



Report to Planning Committee 16 January 2025

Business Manager Lead: Oliver Scott – Planning Development

Lead Officer: Clare Walker, Senior Planner, 01636 655834

Report Summary			
Application No.	24/01603/FUL		
Proposal	Change of Use from Place of Worship to Dwelling with single storey side extension.		
Location	St Stephens, Fosse Road, Brough, Newark, NG23 7QE		
Applicant	The Diocese of Southwell and Nottingham	Agent	Wake Conservation Ltd
Registered	26.09.2024	Target Date	18.11.2024 EOT agreed 17.01.25
Recommendation	Approve		

Referred to the Committee by Ward Member in line with Collingham Parish Council concerns about archaeology, design and highways.

1.0 The Site

- 1.1 The site comprises the Grade II listed St Stephen’s Church, built in 1885 within its churchyard plot in the small hamlet of Brough. The small Victorian Church, constructed of red brick and rosemary clay tiled roof, is set at a lower level than the road and is located to the north of the plot. The building has not been in use for a place of congregation for many years.
- 1.2 The site is largely obscured by mature trees which enclose the site from Fosse Road. There is currently no parking or vehicular access to serve the building. Black metal railings and a pedestrian gate form the frontage boundary with the road.
- 1.3 Glebe Farm operates from land to north-west and the boundary comprises trees and wire mesh fencing. To the north-east is a pair of cottages with no. 1 School Cottages

being located closest to the church, bound by railings. The boundary here is relatively open.

1.4 A scheduled ancient monument (Crococalana Roman town) surrounds the site.

2.0 Relevant Planning History

2.1 PREAPP/00359/22 – Change of use to dwelling with single storey dwelling. Advice offered 1st February 2023.

3.0 The Proposal

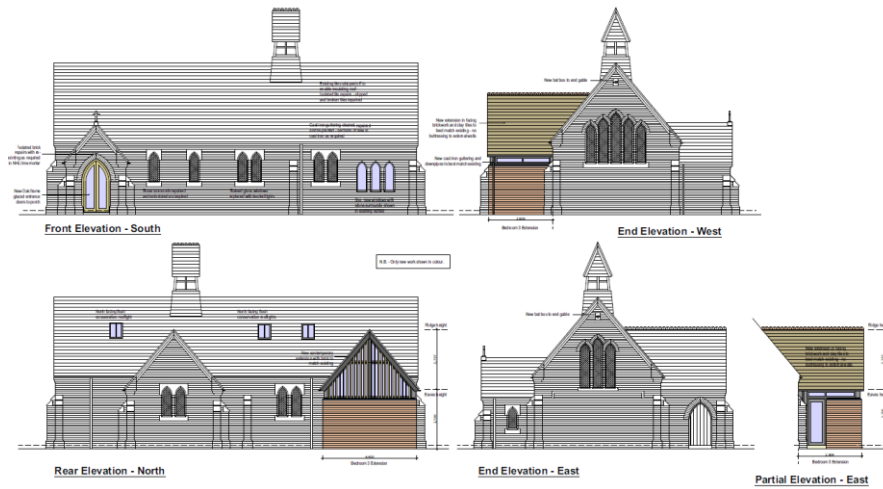
3.1 Revised plans have been received during the course of the application to address concerns raised by officers and consultees.

3.2 The application seeks full planning permission for the change of use from a former church to a 3-bedroom dwelling. It also includes a brick and clay tile single storey extension to the north elevation to form a bedroom which measures 4.4m wide by 2.9m deep, with an eaves height of 2.72m and 5.45m to ridge. Other external changes include 3 (revised from 4) new roof lights to the northern roof face, the insertion of a bat box at the eastern gable, new oak framed doors to the porch and the insertion of 3 new windows with stone surround to the south elevation.

Existing Elevations

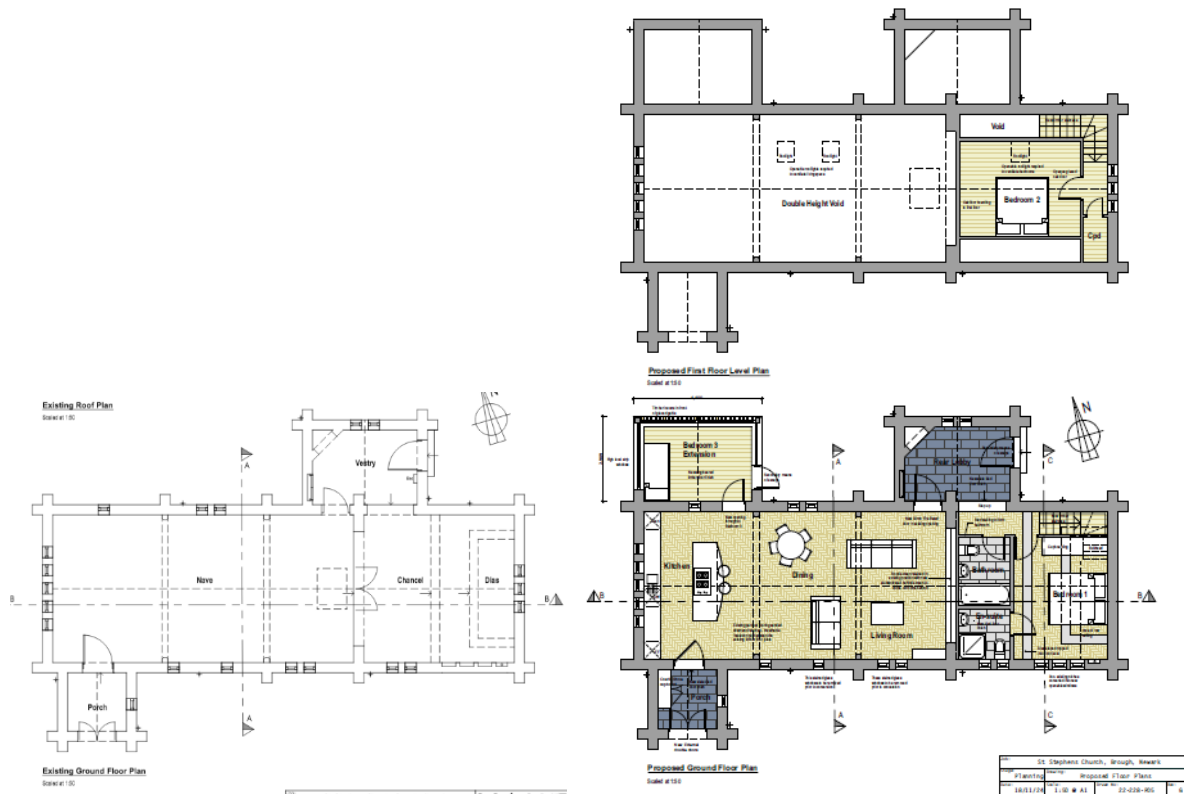


Proposed Elevations



Existing Floor Plans

Proposed Floor Plans



3.3 A new vehicular access is proposed to be formed from Fosse Road. This would involve banking either side of the driveway to raise levels across the ditch. This would pass through a line of mature trees. Visibility splays would be provided in both directions. The on-site driveway would be permeable and provided parking and turning for 3 vehicles.

3.4 Documents and plans assessed in this appraisal:

- Existing Floor Plans, drawing no. 22-228-P02
- Existing Sections AA BB, drawing no. 22-228-P04
- Existing Elevations, drawing no. 22-228-P03 Rev A

Existing Site Plan, drawing no. 22-228-P08
 Proposed Ground Floor Plans, drawing no. 22-228-P05 Rev G (received 18.11.2004)
 Proposed Site Plan, drawing no. 22-228-P09 Rev C (received 09.12.2024)
 Proposed Section AA, drawing no. 22-228-P07 Rev B (received 18.11.2024)
 Proposed Section BB, drawing no. 22-228-P10 Rev B (received 18.11.2024)
 Proposed Section CC, drawing no. 22-228-P11 Rev A (received 18.11.2024)
 Proposed Elevations, drawing no. 22-228-P06 Rev C (received 18.11.2024)
 Site Location Plan, drawing no. 22-228-P01 Rev B
 Proposed Site Plan, P09 Rev B (received 18.11.2024)
 Location Plan (showing visibility splays) 22-228-P12 Rev A (received 09.12.2024)
 Vehicular Access Drive Sections, 22-228-P13 (received 18.11.2024)
 External Store Detail, drawing no. 22-2282-P14 (received 18.11.2024)
 Secondary Glazing Detail, 22-228-P15 (received 18.11.2024)
 Rood Screen Detail, 22-228-P16 (received 18.11.2024)
 Historic England Pre-application advice letter dated 21 July 2023
 Tree Work Specification Letter dated 25 November 2022 by Watson Lindsey
 Arboricultural Report and Impact Assessment, Watson Lindsey, 25 November 2022
 Archaeological Evaluation, Prospect Archaeology
 Archaeological Watching Brief, Prospect Archaeology. Revised Jan 2023
 Observations of the Potential for Archaeological Remains, JM Archaeology Ltd, Nov 2022
 Bat Survey Report Rev B, LM Ecology, Sept 2024
 Biodiversity Metric Calculation Tool
 Biodiversity Net Gain Assessment
 Heritage Statement, Rev B, Wake Conservation
 Preliminary Ecological Appraisal, Brindle & Green, February 2023
 Viability/Feasibility Budget Information, (received 29.11.2024)
 Letter from Brown and Co. Estate Agents (received 29.11.2024)

4.0 Departure/Public Advertisement Procedure

4.1 Occupiers of 3 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 expiring 24th October 2024. Re-consultation has also taken place in respect of the revised plans.

4.2 Site visit undertaken on 3rd October 2024

5.0 Planning Policy Framework

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

- Spatial Policy 1 - Settlement Hierarchy
- Spatial Policy 2 - Spatial Distribution of Growth
- Spatial Policy 3 – Rural Areas
- Spatial Policy 7 - Sustainable Transport
- Spatial Policy 8 – Protecting and Promoting Leisure and Community Facilities
- Core Policy 3 – Housing Mix, Type and Density
- Core Policy 9 -Sustainable Design

- Core Policy 10 – Climate Change
- Core Policy 10A – Local Drainage Designations
- Core Policy 12 – Biodiversity and Green Infrastructure
- Core Policy 13 – Landscape Character
- Core Policy 14 – Historic Environment

5.2 Allocations & Development Management DPD (2013)

DM1 – Development within Settlements Central to Delivering the Spatial Strategy
 DM5 – Design
 DM7 – Biodiversity and Green Infrastructure
 DM8 – Development in the Open Countryside
 DM9 – Protecting and Enhancing the Historic Environment
 DM12 – Presumption in Favour of Sustainable Development

- 5.3 The [Draft Amended Allocations & Development Management DPD](#) was submitted to the Secretary of State on the 18th January 2024 and an examination in public was undertaken in November. This is therefore at an advanced stage of preparation albeit the outcome of the examination is not yet known. There are unresolved objections to amended versions of policies set out above 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.

5.4 Other Material Planning Considerations

Planning (Listed Building and Conservation Areas) Act 1990
 National Planning Policy Framework 2024
 Planning Practice Guidance (online resource)
 National Design Guide – Planning practice guidance for beautiful, enduring and successful places September 2019
 Residential Cycle and Car Parking Standards & Design Guide SPD June 2021

6.0 Consultations and Representations

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

Statutory Consultations

- 6.2 **Nottinghamshire County Council (Highways)** – (17.12.2024) Following their previous request for additional information regarding parking and visibility splays, they now confirm the details are satisfactory and raise no objections subject to conditions to control 1) the provision of visibility splays which should be kept free from obstruction, 2) provision of the driveway in hard bound material for first 5.5m back from highway and 3) provision and maintenance of parking and turning areas.
- 6.3 **Historic England** – (29.11.2024) – Support but with some concerns raised on heritage grounds.

Historic England has provided pre-application advice on 21st July 2023 for the proposed conversion of the church to a private dwelling. We have since provided advice on the submitted applications, raising concerns with elements of the proposed conversion. The proposed scheme did take on board some of the pre-application comments and has taken on board the additional comments within the first submission. There are concerns which should still be addressed, and the Local Planning Authority should ensure they have all the information required which advances understanding of the proposed works.

Historic England accept the principal of conversion and note the positive changes in the proposed scheme. There are concerns with elements of the proposed development, the alterations to the chancel arch, roof insulation and stained-glass windows, and it is advised that the Local Planning Authority ensure they have sufficient information to make a balanced assessment regarding those alterations.

Regarding the proposed thermal upgrade and energy efficiency measures we refer you to the guidance set out in Historic England Advice Note 18: Adapting Historic Buildings for Energy and Carbon Efficiency and advise the use of a whole building approach to the matter to consider the need for all thermal elements to be upgraded.

It is also advised further justification and alternative options for a third car parking space be submitted.

(18.10.2024) Concern raised as proposal would cause 'less than substantial' harm to heritage asset.

- Proposed means of enclosing the chancel arch
- Shadow gap needs to be provided between the rood screen and the proposed
- Infilling of arch should be set back from the reveal
- Need for thermal insulation should be reconsidered
- Reuse of existing niches look slightly awkward with the symmetry with the rest of the windows internally
- Formation of stone surround overcomplicates the design and simpler plain brick opening would mitigate

Town/Parish Council

6.3 Collingham Parish Council – (29.11.2024) object unanimously on the following grounds:

- Ecology, landscape
 - The building is adjacent to the Scheduled Monument of Crococalana and significant archaeological artefacts have been found in trial trenches that suggest that the area may be as significant as the accepted Crococalana site.
- Design and visual impact
 - New features to the existing building, such as the rooflights, alteration to the chancel and the removal of two of the stained-glass windows are likely to be visually jarring.

- Internally, subdivision of the space would be a substantial departure from the intentional openness of the design of a church and the thermal improvements will also substantially alter the internal character.
- The modern design of the extension would clash with the Gothic Revival architecture of the rest of the building.
- Access & Traffic
 - The original visibility splay of 45m from 2.5m back is unsuitable for a national speed limit road, and conflicts with the Nottinghamshire Highway Design Guide (NHDG). Although this may now have been revised this should be checked carefully as there have been several serious accidents recently on this road and another local main road where cars enter from driveways.
 - We note that two of the car parking spaces have been increased to the standard of 3m x 5.5m for a residential building as outlined in the NSDC Residential Cycle and Car Parking Standards SPD, but the size of the space nearest the building doesn't appear to be specified.

The Parish Council is not opposed to the development of this historic building and welcomes its preservation but does not consider this proposal to be suitable.

(25.10.2024) – Do not support – whilst they support in principle they believe strongest conditions should be imposed to preserve the archaeology and history of both below and above ground level.

Representations/Non-Statutory Consultation

6.4 NSDC Conservation – (04.12.2024) Do not object, summary of comments as follows:

Conservation are supportive of the principle of converting the church and finding a new optimum viable use for the Listed Building. They raised concerns regarding the extension as it would harm the building's historic and architectural interest albeit they accept that additional information provides more robust justification for the principle of a 3-bed dwelling. Whilst the proposal would still result in the same degree of harm to the designated heritage asset (less than substantial harm – par.208 of NPPF), there has been clear and convincing justification for this (par.206 of NPPF). Whilst the proposed extension would be overtly contemporary, its scale is proportionate the modest scale of the church and it has been sited to the rear of the building to be less visually prominent.

Overall, the proposal would result in a high degree of harm to the special interest and setting of the Listed Building, contrary to s.66 and 16 of the Act. With reference to the planning policies, this would be 'less than substantial harm' to the designated heritage asset (par.208 of NPPF and policy DM9 of the local development framework), but at the higher end of the scale of harm. However it has been clearly demonstrated that the new use and extension is required to facilitate the long-term conservation and maintenance of the Listed Building (par.206 of NPPF). There would be public benefits arising from the reuse of the building and securing the building's optimum viable use would help sustain the significance of the heritage asset for future generations (par.203 and 208 of NPPF). With all things considered, these benefits would likely

balance the heritage harm arising from the proposed development. Therefore, there are no objections to the proposal from a conservation perspective subject to a number of conditions.

(28.10.2024) Object, needs more justification.

6.5 Historic Advisor for Archaeology (LCC) – Advise given. Highly sensitive area that would require mitigation in the event of an approval.

6.6 Environment Agency – The site falls within flood zone 1 and therefore they have no fluvial flood risk concerns and there are no other environmental constraints associated with the site within the remit of the EA.

6.7 No comments have been received from any third party/local resident.

7.0 Comments of the Business Manager – Planning Development

7.1 The key issues have been identified as:

1. Principles of development
2. Impact on Heritage (Character and Design)
3. Highways and Parking
4. Residential Amenity
5. Impact on Landscape and Trees
6. Impact on Biodiversity/Ecology
7. Housing Mix and Need
8. Drainage

Principle of Development

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

Loss of Community Facility

7.3 Spatial Policy 8 of the Amended Core Strategy seeks to protect against the loss of existing community and leisure facilities. However, given that the building has not been used as a community facility (a church) for many years (since 1986) and its community use has effectively been abandoned, I am satisfied that this policy should not apply and needs no further consideration.

Principle of Conversion to Residential

- 7.4 The starting point for development management decision making is S.38(6) of the Planning and Compulsory Purchase Act 2004, which states that determination of planning applications must be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan (detailed above) is not fully up to date in respect to housing supply and the NPPF is a strong material consideration. Since the publication of the NPPF in December 2024, the Council is now unable to demonstrate the required 5 year housing land supply meaning that the titled balance is now engaged, which will be discussed further in the planning balance and conclusion section of this report.
- 7.5 The application site is located close to the hamlet of Brough but is located away from the built up area and falls to be considered within the open countryside in locational terms. Following the settlement hierarchy within the Core Strategy, the proposal would fall to be considered against Spatial Policy 3 (Rural Areas) and its sustainability criteria of location, scale, need, impact and character.
- 7.6 Spatial Policy 3 advises that development not in villages or settlements, in the open countryside, will be strictly controlled and restricted to uses which require a rural setting. However it also advises that consideration will be also given to the re-use of rural buildings. Specific guidance on development within the open countryside is set out within Policy DM8 of the Allocations and Development Management DPD.
- 7.7 Policy DM8 lists the appropriate forms of development within the open countryside which includes the conversion of existing buildings and states:-
- ‘In the interests of sustainability, consideration should be given to the conversion of existing buildings before proposing replacement development. Proposals should investigate and assess alternative uses for buildings in accordance with the aims of the Spatial Strategy and present a case for the most beneficial use. Planning permission will only be granted for conversion to residential use where it can be demonstrated that the architectural or historical merit of the buildings warrants their preservation, and they can be converted without significant re-building, alteration or extension. Detailed assessment of proposals will be made against a Supplementary Planning Document.’
- 7.8 Whilst the site is not considered to be in a particularly sustainable location for new housing given that future occupants of the proposed dwelling would be likely to be reliant on the use of a private car for day to day living, the re-use of an existing building does represent a form of sustainable development. Importantly, the building is listed with special historical and architectural merit. As such, in accordance with Policy DM8, the existing chapel warrants preservation and from the submitted structural report would appear to be capable of conversion without any significant re-buildings or alterations notwithstanding its rural location. It is considered that its reuse for residential use is likely to be the best option of safeguarding the building for the future. As such, the principle of conversion to a dwelling is therefore acceptable subject to consideration of the impacts which are now considered below.

Impacts on Heritage (Character and Design)

- 7.9 Section 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') require the Local Planning Authority (LPA) to pay special regard to the desirability of preserving listed buildings, their setting and any architectural features that they possess. In this context, the objective of preservation is to cause no harm, and is a matter of paramount concern in the planning process. The courts have said that this statutory requirement operate as 'the first consideration for a decision maker'. Planning decisions require balanced judgement, but in that exercise, significant weight must be given to the objective of heritage asset conservation. This is also reflected in CP14 and DM9 of the Development Plan. Policies DM5 and CP9 detail a more general expectation for a high standard of design.

Significance

- 7.10 The proposal would involve the conversion of St Stephen's Church, which is a Grade II Listed Building immediately surrounded by a Scheduled Monument of the buried remains of a Roman Town. St Stephen's is a c.1885 parish church constructed in brick, ashlar detailing and has a plain tile roof. The building is designed in an Early English revival style. This was constructed through the support of the local community with money raised through fundraising. The hamlet of Brough became deserted in the late-20th century due to changes in agricultural production and, as such, the church became poorly attended and was eventually closed in 1985. The significance of the building relates to its intactness and integrity as a late-19th century parish church, design in Gothic-revival design, retention of stained glass, modest scale and rural setting.
- 7.11 Crococalana Roman Town is a Scheduled Monument and is of high archaeological and historic value due to the potential evidence of buried remains of the town dating 1st century AD which developed around a military fort. There are no earthworks visible above ground, but the proposed development has the potential to impact the Scheduled Monument and/or any undesignated archaeological remains on the development site.

Assessment

- 7.12 The proposal would involve conversion of the disused church into a single 3-bed dwellinghouse. The proposed works to facilitate the conversion would involve the creation of a single-storey projecting side extension, installation of internal partitions and a mezzanine level, installation of rooflights, replacement of some windows and installation of new windows. Works within the grounds would include alterations to the boundary treatments, creation of a driveway and access and the installation of an air source heat pump (ADHP).
- 7.13 From a heritage perspective, officers (and Historic England) support the principle of converting the church and finding a new optimum use for the listed building. Conservation colleagues have advised that there would be a high degree of harm

arising from the loss of the original and historic features which would result in irreversible harm to the heritage asset. They do however recognise that the scheme has tried to sensitively design alterations and upgrades to reflect and sustain the significance of the listed building as a place of worship. The impacts of the proposal are considered below.

Internal alterations to the Listed Building

- 7.14 Churches are principally designed to be open to the rafters and, even in a modest scale church such as this, the openness is one of the key characteristics of the building's interior as it accentuates the eminence of the space and highlights the architectural detailing.
- 7.15 The proposed conversion to a dwelling would involve the subdivision of the interior, change in floor levels of the dais and the insertion of a mezzanine level to the chancel. In addition, the internal works would involve thermal upgrades such as the installation of insulation to the perimeter walls, flooring, and ceiling as well as the installation of secondary glazing to all windows. Conservation colleagues are clear that the subdivision of the layout would disrupt views and the appreciation of the internal architectural detailing and the church's sense of openness. The proposed internal wall insulation would cover the exposed brickwork and hide the aesthetic interest of the detailing, such as window surround chamfers and voussoirs. This would diminish the appreciation of the Gothic-revival detailing of the building.
- 7.16 A sectional drawing for the proposed secondary glazing has been provided which is useful to illustrate how this would sit within the masonry. However, given the sensitivity of the building's architectural design, more detail would be required through condition showing specific details of the secondary glazing upgrades to the different types of window openings and details of internal appearance of this i.e. drawings illustrating how this would align with any outer frames and details of the opening mechanisms to ensure that the impact is minimised on the asset.
- 7.16 In other aspects of the proposed conversion, there has clearly been consideration given to minimising the impact and harm on the historic character of the building. For example, the insulation would be installed from above the ceiling, therefore maintaining the exposed timber work in situ. In addition, the flooring is proposed to be thermally upgraded by lifting and relaying the parquet flooring on top of the insulation. The proposed floorplans (dwg no. 22-228-P05 Rev F) and sectional drawing (dwg no. 22-228-P07 Rev A) illustrate that the partition to the chancel would be sited behind the brick archway and the rood screen would be retained in situ. Whilst there would be some intrusive physical works associated with these alterations, the preservation of these features would ultimately help maintain some of the aesthetic value of the building's interior.
- 7.17 The loss of some of the remaining features, such as the memorial plaque would result in a degree of harm, although it is noted in the Heritage Statement, that the Diocese intends to relocate it to a local church so its significance would not be totally lost.

External alterations to the Listed Building

- 7.18 The external alterations would involve an extension to the north elevation, external masonry and roof repairs, installation of rooflights and the replacement and insertion of new windows.
- 7.19 There would be 3 rooflights proposed (serving the open plan living area and the mezzanine bedroom) which as amended has reduced the previously (slightly cluttered) appearance to the roof slope.
- 7.20 The proposal would involve the opening up of three niches in the chancel to create a 3-light window on the south elevation. Conservation colleagues have commented that this would cause a degree of harm to the significance of the building as it would result in the loss of historic fabric and authenticity of this feature. In addition, the cill of the new windows would not align with the other features and would look discordant with the overall designed elevations.
- 7.21 It is proposed to remove and relocate three stained-glass windows within the building. Whilst their fabric will be preserved in other locations (outside of the site), the removal of them from their original location would result in the loss of a tangible connection and authenticity, thus, would result in harm to the historic and architectural interest of this listed building.
- 7.22 It is proposed to construct a projecting pitched gable extension to the north elevation to create a third bedroom. Conservation colleagues have raised concerns regarding this from the outset in terms of the effect on the historic plan form and legibility of the building, although this is not a concern that Heritage England have raised.
- 7.23 The extension would be of a similar scale to the rear lobby projecting addition. Conservation colleagues have raised concerns regarding the contemporary design which they consider would clash with and distract from the Gothic-revival interest of the building. This is not a view I share. I consider that the design approach is appropriate in scale and design and having a modern, simple design allows the history of the building to be read in a transparent, honest way.
- 7.24 Conservation colleagues were also concerned that insufficient justification had been advanced to demonstrate that the use (primarily the extension) causes the least amount of harm to the significance of the heritage asset. However, further marketing information and construction costings have been provided. This further supporting information provides more robust justification for the principle of a 3-bed dwelling. I am satisfied that in viability terms, a 3 bedroom dwelling (with extension) would be necessary to enable the building to be converted. Whilst the proposal would still result in the same degree of harm to the designated heritage asset (less than substantial harm – para.212 of NPPF), they are satisfied that there has been clear and convincing justification for this (par.213 of NPPF). Whilst the proposed extension would be overtly contemporary, its scale is proportionate with the modest scale of the church and it has been sited to the rear of the building to be less visually prominent.

Alterations within the grounds

- 7.25 Development within the grounds would involve the installation of an air-source heat pump (ASHP), the creation of an entrance and driveway and the replacement of boundary treatments.
- 7.26 Details of the bin and air-source heat pump stores have been provided. Whilst these would be quite domestic in appearance and have a minor harmful impact on the setting of the Listed Building, they have been sited in more discreet locations to minimise their visual impact.



- 7.27 Regarding the new entrance access, the existing boundary railings would be retained where possible and reused which would likely have a negligible impact on the setting of the Listed Building. It is noted that Historic England have raised concerns about the addition of a 3rd parking space due to its proximity to the church. However due to existing constraints such as trees and the need to provide an area of garden there are no suitable alternative areas for the 3rd space required as a result of NCC Highways Authority requirements which are clearly competing with the heritage aspects. Notwithstanding the layout plan submitted (extract above) it is considered that the space closest to the listed building could be provided in a grasscrete to improve the setting of the building whilst still achieving additional parking when required. This can be secured by condition. On balance and subject to a condition as I have set out, it is not considered that the 3rd space is so harmful that it would warrant a reason for refusal when considered in the round.
- 7.28 No ancillary structures or outbuildings are proposed. The rear lobby may be able to provide covered cycle storage but any other future outbuilding would need planning permission given they would be within the curtilage of a listed building.

Archaeology

- 7.29 The site is in a highly sensitive area within the Roman settlement at Brough and surrounded by the scheduled monument area of Crococolana, (NRHE 1003479). The initial archaeological evaluation (received 11.09.2024), comprising of four trenches, revealed archaeological deposits in three trenches (Trenches 1, 2 & 3), with dark earth deposits and 19th century brick wall foundations found in the fourth trench (Trench 4). Hand-augering also demonstrated complex, deep archaeological deposits.
- 7.30 Trench 1 was located immediately adjacent to and abutting the chapel's northern elevation. The investigation here revealed wall foundations and disturbance associated with the chapel's construction. In addition, evidence of Roman archaeological deposits, including a rubble/course laid surface were found between 0.3m and 1.3m below the current ground level. Roman pottery and animal bone (some displaying butchery evidence) was recovered from these deposits and layers. A poorly preserved stone surface was identified in Trench 2, and similar pottery to that found in Trench 1 was recovered from Trenches 2 and 3. Modern plastic was recovered from Trench 4, indicating more recent disturbance in this area.
- 7.31 The identification of Roman deposits demonstrates the excellent archaeological preservation within the site, associated with the Roman town. The remains identified during the trial trench evaluation may thus be of equal significance to the scheduled monument (NPPF, Dec 2023, footnote 72). The construction of the new extension, new driveway, parking and associated works (e.g. excavation of new service trenches, drainage, landscaping), due to the relatively shallow depth of the known archaeology, will adversely affect in situ archaeological deposits.
- 7.32 The concerns of the Parish Council are noted in respect of archaeology. However archaeology is, by its very nature, destructive but provides a means of learning about our past. This is not a matter which is considered reasonable to withhold planning permission on. Members will note that our historic environment advisor does not object but advises that if permission is granted mitigation will be required. This mitigation should be secured by an appropriate condition to enable the remaining archaeology to be properly recorded prior to any impact from construction or associated works.

Highway Impacts

- 7.33 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. The Council's SPD on Residential Parking sets out guidance for parking design and quantum.

New Access

- 7.34 The proposals involve the creation of a new vehicular access to serve the conversion off Fosse Road, which is subject to the national speed limit of 60mph.

- 7.35 NCC Highways Authority initially raised concerns that the visibility splays shown were not sufficient and incorrectly shown. However additional information has been provided with the drawing showing that 215m can be provided in both directions of the access. Nottinghamshire County Council have commented that 215m is not achievable to the southwest perimeter as the splay goes through third party land. They advise that realistically, a maximum X distance of approximately 120 metres is achievable to the southwest. They go on to advise that whilst this falls short of that required, the applicant has demonstrated that the trees to the frontage of the site will be cut back to maintain visibility from/to the access and they therefore have no objection. A condition is required to secure the provision of the visibility splays and to keep this clear from obstructions over 0.6m in height.

Parking and Driveway

- 7.36 In accordance with the Council's Supplementary Planning Guidance on residential parking, it sets out that for 3 bedroom dwellings in this area (rest of district) 3 car parking spaces should be provided, each measuring 3m wide by 5.5m in length with additional space provided if bound by a wall or other means of enclosure.
- 7.37 NCC initially raised concerns out that the parking spaces were below size. Amendments have been received showing an enlarged driveway that extends closer to the building that would provide for 3 spaces and space for turning to allow vehicles to leave in a forward gear. Notwithstanding the detail shown on the drawing, it is considered that the space nearest to the building could be provided in grasscrete to soften the impact on the listed building and this can be secured by condition.
- 7.38 NCC also state that the driveway would need to be surfaced with a bound material within 5.5m of the highway and drainage to prevent water from entering the highway. The revised plan confirms that the first 5.5m of the driveway would be laid with tarmac. A condition to secure this is recommended.
- 7.39 In summary, the impact upon the highway is considered acceptable subject to conditions.

Residential Impacts

- 7.40 Policy DM5 of the DPD states that development proposals should ensure no unacceptable reduction in amenity upon neighbouring development. The NPPF seeks to secure a high standard of amenity for all existing and future occupants of land and buildings.
- 7.41 A residential dwelling lies to the north-east of the Church where the boundary is relatively open and there are windows to habitable rooms in the elevation of the adjacent cottage facing directly towards the church. The north elevation would provide 2 small windows at ground floor serving the lobby and 2 small windows serving the dining area. Given their ground floor location, their distance from the boundary and their narrow size, these are not likely to cause any harmful overlooking.

In any event these are existing windows. No new windows at first floor level are proposed that would cause any loss of amenity.

- 7.42 The use of the building itself as a dwelling is not likely to cause any adverse impact on neighbouring land uses. Boundary treatments can be controlled by condition to ensure privacy and appropriateness for the heritage asset.
- 7.43 In summary there are no concerns regarding unacceptable impacts on neighbours.

Impact on Landscape and Trees

- 7.44 In terms of 'Character', Spatial Policy 3 provides that new development should not have a detrimental impact on the character of the location of the landscape setting. The starting point in Policy DM7 is retaining existing natural features where possible. Policies DM5 and DM8 sets out that proposals will need to take account of any potential visual impact they create and in particular address the requirements of Landscape Character in accordance with Core Policy 13. The assessment overlaps with the other considerations required by Policy DM5, which confirm the requirement for new development to reflect the rich local distinctiveness of the District's landscape and character through scale, form, mass, layout, design, materials and detailing.
- 7.45 In Landscape Character terms, the site lies within the East Nottinghamshire Sandlands Policy Zone ES PZ 04: Winthorpe Village Farmlands where the landscape condition and landscape sensitivity are both defined as moderate and the landscape actions are to 'Conserve and Create'. In terms of landscape features, actions should include conserving and enhancing tree cover and the fabric of historical sites and their setting.
- 7.46 The submitted tree report and impact assessment shows three trees would be lost to facilitate the development; a semi-mature Lime T4 (B2/3 category) a semi-mature Sycamore T10 (C2) and a Common Laburnum T11 (poor). The loss of the Lime tree appears to be necessary to gain access into the site and it will also be necessary to clear trees that lie close to the church. Crown lift works are proposed on five others (T3 and T5, T6, T7, T8), the removal of deadwood to T12 and the removal of elder G1 from the roadside. No dig construction techniques and tree protection measures are advanced as a solution to avoiding and minimising harm to trees.
- 7.47 The removal of the trees, the other tree works and the methodology outlined to facilitate vehicular access are considered acceptable in principle. Whilst the loss of trees is regrettable, it is also inevitable in order to create adequate off-street parking which will be necessary to make the new use acceptable. To be clear there is no other means of obtaining access. The tree works proposed would better reveal the heritage asset to discreet public views. In my view the harm from the loss of the trees is outweighed by the bringing back into viable use a listed building.
- 7.48 Given the presence of existing trees and the need to create a garden, planting elsewhere is not a feasible option to compensate for the tree loss in this case. However compensation in terms of mandatory biodiversity net gain off-site would need to be achieved in any event.

- 7.49 Overall, it is considered that the loss of 3 trees would have a minimal impact on the character or appearance of the rural landscape. It is worth noting that none of the trees to be lost are protected and could be removed at any time without prior notification to the authority.

Impacts on Biodiversity/Ecology

- 7.50 Core Policy 12 sets out that development should take account of the need to protect the district's ecological, biological and geological assets and seek to maximize opportunities to conserve, enhance and restore biodiversity. Policy DM7 reflects this seeking to protect, promote and enhance green infrastructure to deliver multi-functional benefits and contribute to the ecological network both as part of on-site development proposals and through off site provision.
- 7.51 A Preliminary Ecology Appraisal and a Bat Survey accompany the application. The latter identifies a pipistrelle day roost within the building which would be affected by the proposals. The most significant impacts can be avoided through mitigation and avoidance strategies set out in the report, which would also need to form part of the licence that will be required from Natural England.
- 7.52 In relation to European Protected Species (including all bat species), Local Planning Authorities are required to be satisfied that a license is likely to be granted when determining a planning application and would need to have in mind the three tests set out in Regulation 53 of The Conservation of Habitats and Species Regulations 2017 if required, namely:
- a) The consented operation must be for "preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment";
 - b) There must be "no satisfactory alternative"
 - c) The action authorised "will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.
- 7.53 In terms of the first (a) of these tests relating to overriding public interest generated by the proposal these can be of a social, environmental or economic interest (including human health, public safety). Bringing back into use this listed building and ensuring its longevity is considered to be a public benefit. With regards to the second test (b) there is no satisfactory alternative and finally (c) an outline of the mitigation strategy has been provided within the Bat survey in section 7. This sets out provision of soft stripping, compensatory roost provision etc. It is considered that these mitigation measures are acceptable, in line with the third test of the Regulations.
- 7.54 Trees were also assessed for their suitability for roosting bats. A Horse Chestnut tree (T1) was assessed as having moderate suitability to support roosting bats but upon

further inspection no evidence of roosting bats was found. This tree is to be retained in any event.

- 7.55 Bats were observed foraging within the site during the surveys but it is not considered that this poses a significant constraint to development.
- 7.56 A number of measures are proposed to deal with ecological impacts. Reasonable avoidance measures are proposed for breeding birds including avoiding works and clearance during bird breeding season unless immediately preceded by a survey undertaken by a suitably qualified person. External lighting would need to be designed to take account of bats informed by the relevant guidance – matters that could be controlled by condition.
- 7.57 One bat access tile is to be included on the south facing roof to compensate for the lost roost, 2 surface mounted bat boxes in the east and west gables of the conversion are proposed and 2 tree mounted bird boxes are to be installed within the site. The roof lining is to be one of 3 options specified in bat survey (para. 63) to avoid bat entanglement. Reasonable avoidance measures would also be employed during construction in relation to badgers and herptiles, hedgehogs and brown hare all of which could be subject to condition in the event of a planning approval. Subject to conditions to secure these matters, the proposal is considered to meet the policy expectations and the requirements of the NPPF.

Mandatory Biodiversity Net Gain

- 7.58 The development would be required to provide 10% net gain and according to the submission would not meet any of the exemptions. There is an acknowledgement that this would need to be provided off-site either via a habitat bank or as a last resort through the purchase of national credits. This is a matter that is secured through other legislation and a note to applicant is therefore added for information.

Housing Mix and Need

- 7.59 Core Policy 3 sets out the Council's policy in respect of housing need, mix and density. There is a general need in the district for family accommodation and for older people with mobility issues.
- 7.60 The Council commissioned a housing needs survey of the district (undertaken by Arc 4 in 2020) and it established that in the 'Collingham Sub Area' where this site falls, the greatest need is for 3 bedroom houses (46.8%) with the need for one and two bedroom houses accounting for 4.9%.
- 7.61 In this case the scheme advanced is for a dwelling comprising 3 bedrooms which would help in meeting the largest identified need in accordance with CP3.

Drainage

- 7.62 The site lies within flood zone 1 (low risk) according to the Environment Agency maps.

- 7.63 Surface water disposal is proposed to be dealt with by soakaways which is the preferred option in the drainage hierarchy, subject to the percolation tests showing the sand and gravelly soils are suitable.
- 7.64 It is noted that the plans show foul drainage would be discharged to a septic tank. Government guidance contained within the PPG (para.20) sets out a hierarchy of drainage options that must be considered and discounted in the following order:
- 1) connect to public sewer
 - 2) package treatment plan
 - 3) septic tank
- 7.65 A permit is required for septic tank from the Environment Agency and the granting of permission do not guarantee the granting of an EA permit. It is understood that there is no mains sewer in Brough and foul sewage would be a matter dealt with via other legislation so does not need to be considered further as part of the planning application.

Planning Balance and Conclusion

- 7.66 The district council can no longer demonstrate the necessary 5 year housing land supply and the titled balance applies. This means (in accordance with paragraph 11 (d) of the NPPF) granting permission unless:
- i) the application of policies in the framework that protect areas or assets of particular importance provides a strong reason for refusal, or
 - ii) any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies of the framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making efficient use of land, securing well-designed places and providing affordable homes individually or in combination.
- 7.67 The principle of converting the listed building to a new dwelling is considered acceptable in principle as it would bring about a new use for this building of merit, in accordance with the intentions of both national and local level policies.
- 7.68 The proposal would result in less than substantial harm to the listed building. Paragraph 215 of the NPPF sets out that where a proposal would lead to 'less than substantial harm' to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 7.69 The NPPG sets out (at para.20) that public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order

to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.

7.70 Officers conclude that there would be public benefits in securing both additional housing stock (albeit on a minor level) in an area where insufficient land supply has been identified and through securing the optimum viable use of this listed building to support its long term conservation, which outweighs the harm in this case. Equally the limited tree loss is necessary to enable the delivery of this. Other limited harm resulting from the associated works (for example the creation of car parking and upon ecology) can be avoided, mitigated or compensated for subject to the imposition of conditions.

7.71 Being mindful of the NPPF, the public benefits are considered to outweigh the harm, there are no strong reasons for refusal and adverse impacts would not demonstrably outweigh the benefits when assessed against the policies of the framework taken as a whole. The recommendation is therefore for one of approval subject to the conditions set out below.

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.

10.0 Conditions

01

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

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

Prior to Commencement

02

Part 1 Archaeology

No development shall take place until an archaeological Mitigation Strategy for the excavation and recording of archaeological remains is submitted to and approved by the Local Planning Authority. The Mitigation Strategy will include appropriate Written Schemes of Investigation for each element or phase of mitigation work as necessary. These schemes shall include the following:

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
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.

03

Part 2 Archaeology

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.

04

Part 3 Archaeology

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, unless otherwise agreed in writing by the Local Planning Authority. The post investigation assessment must 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.

05

No works or development shall take place until an arboricultural method statement and scheme for protection of the retained trees/hedgerows has been agreed in writing with the District 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/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, paths and parking areas within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- f. 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.

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

Reason: Insufficient details have been provided and the condition is necessary to ensure that existing trees and hedges to be retained are protected, in the interests of visual amenity and nature conservation.

06

No development shall commence until a programme of historic building recording in accordance with Historic England Level 3 has been submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the agreed scheme.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological and historical importance associated with the building.

07

No development shall be commenced until a methodology for undertaking repair works has been submitted to and approved in writing by the local planning authority. This shall include a full schedule of works which addresses repairs to brickwork (internally and externally), re-pointing, re-roofing and any repairs to ceilings. The development shall thereafter be carried out in accordance with the approved details.

Reason: To safeguard the special architectural and historic interest of the building.

08

Before any bricks are laid, a brick sample panel, showing brick type, brick bond, 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 details.

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

09

Before the new roof hereby approved is installed, samples or detailed specifications of the new roof tiles, 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 roof materials.

Reason: To ensure the development preserves the special architectural and historic interest of the listed building.

10

No development in relation to the following details shall be commenced until details, in the form of drawings and sections to no less than 1:20 scale (or detailed specifications), shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out and retained in accordance with the approved details.

Ridge, verge and eaves details

Heads and cills

Louvres to extension

Vents and flues

Conservation rooflights

Rainwater goods

Any external lighting

Surfacing and hardstanding within the grounds

Reason: To ensure the development preserves the special architectural and historic interest of the Listed Building.

11

Before the windows and doors hereby approved are 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 works preserve the special architectural and historic interest of the listed building.

12

In relation to the above condition (no. 11), trickle vents shall not be inserted into the windows and doors hereby granted permission.

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

Prior to first occupation

13

Notwithstanding the parking shown on drawing reference 22-228-P09 Rev C, no part of the development hereby permitted shall be first occupied until the parking and turning areas are provided with details to be first submitted to and approved in writing by the Local Planning Authority. The parking and turning areas shall maintained for the lifetime of the development and shall not be used for any other purpose other than the parking/turning and loading/unloading of vehicles.

Reason: This condition is necessary to ensure that the parking area's are provided in materials appropriate to the setting of the listed building (noting that the parking space closest to the building should be provided in grasscrete or similar to minimise its impact) and to a timescale that is appropriate in the interests of highway safety.

14

Prior to first occupation of the development hereby approved, full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include:

- 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;
- car parking layouts and materials; and
- other hard surfacing materials.

Reason: In the interests of visual amenity and biodiversity.

15

Prior to first occupation of the dwelling hereby approved, an ecological enhancement scheme shall be submitted to and be approved in writing by the Local Planning Authority. This shall include (but is not limited to) the provision of a minimum of 2 bird nest boxes and 2 integral bat boxes. The approved measures shall be implemented on site to a timescale as embedded within the scheme.

Reason: In order to provide suitable enhancements within a timescale that is appropriate to properly meet the policy tests relating to biodiversity.

16

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.

Reason: In the interests of visual and residential amenity and biodiversity.

Compliance

17

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

Proposed Ground Floor Plans, drawing no. 22-228-P05 Rev G (received 18.11.2004)

Proposed Site Plan, drawing no. 22-228-P09 Rev C (received 09.12.2024)

Proposed Section AA, drawing no. 22-228-P07 Rev B (received 18.11.2024)

Proposed Section BB, drawing no. 22-228-P10 Rev B (received 18.11.2024)

Proposed Section CC, drawing no. 22-228-P11 Rev A (received 18.11.2024)

Proposed Elevations, drawing no. 22-228-P06 Rev C (received 18.11.2024)

Site Location Plan, drawing no. 22-228-P01 Rev B

Proposed Site Plan, P09 Rev B (received 18.11.2024)

Location Plan (showing visibility splays) 22-228-P12 Rev A (received 09.12.2024)

Vehicular Access Drive Sections, 22-228-P13 (received 18.11.2024)

External Store Detail, drawing no. 22-2282-P14 (received 18.11.2024)

Secondary Glazing Detail, 22-228-P15 (received 18.11.2024)

Rood Screen Detail, 22-228-P16 (received 18.11.2024)

Reason: So as to define this permission.

18

During the construction period the following activities must not be carried out under any circumstances.

- 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.

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

19

No hedgerow 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.

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

20

The reasonable avoidance measures as set out in Section 7 of the Preliminary Ecological Appraisal dated February 2023 by Brindle and Green shall be employed during the construction phase of the development.

Reason: To ensure that adequate protection is afforded in the interests of ecology and biodiversity.

21

The approved soft landscaping shall be completed during the first planting season following the first occupation/use of the development, or such longer period as may be agreed in writing by the local planning authority. Any trees/shrubs which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. 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.

22

The development shall be carried out in accordance with the bat mitigation strategy contained within the Bat Survey Report Revision B dated September 2024 by LM Ecology unless otherwise agreed in writing by the Local Planning Authority.

Reason; In order to ensure that bat roosts are afforded adequate protection during the construction period.

23

The compensatory bat roost shall be provided on site prior to first occupation of the dwelling hereby approved in accordance with details contained within the Bat Survey Report Revision B dated September 2024 by LM Ecology, unless otherwise agreed. This compensatory roost shall thereafter be retained for the lifetime of the development.

Reason; In order to ensure that a compensatory bat roost is provided at an appropriate point in the development in the interests of ecology.

24

No part of the development hereby permitted shall be brought into use until the vegetation to the front boundary of the dwelling is cut back as indicated in the submitted drawing reference 22-228-P12 Rev. A to provide a clear view from a height of 0.6m to 2.0m within the visibility splay, which should thereafter be maintained as such for the life of the development.

Reason: To maintain visibility splays throughout the life of the development and in the interests of general highway safety.

25

No part of the development hereby permitted shall be brought into use until the driveway is surfaced in a hard-bound material (not loose gravel) for a minimum of 5.5 metres behind the highway boundary with provision to prevent the discharge of surface water from the driveway to the public highway. This shall thereafter be maintained as such for life of the development.

Reason: To reduce the possibility of deleterious material and surface water from the site being deposited on the public highway.

Informatives

01

IMPORTANT

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

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

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

Biodiversity Net Gain

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

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

OR

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

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

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

02

In respect of archaeology, it is recommended that the resulting written schemes of investigation are approved by the LCC Historic Environment Officer prior to formal submission to the Local Planning Authority. Ten days' notice is required before commencement of any archaeological works.

Scheduled monument consent may also be required for any works, including minimally intrusive works, that abut or enter the scheduled monument; the boundary of the designated area appears to be inside the site red line (see [Crococalana Roman town, Collingham - 1003479 | Historic England](#)).

03

The development makes it necessary to introduce a vehicular crossing. These works shall be constructed to the satisfaction of the Highway Authority. The developer is required to contact the Highway Authority's agent, VIA East Midlands (Tel. 0300 500 8080), to arrange for these works to be designed/approved and implemented.

04

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).

Proactive

05

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 PAYABLE on the development hereby approved. The actual amount of CIL payable will be calculated when a decision is made on the subsequent reserved matters application.

06

You are advised that you may require building regulations approval in addition to the planning permission you have obtained. Any amendments to the permitted scheme that may be necessary to comply with the Building Regulations, must also be approved in writing by the Local Planning Authority in order that any planning implications arising from those amendments may be properly considered.

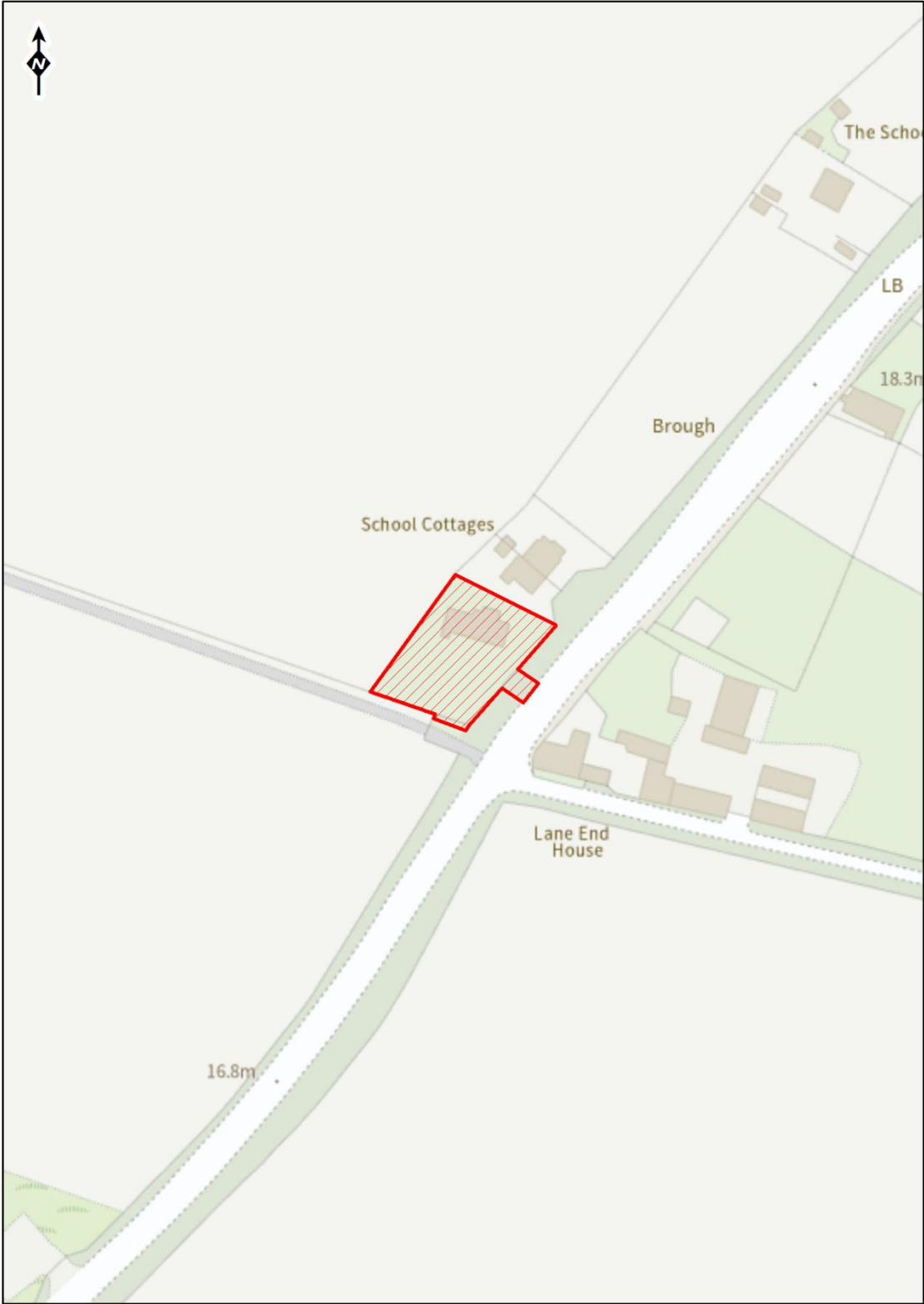
East Midlands Building Control operates as a local authority partnership that offers a building control service that you may wish to consider. Contact details are available on their website www.eastmidlandsbc.com

BACKGROUND PAPERS

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

Application case file.

Committee Plan - 24/01603/FUL



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