



Report to Planning Committee 4 September 2025

Business Manager Lead: Oliver Scott – Planning Development

Lead Officer: Jamie Pegram – Planning Development Officer

Report Summary			
Application Number	25/00707/FUL		
Proposal	Removal of portal frame building and demolition of brick barn. Extension to barn conversion and three new dwellings.		
Location	West View Farm House Collingham Road Besthorpe Newark On Trent NG23 7HP		
Applicant	G.A.K Developments LTD	Agent	N/A
Web Link	<a href="#">25/00707/FUL   Removal of portal frame building and demolition of brick barn. Extension to barn conversion and three new dwellings.   West View Farm House Collingham Road Besthorpe Newark On Trent NG23 7HP</a>		
Registered	28.04.2025	Target Date	07.07.2025 EOT: 11.09.2025
Recommendation	Application be Approved subject to conditions in Section 10		

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

## 1.0 The Site

- 1.1 The application site relates to a farm complex located on the east side of Collingham Road, outside of the settlement of Besthorpe and within an open countryside position.
- 1.2 The existing buildings are of traditional agricultural design, predominately of brick construction and include a grain store, granary, storage barn and a dairy barn.

- 1.3 The site is accessed from a new private access of the main road approved under application 23/00635/FUL. Following a site visit it is noted that the new access has been constructed and therefore this is now the access for the proposal site.
- 1.4 The other closest neighbouring property is West View Farmhouse 12m to the south of the site. The boundaries of the site consist of predominately established hedgerows, as well as traditional post and rail fences. There is long established hedgerow, and a number of mature trees located close to the boundary with the A1133 main highway
- 1.5 The site is located within Flood Zone 1 and is at low risk of surface water flooding.

## **2.0 Relevant Planning History**

23/00635/FUL - Removal of portal frame building. Conversion of farm buildings to 5 dwellings, garage and garden store. New vehicular entrance, access drive and private sewage treatment unit. (Permitted 13.06.2023) The access has been constructed and one of the barns has been converted from this application.

20/00194/FUL - Change of use of 4 barns to 5no. new dwellings including a garage garden store building, removal of one steel framed and clad store shed, new private sewage treatment unit, and new vehicular entrance and access drive. (Permitted 10.06.2020)

09/00353/AGR - Erection of agricultural building for the storage of grain (Prior approval not required 31.03.2009)

98/50154/AGR – Erect Agricultural building – (Permitted 26.06.1998)

94/50144/FUL – Change of use of agricultural building into building contractors store (Permitted 09.11.1994)

## **3.0 The Proposal**

- 3.1 The proposal seeks permission to knock down the barns which already have permission to be converted to dwellings and replace them with 3 new dwellings of an agricultural style and appearance. One of the existing agricultural buildings shown as plot 6 below would be retained however would be extended.
- 3.2 All the dwellings would have a similar appearance with an eaves of c5m and a ridge of c8m arranged in a U courtyard arrangement. The highways and access have been approved as part of another application, for the conversion of plots 1 and 2 which is nearly complete on site, the road access has been built.
- 3.3 The proposed site plan is shown below:



### 3.4 Plans and Documents Considered

- Application Form
- Site Location Plan and Block Plan Drawing A1-01 Revision D
- Plot 3 Proposal Drawing A1-02
- Plot 4 Proposal Drawing A1-03
- Plot 5 Proposal Drawing A1-04
- Plot 6 Proposal Drawing A1-05
- Existing Elevation Plans Drawing WVFB / 2019 /18
- Plot 5 Existing A1-P5-01
- Highways Plan for Access WVFB – 01B
- BNG Metric Calculation Tool received 28.04.2025
- Updated Protected Species Survey received 28.04.2025

### 4.0 Departure/Public Advertisement Procedure

4.1 Occupiers of 2 properties have been individually notified by letter and a site notice has been displayed near the site expiring 12.06.2025 including a departure of the plan notice and an advert has been displayed in the press expiring 13.06.2025 for a departure of the plan.

4.2 Site Visit undertaken: 01.07.2025

## **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 3: Rural Areas
- Spatial Policy 7: Sustainable Transport
- Core Policy 3: Housing Mix, Type and Density
- Core Policy 9: Sustainable Design
- Core Policy 10: Climate Change
- Core Policy 12: Biodiversity and Green Infrastructure
- Core Policy 14: Historic Environment

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

- Policy DM1: Development within Settlements Central to Delivering the Spatial Strategy
- Policy DM5: Design
- Policy DM7: Biodiversity and Green Infrastructure
- Policy DM8: Development in the Open Countryside
- Policy DM9: Protecting and Enhancing the Historic Environment
- Policy DM10: Pollution and Hazardous Substances
- Policy DM12: Presumption in Favour of Sustainable Development

5.3. The [Draft Amended Allocations & Development Management DPD](#) was submitted to the Secretary of State on the 18th January 2024. This is therefore at an advanced stage of preparation and has subsequently been examined in November 2024, the Council is awaiting the Inspector's report. There are unresolved objections to amended versions of policies above mentioned 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**

- National Planning Policy Framework 2024
- Planning Practice Guidance (Online Resource)
- District Housing Needs Survey Arc 2020
- Newark and Sherwood Residential Cycling and Parking SPD 2021
- Nottinghamshire County Council Highway Design Guide 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. NCC Highways – The site has an extant planning permission (Ref 23/00635/FUL) for the conversion of farm buildings to 5 dwellings. Floor Plans have been provided for four dwellings (plots 3-6) and show two 4 bed dwellings and 2 5 bed dwellings. The scheme will add a further dwelling to the site compared to that approved under the previous application. This is acceptable in-principle subject to the following issues being resolved.

- Detailed plan showing site access
- Parking layout for plot 6
- Details of cycle storage, vehicle charging and bin collection facilities.

### **Town/Parish Council**

- 6.3. Besthorpe Parish Council – No comments received

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

- 6.4. Ecology – The Council's ecology officers assessed the application and identified errors in the original metric submitted with the application. The metric and BNG information were subsequently amended during the application process and the ecology officer has confirmed that in this instance the application has no other option than to source the current calculated deficit via an off-site habitat bank, or via Statutory Biodiversity Credits. Conditions have been recommended for bat and bird boxes to provide some onsite ecological enhancements.

- 6.5. Trent Valley Drainage Board – The site is outside of the Trent Valley Internal Drainage Board district but within the Board's Catchment.

The Board maintained Besthorpe Fleet, an open watercourse, exists to the West of the site and to which BYELAWS and the LAND DRAINAGE ACT 1991 applies.

Surface water run-off rates to receiving watercourses must not be increased as a result of the development.

The suitability of soakaways and a means of surface water disposal should be ascertained prior to planning permission being granted. Soakaway should be designed to an appropriate standard to the satisfaction of the Approving Authority in conjunction with the Local Planning Authority. If the suitability is not proven the Applicant should be requested to re-submit amended proposals showing how the Site is to be drained. Should this be necessary this Board would wish to be re-consulted. The design operation and future maintenance of site drainage systems must be agreed with the Lead Local Flood Authority and Local Planning Authority.

- 6.6. Environmental Health Contamination – The historical use of the building is unknown

and there lies the potential for this to have been used for a variety of activities. It would depend on what specific activities have been carried out to consider the implications, if any for contamination of the site. The applicant/developer will need to have a contingency plan should the construction/conversion phase reveal any contamination, which must be notified to the pollution team in public protection at Newark and Sherwood District Council.

6.7. Public Consultation – No comments received.

## **7.0 Appraisal**

7.1. The key issues are:

1. Principle of Development
2. Impact upon Character
3. Impact upon Amenity
4. Highway
5. Ecology
6. Flood Risk and Drainage
7. Contaminated Land
8. Biodiversity Net Gain

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

### **Principle of Development**

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

7.4. The application site is not within a settlement and is therefore within the open countryside. Policy DM8 of the DPD strictly limits development away from the main built-up areas of villages, in the open countryside, to certain types of development,

including the conversion of existing buildings. 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. DM8 only allows the construction of new dwellings where they are of exceptional quality or innovative nature of design, reflect the highest standards of architecture, significantly enhance their immediate setting and be sensitive to the defining characteristics of the local area. The proposal has not been put forward on this basis and therefore the new dwellings proposed are contrary to DM8 and not acceptable in principle.

- 7.5. The application site is located off the A1133, between Collingham and Besthorpe in the open countryside. Notwithstanding the above, it is noted that the application site has a fallback position provided by the application 23/00635/FUL for the conversion of the existing buildings on site to create 5 dwellings in total (this includes plots 1 and 2 shown within the blue outline on the proposed site plan). This permission has been started by the formation of the new access and a single unit being converted. This permission is therefore extant in perpetuity under current planning legislation and therefore the principle of 5 dwellings on the wider site is already established and is a realistic fallback position. It is however noted that the proposal includes 1 additional unit over that of the extant conversion scheme.
- 7.6. Following the publication of the NPPF on 12th December 2024, the LPA can no longer demonstrate a 5-year housing land supply. The development plan is therefore not up to date for decision making in respect of housing and the tilted balance will need to be applied as the NPPF is an important material planning consideration.
- 7.7. The NPPF (2024) has introduced changes to the way in which local authorities formulate the number of new homes needed to be delivered in their areas and as such the need for houses in the district has increased significantly which means that the Authority is no longer able to demonstrate a five year supply of housing. The LPA is currently only able to demonstrate a housing land supply of 3.43 years. This means that the Development Plan is now out of date in terms of housing delivery and the tilted balance has come into effect.
- 7.8. The shortfall in the supply of deliverable housing sites means that, in accordance with the presumption in favour of sustainable development (at paragraph 11d), any adverse impacts caused by the proposal must significantly and demonstrably outweigh its benefits, for planning permission to be refused. This means the Authority has a duty to ‘...grant permission unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed;
  - or

- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, in particular those for the location and design of development (as set out in chapters 9 and 12) and for securing affordable homes
- 7.9. Footnote 7 of the NPPF (2024) sets out that where there are policies protecting designated heritage assets that provide a strong reason for refusal, the presumption in favour of sustainable development would not apply.
- 7.10. The site is not within a protected area and considering the extant permission for 5 dwellings, there is not a strong reason to refuse the application due to the additional dwelling proposed. The site is relatively close to Collingham, a principal village, which has a range of day to day services. As such, the site is considered to be in a sustainable location, and the additional dwelling would contribute to the Council's housing targets. In line with the presumption in favour of sustainable development, the additional dwelling should be approved.
- 7.11. The proposal for the conversion of the single unit with an extension labelled as Plot 6 is still broadly acceptable in policy terms. It is acknowledged that the extension is large in scale (two storey side extension with link, plus attached garage to create L-plan form) which is not encouraged by DM8 nor the Conversions SPD, however when considered as part of the proposal as a whole, it would be a sympathetic addition that would retain agricultural character of the site. There is further detail on this in the impact on the character of the area section however, in summary the extension to the converted barn is considered acceptable in principle in this instance.
- 7.12. The demolition of the existing modern barn within the centre of the yard (which would have provided 2 residential units) is also acceptable.
- 7.13. Whilst the scheme would be contrary to DM8 by virtue of being outside of any village within open countryside, as detailed above, there are other material considerations relevant to the determination of the application. Giving consideration to the fallback position for the already approved conversion of the barn in the centre of the yard for 2 units, and given that the proposed new build scheme would provide a higher quality scheme still in an agricultural style with a court yard layout, and taking into consideration the biodiversity benefits the new build scheme would provide over and above that of the conversion scheme, it is considered that, when applying the tilted balance and considering the extant fallback position, the scheme acceptable, subject to site specific impacts which are discussed below.

#### Impact on the Visual Amenities of the Area

- 7.14. Core Policy 9 states that new development should achieve a high standard of sustainable design and layout that is of an appropriate form and scale to its context complementing the existing built and landscape environments. In accordance with



Policy DM5 of the DPD, new development should respect the rich local distinctiveness of the district's landscape and character of built form, and this should be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development.

- 7.15. The application is for 4 new dwellings, 3 of which would be from the ground up new builds and one that would be converted and extended. This would result in 4 new dwellings, two 4 bedroom and two 5 bedrooms.
- 7.16. Paragraph 133 of the NPPF states that development should function well and add to the overall quality of the area; be visually attractive as a result of good architecture, layout appropriate and effective landscaping; be sympathetic to local character and history, including the surrounding built environment landscape setting; and maintain a strong sense of place.
- 7.17. Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents which use visual tools such as design guides and codes.
- 7.18. The proposal would consist of plots 3, 4, 5 and 6. Plots 1 and 2 are agricultural building conversions of an extant permission including a new access to the site from the main road. The ridge of all the dwellings would be set at c8m with eaves set at c5m. The ridge and eaves do drop on outriggers off the side of the dwellings for example the garage, which has an eaves height of c3.4m and a ridge height of c5.8m. Below are the elevations of each of the plots.

#### Plot 3



## Plot 4



## Plot 5



## 7.19. Plot 6





- 7.20. The provided elevations show that the proposed dwellings are of a rural and agricultural design to reflect the existing building (Plot 1) which has already been converted onsite, and Plot 6 which is subject of this application for an extension. Plot 6 is a traditional red brick barn with some historic significance – this barn would be retained and converted. The adopted Conversion of Traditional Rural Buildings SPD gives specific guidance on residential conversion schemes. The SPD advises on appropriate alterations and extension and within section 4 states: ‘To retain Character and Architectural integrity of traditional rural buildings, alterations to existing fabric must be kept to a minimum necessary to facilitate the new use’. In relation to alterations, the SPD advises ‘Modest alterations such as the introduction of flush rooflights and small vents will be acceptable only if they are used with restraint and places in discreet positions.’
- 7.21. The converted dwelling would be altered in a sensitive way to facilitate its conversion and would have an extension which is quite large in scale however it is subordinate in height and is respectful of the style and differentiated from the original barn by the proposed timber cladding to the elevations and the link which is subservient in height the extension would provide additional living space to plot 6 as well as a garage. The rural style of the new dwellings is also considered acceptable in the open countryside setting and would reflect the traditional rural character of the existing barns. The barn being demolished to facilitate the new builds is not considered to be of significant historic character given it has been altered over the year diminishing any significance it may have once had. The new build dwellings would be built in an agricultural style with a courtyard layout which is considered an enhanced design over the proposed conversion scheme. Overall, it is not considered that the proposed dwellings would have an adverse impact on the character of the area.
- 7.22. With the above in mind, it is considered that the proposal accords Core Policy 9 of the Amended Core Strategy (adopted 2019), DM5 of the Allocations and Development Management DPD (adopted 2013) and Part 12 of the NPPF which is a material consideration.

#### Impact upon Residential Amenity

- 7.23. Policy DM5 of the DPD states that development should have regard to its impact upon the amenity of surrounding land uses and neighbouring development to ensure that the amenities of neighbours and land users are not detrimentally impacted. The NPPF seeks to secure high quality design and a high standard of amenity for all existing and future occupants of land and buildings.

- 7.24. Having assessed the submitted plans it is considered that there is sufficient space between the proposed dwellings and therefore it is not considered that there would be any unacceptable impacts. Each dwelling would have sufficient private amenity space and 3 parking spaces for each dwelling.
- 7.25. The neighbouring dwellings are a sufficient distance away that there would be no negative impact on residential amenity.
- 7.26. As such, the proposed development is considered to comply with Core Policy 9 (Sustainable Design) of the Newark and Sherwood Amended Core Strategy (adopted March 2019) and Policy DM5 (Design) of the Allocations and Development Management document adopted July 2013.

#### Highways

- 7.27. Spatial Policy 7 seeks to ensure that vehicular traffic generated does not create parking or traffic problems. Policy DM5 requires the provision of safe access to new development and appropriate parking provision. The Highways Authority has been consulted on the proposal and have advised that standing advice applies to this application.
- 7.28. The proposal is for 4 dwellings which would result in a total of 6 units on the site - 2 conversions and 2 new build rural dwellings. The 4 units subject to this application would have 2x 4-bedroom dwellings and 2x 5-bedrooms dwellings. The parking shown for each dwelling is sufficient with each having 3 parking spaces which meets the guidance set out in the Newark and Sherwood Parking SPD. The Highway Authority has been consulted and given that the site has had permission previously granted for 5 dwellings from the conversion of 4 barns the Highways Authority has no objection subject to conditions. It is noted that the conditions suggested match those of the original application and having visited site, officers note that the access has already been constructed to the site therefore wording will be slightly altered to reflect the development being applied for.
- 7.29. Overall, given that the access has already been approved and has been constructed, and NCC Highways have advised that it is appropriate for the number of dwellings being proposed, the proposal is not considered to result in harm to highway safety. NCC Highways have requested conditions however these are covered by the permission which implemented the access therefore a alternative worded condition is considered appropriate.

#### Ecology

- 7.30. Core Policy 12 of the ACS states that the Council will seek to secure development that maximises the opportunity to conserve, enhance and restore biodiversity. Policy DM5 states that where it is apparent that a site may provide habitat for protected species, development proposals should be supported by an up-to-date ecological assessment including a habitat survey. Para 187 of the NPPF states decisions should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity in a manner commensurate with their statutory status. Para 193 of the

Framework states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts) adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

- 7.31. An updated ecology survey has been submitted as part of the application, dated March 2025. As per the previous surveys, the survey concludes there is low potential for bats. No further surveys are considered necessary prior to approving the application however the recommendation is that a pre-cautionary investigation is carried out prior to commencement. Other recommendations include the installation of nesting boxes. The recommendation within the survey can be secured by condition to ensure there is no adverse impacts on protected species.
- 7.32. With the above in mind the proposal is considered to accord with Core Policy 12 of the Newark and Sherwood Core Strategy, DM7 of the Allocations and Development Management DPD and the NPPF which is a material planning consideration.

#### Contaminated Land

- 7.33. Policy DM10 of the DPD states that where a site is highly likely to have been contaminated by a previous use, investigation of this and proposals for any necessary mitigation should form part of the proposal for re-development. The comments of the Environmental Health Officer are noted and given the previous use of the site; and previous applications, the recommended phased contamination condition parts C and D is considered appropriate.

#### Flood Risk and drainage

- 7.34. The site lies within Flood Zone 1 therefore is at low risk of fluvial flooding. The proposed new builds would be up a slight hill from the road and given that they are within flood zone 1 and a low risk of surface water flooding there are no concerns in relations to flood risk.
- 7.35. The drainage boards comments regarding drainage and the package treatment plant are noted, however these details have already been submitted and approved by a separate application and therefore it the installation can be secured through pre-occupation condition.

#### Biodiversity (Including Net Gain)

- 7.36. The application has been submitted with a biodiversity metric and BNG plan, the submitted details have been reviewed by NSDC ecologists the metric has been amended which resolves the errors previously identified by the Council's ecologists.
- 7.37. The additional information is considered to resolve the previous concerns with regards to the BNG assessment. With the proposed compensation, mitigation and enhancement measures implemented, it is considered that the proposal would be compliant with matters relating to biodiversity within the NPPF and relevant local planning policies.

- 7.38. The habitat score equates to circa -0.0067 Habitat Units. Approximately 0.05 Habitat Units will need to be sought via an off-site habitat bank, or via Statutory Biodiversity Credits. Therefore, there will be no need to secure any 'on-site' BNG.
- 7.39. The applicant should note from previous comments by the Council's ecologist that whilst a draft BGP can be provided to support an application, as stated at Paragraph 031 Reference ID: 74-031- 20240214 of the Biodiversity Net Gain Planning Practice Guidance the final BGP cannot be submitted until 24 hours after planning approval has been granted.
- 7.40. The applicant will have to demonstrate how a 10% net gain has been secured. This will include amendments to the post-development habitats provided.
- 7.41. The amended habitat score is now -0.0067 Habitat Units and will require an off-site solution. This has not been reflected in the revised Biodiversity Gain Plan (BGP) which now incorrectly states at section 4.6 that the target net gain percentage will be met on site and that there are 'significant on-site enhancements' at section 4.7.
- 7.42. Nevertheless, as highlighted in the Council's ecologist's comments dated 15/08/25, the final BGP cannot be submitted until 24 hours after planning approval has been granted. Therefore, this can be amended after determination of the planning application and will need to include details of the 0.0505 off-site Habitat Units required to achieve a 10% uplift in Habitat Units. These can be sourced either through a private habitat bank provider or Statutory Credits. As detailed in Paragraph 4.7 of my comments dated 23/07/2025, the number of offsite units required will then be multiplied either by 1.3 or 2.0 depending on where they are sourced from. In this instance the application has no other option than to source the current calculated deficit via an off-site habitat bank, or via Statutory Biodiversity Credits.
- 7.43. In view of the above, it is considered that the proposal can comply with Core Policy 12, policies DM5 and DM7 subject to discharge of the biodiversity condition.

#### Other Matters

- 7.44. It is noted that a refuse collection area was not requested with the previous application,
- 7.45. Whilst this has not been formally assessed there is a space at the end of the access for bins to be collected from, therefore residents would have to pull their bins down one day a week. There may be additional bin collections on occasion such as glass collection 8 weekly and garden waste once a month if residents subscribe to this service. Overall, it is not considered a significant issue, and future occupants of the dwellings would be aware of the refuse situation prior to purchasing the dwellings.
- 7.46. Contamination was considered as part of the conversion scheme; discussion has been had with the Council's Environmental Health Contamination officer and the necessary remaining parts of the standard contamination condition should be included if approved.
- 7.47. Community Infrastructure calculations have been made as the scheme is considered

CIL liable and the barns don't appear to have been in use for a period of 6 months in the last 3 years, therefore they cannot be offset against the new floor space.

## **8.0 Implications**

- 8.1. In writing this report and in putting forward recommendation's officers have considered the following implications: Data Protection, Equality and Diversity, Financial, Human Rights, Legal, Safeguarding, Sustainability, and Crime and Disorder and where appropriate they have referred to these implications and added suitable expert comment where appropriate.
- 8.2. Legal implications - LEG2526/555

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

## **9.0 Planning Balance and Conclusion**

- 9.1. Whilst the proposal is considered contrary to Policy SP3 and DM8 in principle, when considering the fallback position of the extant permission, and applying the tilted balance in presumption of favour of development, the benefits of the scheme are considered to weigh in favour of the scheme in accordance with the NPPF. These include a contribution to the Council's housing targets, a visual improvement to the site, and the benefits that would arise through biodiversity net gain which did not apply to the extant permission.
- 9.2. A site specific assessment has been carried out and there would be no adverse impacts upon character of the area. The brick building with some historic significance would still be retained converted and put back into use as a dwelling therefore the scheme would not result in an adverse impact upon the traditional character of the brick barn. The scheme would also provide 3 new high quality units of agricultural design in a courtyard arrangement which is considered an enhancement over the conversion of the centre barn. Furthermore, there would be no impact upon residential amenity, ecology, impact upon highway safety nor flood risk.
- 9.3. It is therefore considered that the proposal for the proposed dwellings would not result in any unacceptable impacts and would comply with core policy 9 and Spatial Policy 7 of the Amended core Strategy and Policies DM5 of the allocations and Development Management DPD, and the NPPF. Despite being contrary to DM8, the fallback position and presumption in favour of sustainable development are material considerations that outweigh the harm identified (the conflict with the local Plan). The recommendation is therefore to approve the application subject to conditions.

## **10.0 Conditions**

01

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

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

02

The development hereby permitted shall not be carried out except in complete accordance with approved proposed plans reference.

- Site Location Plan and Block Plan Drawing A1-01 Revision D
- Plot 3 Proposal Drawing A1-02
- Plot 4 Proposal Drawing A1-03
- Plot 5 Proposal Drawing A1-04
- Plot 6 Proposal Drawing A1-05

Reason: So as to define this permission.

03

All external joinery including windows, and doors shall be of a timber construction only. Details of their design specification, method of opening, method of fixing and finish, and details of cills and door heads 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 before the windows and doors hereby approved are installed. The works shall be carried out only in accordance with the agreed window and door details.

Reason: In order to respect the rural character and special historic interest of the brick barns remaining on site.

04

Before any bricks are laid above DPC, samples or detailed specifications of all external materials to be used on the works hereby granted consent shall be submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out only in accordance with the agreed materials.

Reason: In order to safeguard the special architectural or historical appearance of the building.



05

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

Verges and eaves  
Rainwater goods  
Extractor vents  
Flues  
Meter Boxes  
Airbricks  
Soil and vent pipes

Reason: In order to safeguard and reflect the special architectural or historical appearance of the brick barns and to ensure high quality design in the new dwellings.

06

No part of the development hereby permitted shall be brought into use until the parking and turning areas are provided in accordance with the approved plan Site Location Plan and Block Plan Drawing A1-01 Revision D. The parking and turning areas shall not be used for any purpose other than parking, turning, loading and unloading of vehicles.

Reason: - To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.

07

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

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

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

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

#### Part D: Reporting of Unexpected Contamination

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

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

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

08

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

Reason: To ensure that adequate protection is afforded to the existing vegetation and trees to remain on site, in the interests of visual amenity and biodiversity.

09

The development shall be carried out in full accordance with the approved arboricultural method statement and tree/hedgerow protection scheme approved under application 24/00503/DISCON and retained until development is complete.

Reason: To ensure that adequate protection is afforded to the existing vegetation and trees to remain on site, in the interests of visual amenity and biodiversity.

10

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

means of enclosure;  
car parking layouts and materials;  
hard surfacing materials;  
external lighting

Reason: In the interests of visual amenity and biodiversity.

11

Prior to completion or first occupation of the development hereby approved, whichever is the sooner; full details of soft landscaping including all proposed tree and hedge planting shall be submitted to and approved in writing by the Local Planning Authority. This will include planting and maintenance specifications, including cross-section drawings, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times. Any trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR ten years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.

Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 to safeguard and enhance the amenity of the area, and to enhance its setting within the immediate locality.

12

The approved landscaping scheme shall be carried out within 6 months of the first occupation of any building or completion of the development, whichever is soonest, unless otherwise agreed in writing with the District Planning Authority. If within a period of 5 years from the date of planting any tree, shrub, hedgerow or replacement is removed, uprooted, destroyed or dies then another of the same species and size of the original shall be planted at the same place. Variations may only be planted on written consent of the District Planning Authority.

Reason: In the interests of visual amenity and biodiversity.

13

No hedge or tree that is to be removed as part of the development hereby permitted shall be lopped, topped, felled or otherwise removed during the bird nesting 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.

14

The recommendations detailed within section 5 of the Updated Protected Species Survey by Andrew Chick (March 2025) shall be adhered to prior to and during construction. Prior to commencement of the conversion works to any of the buildings, the mitigation measures including artificial nest places (4 minimum), and swallow nest cups (2 minimum) as well as additional nest boxes for barn owls (2 minimum) to the east of the site have been installed. These shall be retained for the lifetime of the development.

Reason: In the interests of maintain and enhancing biodiversity.

15

The approved development shall not commence above Damp-Proof Course until a bat or bird box plan has been submitted to, and been approved by, the local planning authority. The plan is to show the type and location of the proposed boxes, and details for fixing them into place. The approved boxes shall be installed prior to first use of the approved development and photographic evidence of the installed boxes to be submitted to, and approved by, the local planning authority to fully discharge the condition.

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

### Informatives

01

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

02

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

The proposed development has been assessed, and it is the Council's view that CIL IS PAYABLE on the development hereby approved.

03

You are advised that you may require building regulations approval in addition to the planning permission you have obtained. Any amendments to the permitted scheme that may be necessary to comply with the Building Regulations, must also be approved in writing by the

Local Planning Authority in order that any planning implications arising from those amendments may be properly considered.

East Midlands Building Control operates as a local authority partnership that offers a building control service that you may wish to consider. You can contact them via email at [info@eastmidlandsbc.com](mailto:info@eastmidlandsbc.com) via phone on 0333 003 8132 or via the internet at [www.eastmidlandsbc.com](http://www.eastmidlandsbc.com).

04

## 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](http://www.gov.uk))) However in this case the Council consider that this development is not exempt and mandatory Biodiversity Net Gain does apply here.

## 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.

