



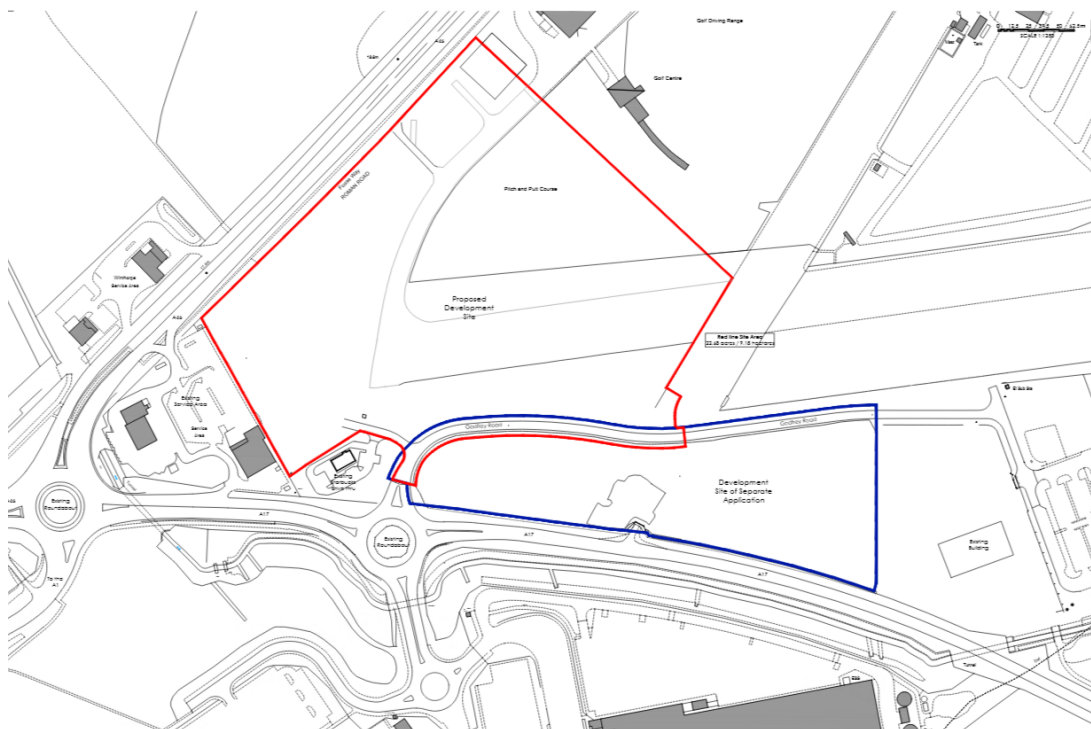
Report to Planning Committee 4 September 2025
 Business Manager Lead: Oliver Scott – Planning Development
 Lead Officer: Ellie Sillah – Senior Planner

Report Summary			
Application No.	23/02281/OUTM		
Proposal	Outline Planning Permission (all matters reserved) for up to 41,806sqm of Employment land (use class B2, B8 and E(g) (i), (ii) and (iii) with associated internal access roads, landscaping and drainage. Diversion of existing footpath and creation of new access into Newark Showground.		
Location	Land At Godfrey Drive, Winthorpe		
Applicant	Lindum Developments Ltd	Agent	Mr Andrew Pettifor - Aspbury Planning Ltd
Web Link	<u>23/02281/OUTM Outline Planning Permission (all matters reserved) for up to 41,806sqm of Employment land (use class B2, B8 and E(g) (i), (ii) and (iii) with associated internal access roads, landscaping and drainage. Diversion of existing footpath and creation of new access into Newark Showground. Land At Godfrey Drive Winthorpe</u>		
Registered	28.12.2023	Target Date / Extension of Time	28.03.2024 / 10.09.2025
Recommendation	Approve subject to conditions set out at Section 10.0 of this report.		

This application is being presented to the Planning Committee in line with the Council's Scheme of Delegation as the proposal represents a departure from the Local Plan.

1.0 The Site

- 1.1 The application site relates to an approximate 9.21 hectares plot of land between Godfrey Drive (to the south) and the A46 (to the north west). Godfrey Drive serves the development on what is known as Overfield Park. The site was historically part of the Winthorpe Aerodrome used during the war. More recently, part of the site has been used in association with the adjacent golf course and the pitch and putt area operated by Newark Golf Centre. The site location plan is shown below:



1.2

1.3 Development in the area includes the Showground to the north east as well as commercial buildings such as Farol Ltd, an agricultural machinery dealership. Further to the east is the Wirtgen Group House. To the south of the site, at the roundabout of Godfrey Drive is a Starbucks coffee house and drive thru. Further south (beyond the A17) is Newlink Business Park occupied by the Currys/Knowhow Distribution Centre. Land to the south west is occupied by a service garage operated by Shell.

1.4 The site as existing is relatively flat with dispersed tree and vegetative cover (particularly within the part currently used by the golf course). There is a footpath which bisects the site in an east to west direction.

1.5 The site is within Flood Zone 1 and at very low risk of surface water flooding according to the Environment Agency maps.

1.6 The site boundary is around 130m away from the boundary of Winthorpe Conservation Area. The proposal site is partially within the former RAF Winthorpe site, which is identified on the Notts HER as being a heritage asset.

1.7 The site is within the Newark Showground Policy area to the north of, and outside of, the Newark Urban Area. Part of the site falls within the allocation NUA/MU/1 (Newark Urban Area – Mixed Use Site 1).

2.0 **Relevant Planning History**

2.1. The development has been screened against the Environmental Impact Assessment Regulations 2017 and it has been determined that the development does not require the submission of an Environmental Statement (24/SCR/00001).

2.2. *Applications affecting (part of) the site itself:*

- 08/01857/FUL - Change of use of golf driving range and 9 hole golf course to grassed overspill car park and use of building for storage. *Approved 28.10.2008.*
- 93/51829/FUL – Retrospective application for outdoor bowling clubhouse and facilities. *Approved 22.07.1993.*

2.3. *Land to the south:*

- 23/01283/OUTM - Outline Planning Permission for up to 12,008sqm employment development (use class B2, B8 and E(g) i, ii and iii) with associated internal access roads, landscaping and drainage (all matters reserved save for means of access from Godfrey Drive (detailed individual plot access to be dealt with via reserved matters)) ***Approved at December 2024 planning committee (decision issued March following completion of S106 agreement).***

2.4. *Land to east (now occupied by Farol Ltd):*

- 21/01736/S73M- Request for variation of condition 02 to replace approved landscaping plans and addition of drainage drawings attached to planning permission 20/01219/FULM; Erection of an agricultural machinery dealership comprised of maintenance, sale and repair with associated infrastructure. ***Approved 15.10.2021***
- 20/01219/FULM – Erection of agricultural machinery dealership comprised of maintenance, sale and repair with associated infrastructure. ***Approved 12.10.2020.***

2.5. *Land to further east (now occupied by Wirtgen):*

- 16/01796/FULM - Erection of a three storey building to accommodate vehicle/plant servicing and repair workshop, storage and ancillary office accommodation, external storage and sales display area, associated car parking, lighting, access roads and landscaping. ***Approved 27.01.2017***

2.6. *Land to west (now occupied by Starbucks):*

- 20/00217/FUL – coffee shop with drive thru. ***Approved 06.04.2020.***

2.7. *Land to south-east:*

- 22/02427/RMAM – RMA pursuant to 20/1452/OUTM Erection of one distribution building (Use Class B8) together with ancillary offices, plot access, car parking and landscaping. ***Approved 17.03.2023***
- 20/01452/OUTM- Development of site for distribution uses, including ancillary offices and associated works including vehicular and pedestrian access, car parking and landscaping. ***Refused by Members (contrary to Officers) due to impact on open countryside 03.11.2021 but subsequently allowed at appeal by decision dated 29.11.2022.***

2.8. The site is also close to the A46 and the proposed bypass which is currently being

considered by the Planning Inspector as a Development Consent Order.

3.0 The Proposal

- 3.1 The Planning Application seeks Outline planning permission for up to 41,806sqm (450,000 square ft) of Employment land (use class B2, B8 and E(g) (i), (ii) and (iii) with associated internal access roads, landscaping and drainage. The application includes a new access to the Newark Showground off Godfrey Drive.
- 3.2 All matters are reserved albeit indicative masterplans have been produced for submission to establish the likely broad quantum of development on the site.
- 3.3 The application has been considered based on the following plans and documents:
- Amended Site Location Plan 105 Rev D received 14th July 2025;
 - Existing Constraints Plan 107 Rev E received 17th April 2025;
 - Parameters Plan 118 Rev E received 17th April 2025
 - Letter from Transport Planning Associates (tpa) (includes technical drawings) dated 20th March 2025
 - Proposed Footpath Diversion JV_OVP_521 Rev D received 10th March 2025
 - Existing Site Plan 17857-THP_SITE-XX-DR-A-106B;
 - Context Plan 17857-THP_SITE-XX-DR-A-108B;
 - Proposed Site Plan – Masterplan Option 1 17857-THP_SITE-XX-DR-A-115C;
 - Masterplan Option 2 17857 005 Rev S;
 - Masterplan Option 3 17857-SK07C;
 - Design and Access Statement DA02D;
 - Spatial Planning Statement by Aspbury Planning;
 - Letter of Support from Newark Showground Agricultural Society dated 1st August 2023;
 - Evaluation Report 2775;
 - Arboricultural Report & Impact Assessment 4902/DR.23;
 - Arboricultural Survey TCP/4902/Y/100;
 - Ecological Impact Assessment RHE.3814;
 - Flood Risk Assessment & Drainage Strategy 7166-HJCE-XX-00-RP-D-3000.v2;
 - Ground Conditions and Contamination Report 96385.575820_REP;
 - Transport Assessment 2305-021/TA/01;
 - Market Report dated 27th July 2023;
 - Detailed UXO Risk Assessment 3658R;
 - Archaeological Evaluation – 2775 dated December 2023;
 - Geo-Environmental Assessment – Phase 2 – 96385.587715 dated February 2024;
 - Heritage Statement Assessment (HIA) V2 AJP/LINDU/24/1925 received 11th June 2024;
 - Project Overfield Indicative Elevational Treatment received 11th June 2024.
 - Proposed Section – 17857 THPW XX XX DR A 152.

4.0 Departure/Public Advertisement Procedure

- 4.1 Occupiers of 14 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 15th January 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 3 – Rural Areas
- Spatial Policy 6 – Infrastructure for Growth
- Spatial Policy 7 - Sustainable Transport
- Spatial Policy 8 – Protecting and Promoting Leisure and Community Facilities
- Core Policy 6 – Shaping our Employment Profile
- Core Policy 9 -Sustainable Design
- Core Policy 10 – Climate Change
- Core Policy 12 – Biodiversity and Green Infrastructure
- Core Policy 13 – Landscape Character
- Core Policy 14 – Historic Environment
- NAP1 - Newark Urban Area

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

- Policy NUA/SPA/1 – Newark Urban Area – Newark Showground Policy Area
- Policy NUA/MU/1 – Newark Urban Area – Mixed Use Site 1
- DM2 – Development on Allocated Sites
- DM3 – Developer Contributions and Planning Obligations
- DM4 – Renewable and Low Carbon Energy Generation
- 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 was publicly examined in November (albeit the Inspector's report is awaited). There are unresolved objections to amended versions of the above policies emerging through that process, and so the level of weight which those proposed new policies can be afforded is currently limited. As such, the application has been assessed in-line with policies from the adopted Development Plan.

5.4. **Other Material Planning Considerations**

- National Planning Policy Framework (NPPF) 2024
- Planning Practice Guidance (online resource)
- National Design Guide – Planning practice guidance for beautiful, enduring and successful places September 2019

- Developer Contributions and Planning Obligations SPD 2013
- Landscape Character Assessment SPD 2013

6.0 Consultations and Representations

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

(a) Statutory Consultations

6.2. **National Highways** – No objections but wish to be consulted on the reserved matters application where further detail will need to be provided.

6.3. **NCC Highways** – Raised concerns regarding the cumulative impact on the highway network and requested conditions and S106 agreement in relation to the submission of Transport Statements, and improvements to the roundabout. Additional information was requested and subsequently submitted (referred to in Highways comments as RtCC). Further discussion has taken place between the LPA, the applicant and NCC Highways and a suitably worded condition has been agreed upon instead of requiring a legal agreement. Concerns were also raised regarding the proposed new showground access, however a condition for a management plan for use of this access has been recommended. Subject to a number of conditions, there is no objection from NCC Highways. The most up to date comments (received 19th August 2025) are available to view online in full.

6.4. **Active Travel** – Requested further information including a review of the estimated number of full-time employees, submission of a Framework Travel Plan to include commitments to quantity and quality of cycle parking and other staff facilities to encourage active travel, and improvements to the TA .

6.5. **Environment Agency** – No objections subject to conditions.

6.6. **NCC Flood** – No objections subject to condition.

6.7. **NCC Rights of Way** - No objections subject to condition.

(b) Town/Parish Council

6.8. **Winthorpe Parish Council (host Parish)** – No comments received.

6.9. **Coddington Parish Council (neighbouring Parish)** – Coddington Parish Council OBJECTS to this application for Outline Planning Permission on the following grounds:

The Transport Assessment is inadequate:

With regard to use of Public Transport the nearest bus stop is 1.5 miles away and there is no safe pedestrian route available to the site of the proposed development without crossing the busy and often congested dual carriageway section of the A17.

With regard to peak traffic impacts from the new access to the Showground. It is noted

in the assessment that the majority of public access would be on Friday, Saturday and Sunday. Friday is already heavily congested along the A17 approaching the A17/A46/A1 roundabout, so the impact of additional peak Showground traffic must be taken into consideration rather than ignored as at present.

Coddington Village has already experienced a significant increase in through traffic along Beckingham Road due to increasing congestion on the A17 at its junction with the A46, and the existing approved development will only increase through traffic past a crossroads with regular vehicle collisions, and past the main pedestrian crossing for the school. Further development along the A17 should not be approved until the dualling of the A46 Newark Bypass has been completed.

The proposed diversion of the public footpath back towards the A17 is unacceptable, as there is no pedestrian route available which connects to the rest of the public footpath to Winthorpe. The same unsafe crossing over the A17 dual carriageway section mentioned above would in any case be required. A diversion which provides direct access to cross the A46 to Winthorpe is required, as already exists, supported by a safe pedestrian and cyclist crossing facility from the application area to the Winthorpe side of the road.

- 6.10. **Newark Town Council (neighbouring Town Council)** – Newark Town Council objects to this application as it considers the loss of green space and biodiversity, especially in the existing golf course area which is not justified and also on the basis of active transport comments made by other Consultees.

(c) Representations/Non-Statutory Consultation

- 6.11. **NCC Planning Policy –**

Minerals and Waste – No objections.

Transport and Travel Services – Agreed wording for a condition to require submission of a Sustainable Transport Delivery Plan upon the submission of an application for approval of reserved matters amounting cumulatively to more than 30,000 square metres gross internal floor area.

- 6.12. **NSDC Environmental Health (contaminated land)** – Concur with the recommendations within the summary document submitted with the application and request the use of the full phased contamination condition on any approval.
- 6.13. **NSDC Environmental Health (noise)** – Conditions required for air quality assessment; construction management plan; specification of plant / noise assessment and lighting scheme.
- 6.14. **NSDC Archaeological Officer** – It is considered there is a very low risk of further significant archaeology being found on the site, and therefore no conditions in relation to archaeology are required for this 'Phase 2' application.
- 6.15. **NSDC Tree Officer** - Square metres suggested in the outline of up to 41,806sqm, will not allow

- a. a reasonable level of landscaping integrating the proposal site Internet surroundings setting.
- b. Require the removal of all trees from the majority of the site only leaving a thin peripheral boundary.
- c. Will have a significant negative impact on the amenity and character of the local area.

6.16. **NSDC Ecology Officer** – No comments received to date.

6.17. The proposal has been supported by an appropriate level of ecological assessment and there would not be a significant impact on biodiversity if consent is granted and the site was subsequently developed. However, this is dependent on securing various precautionary measures via a CEMP: Biodiversity, a sympathetic lighting scheme and the provision of bat and bird boxes. Along with the above features, the design of the landscaping scheme for the proposed development will be important to ensure compliance with relevant sections of both national and local planning policy concerning biodiversity. Therefore, I would advise that these should be secured via appropriate planning conditions.

6.18. **NSDC Conservation** – The proposal would result in less than substantial harm to the setting of Winthorpe Conservation Area and some of the Listed Buildings on the eastern edge of the settlement, albeit the lower end of the scale of harm. It is acknowledged that some of the harm could be minimised by landscaping and palette of materials, which could be agreed at a reserved matters stage. It would be for the decision maker to weigh up any public benefits from the proposal against the heritage harm identified.

6.19. **Ramblers Association** – No comments received.

6.20. **NSDC Economic Development** - The proposal would deliver economic benefits through the investment made in the commercial building and the creation of employment opportunities.

6.21. **Trent Valley Internal Drainage Board** - The Board maintained Winthorpe Airfield Drain, an open and culverted watercourse, exists to the South of the site and to which byelaws and the Land Drainage Act 1991 applies.

6.22. **Arqiva** – No adverse effect on operations – no concerns.

6.23. **One letter of representation has been received:**

- Great idea for the future success of the Newark town centre and its surrounding villages;
- The planning decision must have the flexibility to save as many of the existing trees as possible and the size of units must be of a smaller/medium size for small and medium sized enterprises.

7.0 Comments of the Business Manager – Planning Development

7.1. The key issues are:

1. Principle of Development
2. Loss of Existing Facility
3. Impact on Visual Amenity
4. Impact on Highway Safety
5. Sustainable Travel Modes
6. Diversion of Footpath
7. Impact on Trees and Ecology
8. Impact on Heritage Assets
9. Impact on Archaeology
10. Flood Risk and Drainage
11. Land Contamination
12. Impact upon Residential Amenity
13. Developer Contributions
14. Benefits of the Proposal

- 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. Spatial Policy 1 sets out the Settlement Hierarchy for the District, identifying the Sub Regional Centre as the Newark Urban Area and setting out that the function of it is to be the main focus of housing and employment growth in the District over the Development Plan period. Core Policy 6 provides that the economy of the District will be strengthened and broadened to provide a diverse range of employment opportunities by maintaining and enhancing the employment base of towns, providing most growth at the Sub Regional Centre of Newark. The NPPF places significant weight on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 7.4. Whilst the site is located outside of the defined Newark Urban Area, part of the site is within policy NUA/MU/1 – Newark Urban Area – Mixed Use Site 1 within the adopted Allocations and Development Management DPD. Policy DM2 states that within sites allocated by the DPD, proposals will be supported for the intended use where they comply with the remainder of the Development Plan and the site specific issues set out within the allocation.
- 7.5. The premise of this policy area is to accommodate a hotel/conference facility, restaurant facilities to support the wider showground uses and employment uses. The application site also sits within the Newark Showground Policy Area (NUA/SPA/1), which seeks to facilitate new development which will support and complement the

East Midlands Events Centre (Newark & Nottinghamshire Agricultural Society Showground) and other leisure uses on the site.

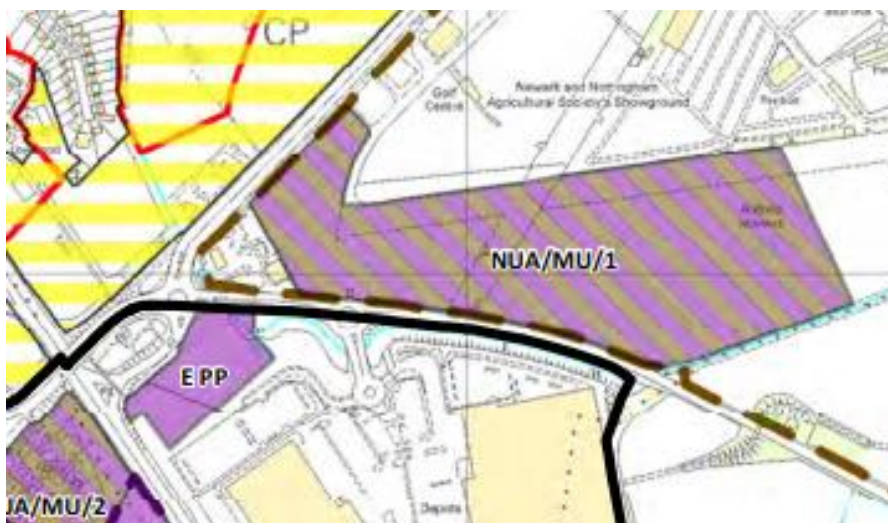
7.6. In addition to general policy requirements development on the site shall be subject to the requirements of the Newark Showground policy area (NUA/SPA/1) notably;

- Addressing access constraints relating to the A1/A46/A17 junctions;
- Need to adequately screen new development;
- Investigation of potential archaeology on site;
- Address any issues regarding potential impact on neighbouring amenity.

7.7. Policy NUA/MU/1 further states that development on site will be subject to the following:

- The preparation of a site specific master plan for the allocation setting out the location of various land uses and a phasing policy for new development;
- Until appropriate improvements have been made to the A1/A46/A17 junction employment development will not be considered appropriate. Any proposed development will need to demonstrate that it will not generate significant am and pm peak traffic as part of any planning application.

7.8. The below is an extract from the Allocations Map which shows the area covered by the allocation in hatching:



7.9. As is set out within the Planning Statement, the current application seeks to 'offset' part of the original allocation in favour of developing the application site. The area shaded in blue (3.75 hectares) is proposed for development outside of the site allocation but it is stated that the area in green (4.8 hectares) is no longer proposed to be released for development.



7.10. The premise for this is set out below and at paragraph 2.3 of the Planning Statement:

7.11. *Newark & Nottinghamshire Agricultural Society has written separately to confirm that, unlike the allocated area within the Showground demise, the unallocated part of the Application Site is peripheral to the Showground and surplus to functional/operational requirements; as well as highlighting other significant benefits to the Society/Showground conferred by the Application (set out at 4.16 below). These include; a new all-purpose access/egress to the south side of the Showground to-and-from Godfrey Drive/the A17 Trunk Road, which will facilitate a better distribution of traffic generated by events at the Showground, both internally and externally (on the public highway), reducing congestion, queuing and consequent delays for all road users.*

7.12. The letter referenced has been submitted as a supporting document accompanying the application. Written representations have been made to the ongoing Local Plan update of the Allocations and Development Management and the revision being added into the Main Modifications document for the Plan Review, but as it stands part of the site is outside of the site allocation and outside of the Newark Urban Area. Whilst the intentions of the offsetting are not disputed, this cannot be secured through the application process. Essentially the land shown in green above, even if this application were to be approved, would still be land allocated for development. It is not possible to remove an allocation through condition or legal agreement (which would not prevent applications by third parties) and therefore this application must be considered on the basis that it would expand the developable area rather than replace other land within the allocation.

7.13. For the part of the site within the allocation NUA/MU/1 there is a policy requirement for a site specific Masterplan. Various indicative Masterplans have been submitted for the site itself but unlike the application on the land to the south (23/01283/OUTM) by the same applicant, an updated Masterplan for the site and the remainder of the allocation have not been presented. However, it is noted that this application (irrespective of the proposed offsetting discussed above) would be the last parcel of

land available to come forward within the allocation and therefore the provision of an overall Masterplan becomes less crucial.

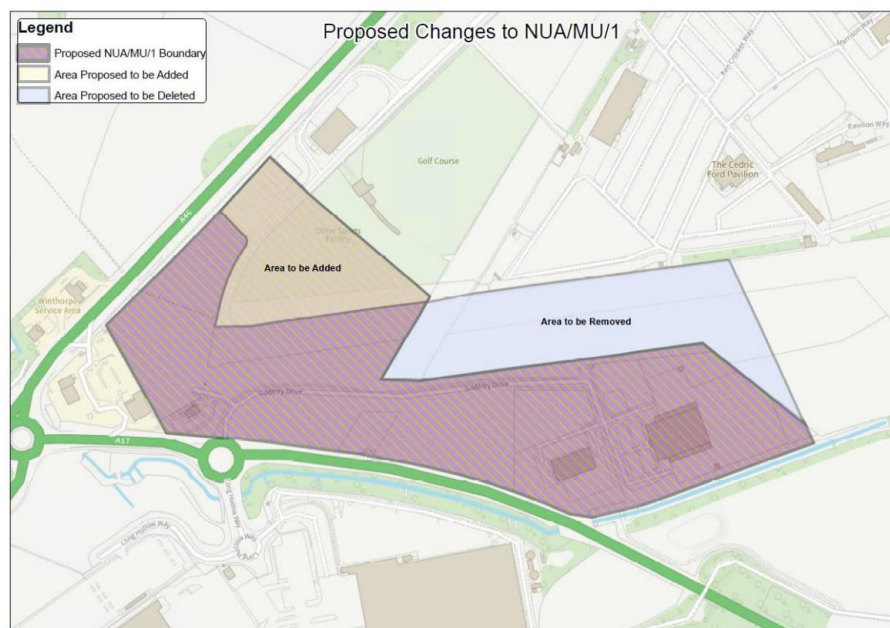
- 7.14. Both this application and the application to the south are for commercial uses (Class E (G) (i) (ii) (iii); B2, B8 Business, General Industry, Distribution). This would leave no available land with the policy area of NUA/MU/1 for the delivery of a hotel/conference facility or restaurant facilities as envisaged by the policy allocation.
- 7.15. This was raised as an issue in the assessment of application 23/01283/OUTM and a supporting letter was provided by Newark & Nottinghamshire Agricultural Society (the charity that operates the activities from Newark Showground) seeking to comment on the provision of hotel facilities on or adjacent to the Showground.
- 7.16. It is stated within that letter (available to view on the planning file for application 23/01283/OUTM) that discussions regarding the requirement for a hotel close to the Showground have been ongoing for many years but that one of the biggest drawbacks is that the Showground is so well located geographically that many users typically make the journey in a day without staying overnight. Moreover, the nature of the events at the Showground has not historically been seen to support a consistent demand for hotel accommodation with demand typically being sporadic. The Showground has limited facilities in the immediate vicinity (albeit it is appreciated that these have in part come forward through the site allocation, for example the now operational Starbucks). This means that users of the hotel would potentially need to travel further afield to access shops, restaurants and entertainment. These are all deemed as negative factors in considering a prime location for a hotel.
- 7.17. The supporting letter presents a persuasive argument in that it is in part based on previous studies for potential demand and viability of a hotel which have to date concluded that there is unlikely to be sufficient demand to attract a hotel developer / operator to consider the location. Moreover, the District Council has been informed that the landowners have placed a covenant on the land that would prevent the development of a hotel or conference facility. This in a sense makes such development unrealistic and under these circumstances, and noting that the Council has no robust evidence to demonstrate that a hotel would be viable within the policy zone, it is not considered reasonable to resist the application purely based on it not satisfying this aspect of the policy.
- 7.18. The overarching Showground Policy Area policy (NUA/SPA/1) is potentially permissive of leisure uses which support and complement the East Midlands Events Centre and therefore if a need did arise in the future, then a hotel could potentially be brought forward through this policy.
- 7.19. Nevertheless, strictly speaking, the proposed development is contrary to both Policy NUA/SPA/1 – Newark Urban Area – Newark Showground Policy Area and Policy NUA/MU/1 – Newark Urban Area – Mixed Use Site 1 in that it does not present development which supports or complements the East Midlands Event Centre or other leisure uses and does not provide for the hotel provision envisaged by Policy NUA/MU/1. The application has been advertised as a departure on this basis.

- 7.20. For the parts of the site outside of the specific NUA/MU/1 allocation, the relevant policy assessment is Policy DM8 (Development in the Open Countryside) in line with Spatial Policy 3 (Rural Areas). The site is not in Newark Urban Area because it is not within the area defined as such on the policies map. Therefore, it must be in the Rural Areas. The extent to which it is in the main built up area of a settlement is therefore relevant in terms of discussing the status of the site. The Showground is not within a settlement. It is separate from Winthorpe, Coddington and the Newark Urban Area therefore, as matter of policy, it is in the open countryside.
- 7.21. Policy DM8 of the Allocations and Development Management Document, in reference to employment uses, states that *'Small scale employment development will only be supported where it can demonstrate the need for a particular rural location and a contribution to providing or sustaining rural employment to meet local needs in accordance with the aims of Core Policy 6. Proposals for the proportionate expansion of existing businesses will be supported where they can demonstrate an ongoing contribution to local employment. Such proposals will not require justification through a sequential test'*. This approach is supported by Core Policy 6 which seeks to retain and safeguard existing employment areas.
- 7.22. Neither the policy wording nor the supporting text for DM8 defines what it meant by small scale. Given the outline nature of the proposal, scale cannot be fully assessed in the context of the height / floor space of buildings or the level of employments generated.
- 7.23. However, the fact that the application forms a major scheme with a site area of over 9 hectares (notwithstanding this would not all be used for employment uses) would lead to any reasonable observer to conclude that the proposal is not small scale. Moreover, in the absence of the exact types of employment being proposed here there is no compelling evidence as to why the proposal needs a rural location. The proposal would therefore not comply with this element of Policy DM8.
- 7.24. It is relevant that the Council is currently reviewing the Allocations and Development Management Plan with the potential to including allowances for larger scale employment uses where they are justified (this would not remove the need to demonstrate a need for a rural location). At this stage, the weight which can be attached to the proposed modifications of Policy DM8 is limited due to outstanding objections.
- 7.25. It is also worthy of note that the 2024 NPPF places a greater emphasis on delivering commercial development to meet the needs of a modern economy. In relation to storage and distribution operations, paragraph 87(b) outlines support of such developments where they are needed to support the supply chain, transport innovation and decarbonisation.
- 7.26. Paragraph 49 of the NPPF (2024) is clear that Local planning authorities may give weight to relevant policies in emerging plans according to:
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*

b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

- 7.27. In respect to the first point, the Draft Amended Allocations & Development Management DPD was submitted to the Secretary of State on the 18th January 2024. It was examined in November 2024 and is therefore at an advanced stage of preparation.
- 7.28. As mentioned, there are unresolved objections to Policy DM8 and therefore the weight to be attached to the proposed modifications to Policy DM8 are limited. However, consideration of Policy DM8 is only triggered for the elements of the site which are outside of the site allocation NUA/MU/1. This is a site specific policy whereas above, representations have been made on behalf of the applicant to propose changes to the site allocation which would align with the development proposed through this application. (See proposed amendment to allocation below).

Main Modification 17 – NUA/MU/1 Proposed Boundary Amendments



- 7.29.
- 7.30. The amendments to the allocation have been endorsed by the District Council in including them as proposed main modifications which have been accepted by the Inspector (albeit the Inspector's report is still awaited therefore the amended plan is not yet adopted).
- 7.31. In this respect, some weight can be given to the proposed modification of the allocation area (which would align with this application) in the context of paragraph 49(b) of the NPPF.
- 7.32. Also of relevance to the application is an appeal decision for a nearby site to the south of the A17 – Newlink Business Park. 'Phase 1' (ref 20/01452/OUTM) was for the

‘Development of site for distribution uses, including ancillary offices and associated works including vehicular and pedestrian access, car parking and landscaping.’ The application was refused by Planning Committee due to the open countryside location, therefore contrary to Policy DM8.

- 7.33. The appeal decision (APP/B3030/W/22/3292692) allowed the development due to the significant economic benefits that the proposal would bring to the district, including a notable number of job opportunities despite the open countryside location and the loss of greenfield land.
- 7.34. The above considerations are discussed further in the planning balance section of the report, however in summary, although the proposal at present represents a departure from the local plan, there would be significant economic benefits that attract significant weight in the planning balance.

Loss of Existing Facility

- 7.35. The north eastern portion of the site is currently in use as a nine-hole (foot) golf course (previously pitch and put and now foot golf). The proposed development would lead to the loss of this facility. Despite being a private commercial facility operated by Newark Golf Centre, it still forms an existing leisure facility, the loss of which requires consideration against Spatial Policy 8. There is no requirement to consult Sport England however as golf facilities are not a protected playing field.
- 7.36. Spatial Policy 8, in line with the NPPF, is discouraging of the loss of existing community and leisure facilities, unless one of the following can be demonstrated:
- Its continued use as a community facility or service is no longer feasible, having had regard to appropriate marketing (over an appropriate period of time and at a price which reflects its use, condition and local market values), the demand for the use of the site or premises, its usability and the identification of a potential future occupier; or
 - There is sufficient provision of such facilities in the area; or
 - That sufficient alternative provision has been, or will be, made elsewhere which is equally accessible and of the same quality or better as the facility being lost.
- 7.37. The Planning Statement recognises the existing use taking place in part of the site stating that the course is generally in poor condition and is therefore of a low quality from a purely golf perspective. It is also stated that due to the location of the site, the majority of users access the facility through the use of private car. It is presented that the course is held on a lease from the Society (the owners of the wider Showground site) which can be terminated on demand at two days notice by either party. It is understood that this part of the facility is separate to the Golf Club Shop and Driving Range which are outside of the application site and therefore unaffected by the proposals.
- 7.38. The applicant fundamentally disagrees that the facility should be regarded as a community facility requiring assessment against Spatial Policy 8. Notwithstanding this, they have provided further commentary during the application outlining that the use

of the facility such as it is, is no longer feasible. A case is made that to market / dispose of this element of the course in isolation to any other party is neither appropriate, practicable nor feasible because of the particular locational, land ownership and tenurial context and constraints. Officers do have some sympathy to this argument in that to separate the facility from the existing Driving Range (which remains unaffected by the application) would be illogical. Nevertheless, the evidence provided is not considered sufficient to meet the requirements of the first bullet point.

- 7.39. It then falls to assess if there is sufficient provision of such facilities in the area. It is understood that the original 9-hole golf course was developed simultaneously to complement the Driving Range but that it failed to be commercially viable being in poor condition and too short for effective golf other than pitch and putt. The foot golf facility (which the agent describes as a marginal activity) was developed as an alternative but that the use as such has further adversely affected the ground surface conditions. It is appreciated that foot golf is not a recognised sport by Sport England and that the original facility was intended as a 9 hole golf course. Taking a pragmatic approach, I do consider it reasonable to extend consideration of alternative facilities to golf courses rather than specifically foot golf (noting that with demand presumably other facilities could also deviate into foot golf in the available space).
- 7.40. There are 9-hole Golf Courses at Newark Golf Club (3kms); Southwell GC (Racecourse)(9kms), Norwood Park GC (13 kms) and Lincoln Golf Centre (15kms). These facilities are considered to be accessible in distance terms to those who may have used the facility within the site. As such, it is considered that sufficient provision of such facilities are available in the area and the proposal would comply with the second bullet point of Spatial Policy 8. Therefore, the loss of this facility is acceptable in principle.

Impact on Visual Amenity

- 7.41. Core Policy 9 of the Core Strategy requires a high standard of sustainable design that protects and enhances the natural environment and contributes to and sustains the rich local distinctiveness of the District. Policy DM5 echoes this stating that the District's landscape and character should be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development. Policy NUA/SPA/1 also refers to screening of any development, which implies securing appropriate siting, landscaping/and or boundary treatment.
- 7.42. Core Policy 13 requires the landscape character of the surrounding area to be conserved and created. The site is situated within Landscape Character Zone: ES PZ 4 Winthorpe Village Farmlands. The landscape condition here is defined as moderate and landscape sensitivity is also described as moderate. The policy zone has a landscape action of 'conserve and create'. This includes new hedgerows and enhancing tree cover and landscape planting generally and conserving what remains of the rural landscape by concentrating new development around existing settlements and reflecting the local built vernacular.
- 7.43. The site as existing features semi-improved grassland that was sown when the site was an airfield, areas of hardstanding partially colonised by grassland and a large area

of disturbed land developing into a grassland that is flanked to the northwest by a roadside hedgerow. There are dispersed trees within the site, particularly in the area used by the golf course. The site is relatively flat however there is a fall in gradient towards the north west boundary. The land immediately surrounding the site comprises a variety of uses including large scale industrial buildings.

- 7.44. The proposal is for outline permission and therefore the exact visual impacts of the development cannot be known at this stage. However, the proposal relates to a significant amount of proposed floor space and there is a suggestion that the buildings would have a considerable scale of up to just over 21m in height. Clearly, a development of this scale would alter the character of the current site from predominantly arable land to an industrial development. The site also occupies a prominent position close to heavily trafficked road networks.
- 7.45. Part of the site is allocated and therefore there is an explicit acknowledgement that the visual characteristics of the site are expected to change. However, the area which is not allocated site adjacent to the A46 is in a more prominent location than the area to be 'offset'. This therefore has the potential to lead to an encroachment of development. There is a suggestion that there would be a landscaped buffer along the A46 shown as being a minimum of 5m (3m along other boundaries). Although this would not fully mitigate the visual impact of the development, it would soften the impacts of the proposed level of development.
- 7.46. Overall, given the surrounding context of the road network and other recent commercial development in the immediate locality (E.G Newlink Business Park), it is considered that the visual impact would not be unacceptable, subject to design, scale and landscaping which would all be reserved matters. Impact on heritage assets and their settings is discussed further below.

Impact on Highway Safety

- 7.47. Spatial Policy 7 of the Core Strategy amongst other things requires proposals to minimise the need for travel through measures such as travel plans or the provision or enhancement of local services and facilities; provide safe, convenient and attractive accesses for all; be appropriate for the highway network in terms of volumes and nature of traffic generated and avoid highway improvements which harm the environment and character of the area. DM5 mirrors this. Policy NUA/MU/1 requires development to be acceptable in respect of the A1/A46/A17 junctions and states:

'Until appropriate improvements have been made to the A1/A46/A17 Junction, employment development will not be considered appropriate. Any proposed development will need to demonstrate that it will not generate significant a.m. and p.m. peak traffic as part of any planning application.'

- 7.48. Although the proposal is for employment, improvements to the A1/A46/A17 Junction have not proposed as part of the application as access is a reserved matter. For this reason, the proposal does not fully accord with this aspect of NUA/MU/1. However, improvement works to the roundabout are proposed to be secured condition – this

would therefore comply with the intention of this part of the policy and is considered acceptable. Further detail is included below.

- 7.49. The application has been accompanied by a Transport Assessment which in part uses information from the National Highways A46 corridor study. The document also incorporates a Travel Plan Statement. Following comments received from NCC Highways, further technical information has since been submitted (letter dated 20th March 2025) and NCC Highways consulted.
- 7.50. Throughout the lifetime of the application, concerns have been raised by NCC Highways regarding the capacity of the roundabout, as the end users of each phase are currently unknown, and therefore the full impact of the proposal is unknown. Because of this, the improvements required to facilitate employment development on the site are also unknown at this stage. The applicant has made it clear that they are not against carrying out improvements, but consider this should be secured by condition.
- 7.51. Initially, NCC Highways requested that the applicant enters into a S106 agreement to require a transport statement at each reserved matters application/each phase of the development, to take into account the cumulative impact of the development and secure improvements where necessary via the agreement.
- 7.52. To avoid delays to the determination of the application, the applicants do not wish to enter into a legal agreement and suggested a condition is attached to ensure any improvement works are carried out when necessary, rather than a S106 agreement. A condition is considered to be appropriate and the wording has been agreed with NCC Highways, to require a Technical highways submission with each reserved matters application that comes forward, which must consider the cumulative transport-related impact of the development proposed within the RMA being applied for, together with any development permitted by previous RMA on the site. In the event the Technical highways submission identifies that the A17/Long Hollow Way/Godfrey Drive roundabout would operate above capacity within the local network weekday periods, then a scheme for appropriate improvement works to that roundabout will be required to be submitted to and approved in writing by the LPA as part of that RMA, and implemented prior to occupation of that phase. *(To address the potential issue of the costs of this landing disproportionately on a small application site, the landowner can address this by securing Equalisation Agreements, but this is outside of the scope of planning.)*
- 7.53. In relation to the roundabout improvements, the applicants provided two potential mitigation measures (2201-012-SK02 rev B – Proposed Roundabout Improvements and 2201-012-SK03 - Proposed Alternative Roundabout Improvements). However, NCC have noted potential safety issues with 2201-012-SK03 and state for clarity, they would require drawing number 2201-012-SK02 rev B to be provided. This entails relatively minor widening on the eastbound exit, alongside the changes to the white lining on the approach.
- 7.54. In relation to the new Showground access, NCC Highways initially requested a condition to restrict parcel delivery uses on site to ensure no conflict with the access,

however the LPA does not consider this reasonable given the context of the application. It has now been clarified that the showground access will be gated and use reserved for special major events and emergencies and (with the exception of emergencies which cannot be planned) it is stated that traffic would not impact on traffic during peak hours. However, in the absence of any information quantifying this and demonstrating that there will not be an impact on highway during these hours, such restrictions would need to be captured in a management plan which can be secured by condition. This will limit use of the Showground Access rather than the development.

- 7.55. The design of the showground access now provides an access at 90° to Godfrey Drive, ensuring visibility to the left is not compromised and encouraging vehicles to give way and subject to the standard technical checks for inclusion in the Section 38 Agreement is acceptable.
- 7.56. NCC Highways also noted in their comments that a Framework Travel Plan was not submitted to support this application and given that a S106 is not proposed to be entered into for this development, the necessary monitoring fee cannot be collected by these means to enable the County Council to monitor it. NCC Highways have therefore requested a condition for third party monitoring to be secured. However, whilst the applicant is happy to agree to a unilateral undertaking for the monitoring fee, they are concerned that it would be a difficult to discharge as they are not sure how they can secure 'third party' monitoring. Given that the LPA agreed to a monitoring fee secured via legal agreement for Phase 1, officers feel that the same approach should be applicable for phase 2. Condition 10 sets out the monitoring requirements, and the recommendation is subject to a legal agreement.
- 7.57. Further to the above, as per the comments received 19th August 2025, the Highway Authority (NCC Highways) have no objections to the development, subject to conditions.
- 7.58. National Highways have commented on the proposals raising no objections noting the access is from Godfrey Drive which is controlled by Nottinghamshire County Council. They have however acknowledged that any reserved matters application will need to include further details on various matters including landscape and boundary treatments to prevent encroachment onto National Highways land. This would be a reserved matter in any case.

Sustainable Travel

- 7.59. It is noted that Active Travel requested further information in relation to sustainable travel modes and further detail about the proposed development. At present, the number of employees is unknown and therefore it is not possible to assess this in detail. As such, a condition has been suggested that would require a Sustainable Transport Delivery Plan setting out any measures necessary to facilitate and enable non-car transport access to the site to be submitted for approval, upon the submission of an application for each phase or sub phase, approval of reserved matters amounting cumulatively to more than 30,000 square metres gross internal floor area, taking into account any phases already approved.

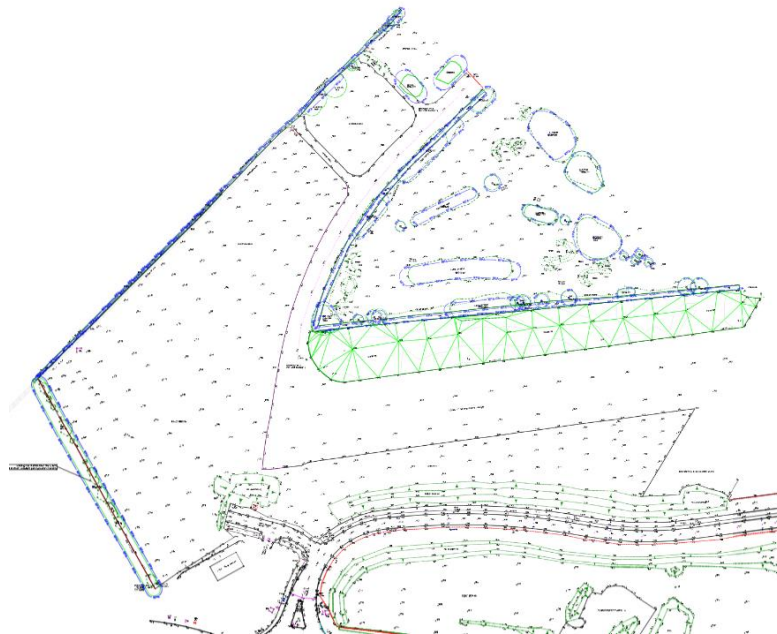
- 7.60. In addition, a condition requiring covered cycle storage to be provided for each phase can be attached, with details to first be approved by the LPA, to ensure the provision is adequate for that phase.
- 7.61. The above conditions are considered reasonable and adequate to address the need to encourage sustainable travel.

Diversion of Footpath

- 7.62. There is an existing footpath which bisects the site and would be required to be diverted to facilitate the development. A plan showing the location of the existing footpath and the proposed location has been submitted during the lifetime of this application. Although the diversion would require a separate legal process (which has been commenced) the principle of the diversion is a matter for consideration and as such has been included in the description for the development.
- 7.63. The Rights of Way Officer at Nottinghamshire County Council has commented that there is no in-principle objection to the diversion. It would be appropriate to agree details of the diversion at reserved matters stage once the exact quantum and location of the development is known. Although a proposed route has been submitted, this has not been confirmed, and in any case further details will be required such as the width and surfacing of the footpath. This can be secured by condition. Subject to conditions securing further details of the diversion, no specific harm has been identified to the public right of way network.

Impact on Trees and Ecology

- 7.64. Core Policy 12 of the Core Strategy seeks to secure development that maximises the opportunities to conserve, enhance and restore biodiversity. Policy DM7 states that new development, in line with the requirements of Core Policy 12, should 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.
- 7.65. There are existing features of potential biodiversity value with the site including dispersed trees and hedgerows. The submitted Tree Survey has assessed the quality of numerous specimens within the site including 6 individual specimens, 3 hedgerows and 23 groups of trees. Of these, there are 3 Category B individual specimens; 11 Category B groups of trees and all the hedgerows are Category B. The remainder of the surveyed specimens and groups are classified as Category C. These are predominantly located in the centre of the site around the existing golf course (i.e. the part of the site outside of the site allocation) as shown by the extract from the Tree Survey Plan and aerial photograph below:



- 7.66. The exact impacts to trees and hedgerows are not known at this stage due to the outline nature of the proposals. Nevertheless, given the positioning of several of the trees and groups of trees within the centre of the site, it is inevitable that the development would lead to a significant loss of the existing vegetative cover within the site.
- 7.67. The Tree Survey describes the impact of the loss of these specimens in this location to be "*slight*". It is stated that the trees provide a limited contribution to the significance of the site and its setting. It is acknowledged that the impact in terms of the loss of trees will be most keenly felt in the immediate environs of the site but that it is concluded the trees are not of such importance and sensitivity as to be a major constraint on development.

- 7.68. There appears to be an acceptance within the report that all trees would be lost as a result of the proposed development. Despite stating that “*replacement provision will be extensive*”, there is no evidence to support this statement (which arguably is to be expected given that landscaping would be a reserved matter). Although retaining as many trees as possible is preferable, and would accord with Core Policy 12 and DM7, it is noted that none are covered by Tree Preservations Orders (nor would be considered appropriate to be), and the trees are not within a conservation area therefore at present are afforded no protection. Given the positioning and quantum of the trees, there is no realistic prospect of them being incorporated into the development.
- 7.69. Notably the positioning of the trees is largely outside of the extant site allocation which somewhat compounds the potential harm of developing this area, rather than maintaining the boundaries set by the allocation. Notwithstanding this, it is appreciated that as the Plan Review moves forward the land where the trees are positioned is proposed to become formally allocated as part of the same allocation and therefore in this instance it would be accepted that the trees would be removed. The Plan has been examined, and the Council are currently awaiting the Inspector’s report therefore although full weight cannot be attributed to the amended plan, it is at an advanced stage and therefore some weight can be attributed.
- 7.70. Considering the above, the fact that the trees are not protected, and the intention to plant replacement trees as part of each reserved matters proposal, the loss of the existing trees on site is not considered a reason to refuse the application. A condition can be attached to ensure that any proposed landscaping that comes forward as part of a reserved matters application includes replacement tree planting which is of better quality and native.
- 7.71. For the avoidance of doubt, the application was submitted prior to 12th February 2024 when Biodiversity Net Gain legislation coming into force and therefore is exempt from the statutory 10% net gain.
- 7.72. An Ecological Survey has also been submitted which concludes that the site has a moderate level of ecological interest. None of the trees within the site contained any features that could provide roosting opportunities for bats at the time of the survey albeit the hedgerows and grasslands within the site provide potential foraging and dispersal routes for bats. No further surveys are recommended but the document does include a number of mitigation measures which could be conditioned. These include a suitable lighting scheme to minimise a potential adverse impact on bats and nesting birds and avoiding site clearance within bird nesting season.

Impact on Heritage Assets

- 7.73. The proposal site is partially within the former RAF Winthorpe site, which is identified on the Notts Historic Environment Record. Although the site itself is not affected by any designated heritage assets, it is approximately 150m away from the boundary of Winthorpe Conservation Area. Despite the outline nature of the application, there is an indication that the scale of the proposed development would be significant and therefore it has the potential to impact upon the setting of the Conservation Area.

- 7.74. Core Policy 14 (Historic Environment), along with Policy DM9, require the continued conservation and enhancement of the character, appearance and setting of the District's heritage assets and historic environment, in line with their identified significance as required in national policy.
- 7.75. Paragraph 216 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 7.76. The former airfield has been significantly altered by later 20th Century operations and includes more recently approved development of a similar nature. It is therefore considered that little weight should be afforded to the identification and there is no direct conflict with the relevant non-designated heritage asset policies.
- 7.77. Section 72(1) requires the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character and appearance of conservation areas. The duties in s.72 do not allow a local planning authority to treat the desirability of preserving 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 character or appearance of a conservation area, it must give that harm considerable importance and weight.
- 7.78. The Conservation team has been consulted on the proposals and have raised concerns that the potential scale of the buildings, and lack of space for landscaping could have a negative impact on the setting and significance of the Conservation Area. A Heritage Impact Assessment (HIA) has been submitted (and subsequently updated) during the application on the basis of these comments.
- 7.79. Nevertheless, the conclusions of the Conservation Officer are still that the scale and massing of the building(s) would dominate and detract from the character of the buildings in the Conservation Area and the industrial character would detract from the rural and parkland character of the eastern fringe of the Conservation Area boundary. Overall, there is an identification of less than substantial harm to the setting of the Conservation Area and some of the Listed Building on the eastern edge of the settlement 'albeit the lower end of the scale of harm'.
- 7.80. Paragraph 215 of the NPPF is clear that where a proposal will lead to less than substantial harm, this will need to be weighed against the public benefits of the proposal.
- 7.81. In this case the public benefits relate primarily to the significant employment opportunities. Noting that this is partly an allocated site, and noting the level of harm identified, it is considered that the economic benefits would be sufficient to outweigh the heritage harm in this instance. There would be opportunity to mitigate further the level of harm at reserved matters stage through appropriate landscaping but also a sensitive external palette of materials. As such, the impact on heritage assets and their settings is considered acceptable.

Impact on Archaeology

- 7.82. In accordance with the requirements of the Newark Showground policy (NUA/SPA/1), an Archaeological Evaluation Report has been submitted in support of the application (this includes both the site and the land to the south).
- 7.83. Further to the work that has already been carried out for Phase 1, and a recent site visit, the Historic Environment Officer has confirmed that on balance, it is considered there is a very low risk of further significant archaeology being found on the site, and therefore no conditions in relation to archaeology are required for this 'Phase 2' application.
- 7.84. As such, it is not considered that the proposed development would adversely impact on archaeological remains in accordance with Policy NUA/SPA/1, Core Policy 14 and DM9.

Flood Risk and Drainage

- 7.85. Core Policy 9 (Sustainable Design) provides that development should 'through its design, pro-actively manage surface water, where feasible, the use of Sustainable Drainage Systems.' Core Policy 10 (Climate Change) seeks to mitigate the impacts of climate change whilst Policy DM5 also seeks to ensure development is safe for the intended users without increasing flood risk elsewhere. This reflects the advice in Part 14 of the NPPF.
- 7.86. The site lies within Flood Zone 1 which is at lowest risk of fluvial flooding as well as being at very low risk of surface water flooding.
- 7.87. A Flood Risk Assessment (FRA) and Drainage Strategy has been submitted which confirms that soil infiltration may be a means of disposing of surface water but that this would be confirmed by further soakaway tests in the areas proposed for infiltration devices. If infiltration drainage is not feasible it is proposed to discharge surface water to the drainage system within the adjacent site and ultimately Winthorpe Airfield Drain. Foul drainage is proposed to be discharged to a public foul sewer to the south east of the site subject to a capacity review by Severn Trent Water. The NCC Flood Team as the Lead Local Flood Authority have reviewed the application and raised no objections subject to the imposition of a condition requiring the submission of a detailed surface water drainage scheme which could come forward through a reserved matters submission once the detailed design of the proposals is known.
- 7.88. Based on the above, it is not considered there would be any adverse impacts relating to flooding or surface water run-off and therefore the proposal accords with CP10, DM5, and Part 12 the NPPF in flood risk terms.

Land Contamination

- 7.89. A Preliminary Geo-Environmental Risk Assessment report carried out by Delta Simon has been submitted to support the application. This includes an environmental

screening report, an assessment of potential contaminant sources, a brief history of the site's previous uses and a description of the site walkover.

- 7.90. Colleagues in Environmental Health have reviewed the document and concur with the recommendations which require a Phase 2 intrusive investigation to be completed. This can be secured by condition.
- 7.91. However, the Environment Agency have also reviewed the document in the context of risks posed to controlled waters raising uncertainty with the dataset provided. The EA has recommended 4 conditions, which are very similar to the phased condition requested by the Environmental Health Officer. The EA have confirmed in an email dated 11.7.2025 that 3 of the conditions are covered by the Environmental Health condition and therefore can be consolidated, but the fourth condition relates to infiltration drainage systems and should be included separately.
- 7.92. Subject to the conditions, the impact in relation to contamination is acceptable.

Impact upon Residential Amenity

- 7.93. Policy DM5 of the DPD states that development proposals should ensure no unacceptable reduction in amenity including overbearing impacts and loss of privacy upon neighbouring development. The Newark Showground policy (NUA/SPA/1) details that developments should address any issues arising from proposals which may adversely affect nearby residents.
- 7.94. There are no residential properties located within close proximity to the site. The closest residential accommodation to the site would be the properties at the southern edge of Winthorpe to the north west (over 250m away). Given the degree of separation and the intervening road network it is not considered that the proposed development would result in a loss of neighbouring amenity, including from noise impacts. The proposal is therefore considered to comply with policy DM5 & policy NUA/SPA/1.

Developer Contributions

- 7.95. Spatial Policy 6 (Infrastructure for Growth) seeks to ensure that local infrastructure and served that are essential for a development to take place are secured through an associated legal agreement. Policy DM3 (Developer Contributions and Planning Obligations) states that the delivery of planning growth set out in the Core Strategy is dependant upon the availability of infrastructure to support it.
- 7.96. For a development of this nature, there are no 'automatic' contributions triggers which would be hit in terms of the Developer Contributions SPD. However, it is acknowledged that contributions may be required towards transport infrastructure which will be assessed on a case by case basis.
- 7.97. Nottinghamshire County Council have made a specific request for a 'Public Transport Delivery Strategy' to be secured by condition with details to include an enhanced bus service to connect the development and travel hubs such as Newark's train stations and the main bus stops within Newark. This is intended to allow the development to

align with the Governments 'National Bus Strategy' (2021) which requires Local Transport Authorities to implement ambitious bus priority scheme and Bus Service Improvement Plans (BSIPs). Requests are also made for conditions relating to details of a bus turning facility / bus stops within the site and a scheme for the provision of free bus passes.

- 7.98. The agent has responded to this request on behalf of the applicant contending that given the outline nature of the development, it is not possible to determine whether the level of patronage of any bus service would be sufficient to justify and support a viable service diversion. They do not consider that the proposed development is of a scale which would clearly justify bus service provision. They have however stated that the applicant *may* at an appropriate time be prepared to consider making land available for a bus stop at a later date (partially in line with the wider operations at the Showground).
- 7.99. A condition to secure sustainable travel modes to and from the site has been put forward by the applicant and agreed with County Council. The condition will require the submission of a 'Sustainable Transport Delivery Plan' setting out any measures necessary to facilitate and enable non-car transport access to the site where the RM amounts to more than 30,000 square metres gross internal floor area, cumulatively, taking into account any phases already approved. It is considered that this condition will cover the provision of bus services if necessary and is therefore acceptable.

Benefits of the Proposal

- 7.100. In order to apply the planning balance, it is necessary to ensure that all associated benefits of the proposal are considered.
- 7.101. It is stated within the Application Form that the scheme can anticipate to provide 440 full time jobs (albeit the exact levels of proposed employment are unknown noting the outline nature of the proposals). This must weigh positively in the overall balance of the scheme.
- 7.102. The application has been accompanied by a Market Report which identifies that the site is well suited as a logistics site, benefitting from direct access off the A17 whilst also fronting the A46. Demand in the local market is expected to remain steady and it is anticipated that the site will attract a good level of demand, a conclusion which is not disputed.
- 7.103. The economic benefits of the proposal would be significant. Even without knowing the exact figure of employment, the floor area proposed would undoubtedly lead to job creation which is welcomed in the context of Core Policy 6. The revised NPPF (2024) states in paragraph 85 that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Paragraph 87 goes on to say that planning decisions should recognise and address the specific locational requirements of different sectors, and includes making provision for storage and distribution operations at a variety of scales and in suitably accessible locations that allow for the efficient and reliable handling of goods. There is a clear drive from national

government to strengthen the UK's economy. The proposal would support this ambition and therefore significant weight should be given to the economic benefits of the proposal.

Other Matters

- 7.104. The precise end users of the development are not known at this stage and therefore it is not possible to fully assess the potential impacts of the development in terms of lighting and noise. These matters could be conditioned to come forward at reserved matters stage. As per the residential amenity section above, sensitive receptors would be some distance away such that it is not considered noise or lighting would be a barrier to development.

8.0 Implications

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

- 8.2. Legal implications - LEG2526/2105

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. The outline proposal for employment use does not fully accord with the relevant allocation policies, nor DM8. Notwithstanding this, it is acknowledged that the section of the site which does not currently form part of the mixed use site is proposed to become part of the allocation, as a modification (for which confirmation from the Inspector is awaited). The allocation is for mixed use, however, what is proposed is employment only. Employment is listed in the policy as one of the uses, therefore the use is not in direct conflict with the policy. It is also noted there is strong demand for this type of large scale employment development within the district, which is also supported by the NPPF.
- 9.2. Site specific impacts have been assessed. There would be a minor amount of less than substantial harm to the setting of Winthorpe Conservation Area, and the proposal would also likely result in the loss of a number of trees. The economic benefits of the proposal however would be significant, and therefore would be a public benefit that would outweigh the harm to the setting of the conservation area (in line with paragraph 215 of the NPPF), as well as the loss of trees. It is also acknowledged that replacement tree planting can be incorporated into the landscaping schemes submitted at reserved matters stage, which would mitigate this loss at least in part (the level of mitigation may be constrained due to the space available).

- 9.3. In relation to highway impact, although no improvements to the roundabout have been proposed specifically, the applicant acknowledges that improvements may be required dependent on the end users of the buildings, and a condition has been recommended and agreed to ensure that these improvements are carried out when necessary. Access is a reserved matter and therefore would need to be considered at each reserved matters application. NCC Highways have worked with the LPA and the applicant throughout the application process and following an initial objection to the scheme, now has no objection subject to conditions, which have all been included at the end of this report.
- 9.4. In summary, there are no site specific impacts that would warrant refusal of the application when taking into consideration the allocation and the benefits that the proposal would bring to the district – notably the number of job opportunities. There would also be economic benefit throughout the construction phase which although temporary, would also create jobs in the area and weighs positively in the overall balance.
- 9.5. There are similarities between this application and the appeal which was allowed for Newlink Business Park due to the economic benefits, however it is noted that the appeal site was located within the open countryside. The officer recommendation was for approval at the time however the decision to refuse was a committee overturn. In this instance, the current application site is largely already allocated for development, with the remainder of the site proposed to be included in the allocation as part of the amended local plan.
- 9.6. Visually there would inevitably be some harm due to the large scale, however the site is allocated to include employment use, and given the surrounding employment uses and road network, the development would not appear incongruous within its context.
- 9.7. Overall, it is considered that the proposal would result in significant economic benefits and that it broadly complies with the aims of the Local Plan and the NPPF when taken as a whole. The recommendation is therefore to approve outline permission subject to the conditions listed below and a legal agreement for the monitoring of the Travel Plan.

10.0 Conditions

01

Applications for approval of reserved matters shall be made to the Local Planning Authority not later than 3 years from the date of this permission.

The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

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

02

Details of the access, appearance, landscaping, layout and scale ('the reserved matters') for each phase or sub phase of the development (pursuant to condition 03) shall be submitted to and approved in writing by the Local Planning Authority before development in that phase or sub phase begins and the development shall be carried out as approved.

Reason: This is a planning permission in outline only and the information required is necessary for the consideration of the ultimate detailed proposal.

03

Each reserved matters application for each phase or sub phase of the development shall be accompanied by an up to date phasing plan and phasing programme. The approved phasing plan for each phase or sub phase shall be adhered to throughout the construction period.

Reason: In order to allow for a phased development and ensure that appropriate mitigations are delivered in a timely manner

04

Each reserved matters application for each phase or sub phase of the development shall be accompanied by a detailed landscaping scheme that includes tree planting throughout the site (or relevant part of the site) including within car parking areas, amenity areas, and along the boundaries of the site to provide screening. The scheme should demonstrate how biodiversity value has been maximised through design. The approved soft landscaping shall be implemented within the first planting season following first occupation of that phase or sub phase.

Reason: In the interests of visual amenity, biodiversity, and climate change, and to mitigate the loss of existing trees on site, to accord with Core Policy 12 and DM7.

05

The land required for purposes of widening, as shown on a drawing to be first submitted to and approved in writing by the Local Planning Authority, shall then be safeguarded from development and remain available for widening works for the lifetime of the development. For the avoidance of doubt, the full extents of the highway corridor required are as shown on Drawing Number 2201-012 SK01 rev B.

Reason: To ensure that the development can be delivered with safe and suitable access.

06

Each application for reserved matters for any phase or sub phase shall be accompanied by details of parking and turning facilities, access widths, visibility splays, gradients, surfacing, structures and drainage. All details submitted to the Local Planning Authority for approval

shall comply with the County Council's current Highway Design and Parking Guides and shall be implemented as approved.

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

07

Access to the showground shall not be made available until the junction as indicatively shown on drawing number 2305-021-PL01 as included within the 'Response to Highways' letter dated 20 March 2025 is provided.

Reason: To ensure that vehicles can enter and leave highway in a controlled manner, in the interests of highway safety.

08

The access to the Showground hereby approved shall not be brought into use until a Management Plan detailing measures to control the use of the Showground Access is submitted to and agreed in writing by the Local Planning Authority. An updated Management Plan shall be submitted with each reserved matters application for approval by the Local Planning Authority and the latest approved Management Plan shall then be adhered to for the lifetime of the application.

Reason: To ensure that the development will not result in the capacity of the highway being adversely affected

09

The overall gross floor area of use class E(g)(i) (office) within the development shall not exceed 10%, unless as otherwise agreed in writing by the LPA.

Reason: To ensure that the capacity and safety of the surrounding highway network is sufficient to accommodate the development.

10

No phase or sub phase of the development hereby permitted shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority for that particular phase. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the local planning authority and shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of sustainable travel.

11

The development will require the diversion of a public right of way and no part of that development hereby permitted or any temporary works or structures shall obstruct the public right of way until successful diversion of the way has been confirmed and the alternative route has been constructed in accordance with a detailed design and specification first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the RoW is safeguarded.

12

Prior to the commencement of the development in any relevant phase or sub phase, a detailed Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority for the A1 and A46 trunk roads.

The Plan should include details on the following:

- a) Construction site layout showing clearly designated areas for the parking of vehicles for site operatives and visitors; areas for the loading and unloading of plant and materials (i.e. deliveries/waste); storage of plant and materials used in constructing the development; areas for managing waste, and wheel washing facilities;
- b) the hours of construction work and deliveries;
- c) Construction phasing
- d) An HGV routing plan to include likely origin/destination information, potential construction vehicle numbers, construction traffic arrival and departure times, and construction delivery times (to avoid peak hours)
- e) Clear and detailed measures to prevent debris, mud and detritus being distributed onto the Local highway and SRN.
- f) mitigation measures in respect of noise and disturbance during the construction phase including vibration and noise limits, monitoring methodology, screening, a detailed specification of plant and equipment to be used and construction traffic routes;
- g) a scheme to minimise dust emissions arising from demolition/construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development;
- h) waste management;
- i) protection measures for hedgerows and grasslands.
- j) Details of the responsible person (e.g. site manager/office) who could be contacted in the event of complaint;

Thereafter, all construction activity in respect of the development shall be undertaken in full accordance with such approved details.

Reason: To ensure that the A1 and A46 Trunk Roads continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the

Highways Act 1980, and in the interests of road safety.

13

No development shall take place (including demolition, ground works, vegetation clearance) of any phase or sub-phase of the approved development until an annotated construction environmental management plan (CEMP: Biodiversity) plan has been submitted to and approved in writing by the local planning authority.

The annotated CEMP: Biodiversity Plan is to show the following:

- a) Clearly mark "biodiversity protection zones" that are to be protected on-site.
- b) Use of protective fences, exclusion barriers and warning signs.
- c) Details of practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
- e) Details of the location and timing of sensitive works to avoid harm to biodiversity features.
- e) List key personnel and communication lines.

The approved annotated CEMP: Biodiversity plan shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To minimise impacts on biodiversity as required by the NPPF, and maximise opportunities to conserve biodiversity as required by Core Strategy Policy 12.

14

Every Reserved Matters Application (RMA) for each phase or sub phase shall include a Technical highways submission which will be prepared in accordance with the scale of each reserved matters application being submitted at any one time and which will be in accordance with the Department for Transport 'Guidance on Transport Assessment' document which shall determine the need for the implementation of the highway works consisting of capacity improvements to the A17 shown indicatively on drawing number 2201-012- SK02 Rev B. The Technical highways submission will consider the cumulative transport-related impact of the development proposed within the RMA being applied for together with any development permitted by previous RMA pursuant to this outline permission (23/02281/OUTM). In the event that the aforementioned assessment pursuant to the Technical highways submission identifies that the A17/Long Hollow Way/Godfrey Drive roundabout would operate above capacity within the local network weekday periods, as a result of the introduction of the development proposed by the RMA under consideration, then a scheme for appropriate improvement works to that roundabout shall be submitted to and approved in writing by the LPA as part of that RMA. Improvements works to that roundabout, if required shall be implemented before the development to which the relevant RMA relates is first occupied.

Reason: In the interests of highway safety and to ensure adequate capacity at the roundabout.

15

No part of the development hereby permitted shall be brought into use in any phase or sub phase until provision has been made within the application site for parking of cycles for that

phase or sub phase in accordance with details submitted to and approved in writing by the Local Planning Authority. The cycle stands shall be located near to the main entrance to the development, be covered and that area shall not thereafter be used for any purpose other than the parking of cycles.

Reason: In the interest of promoting sustainable travel.

16

Upon the submission of an application for each phase or sub phase, approval of reserved matters amounting cumulatively to more than 30,000 square metres gross internal floor area, taking into account any phases already approved, a Sustainable Transport Delivery Plan setting out any measures necessary to facilitate and enable non-car transport access to the site, shall be submitted to and approved by the Local Planning Authority. The Plan shall be amended and updated for any/each subsequent application for the approval of reserved matters. The measures provided for in the Plan shall be implemented before the completion and occupation of more than 35,000 square metres gross internal floor area.

Reason: To promote sustainable travel.

17

No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Holloway Jennings Flood Risk Assessment (FRA) and Drainage Strategy ref 7166-HJCE-XX-00-RP-D-3000.v2 dated 26.07.23 has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:

- Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753 and NPPF Paragraph 169.
- Limit the discharge generated by all rainfall events up to the 100 year plus 40% (climate change) critical rain storm to QBar rates for the developable area.
- Provide detailed design (plans, network details, calculations and supporting summary documentation) in support of any surface water drainage scheme, including details on any attenuation system, the outfall arrangements and any private drainage assets.

Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods.

- o No surcharge shown in a 1 in 1 year.
- o No flooding shown in a 1 in 30 year.
- o For all exceedance to be contained within the site boundary without flooding properties in a 100 year plus 40% storm.
- Evidence to demonstrate the viability (e.g Condition, Capacity and positive onward connection) of any receiving watercourse to accept and convey all surface water from the site.
- Details of STW approval for connections to existing network and any adoption of site

drainage infrastructure.

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

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

18

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants.

19

Development other than that required to be carried out as part of an approved scheme of remediation or for the purposes of archaeological or other site investigations linked to this permission must not commence in any phase or sub phase until Parts A to D of this condition have been complied with in relation to that phase or sub phase. 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 A: Site Characterisation

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

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - o human health;
 - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;

- o adjoining land;
- o ground waters and surface waters;
- o ecological systems;
- o archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

Part B: Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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. 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.

Prior to the installation of any external plant equipment or machinery (E.G ventilation, air condensers, extraction systems) in any phase or sub phase of the development, full details, including the specification and location shall be submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved details.

Reason: In the interests of amenity and to minimise noise.

21

No works or development within any phase or sub phase, other than site investigations, shall take place until an Arboricultural method statement and scheme for protection of the retained trees/hedgerows for that phase or sub phase has been agreed in writing with the Local Planning Authority. This scheme shall include:

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

Reason: To preserve and protect existing trees which have and may have amenity value that contribute to the character and appearance of the area.

22

A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority with each application for reserved matters for any phase or sub-phase of the approved development. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed;
- b) Ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- g) Details of the body or organization responsible for implementation of the plan; and
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims

and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

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

23

A. A bat and bird box plan shall be submitted to, and be approved by, the local planning authority with each application for reserved matters for any phase or sub-phase of the approved development. The plan is to show the type and location of the proposed boxes within the landscaped areas, and details for fixing them into place.

B. The approved boxes shall be installed prior to first use of the approved development and photographic evidence of the installed boxes 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 Amended Core Strategy Core Policy 12.

24

If the development hereby approved does not commence (or having commenced, is suspended for more than 12 months) within 1 year from the date of the planning consent, the approved ecological measures secured through Conditions X, Y and Z shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to:

- i) Establish if there have been any changes in the presence and/or abundance of the species and species-groups that the conditions are concerned with and the baseline habitats recorded in 2023; and
- ii) Identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new ecological measures and timetable.

Reason: To ensure compliance with the NPPF requirements to minimise impacts on priority species and compliance with Amended Core Strategy Core Policy 12 requirements for the protection and conservation of species of principal importance

25

Each application for reserved matters for any phase or sub phase shall be accompanied by the submission of a detailed lighting scheme for that phase or sub phase, and be approved in

writing by the local planning authority. The detailed lighting scheme shall include site annotated plans showing lighting positions for the external spaces, facades, and structures they illuminate; a horizontal and vertical illuminance plan to include details of:

- Light intrusion, source intensity, and upward light;
- The lighting fittings including their design, colour, intensity and periods of illumination;
- Those areas/features on site, or immediately adjacent to it, that are particularly sensitive for bats and where light intrusion is likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- Where external lighting will be installed (through the provision of appropriate lighting contour plans showing lux levels and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved scheme and shall be maintained thereafter in accordance with the scheme.

No external lighting works shall be installed within any part of that phase or sub phase other than in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure compliance with the NPPF requirements to minimise impacts on priority species and compliance with Amended Core Strategy Core Policy 12 requirements for the protection and conservation of species of principal importance.

26

The development hereby permitted shall be carried out in accordance with the following plans:

- Amended Site Location Plan received 14th July 2025
- Parameters Plan Drawing Number 118 Rev E received 17th April 2025

Reason: To ensure the development comes forwards as envisaged.

Informatives

01

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

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

rated in this location.

02

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

03

This planning permission shall not be construed as granting permission to close or divert any right or rights of way that may be affected by the proposed development and in respect of which separate legislation/procedures may apply.

Attention is drawn to the fact that this permission does not entitle the applicant to obstruct in any way the public footpath which crosses the land to which this application relates. If it is intended to divert or stop up the footpath, the appropriate legal steps must be taken before development commences.

04

Biodiversity Net Gain

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

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

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

OR

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

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

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

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:

- o Major development for an application made before 12th February 2024.

Waste on Site

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/ or land development works is waste or has ceased to be waste.

Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

We recommend that developers should refer to:

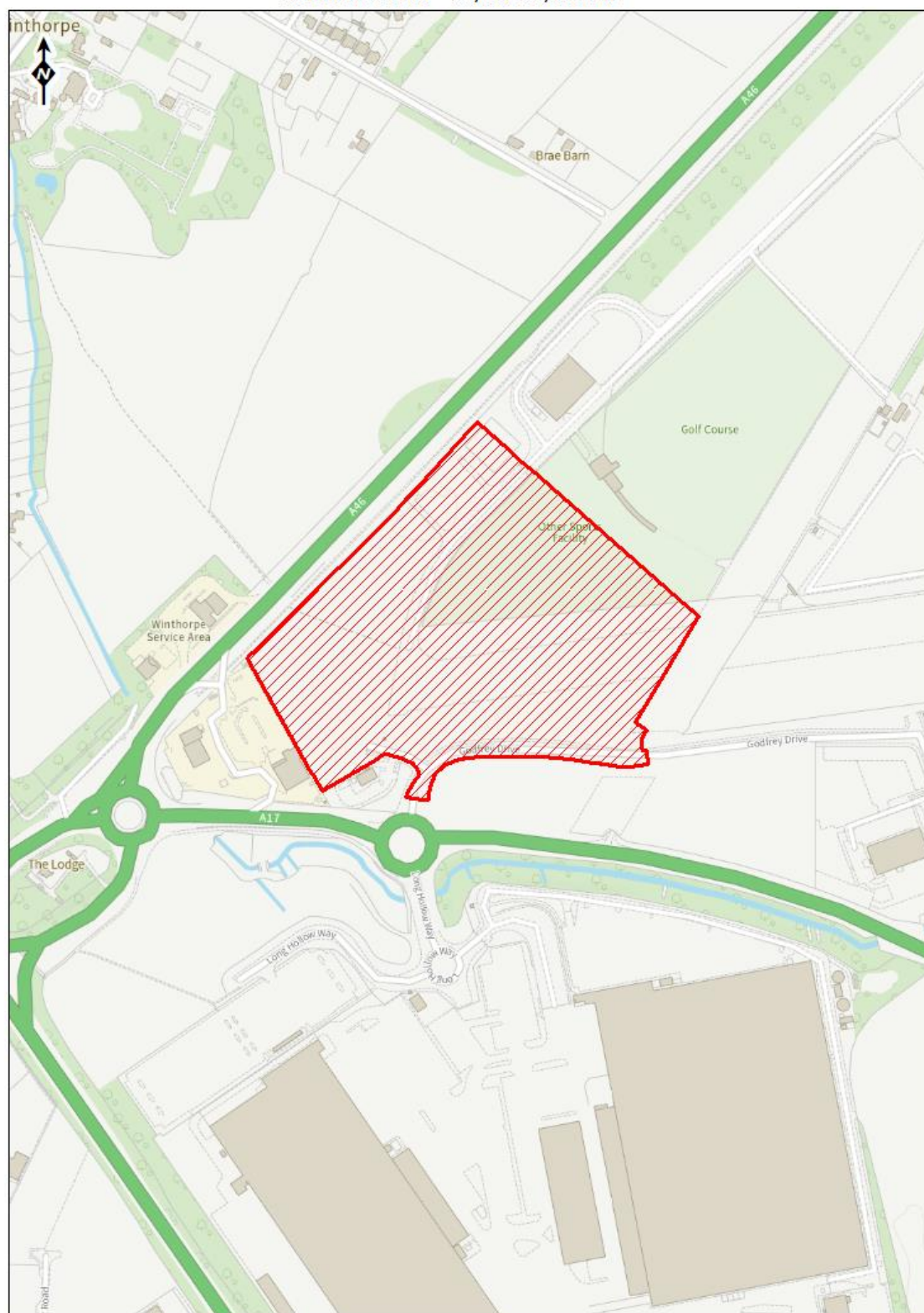
- the [position statement](#) on the Definition of Waste: Development Industry Code of Practice
- The [waste management](#) page on gov.uk

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 - 23/02281/OUTM



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