



Report to Planning Committee 5 June 2025

Business Manager Lead: Oliver Scott – Planning Development

Lead Officer: Harry White, Planner/Conservation Planner

Report Summary			
Application No.	25/00133/FUL		
Proposal	Siting of portable classroom to create 1 additional learning environment		
Location	Little Elms Pre School The School Building Main Street Oxton Southwell NG25 0SA		
Applicant	Little Elms Pre-School (Oxton) Limited - Mrs Sarah Vanner	Agent	N/A
Web Link	25/00133/FUL Siting of portable classroom to create 1 additional learning environment Little Elms Pre School The School Building Main Street Oxton Southwell NG25 0SA		
Registered	29.01.2025	Target Date Extension of time	26.03.2025 06.06.2025
Recommendation	That planning permission is APPROVED, subject to conditions set out in Section 10		

This application is being referred to the Planning Committee for determination by the local ward member, Councillor Roger Jackson, due to an over-intensification of the site and adverse highways impact.

1.0 The Site

- 1.1 The application site relates to the former village school, now in use as Little Elms Pre-school. The building is set back behind the road behind an area of hardstanding. The former school is an attractive Victorian building dating to 1870 and is constructed in red brick and clay plain tile roof.
- 1.2 The site is accessed by a dropped kerb and gated access onto Main Street, a 30mph classified C-road. The gateway to St Peter and St Paul's Church (Grade I listed) is

located roughly opposite the site, as is The Garden House, part of Oxton Hall Park, which are Grade II Listed Buildings. The school building at the application site makes a positive contribution to the character and appearance of the Oxton Conservation Area.

- 1.3 The application site is enclosed by brick walls of roughly 1.2m to 1.8m in height and is surrounded by residential development. There is a slight change in land levels across the site, with the school building elevated from Main Street. The application site is located within Flood Zone 1, the lowest risk of main river flooding. The roadside area has a high chance of surface water flooding, however, the school site has a very low risk.
- 1.4 The pre-school provides care for children aged 6 months to 5 years and currently have 55 children places at their facility and employ the equivalent of 11 full time staff.
- 1.5 The site has the following constraints:
 - Green Belt
 - Conservation Area
 - Setting of Listed Buildings



2.0 Relevant Planning History

- 2.1. 9279765 - CHANGE USE FROM HEADMASTER'S RESIDENCE AT REAR OF SCHOOL TO EDUCATIONAL USE – Permission 04.09.1979



3.0 The Proposal

- 3.1 The application seeks permission for the siting of a portable classroom to create 1 additional classroom at Little Elms Pre-School in Oxton, which would allow current child places to increase from 55 to 72. The building would measure roughly 11m in length by 3.8m in width, and would have a height of roughly 2.8m. The proposed structure would be located to the north of the main schoolhouse. The proposal would include replacing the existing timber fence in a more forward position flush with the front elevation of the school building, to allow the new structure to be placed to the rear of this fence. Examples of the typical appearance of the proposed building are shown below.



Cedar
standard
finish



Nut brown finish

Walnut finish



These are the potential finishes I can add onto the portable cabin if necessary. I'm happy to be advised as to which would be the most appropriate.





3.2 Documents assessed in this appraisal:

- Application Form
- Site Location Plan and Block Plan
- Proposed Floor Plan
- Proposed Elevations
- Parking Plan
- Car parking requirement with arrival and departure timings
- Heritage Statement
- Greenbelt Assessment
- Supporting information – received 19 February 2025
- Nottinghamshire County Council Sufficiency Data Prepared for Gunthorpe C of E Primary School (Dover Beck & Lowdham Ward Areas)

4.0 **Departure/Public Advertisement Procedure**

4.1 Occupiers of 6 properties have been individually notified by letter. A site notice has also been displayed near to the site and an advert has been placed in the local press.

4.2 Site visit undertaken on 31st January 2025

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 4B– Green Belt Development
- Spatial Policy 7 - Sustainable Transport
- Spatial Policy 8 – Protecting and Promoting Leisure and Community Facilities

Core Policy 9 - Sustainable Design
 Core Policy 10 – Climate Change
 Core Policy 11 – Rural Accessibility
 Core Policy 12 – Biodiversity and Green Infrastructure
 Core Policy 13 – Landscape Character
 Core Policy 14 – Historic Environment

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

DM5 – Design
 DM7 – Biodiversity and Green Infrastructure
 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 has just completed its Examination In Public during November 2024. The Inspector's report is awaited. This is therefore at an advanced stage of preparation, albeit there are unresolved objections to amended versions of all the above DM policies (apart from DM12) emerging through that process. As such, the level of weight to which those proposed new policies can be afforded is therefore currently limited. As such, the application has been assessed in-line with all policies from the adopted Development Plan.

5.4. **Other Material Planning Considerations**

National Planning Policy Framework 2024 (as amended Feb 2025)
 Planning Practice Guidance (online resource)
 National Design Guide - Planning practice guidance for beautiful, enduring and successful places September 2019
 Planning (Listed Buildings and Conservation Areas) Act 1990
 Nottinghamshire Highway Design Guide 2021

6.0 **Consultations and Representations**

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

Statutory Consultations

- 6.1. Nottinghamshire County Council (Highways) – Have previously raised concerns, however following the submission of additional parking information now have no objection subject to planning conditions.
- 6.2. Historic England – Have delegated to the Council's specialist conservation and archaeological advisers.

Town/Parish Council

- 6.3. Oxtun Parish Council - raised concerns for flooding, overlooking/loss of privacy,

highways impact, design, noise, overdevelopment. The Parish Council appreciates that the nursery is an asset to the village. Ultimately the Parish Council do not support the application.

Representations/Non-Statutory Consultation

- 6.4. NSDC, Conservation – It is considered that the building would cause less than substantial harm to the character and appearance of the conservation area, contrary to s.72 of the Planning (Listed Buildings & Conservation Areas) Act 1990, and s.16 of the NPPF (2024), and Policies CP14 and DM9 of the local development framework. The set back location from the road and distance to listed buildings opposite is not considered to cause harm to their setting.
- 6.5. Comments have been received from 27 third parties/local residents (22 raise concerns and 5 support) that can be summarised as follows:
- Harm to Conservation Area and heritage assets;
 - Poor design;
 - Adverse Highways Impact (insufficient parking on site causing illegal parking on road and pavements, causing visibility issues);
 - Harm to amenity of neighbouring occupants (size/noise/unsightly outlook);
 - Additional water consumption;
 - Flooding and drainage;
 - Need for nursery spaces;
 - Air pollution and contribution to climate change;
 - Support for more spaces at nursery;
 - Support for local business and job creation; and
 - Negative impact on trying to sell their property.

7.0 Appraisal

- 7.1. The key issues are:

- Principle of Development
- Impact upon the Green Belt
- Impact on the character and appearance of the Conservation Area and other Heritage Assets
- Impact on Amenity
- Impact on the Highway
- Impact on Ecology and Trees
- Other matters

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

development and sees sustainable development as a golden thread running through both plan making and decision taking. This is confirmed at the development plan level under Policy DM12 'Presumption in Favour of Sustainable Development' of the Allocations and Development Management DPD.

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

Principle of Development

- 7.5. The site is located within the village of Oxton, and is within the Nottingham-Derby Green Belt, where new development is strictly controlled through the NPPF (2024) and Spatial Policy 4B of the Core Strategy (2019). Spatial Policy 4B sets out that other development not identified by this policy will be judged according to national green Belt policy.
- 7.6. Spatial Policy 8 supports the enhancement of existing community facilities where they meet the needs of communities, both within the District and beyond. The proposed development is to enhance an existing community facility to meet early years educational needs within the Dover Beck & Lowdham Ward area.

Impact upon the Green Belt

- 7.7. Spatial Policy 4B of the Core Strategy (2019) sets out that this type of development, as it is not otherwise stated in this policy, shall be judged according to national Green Belt policy.
- 7.8. Chapter 13 of the NPPF (2024) sets out that the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open, the essential characteristics of Green Belts are their openness and their permanence. The Green Belt serves five purposes; firstly, to check the unrestricted sprawl of large built-up areas; secondly, to prevent neighbouring towns merging into one another; thirdly, to assist in safeguarding the countryside from encroachment; fourthly, to preserve the setting and special character of historic towns; finally, to assist in urban regeneration by encouraging the recycling of derelict and other urban land.

- 7.9. Paragraph 153 of the NPPF (2024) sets out that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Footnote 55 then adds 'other than in the case of development on previously developed land or grey belt land, where development is not inappropriate.' The Framework defines 'previously developed land' as including 'land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed.'
- 7.10. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Development in the Green Belt is inappropriate unless one of the eight criteria set out within paragraph 154 of the NPPF (2024) applies. Criterion e) allows for limited infilling in villages (neither the terms 'limited' or 'infilling' are defined, although the latter is generally considered to represent built form between existing built form). Criterion g) allows for limited infilling of previously developed land, whether redundant or in continuing use, which would not cause substantial harm to the openness of the Green Belt. However as referred to above, footnote 55, already states that development on previously developed land is not inappropriate.
- 7.11. The proposed development would be located on an area of tarmac hardstanding and is therefore considered to be previously developed land. As such, there is no need in this case to assess the proposal under paragraph 154 as it no longer represents inappropriate development, but appropriate development under Footnote 55.
- 7.12. However, if assessment under paragraph 154 were considered to be appropriate, the proposed building would be located between the main school building and the dwelling at High Trees, and so would be considered to represent infilling in the village on previously developed land and therefore an exception under criterion e) and/or g) in any event.
- 7.13. Consequently, it is considered that the proposed development would not represent inappropriate development under footnote 55 and would therefore not cause any harm to the openness of the Green Belt and would also, if required be acceptable through exceptions e) and g) of paragraph 154 of the NPPF (2024), as the development would be limited infilling in a village on previously developed land, and which would not cause harm to the openness of the Green Belt.

Impact on the character and appearance of the Conservation Area and other Heritage Assets

- 7.14. The NPPF states that good design is a key aspect of sustainable development and new development should be visually attractive. Core Policy 9 states that new development should achieve a high standard of sustainable design that is of an appropriate form and scale to its context complementing the existing built and landscape environments. Policy DM5 of the DPD states that local distinctiveness should be reflected in the scale, form, mass, layout, design and materials in new development.

- 7.15. Core Policy 14 'Historic Environment' of the Newark and Sherwood Core Strategy DPD (2019) requires the continued conservation and enhancement of the character, appearance and setting of the District's heritage assets and historic environment, in line with their identified significance; and the preservation and enhancement of the special character of Conservation Areas including that character identified through Conservation Area Character Appraisals which form the basis for their management. In accordance with Core Policy 14, development proposals should take account of the distinctive character and setting of individual conservation areas including open space and natural features and reflect this in their layout, design, form, scale, mass, use of materials and detailing as set out in Policy DM9 'Protecting of the Historic Environment' of the Allocations & Development Management DPD (2013)
- 7.16. Core Policy 9 'Sustainable Design' of the Amended Core Strategy DPD (2013) requires new development proposals to, amongst other things, "achieve a high standard of sustainable design and layout that is capable of being accessible to all and of an appropriate form and scale to its context complementing the existing built and landscape environments."
- 7.17. Section 12 of the NPPF (2024) refers to achieving well designed places. Paragraph 131 states that good design is a key aspect of sustainable development by creating better places in which to live and work and helps make development acceptable to local communities. Paragraph 139 advocates that where a development is not well designed and fails to reflect local design policies and government guidance on design planning permission should be refused.
- 7.18. The application site is located in the Oxton Conservation Area, designated in 1992 for its ancient connections to the forest, medieval origins as a manor, linear settlement pattern, and collection of 18th and 19th century vernacular houses, farmhouses constructed in red brick with pantile and tiles roof. The grade I listed church of St Peter and St Paul has medieval origins and is a prominent feature within the Conservation Area.
- 7.19. The proposed Portakabin would be positioned to the north of the main school building, and set back by roughly 24m from Main Street, so would lack prominence to the street scene of Main Street. The open layout at the front of the site would allow for the Portakabin to be seen from Main Street, albeit behind the repositioned close boarded timber fencing, this visual impact can be softened further by landscaping to the side of the building to be required by planning condition.
- 7.20. The proposed palette of materials has not been agreed, but three have been presented including cedar, nut brown, and walnut, three shades of brown. It is considered that the darker walnut finish would appear recessive within the shadow of the main school building and within the context of large conifers at the neighbouring site. The palette of materials is to be agreed by planning condition to ensure a high-quality appearance.
- 7.21. The proposed development would have a distinctly modern appearance, which would not reflect the local vernacular of the conservation area. This is ultimately considered to result in a degree of harm, in this case low to moderate harm within the wider 'less

than substantial' scale. Where there is harm, this must be given significant weight and placed in the balance against the public benefits of the proposal. As the proposed development is for the expansion of a local educational facility providing education to under 5s, there are considered to be public benefits for the provision of early years school places in an area where additional places would be beneficial as there is less than 20% vacancy within the area. Furthermore, the proposed expansion would provide two new jobs, which is another socio-economic benefit of the proposals.

- 7.22. Portacabins are by their nature temporary structures, therefore it is considered to be reasonable to ensure that the Portakabin is a temporary feature for 5 years so as to preserve the long-term character and appearance of the Conservation Area. Furthermore, the appearance of temporary structures can deteriorate more rapidly than permanent buildings, so this is considered to be reasonable in the interests of visual amenity.
- 7.23. With regard to the setting of the nearby listed buildings, it is due to the proposed separation distance, presence of the road, and set back from the highway that the setting of the listed buildings opposite the site would not be harmed.
- 7.24. Consequently, whilst the development would result in a low-moderate level of less than substantial harm to the character and appearance of the Oxtown Conservation Area, this harm can be further mitigated through additional landscaping and an appropriate palette of materials, thereby tempering the harm closer to the lower level. The restriction of the development to 5 years would also ensure the appearance of the conservation area would be preserved, especially in the medium to long-term.

Impact upon Residential Amenity

- 7.25. Policy DM5 of the Allocations & Development Management DPD (2013) states that development proposals should ensure no unacceptable reduction in amenity including overbearing impacts and loss of privacy upon neighbouring development.
- 7.26. The proposed development would have a height of roughly 2.8m and would sit between the school building and High Trees, a modern two storey detached dwellinghouse. The two plots are separated by a 1.8m high brick wall as well as a mix of mature hedgerows and trees in excess of 3.0m in height. There are no primary windows to habitable rooms on the side (south) elevation of High Trees, there is a window to a utility room and a door to the kitchen at ground floor, and an obscure glazed bathroom window at first floor. The ground floor window to the utility sits forward of the proposed portacabin, so would still benefit from views to the church and sunlight from the south and east. The proposed building would have a height roughly 1.0m higher than the existing boundary wall, however this would sit alongside a 3.0m high conifer hedgerow which provides visual screening and a certain amount of existing overshadowing to the neighbouring dwelling, which would not be materially enhanced by the proposed development. With regard to noise impacts, the increase of 17 pre-school places is not considered to materially increase noise to the neighbouring occupants as outdoor time for the children is staggered, and the level of background noise from children is to be expected at a location neighbouring a school site. Consequently, it is considered that the proposed development would not result

in a significant adverse impact to the residential amenity of this neighbouring property.

- 7.27. The neighbouring occupants at Kingswood are positioned at a higher ground level from the application site and are separated from the proposed development by an existing outbuilding of similar height to the proposed structure, as well as a 3.5m high laurel hedge. Consequently, considering the presence of substantial intervening structures, it is considered that the amenity of these neighbouring occupants would not be adversely affected.
- 7.28. With regard to the neighbouring occupants to the south, those at Church View would be positioned the other side of the main school building, so would not feel any impacts with regard to their amenity.
- 7.29. Overall, it is therefore considered that the development accords with DM5 of the Allocations & Development Management Policies DPD (2013) and the provisions of the NPPF (2024) with regard to residential amenity.

Impact upon Highway Safety

- 7.30. Spatial Policy 7 indicates that development proposals should be appropriate for the highway network in terms of the volume and nature of traffic generated and ensure the safety, convenience and free flow of traffic using the highway are not adversely affected; and that appropriate parking provision is provided. Policy DM5 of the Allocations & Development Management Policies DPD (2013) requires the provision of safe access to new development and appropriate parking provision.
- 7.31. The site is served by an existing access from Main Street, a classified C road subject to a 30mph speed limit. The site is not linked to any road traffic incidents in recent years, and visibility splays of 43m can be achieved from the site in line with standing advice.
- 7.32. The proposed development would result in an increase in the intensity of the use of the site due to the increase in classroom space and child numbers from 55 to 72. The pre-school operates a staggered timetable with arrivals staggered between 08:30 and 09:15, and departures at 13:00, and 15:00 to 17:00, with a total of up to 72 children on site at any one time. The parking arrangement would remain largely unchanged, by providing visitor parking on the hardstanding at the front of the building, and staff parking up the level. The main body of the tarmac apron measures roughly 30m in width, and 15m in depth, and the upper section measures roughly 30m by 5m. Therefore, it can provide 16 parking spaces on the lower level and 4 on the upper level, which would exceed the Nottinghamshire Highways Design Guide minimum recommended parking requirements for a day nursery of 1 space per 2 members of staff, plus 1 space per 6 children. Additionally, it is understood that the village hall would be able to provide additional off-site parking for users of the day-nursery. However, this is located outside the red-line of the site, and would require a separate legal agreement, which is not considered to be reasonable or necessary for the development. Nevertheless, it is considered to be reasonable to restrict the total child places to 72 to avoid the use exceeding the parking provision, and to have the parking

spaces demarcated at the front of the site. Bicycle parking and EV charging facilities can be required by planning condition.

- 7.33. Following further clarification on parking matters, the previous concerns of the Highway Authority have been addressed, subject to conditions on any permission granted. Paragraph 116 of the NPPF (2024) sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In this case, it is considered that the provision of parking on site would be sufficient to prevent an unacceptable impact on highway safety, and the impacts of the additional classroom building and intensity of the use of the old school site would not be severe.
- 7.34. Therefore, based on the assessment above, it is therefore considered that the proposal would be in accordance with Spatial Policy 7 of the Amended Core Strategy (2019), Policy DM5 of the Allocations & Development Management Policies DPD (2013) and paragraph 116 of the NPPF (2024).

Impact upon Ecology and Trees

- 7.35. Core Policy 12 of the Core Strategy (2019) and Policy DM7 of the Allocations & Development Management Policies (2013) promote the conservation and enhancement of the district's biodiversity assets. The NPPF (2024) also seeks to minimise impacts on biodiversity and provide net gains where possible.
- 7.36. The proposed development would be undertaken on land currently surfaced with tarmacadam, and there would be no vegetated habitats affected by the development. Furthermore, the development would not affect any existing trees due to its siting on hardstanding and method of construction avoiding works within the root protection areas of any trees.
- 7.37. Overall, it is therefore considered that the proposal would comply with Policy DM7 of the DPD and Core Policy 12 of the Core Strategy in this regard.

Other Matters

- 7.38. Flooding has been raised as a concern for the proposed development. The site is located within flood zone 1, at the lowest risk of fluvial flooding, and the old school site is at very low risk of surface water flooding. The development would not be sited in an area to put more people at risk of flooding, and would sit over an existing sealed surface, so would not materially increase runoff rates compared to the existing scenario.
- 7.39. With regard to drainage, the existing school facilities would be used, and there would not be any further significant inputs to the drainage network from the proposed development. The increase in number of staff and students would likely result in additional water use at the site, however the use is not particularly water dependant and the increase in water use is not considered to be significant.
- 7.40. With regard to impacts to local air pollution and climate change, Oxtun is not located

within an air quality management area and as a rural part of the District the issues regarding air quality are less pervasive. Monitoring locations are identified throughout the District, primarily in urban or highly trafficked areas including Newark, Ollerton, Balderton and Farndon. Newark and Sherwood District Council's Environmental Health team promotes anti-vehicle idling at school pick up locations. Currently this is just being done as an education program for drivers and is not being formally enforced. There are however plans for a pilot project for later in the year which will involve local councillors, the communications team and 3-4 schools with the focus being on engagement with schools and pupils to drive change. If successful and depending on resources, this could be expanded to more schools in the future. Furthermore, the accessibility of the school for those living in Oxtun also allows the ability to access the site by walking/wheeling/cycling.

- 7.41. One resident has raised concerns regarding the impact of the development on house prices. This is not a material planning consideration that can be given any weight in the determination of this application.
- 7.42. **Community Infrastructure Levy (CIL)** - The proposed type of development is not CIL liable.
- 7.43. **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 development falling below the de-minimis threshold of 25sqm of habitat. As the site is located on an area of existing tarmac hardstanding, and no pre-development works have been carried out, the development would not affect any vegetated habitats, and so BNG is not required.

8.0 Implications

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

Legal Implications - LEG2425/2458

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

9.0 Conclusion

- 9.1. The concerns raised by the Parish Council and the representations of all opinions received are noted and have been taken into account in the consideration of this recommendation put to Members.
- 9.2. The proposed development on previously developed land is not, by definition under footnote 55, considered to be inappropriate development in the Green Belt, would not result in any harm to openness and is therefore not contrary to the guidance set out within the National Planning Policy Framework. The proposed introduction of a temporary classroom building, together with additional mitigation works, would result in a low level of less than substantial harm to the character and appearance of Oxton Conservation Area. However, in accordance with the guidance in the Framework, this identified harm needs to be weighed against the public benefits of the proposal which would provide for 17 additional pre-school places for families within the local area, as well as providing two new jobs, which are both socio-economic benefits of the proposal which provide moderately positive benefits. In this case, the public benefits are considered to outweigh the heritage harm identified.
- 9.3. There are not considered to be any other unacceptable adverse impacts to residential amenity, highway safety, biodiversity/trees, flood risk, or air pollution/climate change. Consequently, it is considered that the development is in accordance with the policies of the local development framework and the guidance within the NPPF (2024).

10.0 Conditions

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

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

- 02 The development hereby permitted shall be carried out and retained in complete accordance with the following approved plans and documents:

- Application Form
- Site Location Plan and Block Plan
- Proposed Floor Plan
- Proposed Elevations
- Heritage Statement
- Greenbelt Assessment
- Supporting information – received 19 February 2025
- Nottinghamshire County Council Sufficiency Data Prepared for Gunthorpe C of E Primary School (Dover Beck & Lowdham Ward Areas)

Reason: So as to define this permission.

- 03 The building hereby permitted shall be removed and the land restored to its former condition on or before 31 July 2030 in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the conservation area in accordance with Policy DM9 of the Allocations and Development Management Policies DPD (2013) and Core Policy 14 of the Core Strategy (2019).

- 04 The materials and finish of the hereby approved temporary building are to be submitted to and agreed in writing with the Local Planning Authority, prior to the installation of the building on the site. The building installed shall be in accordance with the approved details.

Reason: In order to safeguard the character and appearance of the Conservation Area in accordance with Policy DM9 of the Allocations and Development Management Policies DPD (2013) and Core Policy 14 of the Amended Core Strategy (2019).

- 05 Prior to the development being brought into use details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:
- Means of enclosure;
 - 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.

The approved means of enclosure shall be fully implemented prior to the development being first brought into use. 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.

Reason: In the interests of visual amenity in accordance with Policy DM9 of the Allocations and Development Management Policies DPD (2013) and Core Policy 14 of the Amended Core Strategy (2019).

- 06 Prior to the hereby approved temporary classroom being brought into use the parking/turning/servicing areas shall be provided and surfaced in a hard-bound material, with the parking bays clearly delineated, in accordance with plans to be first submitted to and approved in writing by the Local Planning Authority. The demarcated parking/turning/servicing areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the

parking/turning/loading and unloading of vehicles and shall be retained for the lifetime of the development.

Reason: In the interests of highway safety.

- 07 Prior to the hereby approved temporary classroom being brought into use provision within the site for secure, covered cycle parking, secure cycle equipment storage, and electric vehicle charging facilities shall be provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The approved facilities shall not thereafter be used for any other purpose and shall be retained for the lifetime of the development.

Reason: In the interest of furthering travel by sustainable modes.

- 08 The total number of child places provided at the site shown outlined in red on the submitted site location plan shall be limited to no more than 72 at any one time.

Reason: In the interests of highway safety.

- 09 The maximum number of staff employed at the site outlined in red on the submitted site location plan shall be restricted to no more than the equivalent of 13 full time staff.

Reason: To ensure that the site has sufficient car parking provision in the interest of highway safety.

Informatives

- 01 This application has been the subject of discussions during the planning process and has been approved following those discussions. 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) (England) Order 2015 (as amended).

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

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.

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

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

- a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - b) the planning authority has approved the plan;
- OR
- c) the development is exempt from the biodiversity gain condition.

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

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

Based on the information available, this permission is considered by NSDC not to require the approval of a biodiversity gain plan before development is begun, because the following reason or exemption is considered to apply – The proposal falls below the ‘de-minimis’ thresholds.

BACKGROUND PAPERS

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

Application case file.

Committee Plan - 25/00133/FUL

