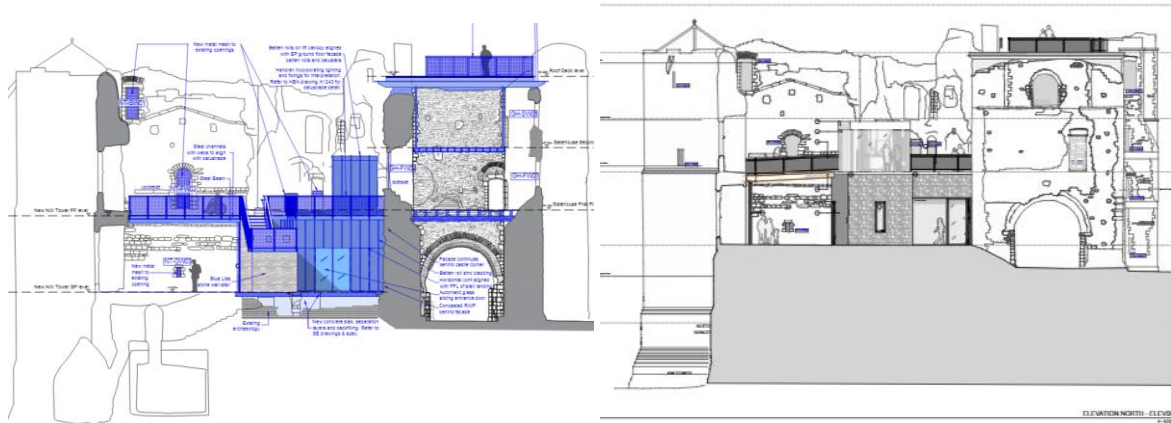




Pavilion Building First Floor Plan (as currently approved and then as currently proposed):



Pavilion Building Elevation (as currently approved and then as currently proposed):



Gatehouse Elevation (as currently approved and then as currently proposed):



In addition to the proposed amendments to the scheme, the application has also submitted information to discharge Conditions 4 (windows and door detailing), 5 (extraction/louvres/vent details), 6 (fixings to Castle and new structural elements) and 7 (handrail/railing details) and 17 (drainage details).

As with the previous application, the proposals seek to better control and direct visitor movement across the site, provide inclusive access to ground and first floor levels of the Gatehouse, entrance pavilion, North- West Tower and multi-function building. Whilst all external space would continue to be financially free to access by all as is currently the case, a charge would be payable on implementation of the scheme to access the buildings.

There are a considerable number of plans and supporting documents relating to this application. In order to avoid duplication, the plans are listed within Condition 012 below and all the supporting reports and documents are listed within Informative 010 towards the end of this report.

4.0 Departure/Public Advertisement Procedure

Occupiers of 43 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.

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 7 - Sustainable Transport
Spatial Policy 8 – Protecting and Promoting Leisure and Community Facilities
Core Policy 7 – Tourism Development
Core Policy 9 - Sustainable Design
Core Policy 10 – Climate Change
Core Policy 12 – Biodiversity and Green Infrastructure
Core Policy 14 – Historic Environment
NAP1 - Newark Urban Area

5.2 Allocations & Development Management DPD

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

The Draft Amended Allocations & Development Management DPD was submitted to the Secretary of State on the 18th January 2024. This is therefore at an advanced stage of preparation albeit the DPD is yet to be examined. There are unresolved objections to amended versions of the above policies emerging through that process, and so the level of weight which those proposed new policies can be afforded is currently limited. As such, the application has been assessed in-line with policies from the adopted Development Plan, unless material consideration indicates otherwise.

5.3 Other Material Planning Considerations

- National Planning Policy Framework 2023
- Planning Practice Guidance (online resource)
- Newark Castle Gatehouse Project Conservation Management Plan Oct 2023 by Purcell
- Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

6.0 Consultations

6.1 Comments have been summarised below but are available to view in full on the Council website.

(a) Statutory Consultations

6.2 **Historic England** – supports the proposals, which will aid and enhance visitor experience by promoting approaching the impressive 12th century Gatehouse, arrival

at the castle, rather than through the castle gardens. They acknowledge the ongoing engagement that the applicant has carried out with Historic England throughout the detailed design.

6.3 **NCC, Highway Authority** – No objection, the application does not have a detrimental effect on highway safety and capacity.

6.4 **The Environment Agency** – Do not wish to make any formal comments.

6.5 **NCC, Lead Local Flood Authority** – Do not wish to make any bespoke comments on surface water drainage but recommend a number of general guidance points.

6.6 **Canals & River Trust** – No objection, the amended plans avoid in-situ archaeology and include the use of Cadeby stone, which are welcomed and will ensure the protection of the Scheduled Ancient Monument and the setting of the River Trent.

(b) Town/Parish Council

6.7 **Newark Town Council** – No objection.

(c) Non-statutory Consultees and Representations

6.8 **NSDC, Conservation** – Overall, the proposed development preserves the special interest of the listed building and the character and appearance of Newark Conservation Area.

Additional details have been requested on how lead flashing would adjoin the castle fabric to the new build elements (Condition 6), plans and sections of the doors serving the entrance pavilion and multi-functional building (Condition 4).

The colours of the louvres and vents are acceptable (Condition 5), the Structural Methodology and details of the fixing the stairs to the listed building are acceptable (Condition 6) and details of the installation of the metal railings/handrail area acceptable (Condition 7).

6.9 **One letter of representation has been received** from an interested resident of the District who considers the results of all archaeological digs and investigations should be made known so that visitors can obtain a clear picture of how it was when built, through interpretation boards. A recent investigation showed where the stable were, for instance, as well as a bridge-like structure (Advertiser 1 Feb 2024). If possible these should be left uncovered, though protected, for all to see. A model of the castle should also be prepared showing the remaining structure and location of those areas exposed by archaeological digs and where located in relation to the present castle walls and gatehouse.

7.0 Comments of the Business Manager – Planning Development

7.1 The National Planning Policy Framework (NPPF) promotes the principle of a presumption in favour of sustainable development and recognises the duty under the Planning Acts for planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. The NPPF refers to the presumption in favour of sustainable development being at the heart of development and sees sustainable development as a golden thread running through

both plan making and decision taking. This is confirmed at the development plan level under Policy DM12 of the Allocations and Development Management DPD.

- 7.2 As the application concerns designated heritage assets of the setting of listed buildings and the conservation area, sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') are particularly relevant. Section 66 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.
- 7.3 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.
- 7.4 Newark is one of England's finest market towns and was identified by the Council for British Archaeology in 1964 as one of only 51 towns of national importance. Today, Newark is still a remarkable town historically and architecturally, with a range of historical assets reflecting the Medieval, Civic War, Georgian and Victorian periods. This includes Newark Castle, which is perhaps the jewel, given its contribution to the nation's history and its prominent siting within the wider built environment together with its position on the River Trent and it can be considered the town's most significant key asset.

Principle of Development

- 7.6 This application is made under Section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. Where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact.
- 7.7 If the application is acceptable, a decision notice describing the new permission should be issued, setting out all of the conditions related to it. To assist with clarity, decision notices for the grant of planning permission under Section 73 should also repeat the relevant conditions from the original planning permission, as appropriate. As a Section 73 application cannot be used to vary the time limit for implementation, this condition must remain unchanged from the original permission.
- 7.8 The principle of the development has already been established through the granting of the original permission for the development in January 2024, subject to a number of conditions, and therefore the principle of the development is already approved and cannot be re-considered. Only the proposed alterations to the scheme can be

assessed. There has been no significant material change in the Development Plan context since January this year.

- 7.9 The condition to be varied in this application is Condition 020 (the list of approved plans) to seek some amendments to the approved scheme, the main driver being the positioning of archaeology discovered underground. Other alterations are presented in order to improve accessibility and inclusivity, address security concerns, improve sustainable energy through the installation of an air source heat pump and make the construction more sustainable by using a locally sourced limestone (Cadeby) rather than lias stone and zinc cladding. The application also includes details to seek to discharge a number of conditions, including Conditions 4 (windows and door detailing), 5 (extraction/louvres/vent details), 6 (fixings to Castle and new structural elements), 7 (handrail/railing details) and 17 (drainage details).
- 7.10 The main issue to consider is whether it is appropriate to allow the variation of the condition to enable the alterations proposed and the key issue for consideration in this assessment is the impact of the proposed changes, compared to the previously approved scheme, on heritage assets and the visual amenities of the area and whether the details submitted are acceptable to discharge the stated conditions.

Impact on Heritage Assets and Visual Amenities of the Area

- 7.11 Policies CP14 and DM9 of the Council's LDF DPDs, amongst other things, seek to protect the historic environment and ensure that heritage assets are managed in a way that best sustains their significance. Key issues to consider for additions to heritage assets, including new development in conservation areas, are proportion, height, massing, bulk, use of materials, land-use, relationship with adjacent assets, alignment and treatment of setting.
- 7.12 The importance of considering the impact of new development on the significance of designated heritage assets, furthermore, is expressed in section 16 of the National Planning Policy Framework (NPPF). Section 16 advises that the significance of designated heritage assets can be harmed or lost through alterations or development within their setting. Such harm or loss to significance requires clear and convincing justification. The NPPF also makes it clear that protecting and enhancing the historic environment is sustainable development. LPAs should also look for opportunities to better reveal the significance of heritage assets when considering development in conservation areas.
- 7.13 The setting of heritage assets is defined in the Glossary of the NPPF which advises that setting is the surroundings in which an asset is experienced. Paragraph 13 of the Conservation section within the Planning Practice Guidance (PPG) advises that a thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it.
- 7.14 Core Policy 9 states that new development should achieve a high standard of

sustainable design that both protects and enhances the natural environment and contributes to and sustains the rich local distinctiveness of the district and is of an appropriate form and scale to its context complementing the existing built and landscape environments. Policy DM5 states that local distinctiveness should be reflected in the scale, form, mass, layout, design and materials in new development. Paragraph 135 of the NPPF states planning decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).

- 7.15 The site sits in a prominent and important location, at the end of the Great North Road, at the main entrance to the town and adjacent to the River Trent. It is also a significant historic location, the existing castle dating back to late 13th/early 14th century and is Grade I listed and a Scheduled Monument. The site is also a Grade II registered park and garden. Sitting within Newark Conservation Area, it is also surrounded by other listed buildings, including the Ossington (Grade II* Listed Building) to the north on the opposite side of Beast Market Hill, the Grade II listed former Tollhouse (now occupied by the Women's Institute) to the north-west, the Grade II listed Gilstrap Building fronting Castle Gate to the east. There are many other Grade II listed buildings located along Castle Gate. This site is therefore in a highly significant historic environment.
- 7.16 The site of the castle and grounds is well contained and generally well screened with only limited views in. The castle is an impressive building and a dominant architectural feature, it has a long and distinctive curtain wall punctuated by a complete Romanesque Gatehouse. It is this wall which today forms the stunning view of the castle on entering Newark along the Great North Road. The castle is a prominent building which positively contributes to the character and appearance of Newark Conservation Area.
- 7.17 Newark's first castle was probably a motte and Bailey built in the wake of William the Conqueror's push northwards during the winter of 1068-69 with Newark targeted as one of the key positions needed to establish control in the East Midlands. Newark castle was substantially rebuilt in the late 13th/ early 14th century. Although little is known about the siege in 1218, it is thought that the walls were in poor condition. The castle had been restored as an aristocratic residence at the end of the 16th century but following the third siege of Newark in 1646 was left as a roofless ruin.
- 7.18 After the Civil War, the abandoned castle and grounds were put to an extraordinary variety of uses and by 1788 the southern part of the grounds were given over to a Bowling Green and gardens with the remainder of the site being occupied by stables, tenements, workshops, slaughterhouses, a blacksmith shop and a candle manufacturer. Squatters had occupied the North-West Tower of the castle and the area had become something of a slum.
- 7.19 In 1839 the tenements were cleared and the area became a cattle market which was moved from its congested location on Beast Market Hill with a public bath house built in the south-east corner of the grounds.

- 7.20 In 1887 the Town Corporation decided to landscape the castle grounds as a lasting memorial to Queen Victoria's jubilee and a public park was opened in 1889. At this time the site was levelled and tarmacked, the baths demolished and a number of less sensitive repairs were carried out to the castle fabric. Henry Ernest Milner (1845-1906) was commissioned to design the gardens and it is thought that the layout remains largely unchanged.
- 7.21 The riverside area of the castle grounds runs directly below the ruins of the curtain wall. Access along the river by the castle is via a gravel pathway and boardwalk which gives way to a grassed area with parterra and gardens linking uphill to the inner gardens within the castle walls. The disabled ramp has been incorporated sensitively into the design here, as at other points within the grounds. These gardens run past the Gatehouse which again towers over the grounds here, making it better appreciated from some distance.
- 7.22 The inner gardens are made-up of a series of formal lawns and interconnecting pathways. The pathway layout reflects the designs of Henry Ernest Milner of 1887, with some minor modifications such as the bandstand. Running adjacent to and within the northwest curtain wall is an upper terrace providing a promenade which gives access to the former windows of the castle.
- 7.23 The trees within the castle grounds are an essential element of the character of this historic park and garden and are mainly the inheritance of H.E. Milner's original scheme implemented in 1887, although some predate this.
- 7.24 The castle has gone through a number of significant phases through-out its history from its medieval origins to its Victorian garden setting. These proposals would therefore represent an important continuation of the story of the castle.
- 7.25 The proposals seek, as in the previous application, to reinstate the historic entrance to the Gatehouse from Beast Market Hill in the north-west corner. The addition of new modern structures and other alterations proposed to the castle ruin itself, would also introduce intimate elements to the historic fabric, but their form and materials would be easily read as modern additions and the new entrance would represent an historic horse-bridge feature into the Gatehouse.
- 7.26 The following key changes are proposed to the currently approved scheme:
- The entrance/multi-functional building is set at a higher level (400mm) to avoid clashes with archaeology. It is intended for interpretation of archaeology findings to be showcased on the retaining walls. Raising the external slab has resulted in the reconfiguration of internal service routes due to restricted head height. The building has had to be re-shaped in form and internally reconfigured. Externally, the elevations have been simplified with large glazed extents and limit louvres to the facades. It also allows for a larger viewing deck at first floor. An air source heat pump will be added to the west façade that will be encased by bronze casing. The landscape proposals to the entrance have been revised to address the new building position and enhancements seek to retain the 'hidden' appearance from the Jubilee Gardens. The

previously proposed blue lias stone is proposed to be replaced with a more appropriate local, suitably sourced Cadeby Bed magnesium limestone (which has been used for repairs for the Castle masonry). A new low level (1.2m high) retaining wall has also been inserted, at the foot of the entrance walkway, to be constructed in Cadeby stone to match the multi-functional building;

- The ticket/pavilion building reconfigures the stairs and lift, creating an enclosed core which will improve the visitor reception area and provide better accessibility in adverse weather. It also seeks to address concerns of anti-social behaviour in relation to the previously approved external staircase and reduces visual clutter. The proposed floor level has been raised (by approx. 200mm) and allows a fully level deck (with no stepped platform) creating a single accessible deck from the Gatehouse to the North-East Tower. The existing roof that abuts the main building will be fixed to the masonry using traditional lead flashing tying into existing mortar courses. In terms of materials, the previously approved zinc cladding has been removed and replaced with the Cadeby stone.
- Gatehouse alterations – all works are as previously approved, but due to the ‘hanging’ structure approach to inserting internal floors and concerns from structural engineers of top-loading the monument, a more sympathetic solution has been agreed with Historic England, reducing the stress on the historic masonry at high level. The proposed roof drainage will also be revised to connect to a below ground system.
- All new windows and doors will be finished in a bronze colour, including the louvres/grills and the anti-climb balustrade (as per the previous approval).

7.25 In terms of the multi-functional building alterations, clearly any impact on archaeology must take precedence in this highly sensitive historic site. The low wall will assist in providing a surface for interpretation information of the archaeology below, which is welcomed. In terms of the entrance pavilion with its improved accessible viewing platform (now with no steps between the Gatehouse and the NW Tower, improving accessibility) as well as fully enclosing the main staircase and lift from ground floor level, improving security and the potential for anti-social behaviour are additional benefits over and above the currently approved scheme. The change in materials from lias stone and zinc cladding to the use of Cadeby stone (which is more local and therefore more sustainably resourced), would result in the biggest change in the appearance of the scheme, however, it is considered that this proposed change would not result in any harm.

7.26 Neither Historic England nor the Council’s Conservation Officer raise any concerns to the proposed amendments.

7.27 Furthermore, the Conservation Officer, has confirmed that the details submitted in compliance with the requirements of Conditions, 5 (extraction/louvres/vent details), 6 (new structural elements) and 7 (handrail/railing details) can be discharged, although further information has been requested to allow the discharge of Condition 4 (windows and door detailing) and 6 (fixings to Castle).

- 7.28 Overall, the proposed variations to the proposed plans and discharge of condition details submitted, would continue to better reveal the significance of this part of the castle as well as reintroducing a historic view of the Gatehouse, thereby enhancing the character and appearance of the Conservation Area and as such still comply with CP14 and DM9 of the Development Plan and the guidance set out within Section 16 of the NPPF. Overall, the impact of the proposal on the general visual amenities of the area and street scene would also be acceptable in compliance with CP9 and Policy DM5.
- 7.29 The submitted drainage plan in compliance with Condition 17 imposed on the previous approval which required details of surface water and foul disposal to be submitted and approved, shows a pump chamber located on site to pump foul waste into a foul rising main adjacent to the northern boundary of the site to link with existing pipes along Castle Gate which is acceptable. However, percolation tests are yet to be undertaken which are likely to result in changes to the size of soakaways within the surface water disposal plan. As such, it is considered that this part of the condition should remain to be imposed on the development.
- 7.30 The proposed changes would have no further impacts on trees, ecology, highway safety, residential amenity, flood risk or archaeology.

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.

9.0 Conclusion

- 9.1 Overall the proposed variations are considered to be acceptable and there would be no material adverse impact arising in relation to impacts on heritage assets and visual amenity, and matters relating to trees, ecology, highway safety, residential amenity, flood risk or archaeology remain unaffected by the proposed changes.
- 9.2 It is considered that subject to the attachment of relevant conditions set out below (and that also take account of the conditions that can be discharged), that the proposed variation is considered to be in compliance with the Development Plan and national policy guidance and is therefore acceptable and is recommended for approval.
- 9.3 Changes to the conditions imposed previously on application 21/02690/FUL have been shown in bold and strikethrough text to reflect the updated plans and elements of the conditions that are no longer relevant.

10.0 Conditions

10.1 The conditions that follow are those that were imposed on the previously approved planning permission (21/02690/FUL). Proposed changes to the conditions have been shown in bold and strikethrough text to reflect the updated plans and when details have been submitted to discharge conditions they have been deleted and the plans submitted are set out within Condition 017.

01

The development hereby permitted shall not begin later than 19.01.2027.

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

02

Prior to any new stone being laid, a stone sample panel, showing the stone, coursing, mortar and pointing technique shall be provided on site for inspection and agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the agreed sample panel.

Reason: To preserve the special architectural and historic interest of the heritage assets.

03

Prior to the construction of the relevant element, samples or detailed specifications of all external materials to be used on the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the agreed materials.

Reason: To preserve the special architectural and historic interest of the heritage assets.

04

~~Prior to the windows and doors hereby approved being installed, details of their material, design, specification, method of opening, method of fixing and finish, in the form of drawings and sections of no less than 1:20 scale, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the agreed window and door details.~~

~~Reason: Insufficient details of these matters have been submitted with the application and in order to ensure that the development preserves the special architectural and historic interest of the heritage assets.~~

Submitted and approved plans have been included in Plans condition listed in Condition 017.

The development shall be carried out only in accordance with the following window and door details:

- Door and Window Schedule (Drawing No: 23095-AKA-ZZ-XX-DR-A-1001 T3)
- Door Details – Sheet 1 (Drawing No: 23095-AKA-ZZ-XX-DR-A-1002 T2)
- Door Details – Sheet 2 (Drawing No: 23095-AKA-ZZ-XX-DR-A-1003 T2)
- Door Details – Sheet 10 (Drawing No: 23095-AKA-ZZ-XX-DR-A-1013 T1)
- Door and Window Details – Sheet 1 (Drawing No: 23095-AKA-ZZ-XX-DR-A-1004 T2)
- Window Details – Sheet 2 (Drawing No: 23095-AKA-ZZ-XX-DR-A-1005 T2)
- Window Details – Sheet 3 (Drawing No: 23095-AKA-ZZ-XX-DR-A-1006 T2)
- Window Details – Sheet 4 (Drawing No: 23095-AKA-ZZ-XX-DR-A-1007 T2)
- Window Details – Sheet 5 (Drawing No: 23095-AKA-ZZ-XX-DR-A-1008 T2)
- Window Details – Sheet 6 (Drawing No: 23095-AKA-ZZ-XX-DR-A-1009 T2)
- Window Details – Sheet 7 (Drawing No: 23095-AKA-ZZ-XX-DR-A-1010 T2)
- Window Details – Sheet 8 (Drawing No: 23095-AKA-ZZ-XX-DR-A-1011 T3)
- Window Details – Sheet 9 (Drawing No: 23095-AKA-ZZ-XX-DR-A-1012 T1)

Reason: In order to ensure that the development preserves the special architectural and historic interest of the heritage assets.

05-04

Prior to their installation, full details of the siting, appearance and materials to be used in the construction of all extractor vents, heater flues, meter boxes, airbricks, soil and vent pipes, rainwater goods or any other external accretion shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the agreed details.

Reason: Insufficient details of these matters have been submitted with the application and in order to ensure that the development preserves the special architectural and historic interest of the heritage assets.

The submitted information confirming the colour of the louvres and vents are acceptable in part compliance with this condition.

06

~~Prior to the commencement of development, an up-to-date detailed methodology shall be submitted to and agreed in writing by the Local Planning Authority. This shall include a full schedule of works which comprehensively addresses:~~

- ~~• Details of fixings to the listed building~~
- ~~• New structural elements~~

~~The development shall be carried out only in accordance with the agreed methodology.~~

Submitted and approved plans have been included in Plans condition listed in Condition 017.

The development shall be completed in full compliance with:

Fixings to the listed building:

Detail Stairs – Sheet 1 (Drawing No: 23095-AKA-BB-XX-DR-A-2401 T1)
Details – Abutment Detail (Drawing No: 23095-AKA-BB-XX-DR-A-2504 T1)

New structural elements:

William Saunders Structural Methodology (Drawing No: 12376-WMS-XX-XX-T-S-20003-S8-P2)

William Saunders General Notes (Drawing No: 12376-WMS-GH-XX-D-S-20041-A Rev C1)

William Saunders First Floor GA Plan (Drawing No: 12376-WMS-GH-01-D-S-22840-A Rev C1)

William Saunders Roof GA Plan (Drawing No: 12376-WMS-GH-03-D-S-22842-A Rev C1)

William Saunders Sections & Elevations (Drawing No: 12376-WMS-GH-ZZ-D-S-22940-A Rev C1)

William Saunders Roof Sections & Details (Drawing No: 12376-WMS-GH-ZZ-D-S-22941-A Rev C1)

Ground Floor GA Plan (Drawing No: 23095-AKA-ZZ-00-DR-A-2003 T3)

First Floor GA Plan (Drawing No: 23095-AKA-ZZ-01-DR-A-2004 T2)

Second Floor GA Plan (Drawing No: 23095-AKA-ZZ-02-DR-A-2005 T3)

Roof GA Plan (Drawing No: 23095-AKA-ZZ-RF-DR-A-2006 T3)

Reason: To preserve the special architectural and historic interest of the heritage assets.

~~07~~

~~Prior to the installation of the metal railings/handrail, details of their design, scale, materials and finish, in the form of drawings and sections to no less than 1:20 scale (or detailed specifications), shall be submitted to and agreed in writing with the Local Planning Authority. The development shall only be carried out in accordance with the agreed railing/handrail details.~~

~~Reason: To preserve the special architectural and historic interest of the listed building.~~

Submitted and approved plans have been included in Plans condition listed in Condition 017.

~~08-05~~

Prior to the commencement of the use of the development hereby approved, full details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved landscape details. These details shall include:

- full details of every tree, shrub, hedge to be planted (including its proposed location, species, size and approximate date of planting) and details of tree planting pits including associated irrigation measures, tree staking and guards, and structural cells. The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species;
- proposed finished ground levels or contours;
- means of enclosure;
- hard surfacing materials;
- minor artefacts and structures for example, furniture, play equipment, refuse or other storage units, signs, external lighting, bicycle parking etc.

- All external lighting details submitted shall be in accordance with the Lighting Design Report (Doc Ref. 1262-700-RP-S3_Rev 07 – 30/10/2023 – Michael Grubb Studio) and Lighting Specification (Doc Ref. 1262-900-SP-S3_Rev 00 – 27/11/2023 – Michael Grubb Studio);
- proposed and existing functional services above and below ground (for example, drainage, power and communications cables etc).

All the approved details listed above (other than the soft landscaping) shall be provided on site prior to the proposed development being first brought into use and retained for the lifetime of the development.

Reason: To preserve the special architectural and historic interest of the heritage assets.

~~09-06~~

The approved soft landscaping shall be completed during the first planting season following the use of the development commencing. 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 the same size and species.

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

~~010-07~~

Development must be undertaken strictly in accordance with the recommendations of section F3.1 of the Bat Survey Report [LM0140] BSR [Newark Castle Gatehouse Project] Rev C dated July 2023 by LM Ecology and as amended by Drawing Nos: 2269-01/06/09, 2269-01/06/10 and 2269-01/06/11, except where these may be varied by the terms of a European Protected Species Licence granted by Natural England.

Reason: In the interests of protected species and biodiversity.

~~011-08~~

No hedge or tree that is to be removed as part of the development hereby permitted shall be lopped, topped, felled or otherwise removed during the bird nesting season (beginning of March to end of August inclusive). If such works are required to be conducted within the breeding season, a nesting bird survey must be carried out by a qualified ecologist prior to clearance. Any nests located must then be identified and left undisturbed until the young have left the nest.

Reason: To ensure that adequate provision is made for the protection of nesting birds on site.

~~012-09~~

Notwithstanding the information shown on submitted plans, prior to any works being undertaken to existing trees being retained on the application site, the extent and details of

those works shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out only in accordance with the approved details.

Reason: In the interests of the trees to be retained on the site and amenity of the area.

013-010

The proposed footpath to be located within the Root Protection Area of T14 and shown on the plan attached at Appendix B of the submitted Tree Survey Report and Arboricultural Impact Assessment dated 1 Nov 2023 by RPS Group, shall only be constructed in full compliance with mitigation measures set out in Para 5.26 of the same Report.

Reason: In the interests of this tree to be retained on the site and amenity of the area.

014-011

Prior to the commencement of development, the root protection fencing shall be installed in accordance with the details and location shown on the plan attached at Appendix B of the submitted Tree Survey Report and Arboricultural Impact Assessment dated 1 Nov 2023 by RPS Group and shall be retained for the whole duration of the construction phase.

Reason: In the interests of the trees to be retained on the site and the amenity of the area.

015-012

The bat mitigations and enhancements as shown on:-

- Detail Drawing – Gatehouse Putlog Hole Roost Detail as proposed (Drawing No: 2269-01/06/09)
- Detail Drawing – Gatehouse Eaves Bat Box Detail as proposed (Drawing No: 2269-01/06/10)
- Detail Drawing – Entrance Pavilion Wall Void Bat Roost Detail as proposed (Drawing No: 2269-01/06/11)

shall be fully provided prior to any of the buildings hereby approved being brought into use and retained for the lifetime of the development.

Reason: In the interests of protected species and biodiversity.

016-013

The development hereby approved shall be implemented in accordance with the submitted Flood Risk Assessment (Ref: 12376-WMS-ZZ-XX-RP-39301-S8-P2) dated Nov 2023 by William Saunders. The development shall be operated in full accordance with the approved details for its lifetime.

Reason: In the interests of flood risk and keeping visitors to the site safe in a flood event.

017-014

The submitted Proposed Drainage Layout Plan (~~Drawing No: 12376- WMS- ZZ- XX- DR- C- 39201- S3 Rev P1~~) (**Drawing No: 12376- WMS- ZZ- XX- DR- C- 39201- A Rev C2**) is acceptable **in terms of foul sewerage disposal only but** is not hereby **approved in relation to the disposal of surface water. Prior to the development being first brought into use, , prior to the commencement of development,** details of the final Drainage Strategy and Plans shall be submitted to and approved in writing by the Local Planning Authority, which shall include the disposal of ~~both surface water and foul sewerage~~ from the site. The approved Drainage Strategy shall be fully implemented on site prior to the proposed development being first brought into use and retained for the lifetime of the development.

Reason: In the interests of flood risk and amenity.

018-015

No motorised vehicles shall use the access onto Beast Market Hill, hereby approved.

Reason: In the interests of pedestrian safety.

019-016

Prior to the commencement of development a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt that shall include, but not be limited to:

- i. construction works on the site shall not take place outside 08:00 to 18:00 hours Mondays to Fridays and 08:00 to 14:00 hours on Saturdays and no time at all on Sundays or Bank Holidays;
- ii. deliveries shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 to 14:00 on Saturdays and at no time on Sundays or Bank Holidays;
- iii. the provision of site compound facilities;
- iv. the provision of any hoarding around the site;
- v. the parking of vehicles of site operatives and visitors;
- vi. loading and unloading of plant and materials; and
- vii. storage of plant and materials used in constructing the development.

The construction of the development shall only proceed in accordance with the approved Construction Method Statement until construction is complete.

Reason: In the interests of residential amenity, trees, archaeology and highway safety.

020-017

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

Block Plan (Drawing No: 23095- AKA- ZZ- XX- DR- A- 0002 T2)

Existing Site Plan/Topographical Survey (Drawing No: 23095- AKA- ZZ- XX- DR- A- 0201 T2)

Existing Ground Floor Plan (Drawing No: 23095- AKA- ZZ- 00- DR- A- 0202 T2)

Existing First Floor Plan (Drawing No: 23095- AKA- ZZ- 01- DR- A- 0203 T2)

Existing Second Floor Plan (Drawing No: 23095-AKA-ZZ-02-DR-A-0204 T2)
Existing Roof Plan (Drawing No: 23095-AKA-ZZ-DR-RF-A-0205 T2)
Existing Elevations – Sheet 1 (Drawing No: 23095-AKA-ZZ-XX-DR-A-0206 T2)
Existing Elevations – Sheet 2 (Drawing No: 23095-AKA-ZZ-XX-DR-A-0207 T2)
Existing Sections – Sheet 1 (Drawing No: 23095-AKA-ZZ-XX-DR-A-0208 T2)

Proposed Site Layout (Drawing No: 23095-AKA-ZZ-XX-DR-A-7001 T2)

Lower Ground Floor Plan – Demolition (Drawing No: 23095-AKA-ZZ-LG-DR-A-0501 T1)
Ground Floor Plan – Demolition (Drawing No: 23095-AKA-ZZ-00-DR-A-0502 T2)
First Floor Plan - Demolition (Drawing No: 23095-AKA-ZZ-01-DR-A-0503 T2)
Second Floor Plan - Demolition (Drawing No: 23095-AKA-ZZ-02-DR-A-0504 T2)
Roof Plan – Demolition (Drawing No: 23095-AKA-ZZ-RF-DR-A-0505 T2)
Demolition Elevations/Sections – Sheet 1 (Drawing No: 23095-AKA-ZZ-XX-DR-A-0506 T1)
Demolition Elevations/Sections – Sheet 2 (Drawing No: 23095-AKA-ZZ-XX-DR-A-0507 T1)
Demolition Elevations/Sections – Sheet 3 (Drawing No: 23095-AKA-ZZ-XX-DR-A-0508 T1)

Conservation Elevation Repairs – Sheet 1 (Drawing No: 23095-AKA-ZZ-XX-DR-A-0601 T1)
Conservation Elevation Repairs – Sheet 1 (Drawing No: 23095-AKA-ZZ-XX-DR-A-0602 T1)
Conservation Elevation Repairs – Sheet 3 (Drawing No: 23095-AKA-ZZ-XX-DR-A-0603 T1)
Conservation Elevation Repairs – Sheet 4 (Drawing No: 23095-AKA-ZZ-XX-DR-A-0604 T1)

Lower Ground Floor GA Plan (Drawing No: 23095-AKA-ZZ-LG-DR-A-2001 T3)
Upper Ground Floor GA Plan (Drawing No: 2309-AKA-ZZ-UG-DR-A-2002 T3)
Ground Floor GA Plan (Drawing No: 23095-AKA-ZZ-00-DR-A-2003 T3)
First Floor GA Plan (Drawing No: 23095-AKA-ZZ-01-DR-A-2004 T2)
Second Floor GA Plan (Drawing No: 23095-AKA-ZZ-02-DR-A-2005 T3)
Roof GA Plan (Drawing No: 23095-AKA-ZZ-RF-DR-A-2006 T3)

Lower Ground Floor Plan – Multi-Functional Building (Drawing No: 23095-AKA-BE-XX-DR-A-0801 P1)
GA Elevations – Multi-Functional Building (Drawing No: 23095-AKA-BE-XX-DR-A-0801 P1)
GA Elevations – Sheet 1 Multi-Function Building (Drawing No: 23095-AKA-ZZ-BE-DR-A-2101 T2)
GA Elevations – Sheet 2 Multi-Function Building (Drawing No: 23095-AKA-ZZ-BE-DR-A-2102 T2)

First Floor GA Plan – Gatehouse (Drawing No: 12376-WMS-GH-01-D-S-22840-A C1)
Second Floor GA Plan – Gatehouse (Drawing No: 12376-WMS-GH-02-D-S-22841-A C1)
Roof GA Plan – Gatehouse (Drawing No: 12376-WMS-GH-03-D-S-22842-A C1)
Roof Sections & Details (Drawing No: 12376-WMS-GH-ZZ-S-22941- A C1)
Sections and Elevations – Gatehouse (Drawing No: 12376-WMS-GH-ZZ-D-S-22940-A C1)

Ground Floor GA Plan – Pavilion Building (Drawing No: 23095-AKA-BB-XX-DR-A-0801 P1)
First Floor GA Plan – Pavilion Building (Drawing No: 23095-AKA-BB-XX-DR-A-0802 P1)
Second Floor GA Plan – Pavilion Building (Drawing No: 23095-AKA-BB-XX-DR-A-0803 P1)
Roof GA Plan – Pavilion Building (Drawing No: 23095-AKA-BB-XX-DR-A-0804 P1)
GA Elevations – Entrance Pavilion (Drawing No: 23095-AKA-BE-XX-DR-A-0802 P1)

GA Elevations – Sheet 3 Pavilion (Drawing No: 23095-AKA-ZZ-BB-DR-A-2101 T2)

General Elevations – Sheet 4 (Drawing No: 23095-AKA-ZZ-BC-DR-A-2101 T2)

General Elevations – Sheet 5 (Drawing No: 23095-AKA-ZZ-BC-DR-A-2102 T2)

Detail Stairs – Sheet 1 Pavilion (Drawing No: 23095-AKA-BB-XX-DR-A-2401 T1)

Detail Stairs – Sheet 2 Pavilion (Drawing No: 23095-AKA-BB-DR-A-2402 T1)

Detail Stairs – Sheet 1 Pavilion/Gatehouse (Drawing No: 23095-AKA-BB-XX-DR-A-2401 T2)

Detail Stairs – Sheet 3 Gatehouse- Railing Details (Drawing No: 23095-AKA-BB-DR-A-2403 T1)

Details Stairs - Sheet 1 Multi-Function Building (Drawing No: 23095-AKA-BE-XX-DR-A-2401 T1)

Details Stairs - Sheet 2 Multi-Function Building (Drawing No: 23095-AKA-BE-XX-DR-A-2402 T1)

Door and Window Schedule (Drawing No: 23095-AKA-ZZ-XX-DR-A-1001 T3)

Door Details – Sheet 1 (Drawing No: 23095-AKA-ZZ-XX-DR-A-1002 T2)

Door Details – Sheet 2 (Drawing No: 23095-AKA-ZZ-XX-DR-A-1003 T2)

Door Details – Sheet 10 (Drawing No: 23095-AKA-ZZ-XX-DR-A-1013 T1)

Door and Window Details – Sheet 1 (Drawing No: 23095-AKA-ZZ-XX-DR-A-1004 T2)

Window Details – Sheet 2 (Drawing No: 23095-AKA-ZZ-XX-DR-A-1005 T2)

Window Details – Sheet 3 (Drawing No: 23095-AKA-ZZ-XX-DR-A-1006 T2)

Window Details – Sheet 4 (Drawing No: 23095-AKA-ZZ-XX-DR-A-1007 T2)

Window Details – Sheet 5 (Drawing No: 23095-AKA-ZZ-XX-DR-A-1008 T2)

Window Details – Sheet 6 (Drawing No: 23095-AKA-ZZ-XX-DR-A-1009 T2)

Window Details – Sheet 7 (Drawing No: 23095-AKA-ZZ-XX-DR-A-1010 T2)

Window Details – Sheet 8 (Drawing No: 23095-AKA-ZZ-XX-DR-A-1011 T3)

Window Details – Sheet 9 (Drawing No: 23095-AKA-ZZ-XX-DR-A-1012 T1)

General Notes (Drawing No: 12376-WMS-GH-XX-D-S-20041-A C1)

Details – Abutment Detail (Drawing No: 23095-AKA-BB-XX-DR-A-2504 T1)

~~Site Location Plan as existing (Drawing No: 2269-01/04/01)~~

~~A – Gatehouse – Ground Floor Plan showing removals (Drawing No: 2269-01/02/03)~~

~~A – Gatehouse – Intermediate & First Floor Plans showing removals (Drawing No: 2269-01/02/04)~~

~~A – Gatehouse – Second Floor Plan showing removals (Drawing No: 2269-01/02/05)~~

~~A – Gatehouse – Roof Plan showing removals (Drawing No: 2269-01/02/06)~~

~~A – Gatehouse – Elevations & Sections Key Plan as existing (Drawing No: 2269-01/02/07)~~

~~A – Gatehouse – North Elevations showing removals (Drawing No: 2269-01/02/08)~~

~~A – Gatehouse – East Elevations showing removals (Drawing No: 2269-01/02/09)~~

~~A – Gatehouse – South Elevations showing removals (Drawing No: 2269-01/02/10)~~

~~A – Gatehouse – West Elevations showing removals (Drawing No: 2269-01/02/11)~~

~~A – Gatehouse – Section A-A showing removals (Drawing No: 2269-01/02/12)~~

~~A – Gatehouse – Section B-B showing removals (Drawing No: 2269-01/02/13)~~

~~A – Gatehouse – Section C-C showing removals (Drawing No: 2269-01/02/14)~~

~~A – Gatehouse – Section D-D showing removals (Drawing No: 2269-01/02/15)~~

~~A – Gatehouse – Section E-E showing removals (Drawing No: 2269-01/02/16)~~

~~B+C — Link Passage & NW Tower — Ground Floor Plan showing removals (Drawing No: 2269-01/02/20)~~
~~B+C — Link Passage & NW Tower — First Floor Plan showing removals (Drawing No: 2269-01/02/21)~~
~~B+C — Link Passage & NW Tower — Second Floor Plan showing removals (Drawing No: 2269-01/02/22)~~
~~B+C — Link Passage & NW Tower — Roof Plan showing removals (Drawing No: 2269-01/02/23)~~
~~B+C — Link Passage & NW Tower — Section A A showing removals (Drawing No: 2269-01/02/25)~~
~~B+C — Link Passage & NW Tower — Sections B B & C C showing removals (Drawing No: 2269-01/02/26)~~
~~B+C — Link Passage & NW Tower — Internal Elevations showing removals (Drawing No: 2269-01/02/27)~~
~~B+C — Link Passage & NW Tower — Internal Elevations showing removals (Drawing No: 2269-01/02/28)~~
~~B+C — Link Passage & NW Tower — North Elevations showing removals (Drawing No: 2269-01/02/29)~~
~~B+C — Link Passage & NW Tower — South Elevations showing removals (Drawing No: 2269-01/02/30)~~

~~R — Conservation & Repairing Works — Elevations & Sections Key Plan as proposed (Drawing No: 2269-01/03/01)~~
~~R — Conservation & Repairing Works — Gatehouse — North Elevation as proposed (Drawing No: 2269-01/03/02)~~
~~R — Conservation & Repairing Works — Gatehouse — East Elevation as proposed (Drawing No: 2269-01/03/03)~~
~~R — Conservation & Repairing Works — Gatehouse — South Elevation as proposed (Drawing No: 2269-01/03/04)~~
~~R — Conservation & Repairing Works — Gatehouse — West Elevation as proposed (Drawing No: 2269-01/03/05)~~
~~R — Conservation & Repairing Works — Gatehouse — Section A A as proposed (Drawing No: 2269-01/03/06)~~
~~R — Conservation & Repairing Works — Gatehouse — Section B B as proposed (Drawing No: 2269-01/03/07)~~
~~R — Conservation & Repairing Works — Gatehouse — Section C C as proposed (Drawing No: 2269-01/03/08)~~
~~R — Conservation & Repairing Works — Gatehouse — Section D D as proposed (Drawing No: 2269-01/03/09)~~
~~R — Conservation & Repairing Works — Gatehouse — Section E E as proposed (Drawing No: 2269-01/03/10)~~

~~R — Conservation & Repairing Works — NW Tower & Link Passage — Key Plan as proposed (Drawing No: 2269-01/03/11)~~
~~R — Conservation & Repairing Works — NW Tower & Link Passage — Section A A as proposed (Drawing No: 2269-01/03/12)~~
~~R — Conservation & Repairing Works — NW Tower & Link Passage — Section B B & Elevation C as proposed (Drawing No: 2269-01/03/13)~~

~~R—Conservation & Repairing Works—NW Tower—Internal Elevations as proposed (Drawing No: 2269-01/03/14)~~
~~R—Conservation & Repairing Works—NW Tower—External Elevations as proposed (Drawing No: 2269-01/03/15)~~
~~R—Conservation & Repairing Works—NW Tower & Link Passage—North Elevation as proposed (Drawing No: 2269-01/03/16)~~
~~R—Conservation & Repairing Works—NW Tower & Link Passage—South Elevation as proposed (Drawing No: 2269-01/03/17)~~
~~R—Conservation & Repairing Works—Internal Elevation F as proposed (Drawing No: 2269-01/03/18)~~

~~Archaeological Context Plan as proposed (Drawing No: 2269-01/04/03)~~
~~Flood Risk Plan as proposed (Drawing No: 2269-01/04/04)~~
~~Impact Statement Key Plan as proposed (Drawing No: 2269-01/04/06)~~

~~General Arrangement—Lower Ground Floor Plan as proposed (Drawing No: 2269-01/05/01)~~
~~General Arrangement—Ground Floor Plan as proposed (Drawing No: 2269-01/05/02)~~
~~General Arrangement—First Floor Plan as proposed (Drawing No: 2269-01/05/03)~~
~~General Arrangement—Second and Third Floor Plans as proposed (Drawing No: 2269-01/05/04)~~
~~General Arrangement—Roof Plan as proposed (Drawing No: 2269-01/05/05)~~
~~General Arrangement—Existing Archaeology Entrance Pavilion Building as proposed (Drawing No: 2269-01/05/06)~~
~~General Arrangement—Existing Archaeology Multi-Function Building as proposed (Drawing No: 2269-01/05/07)~~
~~General Arrangement—Gatehouse North Elevation as proposed (Drawing No: 2269-01/05/10)~~
~~General Arrangement—Gatehouse East Elevation as proposed (Drawing No: 2269-01/05/11)~~
~~General Arrangement—Gatehouse West Elevation as proposed (Drawing No: 2269-01/05/12)~~
~~General Arrangement—Gatehouse South Elevation as proposed (Drawing No: 2269-01/05/13)~~
~~General Arrangement—Gatehouse Section A-A as proposed (Drawing No: 2269-01/05/14)~~
~~General Arrangement—Gatehouse Section B-B as proposed (Drawing No: 2269-01/05/15)~~
~~General Arrangement—Entrance Pavilion S. Elevation as proposed (Drawing No: 2269-01/05/16)~~
~~General Arrangement—NW Tower External Elevations as proposed (Drawing No: 2269-01/05/17)~~
~~General Arrangement—NW Tower Section A-A as proposed (Drawing No: 2269-01/05/18)~~
~~General Arrangement—NW Tower Section B-B as proposed (Drawing No: 2269-01/05/19)~~
~~General Arrangement—NW Tower Internal Elevations as proposed (Drawing No: 2269-01/05/20)~~
~~General Arrangement—Multi-Functional Building West Elevation as proposed (Drawing No: 2269-01/05/21)~~
~~General Arrangement—Multi-Functional Building Section A-A as proposed (Drawing No: 2269-01/05/22)~~

~~Detail Drawing—Entrance Gates and Pillars as proposed (Drawing No: 2269-01/06/01)~~
~~Detail Drawing—Roof Edge Typical Detail as proposed (Drawing No: 2269-01/06/02)~~

~~Detail Drawing – Metal Mesh Typical Detail as proposed (Drawing No: 2269-01/06/03)~~
~~Detail Drawing – Metal Mesh for opening EP-FW01 as proposed (Drawing No: 2269-01/06/04)~~
~~Detail Drawing – Metal Mesh for opening EP-FW02 as proposed (Drawing No: 2269-01/06/05)~~
~~Detail Drawing – Metal Mesh for opening EP-FW03 as proposed (Drawing No: 2269-01/06/06)~~
~~Detail Drawing – Tudor Fixed Window Typical Detail as proposed (Drawing No: 2269-01/06/07)~~
~~Detail Drawing – Norman Fixed Window Typical Detail as proposed (Drawing No: 2269-01/06/08)~~
~~Detail Drawing – Gatehouse Putlog Hole Roost Detail as proposed (Drawing No: 2269-01/06/09)~~
~~Detail Drawing – Gatehouse Eaves Bat Box Detail as proposed (Drawing No: 2269-01/06/10)~~
~~Detail Drawing – Entrance Pavilion Wall Void Bat Roost Detail as proposed (Drawing No: 2269-01/06/11)~~
~~Detail Drawing – Gatehouse Metal Gate (GH-GD01) Details as existing and as proposed (Drawing No: 2269-01/06/12)~~
~~Detail Drawing – Typical Mesh Screen to Arrow Loop Details as proposed (Drawing No: 2269-01/06/13)~~
~~Detail Drawing – Fixed Window Gatehouse (GH-SW06) Details as proposed (Drawing No: 2269-01/06/14)~~
~~Detail Drawing – First Floor Build Up Gatehouse Typical Details as proposed (Drawing No: 2269-01/06/15)~~
~~Detail Drawing – Second Floor & Balcony Floor Gatehouse Typical Details as proposed (Drawing No: 2269-01/06/16)~~
~~Detail Drawing – First Floor Build Up NW Tower Typical Details as proposed (Drawing No: 2269-01/06/17)~~
~~Detail Drawing – NW Tower Arrow Slit Detail Fixed Window NT-FW02 – as proposed (Drawing No: 2269-01/06/18)~~
~~Detail Drawing – Balustrades Typical Details as proposed (Drawing No: 2269-01/06/19)~~
~~Detail Drawing – Gatehouse Fire Door (GH-SD01) Typical Details as proposed (Drawing No: 2269-01/06/20)~~

~~Detail Drawing – NW Tower Ground Floor Details as proposed (Drawing No: 2269-01/06/21)~~
~~Detail Drawing – NW Tower Ground Floor Threshold Details as proposed (Drawing No: 2269-01/06/22)~~
~~Detail Drawing – NW Tower Door – (NT-GD01) Detail NT-04 as proposed (Drawing No: 2269-01/06/23)~~
~~Detail Drawing – NW Tower Door (NT-GD02) Detail NT-05 as proposed (Drawing No: 2269-01/06/24)~~

~~Cut and Fill Analysis (Drawing No: 12376-WMS-ZZ-XX-DR-C-39002-S2 Rev P1)~~
~~Development Viewports (Drawing No: 12376-WMS-ZZ-XX-DR-C-39003-S2 Rev P1)~~
~~Proposed Contours and Levels (Drawing No: 12376-WMS-ZZ-XX-DR-C-39004-S2 Rev P1)~~

~~Structural Scheme – Multi-Functional Space (Drawing No: 1-01 Rev B)~~
~~Structural Scheme – Gatehouse Courtyard Level & First Floor Plan (Drawing No: 1-02 Rev B)~~
~~Structural Scheme – Gatehouse Second Floor and Roof Plans (Drawing No: 1-03 Rev C)~~
~~Structural Scheme – NW Tower Section & Floor Plans (Drawing No: 1-04 Rev C)~~
~~Structural Scheme – Entrance Pavilion (Drawing No: 1-05 Rev E)~~

~~Structural Scheme – Gatehouse Sections (Drawing No: 1-06 Rev D)~~

~~Electrical Symbols Legend (Drawing No: 99663/E001 Rev T1)~~

~~Electrical Distribution Schematic Layout (Drawing No: 99663/E002 Rev T1)~~

~~Indicative Data Schematic Layout (Drawing No: 99663/E003 Rev T1)~~

~~Multi-Function Building – Ground Floor Main Below Ground Electrical Service Routes (Drawing No: 99663/E101 Rev T1)~~

~~Multi-Function Building – Ground Floor Main Electrical Service Routes (Drawing No: 99663/E102 Rev T1)~~

~~Pavilion – Ground Floor Main Electrical Service Routes (Drawing No: 99663/E111 Rev T1)~~

~~Pavilion – First Floor Main Electrical Service Routes (Drawing No: 99663/E112 Rev T1)~~

~~Pavilion – Second Floor & Roof Main Electrical Service Routes (Drawing No: 99663/E113 Rev T1)~~

~~Multi-Function Building – Ground Floor Proposed Lighting Layout (Drawing No: 99663/E201 Rev T1)~~

~~Pavilion – Ground Floor Proposed Lighting Layout (Drawing No: 99663/E211 Rev T1)~~

~~Pavilion – First Floor Proposed Lighting Layout (Drawing No: 99663/E212 Rev T1)~~

~~Pavilion – Second Floor & Roof Proposed lighting & Small Power Layout (Drawing No: 99663/E213 Rev T1)~~

~~Multi-Function Building – Ground Floor Proposed Small Power & Ancillary Services Layout (Drawing No: 99663/E301 Rev T1)~~

~~Pavilion – Ground Floor Proposed Small Power & Ancillary Services Layout (Drawing No: 99663/E311 Rev T1)~~

~~Pavilion – First Floor Proposed Small Power & Ancillary Services Layout (Drawing No: 99663/E312 Rev T1)~~

~~Multi-Function Building – Ground Floor Indicative Intruder Alarm Layout (Drawing No: 99663/E401 Rev T1)~~

~~Pavilion – Ground Floor Indicative Intruder Alarm Layout (Drawing No: 99663/E411 Rev T1)~~

~~Multi-Function Building – Ground Floor Indicative Fire Alarm Layout (Drawing No: 99663/E501 Rev T1)~~

~~Pavilion – Ground Floor Indicative Fire Alarm Layout (Drawing No: 99663/E511 Rev T1)~~

~~Pavilion – First Floor Indicative Fire Alarm Layout (Drawing No: 99663/E512 Rev T1)~~

~~Pavilion – Second & Third & Roof Indicative Fire Alarm Layout (Drawing No: 99663/E513 Rev T1)~~

~~Mechanical Symbols Legend (Drawing No: 99663/M001 Rev T1)~~

~~Multi-Function Building – Ground Floor Heating Layout (Drawing No: 99663/M101 Rev T1)~~

~~Multi-Function Building – Ground Floor Ventilation & Above Ground Drainage Layout (Drawing No: 99663/M201 Rev T1)~~

~~Multi-Function Building – Ground Floor Domestic Hot & Cold Water Services Layout (Drawing No: 99663/M301 Rev T1)~~

~~Landscape Master Plan (Drawing No: 1263-001-DR-S3-00 Rev 01)~~

~~Landscape Masterplan (Drawing No: L2752-URB-XX-00-L-DR-497150 Rev P10)~~

~~Typical Details - Sheet 1 of 2 (Drawing No: L2752-URB-XX-00-L-DR-497151)~~

~~Typical Details - Sheet 2 of 2 (Drawing No: L2752-URB-XX-00-L-DR-497152)~~

~~Planting Strategy (Drawing No: L2752-URB-XX-00-L-DR-497153 Rev P01)~~

Reason: So as to define this permission.

Informatives

01

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

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

02

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

03

The development seeks amendment to an existing traffic Regulation Order. Should the applicant wish to pursue this, please e-mail businessdevelopment@viaem.co.uk or telephone 0300 500 8080. Please note that this work would be carried out at cost to the applicant and may not result in the desired changes.

04

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the riverbank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

05

The applicant/developer is advised to contact the Canal and River Trust Works Engineering Team on 0330 0404040 in order to ensure that any necessary consents are obtained and that the works comply with the Trust's "Code of Practice for Works affecting Canal & River Trust."

06

The applicant is advised that any surface water discharge to the River Trent will require prior consent from the Canal & River Trust. As the Trust is not a land drainage authority, such discharges are not granted as of right-where they are granted they will usually be subject to completion of a commercial agreement. The applicant should contact the Trust's Utilities Team on 01942 405766 for further advice in the first instance.

07

The applicant is advised that the Canals and River Trust encourage the applicant to incorporate information in interpretive signage related to:-

- the strategic location of the castle on the River Trent is promoted alongside the importance of the feature to the castle in terms of the development of the market town; and
- the importance of the river today as a place for recreation and well-being.

Please contact the Trust's Heritage Adviser, Kerry Walmsley at Kerry.walmsley@canalrivertrust.org.uk, or on 0788 0446202/0303 0404040, to discuss further.

08

It should be noted that if the application for the licence is made after May 2024 there is likely to be a need for the emergence surveys to be repeated so that the licence application is determined by Natural England using sufficiently up to date surveys. This would be a matter between the applicant, their contracted ecologist and Natural England.

09

The applicant needs to be made aware that the Ecology Report identified a growth of Japanese Knotweed along the riverbank. This is an invasive non-native species that is very difficult to eradicate and requires intensive management to prevent spread. If there are currently no measures in place to control this species, it is strongly advised that this is put in place as a matter of urgency.

010

List of Supporting Reports and Documents:

~~Design and Access Statement by Martin Ashley Architects dated Nov 2021 Rev B~~

Design and Access Statement by Anotherkind Architects dated July 2024

Landscape Design & Access Statement (Ref: 2752-URB-ZZ-XX-DA-A-2A3750-P00) dated Nov 2023 by Urban Edge Architecture

Ecology Report dated Nov 2023 by BSG Ecology

Bat Survey Report Rev C dated July 2023 by LM Ecology

Tree Survey Report and Arboricultural Impact Assessment dated 1 Nov 2023 by RPS Group

Heritage Impact Assessment by Martin Ashley Architects dated Nov 2023 – Rev A, as amended by the Design and Access Statement by Anotherkind Architects dated July 2024

An Archaeological Evaluation by Pre-Construct Archaeology Ltd dated May 2024

~~Assessment (Report No: YA/2023/180) dated 31 Aug 2023 by York Archaeology
Structural Methodology (12376-WMS-XX-XX-T-S-20003-S8-P2) dated Aug 2024 by William
Saunders~~

~~Structural Comments by Hockley & Dawson dated Dec 2021~~

~~Flood Risk Assessment (Ref: 12376-WMS-ZZ-XX-RP-39301-S8-P2) dated Nov 2023 by William
Saunders~~

~~Drainage Strategy (Ref: 12376-WMS-ZZ-XX-RP-C-39201-S8-P2) dated Nov 2023 by William
Saunders~~

~~Proposed Drainage Layout (Drawing No: 12376-WMS-ZZ-XX-DR-C-39201-A C2) dated Nov
2023 by William Saunders~~

~~Lighting Design Report (Ref: 1262-700-RP-S3 Rev 07) dated Oct 2023 by Michael Grubb Studio~~

~~Lighting Specification (Ref: 1262-900-SP-S3 Rev 00) dated Nov 2023 by Michael Grubb Studio~~

~~Mechanical and Electrical Services RIBA Stage 3 Design Report (Ref: P99663/R02P4) by
Martin Thomas Associates Ltd dated Nov 2021~~

~~CDM Designers Risk Assessment (Ref: 99663.R04) by Martin Thomas Associates Ltd dated
Sept 2023 Rev A~~

~~Hazard Elimination and Management Register by Philip Waller Consulting~~

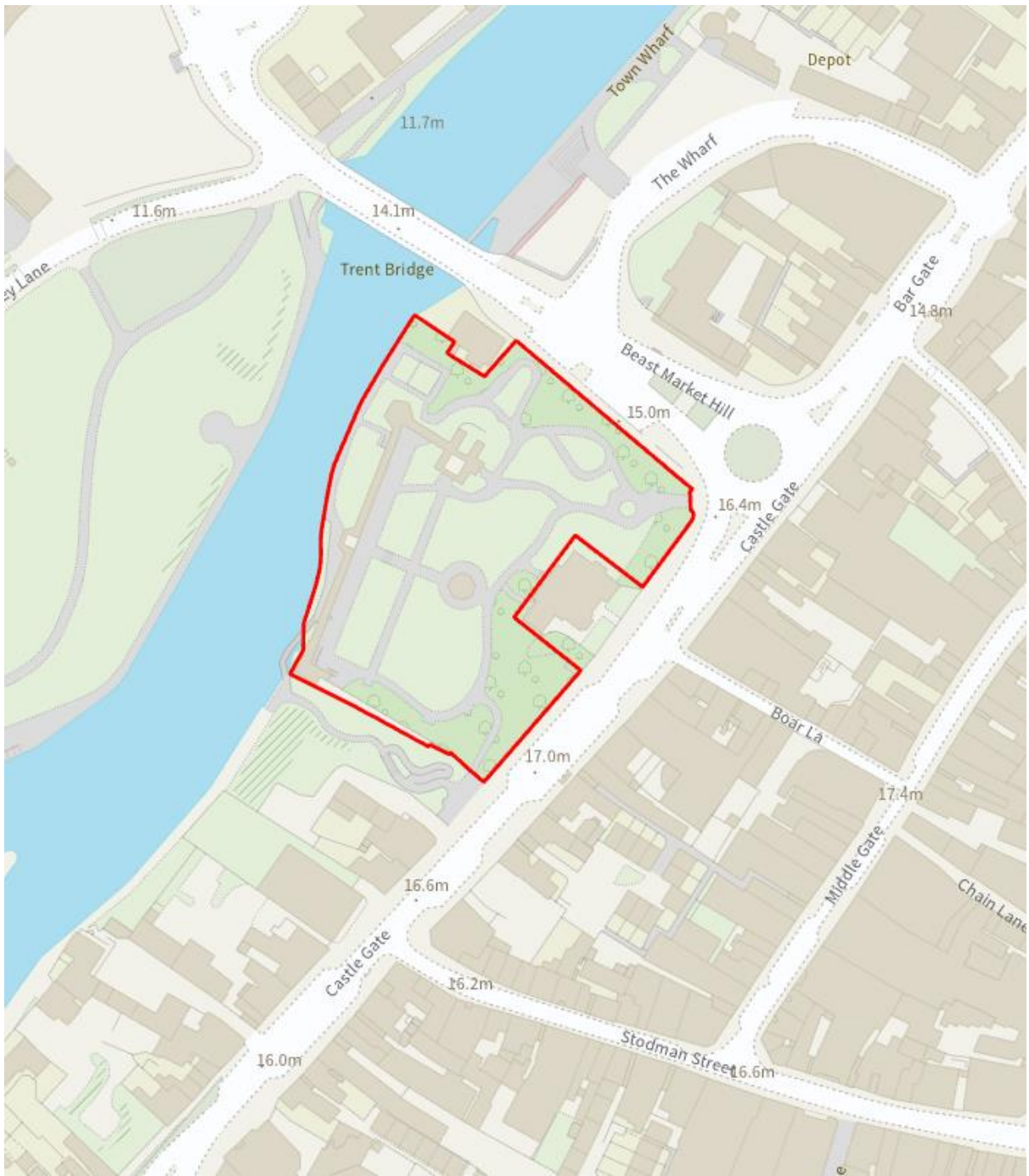
~~Scheme Design (Parts 1 – 4) dated Nov 2023 by Nissen Richards~~

BACKGROUND PAPERS

Copy of Committee Report for 21/02690/FUL

[https://publicaccess.newark-sherwooddc.gov.uk/online-
applications/applicationDetails.do?activeTab=documents&keyVal=R4KMZPLBIVL00](https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=R4KMZPLBIVL00)

Application case file.



Planning Committee – 5 September 2024

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@nsdc.info quoting the relevant application number.

Lisa Hughes
Business Manager – Planning Development

Appendix A: Appeals Lodged (received between 15 July and 27 August 2024)

Appeal and application refs	Address	Proposal	Procedure	Appeal against
APP/B3030/W/24/3344500 22/00976/FULM	Field Reference Number 2227 Hockerton Road Caunton	Construction of a solar farm, access and all associated works, equipment and necessary infrastructure.	Hearing	refusal of a planning application
APP/B3030/W/24/3344502 22/00975/FULM	Land At Knapthorpe Lodge Hockerton Road Caunton	Construction of a solar farm, access and all associated works, equipment and necessary infrastructure.	Hearing	refusal of a planning application
APP/B3030/W/24/3345687 23/01333/FULM	Land Reference Number 2587 Oxton Hill Southwell	Change of use of land for leisure/tourism including siting of 6 No. Glamping pods, 2 No. Yurts, amenity building and car parking area.	Written Representation	refusal of a planning application
APP/B3030/W/24/3345747 23/01329/FUL	Land At Former Ashleigh Great North Road South Muskham Newark On Trent NG23 6EA	Erection of 3 dwellings. Resubmission of approved application 19/00782/FUL to allow extended time to commence works.	Written Representation	refusal of a planning application

APP/B3030/D/24/3347978 24/00343/HOUSE	Plum Tree Cottage Sunnyside Farnsfield NG22 8EG	Proposed first floor extension and alterations to existing cottage	Fast Track Appeal	refusal of a planning application
--	--	--	-------------------	-----------------------------------

APP/TPO/B3030/10258 24/00804/TPO	26 Blenheim Avenue Lowdham NG14 7WD	Lime 1 and Lime 2 - Felling and stump removal.	Fast Track Appeal	refusal of a planning application
-------------------------------------	---	--	-------------------	-----------------------------------

Planning application number or enforcement reference	Proposal	Procedure and date	Case officer
--	----------	--------------------	--------------

22/00976/FULM Field Reference Number 2227 Hockerton Road Caunton	Construction of a solar farm, access and all associated works, equipment and necessary infrastructure.	Hearing 5 November 2024	Honor Whitfield
22/00975/FULM Land At Knapthorpe Lodge Hockerton Road Caunton	Construction of a solar farm, access and all associated works, equipment and necessary infrastructure.	Hearing 5 November 2024	Honor Whitfield
22/02341/OUT Land Off Holly Court Rolleston	Outline application for erection of two detached dwellings and the re-alignment of Rolleston Public Footpath no.5 with all matters reserved except access	Hearing cancelled and changed to Written Representations.	Lynsey Preston
22/01742/FUL	Siting of park home/lodge for use as a rural worker's dwelling in connection with existing livery business	Hearing 10 September 2024	Amy Davies

<p>Land At Wood Lane Kersall</p>		<p>(Appeal rescheduled due to submission of late evidence)</p>	
<p>23/00190/ENFB Mill Farm Gonalston Lane Hoveringham NG14 7JJ</p>	<p>Without planning permission, operational development consisting of the erection of a building (identified with a blue "X" on the site location plan, outlined in red on Plan 2 and shown within photographs 1 and 2)</p> <hr/> <p>Without planning permission, "operational development" consisting of works and alteration to existing buildings, comprising of::</p> <ul style="list-style-type: none"> -The insertion of 3 rooflight windows (figures 1 & 2 within Appendix 1). -The installation and creation of a glazed openings and door (figure 3 within Appendix 1). -The application of horizontal timber cladding (figure 5 within Appendix 1). -The installation of a glazed window opening and the bricking up of an existing door opening (figure 6 within Appendix 1). - The fixing of rainwater goods to the building. Building B (outlined in blue on plan 2) -The insertion of 2 rooflight windows (figure 9 within appendix 1). -The erection of "dwarf" brick walls within two of the openings to the front of the building (figure 10 within appendix 1). -The fixing of rainwater goods to the building. Building C (outlined in orange on plan 2) -The insertion of 2 rooflight windows -The erection of a dwarf wall and capping to the eastern gable end of Building C, (figure 11 within appendix 1). -The fixing of rainwater goods to the building. Courtyard (identified within an X on Plan 2). -Erection of brick walls (including "well" type construction) and a pole (figures 12 & 13 within appendix 1). -The creation of a hard surface comprising of slabs and crush stone (highlighted in green on plan 2). 	<p>Hearing TBA</p>	<p>Richard Marshall</p>

	Without planning permission, "operational development" consisting of the laying of hard core/crushed stone to create new access tracks and pedestrian paths (identified outlined in red on "aerial photograph" and shown within photograph 1)		
--	---	--	--

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

Planning Committee – 5 September 2024

Appendix B: Appeals Determined between 15 July and 27 August 2024.

App No.	Address	Proposal	Application decision by	Decision in line with recommendation	Appeal decision	Appeal decision date
---------	---------	----------	-------------------------	--------------------------------------	-----------------	----------------------

23/02032/HOUSE	126 Whinney Lane Ollerton NG22 9TZ	Freestanding standing roof over secure parking area and new front boundary fencing. (Retrospective)	Delegated Officer	Not Applicable	Appeal Allowed	17th July 2024
----------------	--	---	-------------------	----------------	----------------	----------------

Click on the following link to view further details of this application:

<https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=S4835DLBLDR00>

23/01607/HOUSE	7 Newark Road Southwell NG25 0ES	Proposed extensions and alterations	Delegated Officer	Not Applicable	Appeal Dismissed	9th August 2024
----------------	--	-------------------------------------	-------------------	----------------	------------------	-----------------

Click on the following link to view further details of this application:

<https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=S0T68TLBKEC00>

23/00410/ENFB	Hardys Farm Shop Hawton Lane Farndon Newark On Trent NG24 3SD	Without planning permission, operational development consisting of the erection of a marquee-structure, as marked by an "X" on the attached Plan A and shown on Photograph 1.			Appeal Dismissed	15th August 2024
---------------	---	---	--	--	------------------	------------------

Click on the following link to view further details of this application:

<https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=S1JF4FLB0FL01>

23/00279/ENFB	Westwood Park Main Street Thorney NG23 7DA	Without planning permission, the demolition of Barn B and the substantial demolition of Barn A - as illustrated on the attached Plan A and shown on Photograph 1 and 2 attached to this Notice; and operational development consisting of the part-implementation of footings and foundations of two new dwellinghouses (illustrated on Photograph 1 attached to this Notice).			Appeal Dismissed	20th August 2024
---------------	---	--	--	--	------------------	------------------

Click on the following link to view further details of this application:

<https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=S09ALCLB0DF01>

23/01584/FUL	Beck House Station Road Edingley NG22 8BX	Proposed Detached Two Bed Dwelling	Delegated Officer	Not Applicable	Appeal Allowed	23rd August 2024
--------------	--	------------------------------------	-------------------	----------------	----------------	------------------

Click on the following link to view further details of this application:

<https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=S0KJ19LBKC600>

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@nsdc.info quoting the relevant application number.

Lisa Hughes
Business Manager – Planning Development