



Report to Planning Committee 4 December 2025

Business Manager Lead: Oliver Scott – Planning Development

Lead Officer: Ellie Sillah, Senior Planner (Planning Development)

Report Summary			
Application Number	24/02218/OUTM		
Proposal	Development of site for distribution uses (Use Class B8) including ancillary offices and associated works including access, car parking and landscaping.		
Location	Land south of Sleaford Road, Coddington		
Applicant	Tritax Acquisition 39 Limited	Agent	Mrs Karin Hartley
Web link	https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SOSUCBLBJSK00		
Registered	23rd December 2024	Target Date	24th March 2025 EoT: 31st December 2025
Recommendation	Approve subject to conditions and S106 agreement.		

This application is being referred to the Planning Committee for determination as the proposed development is contrary to the Development Plan (Policy DM8) as the site is located within the open countryside. The development is proposal also constitutes EIA development (the application is accompanied by an Environmental Statement).

1.0 The Site

- 1.1 The application site covers 38.9 Ha of land situated to the south of the A17 and to the south and east of the large commercial storage and distribution buildings currently occupied by the Knowhow business group, known as Newlink Business Park. Agricultural land in between has consent for the development of a distribution warehouse (Phase 1), which is

now largely complete. To the north of the site on the opposite side of the A17 is Newark showground and Overfield Park. To the south and east is open countryside. The A1 is located adjacent to the south west edge of the site. The village of Coddington including its conservation area is located to the south.

1.2 The site is located outside of the established Newark urban boundary and within the open countryside. It comprises five agricultural fields with associated field boundaries with a central woodland belt running in a north to south direction in the middle. The majority of the site is generally flat greenfield land, having been regularly cultivated and cropped as part of a larger arable field unit. Access to the site is currently gained via farm access tracks from the south and from the north via the bridge across the A17. Public footpaths (Coddington FP4A and 5 which connects the villages of Coddington and Winthorpe) which connect to the bridge over the A17, run along the north and east edge of the site. The entire site is located within Flood Zone 1 and outside of an area identified as being at high risk of surface water flooding.

1.3 The site has the following constraints:

- Adjacent conservation area (Coddington)
- Nearby conservation area (Winthorpe)
- Open Countryside

2.0 Relevant Planning History

2.1 **24/SCR/00004** Request for EIA Screening opinion for an Employment Development on land to the East and South of Newlink Business Park in connection with Pre application PREAPM/00075/24 – Environmental Impact Assessment required.

2.2 There is no other planning history for the application site, however the relevant planning history for the adjacent site (Phase 1) is listed below:

2.3 **22/02427/RMAM** Reserved matters application pursuant to application 20/01452/OUTM Erection of one distribution building (Use Class B8) together with ancillary offices, plot access, car parking and landscaping – permission 17.03.2023

2.4 **20/01452/OUTM** Development of site for distribution uses (Use Class B8) including ancillary offices and associated works including vehicular and pedestrian access, car parking and landscaping (all matters reserved apart from access) – refused by Planning Committee and subsequently allowed at appeal subject to conditions – 29.11.2022

3.0 The Proposal

3.1 This application seeks outline planning permission for 'Phase 2' of the Newlink Business Park. The scheme proposes 3 large scale industrial units for B8 use (storage and distribution), similar to the building approved as 'Phase 1' under application reference 20/01452/OUTM, with ancillary offices, parking and landscaping. All matters would be reserved apart from access.

3.2 The submitted Parameters Plan separates the site into 3 zones, A, B and C, and sets out the maximum floorspace and heights as follows:

- Zone A (east of Phase 1) – 18,700sqm floor area and 18m in height from building FFL
- Zone B (south of Phase 1) – 42,800sqm floor area and 21m in height from building FFL
- Zone C (south east of Phase 1) – 29,000sqm floor area and 18m in height from building FFL

Total maximum floorspace – 90,500sqm.

Parameters Plan shown below:



3.3 Access is proposed via the roundabout on the A17, which has been approved and completed as part of Phase 1 (shown on the plan above). As the application is for outline permission,

the sizes of the units could be subject to change at reserved matters stage, however the masterplan provides an indicative proposal with the parameters plan setting out the maximum scale.

3.4 The southern part of the site would be dedicated to on-site biodiversity net gain (BNG), covering approximately 40 acres, which would provide a landscape buffer between the site and Coddington conservation area. In addition, a footpath and cycle way is proposed to the south, to provide a sustainable connection to Coddington to both the site and the BNG area which is proposed to include footpaths, so members of the public can access and benefit from the area.

3.5 The proposed masterplan is shown below:



3.6 Documents assess in this appraisal:

- Application Form received 20th December 2024

- Covering Letter received 20th December 2024
- 16233 SGP XX ZZ DR A 131000 Rev P01 Site Location Plan received 20th December 2024
- 16233 SGP XX ZZ DR A 101009 REV P02 Phase 2 Masterplan received 20th December 2024
- 16233 SGP XX ZZ DR A 101011 REV P01 Phase 2 – Parameters Plan received 20th December 2024
- 2364 23 01 S5 REV 01 Illustrative Masterplan received 20th December 2024
- 2364 23 02 S5 REV 01 Illustrative Sections received 20th December 2024
- Design and Access Statement (SGP) received 20th December 2024
- Planning Statement (Delta Planning) received 20th December 2024
- Employment Land Statement (JLL) received 20th December 2024
- Transport Assessment received 31st January 2025
- Environmental Statement received 20th December 2024
- Flood Risk Assessment and Drainage Strategy received 20th December 2024
- Ground Conditions Report received 20th December 2024
- Air Quality Assessment received 20th December 2024
- Energy and Sustainability Statement received 20th December 2024
- Statement of Community Engagement received 20th December 2024
- Response to Consultation Comments received 31st July 2025
- 2364-24-01 REV 02 Illustrative Landscape Masterplan received 31st July 2025
- 2364-24-02 REV.02 Illustrative Landscape Sections received 31st July 2025
- Updated Framework Travel Plan received 31st July 2025
- BNG Calculation Rev B received 21st August 2025
- Technical Note Response to Highways (Connect Consultants) received 29th August 2025
- 17146-012 A17 Longhollow Way Roundabout Proposed 2 Lane Eastbound Exit received 29th August 2025
- 17146-011 A17 Tritax Park Roundabout Proposed 2 Lane Westbound Exit received 29th August 2025
- Chapter 6 Ecology Addendum received 5th September 2025
- Phase 2 Winter Bird Report received 5th September 2025
- 16-233-SGP-XX-XX-DR-A-900000-P07-.PDF Proposed Footpath received 13th November 2025

4.0 Departure/Public Advertisement Procedure

- 4.1 Occupiers of 71 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 14th March 2025.

5.0 Policy Planning Framework

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

Spatial Policy 1 - Settlement Hierarchy

Spatial Policy 2 - Spatial Distribution of Growth

Spatial Policy 3 – Rural Areas

Spatial Policy 6 – Infrastructure for Growth

Spatial Policy 7 - Sustainable Transport

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

5.2 Allocations and Development Management DPD (2013)

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. Following the close of the hearing sessions as part of the Examination in Public the Inspector has agreed a schedule of ‘main modifications’ to the submission DPD. The purpose of these main modifications is to resolve soundness and legal compliance issues which the Inspector has identified. Alongside this the Council has separately identified a range of minor modifications and points of clarification it wishes to make to the submission DPD. Consultation on the main modifications and minor modifications / points of clarification took place between Tuesday 16 September and Tuesday 28 October 2025. The Inspector will consider the representations and finalise his examination report and the final schedule of recommended main modifications.

Tests outlined through paragraph 49 of the NPPF determine the weight which can be afforded to emerging planning policy. The stage of examination which the Amended Allocations & Development Management DPD has reached represents an advanced stage of preparation. Turning to the other two tests, in agreeing these main modifications the Inspector has considered objections to the submission DPD and the degree of consistency with national planning policy. Therefore, where content in the Submission DPD is either not subject to a proposed main modification or the modifications/clarifications identified are

very minor in nature then this emerging content, as modified where applicable, can now start to be given substantial weight as part of the decision-making process.

5.4 Other Material Planning Considerations

National Planning Policy Framework 2024

Planning Practice Guidance (online resource)

National Design Guide - Planning practice guidance for beautiful, enduring and successful places September 2019

Nottinghamshire Core & Outer HMA Logistics Study Final Report August 2022

6.0 Consultations and Representations

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

Statutory Consultations

6.1. **Nottinghamshire County Council (Highways)** – No objection subject to conditions and S106 to secure £15000 to cover Travel Plan monitoring costs (latest comments included within the body of the report).

6.2. **National Highways** - No objection.

6.3. **Nottinghamshire County Council –**

Public Transport General Observations and Accessibility

- Commented that the Environmental Statement, Section 7A, Transport Statement, refers to Application 20/01452/OUTM Condition 13a for the Phase 1 site which secured the provision of a shuttle bus linking Newark Castle and Northgate train stations as well as central Newark and that this should also apply for the current application.
- Requested conditions relating to the provision Public Transport Delivery Strategy including details of an enhanced bus service; a condition for a bus turning facility and bus stop(s); and a condition to secure free bus passes for employees

Archaeology

- The site lies in an area of high archaeological potential associated with pre-historic and Roman settlement activity as recorded during Phase 1 of the development. Consequently, the applicant has undertaken a desk-based assessment (DBA), geophysical survey and trial trench evaluation to assess the site-specific archaeological potential and impact of the proposal on it. The results indicate two

areas of archaeological sensitivity within the redline boundary, with particular significance identified for probable Iron Age activity recorded in the south-east corner of the site. An Archaeological Mitigation Strategy (AMS) should be prepared to provide specific details of either the approach to preservation, or an excavation strategy if impacts are considered necessary. The production of an agreeable AMS and its implementation could be secured via appropriately worded planning conditions if consent is granted.

Rights of Way – objection due to further information regarding the following being required:

- Footpath Diversion and Accessibility - Coddington Footpath 4A runs over the new roundabout and has not been considered in the new highway access to the site. It is expected that the applicants suggest a realignment of the footpath to properly accommodate it safely. Pedestrian Safety At the proposed new roundabout and road leading South, no provision has been made for the safe crossing of pedestrians. Dropped curbs should be included.
- Cyclist Provisions - Cyclists are actively accommodated in the planning but currently the PRowS are for users on foot only. Where exactly will cycling be permitted/anticipated? Will this be permissible and therefore the liability of the landowner, or will the proposal include a legal change in status?
- Footpath Specifications - In areas A-A and B-B particularly, an avenue of trees is included in the design. We would want to know who will be responsible for their maintenance in ensuring that the full width of the footpath is unimpeded. It is also unclear if the outer row of trees will be planted as part of the hedgerow, or placed alongside it. If the latter is the case there are concerns about them encroaching on the footpath. As stated in the NCC Planning Guide and in the comments made regarding RoW for 20/01452/OUTM, where the right of way runs across the site, there are currently open fields on either side with no adjacent boundary other than hedgerow. This open aspect should be retained as far as is practicable as part of any development, and the avenue of trees may threaten this. Additionally, security fencing is mentioned in the planning, and we want to ensure that no fencing or gates cross the RoW as this would be an obstruction.

6.4. **Nottinghamshire Lead Local Flood Authority – No objection subject to condition.**

6.5. **Environment Agency –**

6.6. *We have no objection to the foul drainage proposals to gravity drain the foul from the individual units to a sewage pumping station as this will pump to a connection into Severn Trent Water's public foul sewer.*

It would be beneficial to locate the package sewage pumping station away from any surface water sewer drainage systems to prevent any contamination should a problem occur

resulting in a surcharge from the pumping station.

The proposed development will be acceptable if the following measure is implemented and secured by way of a planning condition on any planning permission. This condition is required due to a watercourse, a tributary of The Fleet, being located along the boundary of the site. The overall WFD classification of The Fleet (2022) is bad.

Condition

The development hereby permitted shall not be commenced until such time as a scheme to treat and remove suspended solids from surface water run-off during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason

The Humber river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. The proposal could lead to a deterioration in biological quality and prevent the improvement of The Fleet because it may cause rising trends in pollutants, specifically suspended solids in the water body that would impact on the biological quality preventing the waterbody from improving from its current Bad Ecological Status.

6.7. Natural England – No objection.

6.8. Trent Valley Internal Drainage Board - The site is within the Trent Valley Internal Drainage Board district. No development should be commenced until the Local Planning Authority, in consultation with the Lead Local Flood Authority has approved a scheme for the provision, implementation and future maintenance of a surface water drainage system. The Board would wish to be consulted directly if the following cannot be achieved and discharge affects the Boards District:

- Surface water run-off limited to the greenfield rate for other gravity systems.
- Brownfield sites limited to the greenfield rate.

Surface water run-off rates to receiving watercourses must not be increased as a result of the development. The design, operation and future maintenance of site drainage systems must be agreed with the Lead Local Flood Authority and Local Planning Authority.

6.9. Active Travel England – Requested further information in relation to the Travel Plan, and recommended a condition in relation to cycle parking.

6.10. Town/Parish Council:

- **Coddington Parish Council - Objection**

Road Infrastructure & Travel impact

The recent surveys conducted does not alleviate our concern on additional traffic within the Newark and specifically the Coddington area. We believe traffic will use Coddington as a shortcut as witnessed during the building of the recent Big Box development. The remodelled traffic survey still leaves grey areas on future traffic flow and further development. We would suggest traffic calming measures including reducing the speed limit and speed cameras within the village to reduce future road traffic accidents.

Visual & Sound Impact

While we acknowledge the significant amount of work and discussion between ourselves and Tritax concerning the visual impact we still have concerns especially given the indicated time frame of the build. The time it will take for the green screen to develop especially from the Drove Lane area where the buildings will have the most visual impact. The proposed height of one of the warehouses is significantly higher than the existing ones (21 metres) and although further away will still be clearly visible. We would like to see further green screening alongside Drove Lane to further reduce visibility.

Lighting and sound also remain a concern given that the loading bays are nearest the village and the likelihood of 24-hour operation of tenants in the building. We ask that further surveys are conducted as a condition if permission is granted to make sure these are within the prescribed limits.

Biodiversity Net Gain Area

The Parish council have had several productive meetings and discussions with Tritax regarding the BDNG area, and we welcome both the size of the area the proposed bunds, planned plantings of trees, pathways, benches, dog bins, and a new designated access from the Thorpe Oaks estate. This will enable many more people to utilise the space. We also welcome the covenant to be placed on the surrounding area to stop additional building in the future on the space between the proposed development and the village. Tritax have involved both the village and the Parish Council in every step, and we feel this has been constructive and beneficial to the village.

Summary

While we have objected to the proposed planning previously, we acknowledge the need of these types of buildings within Nottinghamshire. However, we still feel there are better non green belt areas where these types are developments would sit better within the countryside and where there siting would not add to an already overloaded road infrastructure. We therefore still object to the planning proposal.

- **Newark Town Council** - *supports this proposal, welcomes employment into the area and hopes that interested parties are involved prior to breaking ground.*

Newark Town Council supports Public Rights of Way and hopes that local routes can be clarified for the benefit of residents and employees. We would support s106 funding to improve and develop footpaths and cycleways in the vicinity. In addition to this, we would insist on a full archaeological examination prior to breaking ground and also note the NSDC concerns in relation to drainage and decontamination.

Representations/Non-Statutory Consultation:

6.11. NSDC Conservation –

We have concerns about the impact of the proposals on the Coddington CA if the buildings were constructed at the potential height of 21m, and the impact of the development as a whole upon the special historic interest of the CA and its role in the landscape. Consequently, there is considered to be less than substantial harm to the setting of the Coddington CA, with lesser harm to the setting of the listed buildings in the vicinity. Nevertheless, it is appreciated that there may be public benefits to weigh in the balance.

6.12. Landscape Consultant –

(Summary) In conclusion, the Landscape and Visual Impact Assessment, together with the applicant's Addendum (RP06) and supplemental mapping, now provides a robust, transparent and GLVIA3-compliant assessment of the likely landscape and visual effects arising from the proposed development. While localised significant visual effects will occur along the immediate public rights of way to the east and south of the site, these effects are consistent with those accepted at appeal for Phase 1 and are mitigated to an appropriate degree through early boundary planting, strengthened woodland blocks, and a long-term management approach aligned with Biodiversity Net Gain requirements. No significant effects are identified on residential receptors, settlements, heritage assets or the wider landscape setting.

Accordingly, subject to the imposition of the landscape conditions including the detailed landscaping scheme, the early implementation of southern and eastern boundary planting, and the long-term protection and management of these features—it is considered that the landscape and visual effects are acceptable in planning terms.

6.13. Cadent Gas Ltd – No National Gas assets affected in this area.

6.14. NSDC Environmental Health –

Noise and dust from construction works - The Environmental Statement has considered in detail the impact of construction methods and working practices on sensitive properties in

the vicinity. This will be necessary in order to ensure best practicable means are employed to minimise noise. The proposed construction environment management plan (CEMP) should be submitted in writing to, and agreed by, the planning authority, to be implemented in full during the demolition and construction phases of development. This should also include consideration being given to dust from construction methods and working practices on sensitive properties in the vicinity.

External artificial lighting -According to the external lighting assessment, proposed external lighting scheme for this development will meet relevant guideline criteria in respect of obtrusive lighting levels.

Noise from fixed plant - Details of fixed plant and equipment that may have the potential to generate noise are not available at this stage. Details of the scheme for fixed plant and equipment should be submitted to and approved in writing by the District Planning Authority. The scheme should demonstrate that cumulative measured or calculated noise emissions from fixed plant and equipment comply with relevant noise criteria as specified in the noise assessment.

6.15. NSDC Environmental Health (Contamination) –

Contaminated Land

I have now had the opportunity to review the Geo Desk Study by Link Engineering carried out by the consultant acting on behalf of the developer.

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.

There is a review of the previous site investigation report which was carried out by HSP in 2016. The report concludes with recommendations for a phase 2 intrusive investigation.

Whilst I concur with this recommendation, the report focus is very much geotechnical and I would expect more detail to be provided relating to geo environmental aspects in future submissions. I also note that a detailed UXO report is yet to be procured, this should be completed prior to any phase 2 investigation in the interest of the safety of ground workers.

Due to the above I would recommend the use of the full phased contamination condition.

Air Quality

An Air Quality Assessment report has been submitted by Tetra Tech in support of the above application. This study uses IAQM assessment methodology and guidance to predict the impact of the proposed development during construction and operational phases.

During the construction phase, the impact of potential dust emissions on human health has been assessed and is considered to be medium (dust soiling) and low (PM₁₀ health effects). It is recommended that construction dust is prevented and controlled by using a suite of mitigation measures taken from IAQM guidance and the risk is subsequently revised to 'not significant' in line with this guidance. Construction phase vehicle emissions have been screened out of assessment.

Emissions to air from the vehicles during the operational phase of the development is considered negligible for NO₂, PM₁₀ and PM_{2.5} with the exception of receptor R2 which will be marginally over the 2040 proposed PM_{2.5} limit (10 µg/m³) but will be compliant with the current objective and is anticipated to be below the 2040 objective by the compliance date.

I can generally agree with the findings of the assessment. I would expect the mitigation measures that have been proposed to control emissions during construction phase (tables 7-1 and 7-2 of the report) to be controlled by the use of an appropriate planning condition.

In addition to the human health assessment an ecological operational assessment of air quality has also been completed. This is beyond the remit of environmental health and should be referred to ecology colleagues for review and comment.

- 6.16. **Historic Environment Officer:** Recent archaeological trial trench evaluation identified an area of archaeological significance in the south-eastern corner of the site. Construction activity will have a significant impact on any surviving archaeological remains present. I recommend that if permission is granted there be an archaeological condition for a mitigation strategy to effectively deal with the site. (Condition has been included at the end of this report.)
- 6.17. **Tree Consultant:** The submitted tree survey provides a reasonable assessment of the existing tree stock. It notes that the trees are generally of lower value with the occasional moderate value tree. To facilitate the development, the removal of four retention category 'C' trees (T22, T23, T24, T29), one hedge (H4) and partial removal of two tree groups (G13, G17) will be required. Overall, the tree removals will have some negative visual impact, caused by the fragmentation of the small woodland areas. However, the development retains all the higher-value trees, helping to maintain the arboricultural and landscape character of the site. There appeared to be some small mistakes in the supplied Arboricultural Method Statement report. The description of excavations within retained tree RPAs has T7 listed twice throughout the report. This is likely a typo for the missing T6. G3 appeared to be missing within the report main body where it is recommending supervision of excavations within retained tree RPAs. However, areas of G3 are hatched red/pink on the tree plan (8829-TPP-03), indicating that supervision of excavations with the RPA is being recommended here. The label for T2 is missing on the tree plans.

6.18. Recommend an updated version of the existing AMS is provided to amend the errors in the existing document and clarify that there are no proposed excavations or hard standing within RPA of T13 – T21. Implementation and Confirmation of Tree Protection Measures Prior to the commencement of any development or site works, all approved tree protection measures shall be installed. Written confirmation of their installation, supported by photographic evidence or a site inspection report from the appointed Arboriculturist, shall be submitted to the LPA for approval. The approved tree protection measures shall be retained and maintained in full for the duration of the development. No fencing shall be moved, removed, or altered without the prior written agreement of the LPA.

6.19. **Ramblers Nottinghamshire – Objection**

We note that Condition 25, pertaining to ROW in the Appeal Decision (APP/B3030/W/22/3282692) on application 20/01452/OUT has not yet been discharged.

In the current application, the screening of Coddington FP4 immediately adjacent to the proposed building is welcomed, subject to a maintenance plan for the FP being included in the planning conditions. This screening should be extended around the building to soften views from RoW further up the hill.

The site boundary includes the access to the underpass beneath the A1. Like many road projects at the time, the construction of the A1 created a barrier to those living on either side of it because of the absence of grade separated crossing points for walkers or cyclists.

It is noted that there have been a number of comments welcoming this application because of the significant employment opportunities it will generate. Those employed at the site who live to the west of the A1, or to the south at Coddington, should be provided with the opportunity of walking to and from work. There is an application, DMMO No. 1243, submitted by Coddington Parish Council, that seeks to add a Footpath from Beacon Hill Park, via the A1 underpass to this application site.

This Application fails to take cognisance of this DMMO (which was submitted in 2020). Furthermore, it is unclear if the landscaped area to the south of the buildings will be public access land, and the proposed network of footpaths within it show no link to the underpass. Until these aspects of the proposal are resolved, Ramblers OBJECTS to this Application.

6.20. **NSDC Planning Policy –**

6.21. *This application follows the granting of permission, on appeal, for 20/01452/OUTM, a related development. The site of this application is in the open countryside where, in Newark and Sherwood District, new development is strictly controlled in line with Spatial Policy 3 of the Amended Core Strategy (ACS). Policies to deal with such applications are set out in Policy DM8 of the Allocations & Development Management DPD (ADM DPD).*

- 6.22. *The ADM DPD is currently under review. A Draft Amended ADM DPD (AADM DPD) was submitted to the Secretary of State in January 2024 and an Examination in Public by an independent Inspector concluded on 12th November 2024. Further correspondence from the Inspector is now awaited. This represents an advanced stage in the plan-making process and some weight can be given to the amended policies within the AADM DPD. The ‘employment’ section of Policy DM8 from the AADM DPD is reproduced below, with new material that it is proposed to add to the policy underlined and material to be removed crossed through:*

~~Small-scale~~ Employment development should be small in scale unless a larger scale can be justified and 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 of the Amended Core Strategy. 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. Proposals to expand existing businesses or construct buildings for new businesses in the open countryside are more likely to be appropriate in areas such as industrial estates where the principle of such development is established. Where it is demonstrated that it is necessary, expansion into adjacent areas could be considered appropriate if the impacts are judged to be acceptable. The proportionality of such developments should be assessed individually and cumulatively and impacts on both the immediate vicinity and the wider setting should be considered. It should be demonstrated that location on existing employment allocations or on employment land within urban boundaries or village envelopes is not more appropriate.

- 6.23. *While it can be seen that the direction of travel of District policy is to be more permissive of employment development in the open countryside, even if this was an adopted policy there would be conflict with the development plan. It is acknowledged that the only remaining allocated site in the District that would be suitable for large scale logistics development is the employment element of NAP 2A - Land South of Newark (also referred to as Middlebeck) and that the Southern Link Road (SLR) needs to be completed before this can be utilised. It is anticipated that the SLR will be completed by 2026, however, and this will make around 50ha of suitable land available.*
- 6.24. *Core Policy 6 of the Amended Core Strategy guides employment development, and this proposal is in line with its intention to strengthen and broaden the District’s economy and to provide a diverse range of employment opportunities. The policy identifies ‘logistics and distribution’ as a priority business sector and encourages such development. The proposal supports the policy’s aim of maintaining and enhancing the employment base of the District’s towns and settlements.*
- 6.25. *Newark and Sherwood District is considered to be part of the Nottingham Outer Housing Market Area (HMA). Along with neighbouring local authorities, Newark and Sherwood District Council (NSDC) participated in the Nottingham Core HMA and Nottingham Outer HMA Employment Land Needs Study (ELNS) which was published in May 2021. This considered a range of different scenarios and concluded that under any scenario, ‘the District already appears to have a substantial supply of committed and allocated employment land*

that would appear to meet the need in full.’ The ELNS acknowledged, however, that NSDC may wish to commission a further strategic study to quantify the likely extent of national/regional B8 logistics need across the Core/Outer HMAs, and that studies forecasting large scale logistics need based purely on past trends will significantly underestimate the scale of demand. This led to NSDC participating in the Nottinghamshire Core & Outer HMA Logistics Study (the Logistics Study).

- 6.26. *The Logistics Study states that the ‘study area contains the national artery M1 corridor and forms part of the ‘Golden Triangle’ being the national centre of the UK logistics market whereby main other parts of the UK can be reached in a 4-hour drive time.’ Taking into account drivers for change including the shift to e-commerce, the Logistics Study finds a need for the provision of 425ha of land for large scale logistics in the study area up to 2040. It identifies five Areas of Opportunity for this type of development, including one in Newark and Sherwood District, the ‘area surrounding Newark (along A1 and A46)’. These are general broad areas, and it is reasonable to regard the site of this application as being within this one.*
- 6.27. *The Logistics Study sets out a sequential order in which suitable land should be identified and allocated. The first and therefore the most preferable is: ‘The extension of existing industrial / distribution sites. Site extensions should only be permitted where there is adequate road capacity serving the site and at adjacent motorway / dual carriageway junctions or capacity can be enhanced as part of any extension’. While NSDC is not currently at an appropriate stage in the plan making cycle to allocate new land, the site of this application could be considered to meet these requirements should it be assessed that traffic impacts will be (or could be made to be) acceptable.*
- 6.28. *Land South of Newark is an allocation within the Amended Core Strategy and the District Council intends that all such allocations should be delivered in the envisaged way unless there are reasons why this is impossible or undesirable. It could be considered that the delivery of the employment element of this allocation would be jeopardised by granting permission for employment development elsewhere in the Newark area and thus creating an oversupply of suitable land. In this case, however, it is accepted that large scale logistics schemes have specific requirements unlike many other types of employment development and that permitting such a scheme in the Newark area would be unlikely to have a significant negative impact on the delivery of the employment element of Land South of Newark. The Logistics Study provides evidence that there is sufficient demand for land for large scale logistics developments in this area that granting permission for 24/02218/OUTM would not entirely fulfil the requirement and it is quite possible that further schemes of this type could come forward on the employment element of Land South of Newark.*
- 6.29. *Clearly the proposed development would have significant landscape and visual impacts. While these can be reduced through appropriate layout and landscaping measures, it is*

inevitable that there will be some harm to landscape character. The proposal also involves the loss of agricultural land, and these factors weigh against the granting of permission. The development permitted under 20/01452/OUTM has already encroached into the countryside and this increases the cumulative impacts of the proposed scheme. It is important that the cumulative impacts are considered carefully given the scale of the proposed development. This should include impacts on traffic and transportation networks both in the immediate area and more widely.

- 6.30. *The Secretary of State for Housing Communities and Local Government published an updated National Planning Policy Framework (NPPF) on 12 December 2024. One of the most important implications of this for Newark and Sherwood District Council is that there is an increase of the local housing target from 434 dwellings to 704 dwellings per annum. A greater than previously planned for number of residents will mean that more local job opportunities would be welcome.*
- 6.31. *It is clear that the proposed development would bring substantial economic benefits, and this weighs significantly in its favour. As well as providing long term employment opportunities, jobs would also be created in the construction phase. The Non-Technical Summary of the Environmental Statement asserts that the proposal 'presents a direct capital investment of £90 million and could generate a total economic output of circa £262.8 million', creating around 1000 new permanent jobs requiring both skilled and unskilled labour.*
- 6.32. *The landscaping strategy which, amongst other things, would provide 15ha of 'ecological landscape' to the south of the site, has the potential to offer multiple benefits. It is proposed to create new publicly accessible green space, deliver 10% biodiversity net gain (BNG) which is the minimum requirement, provide screening, and enhance landscape character. In the Design and Access Statement, it is said that Tritax will 'consider' employing an ecologist 'to assure maintaining and increasing the ecology on the site'. Assurance that a qualified ecologist will be employed to assist in the design and the maintenance (over a period of no less than 30 years) of at least the southern part of the site would be welcomed as this would provide greater certainty about the potential ecological benefits of the proposal. The potential to deliver BNG of more than 10% should be considered, and where appropriate a higher percentage would be welcomed.*
- 6.33. *The 2023 – 2024 ELAS shows that Newark and Sherwood District Council has provided 185.06ha of employment land against the requirement of 83.1ha set in the Amended Core Strategy, an overprovision of 101.96ha. More than 80ha of this is suitable for large scale logistics (the development permitted under 20/01452/OUTM, Land off Brunel Drive and Land South of Newark). Should it be decided to grant permission for this application, this would represent a flexible and pragmatic approach to development proposals and should not be understood as indicating that there has been any undersupply of employment land.*

Conclusion

- 6.34. *Due to its location, the proposed development clearly conflicts with the Development Plan. As we operate within a plan-led system, important material considerations would need to apply to outweigh this conflict. The economic benefits to Newark and the wider District are significant enough to be potentially regarded as such material considerations, outweighing the presumption against the granting of consent. It is clear that there is significant demand for this type of development in the Newark Area, and also that the specific requirements of large-scale logistics mean that only a small range of sites are potentially suitable.*
- 6.35. *While the granting of permission for 20/01452/OUTM sets a precedent for large scale logistics development in this broad location in the open countryside, it also contributes to cumulative impacts. Should permission be granted for this proposal, it should be understood that the flexibility of the plan-led system has its limits, and a point will be reached where no further developments of this type in this broad location are likely to be considered acceptable.*
- 6.36. **Comments have been received from 20 third parties/local residents that can be summarised as follows:**

Support

- (Cllr Tina Cottam) I'm in favour of development. We always need jobs and seems this will provide something like 1000 jobs. It's a shame it's on agricultural land but the owner seems set on selling and I feel this development is the best option we are likely to get. They are prepared to leave a landscaped buffer zone between them and us, as I'm one of the closest people to the development this is very important to me personally. I think it will be good for the village in general to enjoy too. I have no objections at all.
- East Midlands Chamber commented in support of the proposed development, it would bring direct and indirect employment opportunities and offers the opportunity to attract inward investment to the region, benefiting the local community. We are also pleased to understand that the development is built considering sustainable business practices in the development and end use phase of the site, which includes supporting biodiversity between the building and Coddington village.
- West Nottinghamshire College supports the proposed development and it's potential to positively influence local employment opportunities and skills development. We have been working with Lincoln College and Nottingham Trent University to plan a skills offering for occupiers that would enable local people to access the opportunities created especially in the areas of advanced manufacturing and engineering.
- Following the infrastructure improvements made by the development of Unit 1, I can only see further development as a positive outcome for the community. In addition to the increased employment opportunities for the area, the community would also benefit from a natural space of 40 acres of grassland/wetland.

- Now the first unit is complete, the design blends well into the existing landscaping and looks like it belongs there. The new traffic island on the A17 also helps to calm the traffic by slowing drivers down. The Phase 2 scheme, with the extensive landscaping and will provide a upgrade to the public footpaths, must be positive for the area as well as creating jobs.
- Provision of large nature reserve area for benefit of people and the environment
- The creation of a new green space would be an important addition to the local area. An opportunity to boost biodiversity and create wildflower areas.
- Proposal will be a tremendous boost to the Newark area. especially in these difficult economic times. apart from bringing in a large capital project to the area, jobs and spend within the area during construction, this will bring in over 500 jobs and a large sum of tax receipts to the local council
- The location and sympathetic nature of this planned development does seem very appropriate for this stretch of A1 corridor. As a business owner, the additional positive impact on the local community & economy, seems very evident.

Objections/Concerns/Comments

- Comment by the A46 Active Travel Group – We oppose the application on the grounds that the application and travel plan should be amended to include the need for a better active travel corridor and links to the right of way network. This should include developer contributions to completing the route.
- Concerns in relation to flooding from surface water
- Development is a threat to wildlife and will erode green space
- Development will remove separation between Newark and Coddington
- Increase in traffic, noise and light pollution
- Negative impact on rural character of Coddington village
- Disrupted view
- Loss of farmland
- Concerns about litter
- Footpath from Coddington would be good.

7.0 Appraisal

7.1 The key issues are:

- Principle of Development

- Impact on Visual Amenity, Landscape and Heritage Assets (including setting)
- Loss of Agricultural Land
- Impact on Residential Amenity
- Impact on the Highways
- Impact on Rights of Way, Sustainable Travel, and Connectivity
- Impact on Ecology
- Contamination
- Archaeology

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

7.3 **Principle of Development**

7.4 The principle of development is discussed in the comments from the NSDC Policy Team, which set out that the proposal conflicts with Policy DM8. The comments also highlight numerous positive aspects of the proposal which are material considerations that weigh in favour of the development, despite the conflict. The comments do not conclude if the application should or should not be approved, but set out the key considerations in relation to the principle of development. It is not the intention to repeat all the comments (set out at paragraph 6.20 of this report), but to assess those considerations and consider them within the planning balance.

7.5 Paragraph 2 of the NPPF establishes that applications for planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise.

7.6 The application site is adjacent to the recently constructed Newlink Business Park, and is proposed as an expansion of the existing provision as 'Phase 2' of the development. Phase 1 was allowed on appeal, having previously been refused at committee due to the open countryside location, and conflict with Policy DM8. This application is similar in the fact that the site is wholly outside of the urban boundary and is therefore within the open countryside.

- 7.7 Policies within the emerging local plan can now be given substantial weight. Policy DM8 (the main policy consideration for development within the open countryside) has been amended and the proposed wording is set out below:

8. Employment uses

Small-scale Employment development should be small in scale unless a larger scale can be justified and 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 of the Amended Core Strategy. 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.

Proposals to expand existing businesses or construct buildings for new businesses in the open countryside are more likely to be appropriate in areas such as industrial estates where the principle of such development is established. Where it is demonstrated that it is necessary, expansion into adjacent areas could be considered appropriate if the impacts are judged to be acceptable. The proportionality of such developments should be assessed individually and cumulatively and impacts on both the immediate vicinity and the wider setting should be considered. It should be demonstrated that location on existing employment allocations or on employment land within urban boundaries or village envelopes is not more appropriate.

- 7.8 The proposed development would not be small scale. It comprises 3 new large commercial units with maximum heights of 21m (one unit) and 18m. The emerging DM8 policy provides additional flexibility regarding the scale of employment uses in the open countryside, allowing for larger scale development where it can be justified and there is particular need for that location. Although it is likely that different businesses would occupy the proposed units to 'Phase 1' (occupied by Currys), the proposal could be seen as an expansion of an existing business (Newlink Business Park). DM8 allows for the proportionate expansion of existing businesses where they make an ongoing contribution to local employment (this is the same within the adopted version and the emerging policy). There is no definitive explanation as to what would constitute 'proportionate', however in this instance, the expansion is significant and could not reasonably be considered proportionate. Nonetheless, because of the scale, the proposal would also bring about a significant number of jobs to the local area (approximately 1000), therefore the proposal would contribute to local employment in accordance with DM8.
- 7.9 Due to the significant scale of the proposal and the open countryside location, the proposal does conflict Policy DM8 as it cannot be considered small scale or a proportionate expansion. In terms of the emerging policy and whether there is a need for that particular location, it is acknowledged that the site is located adjacent to Newark Urban Area and in a location which has very good access to the major road network (the A17, A1 and A46). This makes the site ideal for logistics companies. There is also a clear logic to proposing this scheme adjacent to the recently approved scheme for one unit, 'Phase 1' (allowed on appeal).

Summary of Appeal Decision

- 7.10 Phase 1 was approved at appeal despite the open countryside location. The Council did not choose to defend the decision at appeal due to the findings contained within the draft Nottinghamshire Core & outer HMA Logistics Study, June 2022 ('the draft study'). In the appeal decision, the Inspector agreed that there is 'little doubt that the proposed development represents a departure from the development plan' and that it would conflict with SP3, Core Policies 9 and 13, DM5 and DM8. Nonetheless, at the time of the appeal, the draft study identified a current supply of 800,000sqm of employment land through extant permissions and allocation in the study area, but with an overall need identified for 1,486,000sqm to 2040, with some of this demand expected to be met in Newark along the A1 and A46 corridors. This equated to a significant shortfall of 686,000sqm of land for large scale logistics development in the study area, which includes Newark and Sherwood. Although in draft form at the time, the Inspector attached very significant weight to these findings in the determination of the appeal. The demonstrated need and the significant economic benefits (largely job creation) were considered to outweigh the adverse impacts on character and appearance, and the loss of some best and most versatile agricultural land. The impact on landscape was considered significant, however it was considered this could be notably reduced through appropriate landscaping. For these reasons the appeal was allowed.

Other Material Considerations

- 7.11 There is no dispute that ultimately the development does not accord with Policy DM8 and is therefore contrary to the Development Plan. In line with the NPPF, proposals should be determined in line with Development Plans, unless other material considerations indicate otherwise.
- 7.12 The final report of the Logistic Study was published in August 2022 – 'Nottinghamshire Core & Outer HMA Logistics Study Final Report August 2022'. The report confirms the findings within the draft study, in that there is an overall need for 1,486,000sqm or 425 ha of employment land for the delivery of large new logistics parks within the study area (not solely within Newark and Sherwood).
- 7.13 Paragraph 14.23 of the report identifies broad areas across the study area where new strategic logistics sites should be located (Areas of Opportunity) and includes 'Area surrounding Newark (along A1 and A46)'. The report states that whilst Newark is some distance from the M1 it still serves as a successful logistics location as can be demonstrated through its historic delivery of large units. The A1 route is now a popular artery, and Newark supplies a local labour market to support demand for units which may (but not necessarily) tend to the lower scales than those on the M1 but still substantially above the threshold considered herein.

- 7.14 Paragraph 14.24 of the Logistics Study report sets out show to select appropriate sites sequentially, with the first criterion being ‘The extension of existing industrial / distribution sites. Site extensions should only be permitted where there is adequate road capacity serving the site and at adjacent motorway/dual carriageway junctions or capacity can be enhanced as part of any extension’.
- 7.15 Given the location adjacent to Newlink Business Park, the site would fall within this criterion. Highway impact is discussed in detail later in this report, however it is considered there is adequate road capacity (subject to improvement works to roundabouts), therefore the site satisfies this criterion. As such, the site would meet the criteria if the LPA were to consider it for logistics employment allocation. The comments from the Policy Team confirm there is not an undersupply of employment land in the district and if this application is to be recommended for approval it would not be on this basis. However, the Logistics Study identifies significant demand for this type of employment land and therefore it is not considered that approving the application would prejudice the existing allocated employment sites such as Land South of Newark.

Justification

- 7.16 As noted earlier, the emerging policy wording for DM8 allows for larger scale employment within the open countryside where there is need for that location. A detailed Employment Land Statement has been submitted with the application to justify the proposal. The report includes updated figures which demonstrate continued strong demand for this type of development. The key points of the report are set out in the conclusion below:

Conclusion

- 9.22. The key conclusions of this Employment Land Statement are:
- Through the NLS, the Evidence Base identifies a significant demand for additional logistics floorspace in Nottinghamshire (c. 1,500,000 sq.m).
 - The NLS identifies a significant shortfall (c. 600,000 sq.m) in available allocated and consented sites to meet the demand and there has been limited additional supply (37,000 sq.m) consented on non-allocated land since the publication of the NLS.
 - Newark is well placed on the junction of the A1 and A46 to meet demand and is identified as one of five Areas of Opportunity in the NLS.
 - Other potential sites in Newark are already included within the existing supply, thus additional sites need to be identified in order to address the shortfall.
 - The proposal site meets all of the recommended site assessment criteria identified in the NMS and falls within the first tier of sites within the sequential approach to delivery and should be among the first tier of sites delivered.
- 9.23. Given the above, JLL consider that there is a strong case to support the allocation of the proposed extension to Newlink Business Park to deliver needed logistics floorspace and reduce the shortfall across Nottinghamshire.

- 7.17 The LPA does not dispute the conclusions above, and agrees there is a strong demand for logistics development within Nottinghamshire.
- 7.18 The revised version of the NPPF 2024 reflects this demand across the country by including support for facilitating development to meet the needs of a modern economy. Paragraph 86 specifically includes logistics development.

Sustainability

- 7.19 The NPPF explains that there are three overarching objectives within the planning system to achieve sustainable development. These are an economic objective, social objective and an environmental objective.

Economic Benefits

- 7.20 The submitted Planning Statement sets out the economic benefits of the proposal, as well as Chapter 11 of the Environmental Statement. During the construction phase it is estimated that the development would generate the following benefits:
- Support for significant numbers of jobs in the construction industry with a large proportion of the construction jobs likely to be taken up by local workforce;
 - An estimates £90 million of direct expenditure on the construction of the proposed development;
 - Wider economic benefits and through the impact on the supply chain including for example manufacturing, real estate, transport, planning and survey services;
 - Total economic output of £262.8 million
- 7.21 Once fully operational, it is estimated that approximately 1000 new jobs will be created at the site. The proposal would also indirectly support further employment through additional local income, expenditure, and local supplier purchases.
- 7.22 Although the future occupiers of the site are not confirmed, a strategic site of this nature is likely to attract large logistics providers. These types of companies often have well established employee development schemes and offer job related training opportunities. Additionally, the development would result in additional business rate income for the local authority which would have wider benefits in the District.
- 7.23 The comments from the NSDC Policy Team agree that the economic benefits to Newark and the wider District are significant enough to be potentially regarded as such material considerations, outweighing the presumption against the granting of consent. It is clear that there is significant demand for this type of development in the Newark Area, and also that

the specific requirements of large-scale logistics mean that only a small range of sites are potentially suitable.

7.24 Taking into account all of the above, the economic benefits of the proposal are considered to carry significant weight in the planning balance.

7.25 *Environmental Benefits*

7.26 An Energy and Sustainability Statement has been submitted with the application, setting out how the development has addressed sustainability issues, in accordance with the aims of Part 14 of the NPPF and Core Policy 10 – Climate Change.

7.27 Air source heat pumps, PV panels, and energy efficient LED lighting are proposed, as well as water efficiency features (such as low flow taps and dual flush toilets). These features would reduce the carbon emissions of the development and water consumption.

7.28 In addition to the above, the biodiversity net gain area of approximately 40 acres would have a positive environmental impact, increasing the biodiversity value of the site by approximately 20%.

7.29 *Social Benefits*

7.30 The development would provide jobs for local people, within the development and during construction. There is potential for the development to contribute towards reducing unemployment levels within the local area, which has social benefits for communities.

7.31 The BNG area would also provide a new area of public space that can be enjoyed for recreational purposes by local people, improving quality of life.

Summary of the Principle of Development

7.32 In summary, the location of the proposed development, outside of the defined urban area, means that allowing large scale employment development on the site would be contrary to the Development Plan (specifically DM8 – Development in the Open Countryside). It could be argued that the development accords with the policy as emerging through the amended Allocations and Development Management DPD, as justification and a need for the development in this location has been provided, and weight can be given to the amended version.

7.33 The development would result in significant economic benefits in terms of investment into the district and the creation of circa 1000 jobs. A large area of approximately 40 acres would be dedicated to biodiversity net gain, not only resulting in benefits for the environment but allowing the public to access the area, providing social benefits. These benefits combined are considered to carry significant weight in the planning balance and are likely to outweigh

the conflict identified with the Development Plan. This is subject to site specific impacts which are discussed in turn below.

7.34 Impact on Visual Amenity, Landscape, and Heritage Assets (including setting)

- 7.35 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.
- 7.36 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.
- 7.37 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.
- 7.38 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 duty in s.72 does not allow a local planning authority to treat the desirability of preserving the character and appearance of conservation areas as a mere material consideration 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.
- 7.39 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 directs that local planning authorities should pay special regard to the desirability of preserving listed buildings or their settings, or any features of special architectural or historic interest which it possesses, when considering applications that may affect them.
- 7.40 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.

Heritage Impact

- 7.41 A detailed Built Heritage Statement prepared by RPS has been submitted as part of the Environmental Statement (Appendix 9d).

- 7.42 The site has the potential to affect the setting of two conservation areas within the wider area – Coddington Conservation Area which lies immediately south of the site, and Winthorpe Conservation which is located further north. The Conservation Officer has provided comments on the proposal as follows:
- 7.43 *The Coddington Conservation Area was designated for its early medieval origins, archaeological remains, retention of predominantly 18th and 19th century buildings, and associations as part of the agrarian economy. The built form within the conservation area is primarily composed of a palette of red-orange brick, and pantiles or slates, typical of the local vernacular. The conservation area has a verdant and rural character, which includes the parkland of the former Beaconfield Hall, and Yew Tree Wood. The conservation area sits within an agricultural landscape of both arable and livestock, making a contribution to the character and appearance of the conservation area.*
- 7.44 *The illustrative masterplan shows a large landscape buffer along the southern edge of the application site to provide a transition between the industrial area and the residential land and conservation area to the south at Coddington. The presence of landscaping at this southernmost portion of the site would help to mitigate the impacts of the development, which is further assisted by the levels, which lower towards the A17 from the highest point at Beaconsfield Way, where the House and its Park once stood. The building heights and levels across the site should be better designed to allow the Beaconfield Hall site of the CA to read as the high point in the landscape. However, the siting of large bulky industrial units would result in a loss to the physical prominence of the Beaconfield Hall site within the wider landscape.*
- 7.45 *Furthermore, the principle of the proposed development would result in the loss of a large extent of the agricultural landscape which makes an important contribution to the agricultural setting and rural character of the Coddington CA. The height and massing of the buildings illustrated at 18-21m in height, and over 200m in breadth would appear distinctly at odds with the massing and scale of development within and around the Coddington CA. However, the scale of the buildings is still under review and would be designed to meet the needs of the end-user. The illustrated landscaping scheme fails to take account of the surrounding context, and the prominence of Yew Tree Wood within the landscape and its importance to defining the sylvan setting of Coddington/Beaconsfield Hall.*
- 7.46 *The impacts upon the Winthorpe CA would be lesser due to the presence of industrial units between the application site and the village and the distance of over 1.0km between the two.*
- 7.47 *The impact upon the Grade II* listed All Saints Church (Coddington) would be severely restricted by the changes to the topography and separation between the two sites, which would limit the shared experience between the two sites. The proposed palette of graduated*

materials for the buildings is supported to break up the massing and to help the buildings assimilate with their woodland setting, when viewed from the surrounding roads.

- 7.48 *Consequently, it is considered that the proposed development would result in a high level of less than substantial harm to the setting of the Coddington Conservation Area. With regard to the other heritage assets, the loss of a great extent of the historic agricultural landscape surrounding these would result in a moderate, less than substantial, harm to their setting.*
- 7.49 The appeal decision for Phase 1 accepted there would be neutral impact on the setting of both Coddington and Winthorpe Conservation Areas due to limited and no intervisibility respectively. This application would significantly increase the scale of Newlink Business Park and bring the built form closer to Coddington Conservation Area, which lies immediately south of the site. It is proposed to include a large area for biodiversity net gain which would act as a buffer between the warehouses and the conservation area. Although this would take time to establish, over time this provide visual mitigation and a clear break between the warehouses and Coddington. Because the BNG would be secured for 30 years by legal agreement, this would ensure no further development within this area.
- 7.50 The detailed design does not form part of this application due to the fact it is an outline application. As such the full visual impact cannot be assessed. However, the building that has been constructed for Phase 1, and the indicative images that have been provided, give a good indication of what the site could look like once completed.



- 7.51
- 7.52 The impact on the setting of the Winthorpe Conservation area is considered similar to Phase 1, due to the separation distance and limited intervisibility. The following view point is included in the Built Heritage Statement demonstrating this.



7.53 **Plate 6: View from Winthorpe Conservation Area towards the Site**

7.54 However, the conservation officer has raised concern that the development would result in a high level of *less than substantial harm* to the setting of the Coddington Conservation area, from which there would be views of the development. With regard to the other heritage assets, the loss of a great extent of the historic agricultural landscape surrounding these would result in a moderate, less than substantial, harm to their setting. The following views are provided in the Built Heritage Statement:



7.55 **Plate 9: View from All Saints Coddington looking towards the Site**



Plate 10: Yew tree woods walking north towards Site

7.56

7.57 Officers are in agreement with the conservation comments – that there would be less than substantial harm to the setting of the Coddington Conservation Area. Nevertheless, officers are also mindful that the area of Coddington CA most affected by the proposals is largely associated with former parkland to Coddington Hall which has long since been demolished. The Conservation Team have identified this harm as being at a higher level of less than substantial harm. Nuance should be given to these assumptions given a) that the final design detailing has not yet been proposed and b) that this part of the CA was included as an extension as setting to the historic core. According to the published 2002 Appraisal, changes were proposed to include additional land to the north and west of Coddington due to their interest as former parkland landscape and wildlife contribution, but fundamentally as “setting for the conservation area” (paragraph 12.2). In light of the significance of this part of the CA being derived from parkland value to a hall now demolished and otherwise fragmented by extensive modern housing development to the west, officers feel that the harm should be given context in the balancing exercise that now follows. In essence, officers do not feel that the harm identified is at the upper end of less than substantial, but rather below this (albeit still a higher value than simply modest or medium impact).

7.58 In accordance with the NPPF, the harm should be weighed against the public benefits of the scheme. As noted in the principle of development, there are significant economic benefits to the scheme, largely job creation, as well as environmental and social benefits.

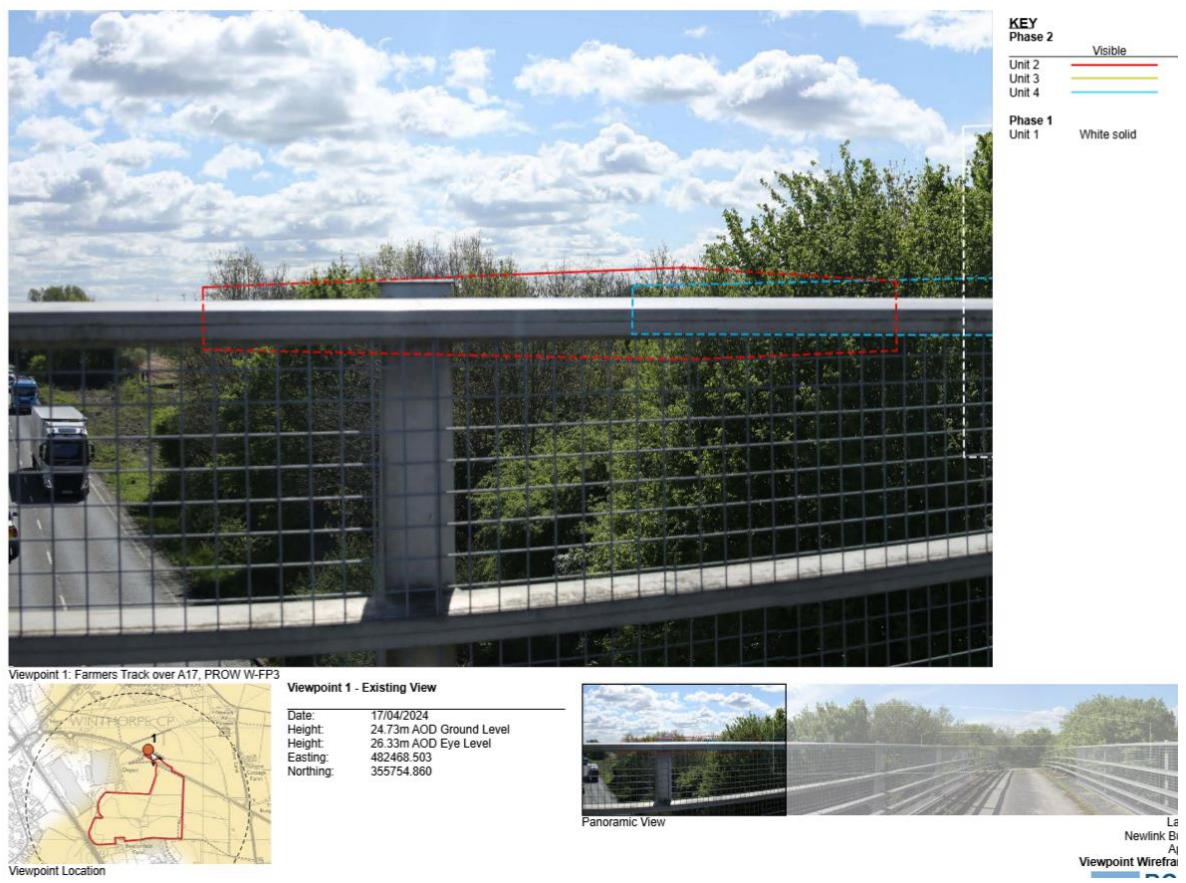
7.59 Considering the level of harm would be less than substantial (albeit a higher level of less than substantial harm, but not at the upper end), it is considered that the public benefits of the proposal would be significant, and therefore would outweigh the harm identified. The same conclusion as Phase 1 is drawn in regard to Winthorpe Conservation Area and its setting– that the development would have a neutral impact due to no intervisibility.

7.60 In relation to the setting of listed buildings, the Built Heritage Statement confirms there would be no intervisibility between the site and either the Church of All Saints Coddington

(Grade II* listed) or the Church of All Saints Winthorpe (Grade II listed) and therefore it is agreed there would be no harm to their setting or significance.

7.61 Landscape Impact

7.62 Given the significant scale of the development, an LVIA has been submitted as part of the Environmental Statement, carried out by BCA Design. Chapter 5 of the Environmental Statement and the LVIA documents cover landscape impact. Some of the key viewpoints are shown below, with the outline of the proposed development shown in the coloured lines – dashed indicates the building would be hidden and a solid line would be the visible part of the development.



7.63



KEY	
Phase 2	
	Visible
Unit 2	—
Unit 3	—
Unit 4	—
Phase 1	
Unit 1	White solid

Viewpoint 2: Public Footpath, eastern site boundary, PROW C-FP5



Viewpoint 2 - Proposed View

Date: 17/04/2024
 Height: 18.44m AOD Ground Level
 Height: 20.04m AOD Eye Level
 Easting: 482809.698
 Northing: 355399.188



Panoramic View

Land
 Newlink Bus
 App
Viewpoint Wireframe

7.64



KEY	
Phase 2	
	Visible
Unit 2	—
Unit 3	—
Unit 4	—
Phase 1	
Unit 1	White solid

Viewpoint 3: Public Footpath, Overfield Park, PROW W-FP3



Viewpoint 3 - Proposed View

Date: 17/04/2024
 Height: 16.29m AOD Ground Level
 Height: 17.89m AOD Eye Level
 Easting: 482240
 Northing: 356044



Panoramic View

Land
 Newlink Bus
 App
Viewpoint Wireframe

7.65



KEY	
Phase 2	
Unit 2	Visible
Unit 3	Visible
Unit 4	Visible
Phase 1	
Unit 1	White solid

Viewpoint 4: Public Footpath east of Winthorpe C.A., PROW W-FP2

Viewpoint 4 - Proposed View



Date: 17/04/2024
 Height: 17.28m AOD Ground Level
 Height: 18.88m AOD Eye Level
 Easting: 481670.608
 Northing: 356191.955

Viewpoint Location

Land
 Newlink Busir
 Apple
 Viewpoint Wireframe

7.66



KEY	
Phase 2	
Unit 2	Visible
Unit 3	Visible
Unit 4	Visible
Phase 1	
Unit 1	White solid

Viewpoint 6: Farmers track off Drove Lane, Highway / Museum

Viewpoint 6 - Proposed View



Date: 17/04/2024
 Height: 17.57m AOD Ground Level
 Height: 19.17m AOD Eye Level
 Easting: 483290.978
 Northing: 355950.323

Viewpoint Location



Land
 Newlink Busir
 Apple
 Viewpoint Wireframe

7.67

- 7.68 Appendix 5H sets out the landscape mitigation proposals and shows sections with trees at a height of 10m, 15 years after planting. It is acknowledged that the mitigation would therefore increase overtime and lessen the visual impact of the development, but would not have a significant impact in screening the proposal early on. Notwithstanding the fact the development will clearly have an impact on the landscape as the site is currently undeveloped land, it is noted that the development would be seen from many viewpoints within the context of the adjacent and nearby commercial buildings (the existing Newlink Business Park and commercial buildings to the north of the A17). It is also acknowledged that the landscape condition here is defined in the Council's SPD as 'moderate' and landscape sensitivity is also described as moderate. The policy is to conserve and create. The planting of the proposed BNG area, and the retention of woodland would contribute to this aim.
- 7.69 The LVIA has been independently reviewed by a Landscape Consultant. Initially, a few concerns were raised with the methodology that had been used to undertake the assessment, and it was noted that some potentially key views had not been included or assessed. Further information was also requested regarding the methodology used to justify the Zone of Theoretical Visibility (ZTV).
- 7.70 This was discussed with the Landscape Consultant at BCA Design and supplementary commentary and further viewpoint assessments were submitted. The Landscape Consultant has reviewed the additional information and has provided comments (received 21st November 2025). The comments are summarised below (full comments are available online):
- 7.71 Following NSDC's initial review on the 29th October 2025, seven material methodological gaps were identified in the LVIA. The applicant has now submitted an LVIA Addendum (RP06) which provides further information, assessment, and clarity on the points raised. The LVIA, taken together with RP06, is now broadly GLVIA3- compliant and consistent with the methodology set out in Appendix 5A. The LVIA now provides a robust and defensible evidence base on which the LPA can rely in determining the application and in any subsequent appeal.
- 7.72 The LVIA (with addendum) indicates:
- Significant landscape and visual effects (Moderate/Major) focussed on the application site itself, immediate field pattern and nearby public rights of way (notably VPs 2, 7 and 10), reducing over time as planting establishes;
 - Moderate or lesser effects on more distant receptors including the River Meadowlands and townscape to the west, where new structures read within an existing belt of commercial and logistics development;

- Negligible—minor neutral or adverse effects on residential receptors at Gainsborough Road (Winthorpe) and Beaconsfield Drive (Coddington), confirmed by the new representative viewpoints E and F;

- No significant cumulative effects beyond those already associated with the evolving logistics belt to the north-east of Newark, given the relatively flat landform and the screening effect of existing and proposed green infrastructure. These findings are coherent with the Phase 1 evidence base and the strategic role of this location in meeting identified regional logistics need.

7.73 Significant visual effects occur only in the immediate local context The LVIA (and the Addendum) confirm that the only “significant” (EIA-significant) visual effects arise at:

- VP2 – Public Footpath C-FP5 (eastern site boundary)
- VP7 – Coddington PROW C-FP4
- VP10 – Beaconsfield Farm Track (C-FP5) These locations experience Moderate–Major or Major effects at Year 1, reducing materially by Year 15 as planting matures. These are public rights of way directly adjacent to the development footprint, so significant effects are expected and unavoidable.

The newly introduced residential viewpoints—

- VP E – Gainsborough Road, Winthorpe, and
- VP F – Beaconsfield Drive, Coddington —both conclude negligible or minor effects, and are explicitly assessed as not significant in EIA terms. This aligns with the photographs, wireframes, existing vegetation, and the low visibility envelopes shown in the ZTV and augmented ZTV.

No significant effects on the wider settlement or landscape context Outside the rights-of-way immediately bordering the site:

- Coddington: no direct significant views
- Winthorpe: no significant visibility from residential streets or the Conservation Area
- Beacon Hill / Danethorpe ridge lines: intermittent long-distance filtered views only— none significant
- River Meadowlands to the west: development reads within the existing industrial/logistics cluster

7.74 The LVIA Addendum makes clear that significant effects are highly localised to the edge of the site and fall away quickly with distance and screening. The visual impact of Phase 2 is judged to be acceptable in planning terms, because:

1. Significant effects are limited to very localised public footpaths immediately adjoining the site.
2. No residential receptors, settlements, or heritage viewpoints experience significant visual effects.
3. The scale and type of effects are materially the same as those already tested through the appeal of the adjoining development.
4. Embedded landscape mitigation will intentionally reduce medium–long term visual harm.
5. The LVIA is now methodologically sound (post-addendum) and the conclusions are defensible.
6. The remaining harm is not unusual or unacceptable for a logistics extension of this scale in this landscape character type.

7.75 Therefore, in EIA significance terms some visual harm exists, but it is not considered unacceptable when weighed against the planning context set by Phase 1 and earlier development and the long-term mitigation strategy.

7.76 Officers concur with the comments from the Landscape Consultant and the assessment of the LVIA. In summary, the significant visual impacts are limited to local impact, which would reduce over time from the proposed mitigation. Although the localised impact would be ‘significant’, this needs to be weighed in the overall planning balance. The comments from the Landscape Consultant conclude that given the context of the site, including the ‘Phase 1’ development, and the landscape character type, the visual impact is acceptable. Conditions have been recommended in relation to landscaping however given that landscaping is a reserved matter, these conditions have not been included. In addition, a large proportion of the landscaping which would provide mitigation is secured through the mandatory BNG requirement. Overall, it is considered the visual impact on the landscape would, on balance, be acceptable.

7.77 **Loss of Agricultural Land**

7.78 Policy DM8 states that ‘proposals resulting in the loss of the most versatile areas of agricultural land, will be required to demonstrate a sequential approach to site selection and demonstrate environmental or community benefits that outweigh the land loss’. Paragraph 187 of the NPPF states that ‘Planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty

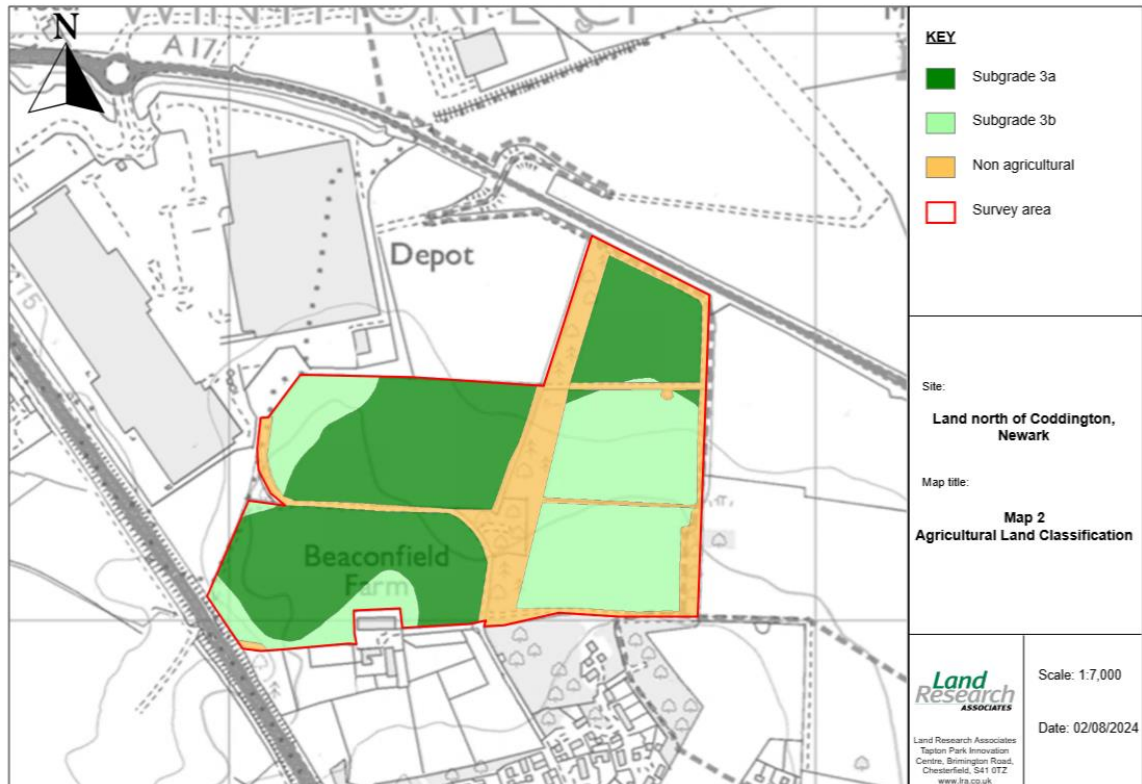
of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.’

- 7.79 Government guidance defines ‘Best and most versatile agricultural land as being land in Grades 1, 2 and 3a of the Agricultural Land Classification’ and the footnote to paragraph 188 of the NPPF requires that where significant development is demonstrated to be necessary, areas of poorer quality land should be preferred to those of higher quality. Soil testing is required to determine the quality of the agricultural land that would be lost as a result of the proposed development.
- 7.80 An Agricultural Land Quality Report forms part of the submitted Environmental Statement (appendix 10). The land grades on site are set out in the table below:

Table 1: Areas occupied by the different land grades (ha)

<i>Grade/subgrade</i>	<i>Area (ha)</i>	<i>% of the land</i>
Subgrade 3a	18.1	48
Subgrade 3b	12.6	34
Non agricultural	6.7	18
Total	37.4	100

- 7.81
- 7.82 The report summarises that the site comprises slowly permeable soils and deep permeable loams. The land is a mixture of subgrade 3a and 3b agricultural quality, determined by wetness, droughtiness, and/or stoniness.
- 7.83 48% of the site is classed as 3a, and therefore would fall within ‘best and most versatile’. The loss of this land weighs negatively in the planning balance, however it is noted that Natural England have been consulted and have not objected to the application. In assessing against DM8, environmental or community benefits that outweigh the land loss would need to be demonstrated. In this instance there is the economic benefit discussed earlier on, which could be considered a wider community benefit as local employment would be provided. In addition, the BNG area would be open to the public, and would provide above the mandatory 10% net gain (approximately 20% net gain). This is an environmental and community benefit that would weigh in favour of the development. It is also noted that the land classed as 3a is within smaller sections of land that are separate and therefore it would be difficult to only utilise the lower grade areas (see map below).



7.84

7.85 With the above in mind, it is not considered that the loss of BMV agricultural land would be a reason to refuse the application.

7.86 **Impact on Residential Amenity**

7.87 Policy DM5 and Part 12 of the NPPF seek to ensure that development does not result in unacceptable impacts on residential amenity for neighbouring occupiers through overbearing impact, loss of light, loss of privacy or noise impacts.

7.88 The majority of dwellings within Coddington are a minimum distance of 260m from the site boundary, however the closest dwelling is approximately 48m from the site (3 Beaconsfield Drive). As noted within the visual amenity section, 40 acres of land within the south of the site will be landscaped for biodiversity net gain purposes. This will ensure separation is maintained between the warehouses and any dwellings within the village, which would avoid any issues in relation to overbearing impact, loss of light or loss of privacy, as well as provide mitigation against noise impacts. The layout has been designed to position the car park and service areas to the north of the warehouses, which would limit activity, noise and light pollution to the south, as the warehouses would provide additional mitigation from external noise.



7.89

7.90 A noise impact assessment has been carried out by Tetra Tech Limited and submitted as part of the Environmental Statement (Appendix 8). In summary, the results of the assessment predict that noise associated with the proposed development would result in low impact at the closest existing sensitive receptors with the implementation of the outlined intrinsic mitigation.

7.91 The Environmental Health Officer has reviewed the Noise Assessment and raised no objections subject to a condition requiring a construction environment management plan (CEMP) to ensure best practicable means are employed to minimise noise during construction, as well as a condition requiring details of the scheme for fixed plant and equipment.

7.92 In relation to lighting, the Environmental Health Officer has commented that according to the external lighting assessment, proposed external lighting scheme for this development will meet relevant guideline criteria in respect of obtrusive lighting levels. Details of any lighting would be assessed at reserved matters stage, therefore a condition can be included to require details of external lighting for any phase.

7.93 An Air Quality Assessment has also been submitted with the application. In summary, the report concludes that with appropriate mitigation, the risk of adverse effects due to dust emissions during construction will not be significant; impact from traffic as a result of the development would not be significant; and the impact in relation to NO_x exposure is considered to be negligible.

7.94 Further to the above, subject to conditions, it is not considered there would be any unacceptable impacts on amenity for nearby residents.

7.95 **Impact on Highways**

- 7.96 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.
- 7.97 Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.
- 7.98 The development is proposed to be accessed via the newly constructed roundabout on the A17 which has been approved and constructed in accordance with the Phase 1 permissions. NCC Highways have been in discussions with the developers throughout the application process. Additional information was requested, including drawings to show improvement works to the new roundabout (Tritax roundabout) and Long Hollow Way roundabout , due to concerns with capacity. Drawings and a written response to the Highways comments were received and the Highways officer has reviewed the details and provided the following comments:
- TN14 demonstrates that the addition of traffic from the proposed development does not represent a severe impact on capacity at the A46/A17 roundabout. The further information supplied directly to us has not been modelled correctly and are therefore not representative of the junction. It is considered that correcting this would highlight issues, but it is now considered that the mitigation necessary would not be proportionate to the development in consideration of the additional traffic generated here. The applicant has however, demonstrated the need to provide mitigation on the A17 corridor where the majority of their impact is and the proposed highway mitigation indicatively shown on the above two drawings is acceptable.
 - We have received comments on the Travel Plan submitted. The Travel Plan relies on the shuttle bus service related to the adjacent site 20/01452/OUTM. It is considered that the requirement to provide a shuttle bus service is also applicable to this development and as such we have provided clarity within the requested condition. In consideration of this information and our previous observations dated 5th August 2025, the Highway Authority have no objections subject to the following S106 obligation and conditions.
- 7.99 Although it is noted that some of the further information has not been modelled correctly, it should be reiterated that it has not been requested by NCC Highways for this to be amended, and it is accepted that the impact would not be severe. NCC Highways are satisfied with the information and proposed mitigation measures (the improvement works to 2 roundabouts), that subject to conditions and the S106 to secure Travel Plan monitoring fees,

that the development would not result in an unacceptable impact on highways safety, or the capacity of the highway network. All of the conditions that have been requested are included at the end of this report.

7.100 As such, the development would be in accordance with SP7, DM5 and paragraph 116 of the NPPF, and therefore highway related impact is not considered a reason to refuse the application.

7.101 **Impact on Rights of Way, Sustainable Travel, and Connectivity**

7.102 Paragraph 117 of the NPPF states that development should:

(a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;

(b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport; and

(c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards.

7.103 It is noted that Active Travel requested further information and further detail about the proposed development, and that the Ramblers and NCC Rights of Way have objected to the application (on ground of insufficient information).

7.104 Footpaths and sustainable connections/transport to the site have been the subject of discussions throughout the application process, and the developer has worked with adjacent land owners to try and secure land to provide a connection to Coddington to the south. A proposed route has been secured to install a 3m wide footpath and cycle way as shown on the below plan (site is to the north, Coddington to the south):



7.105

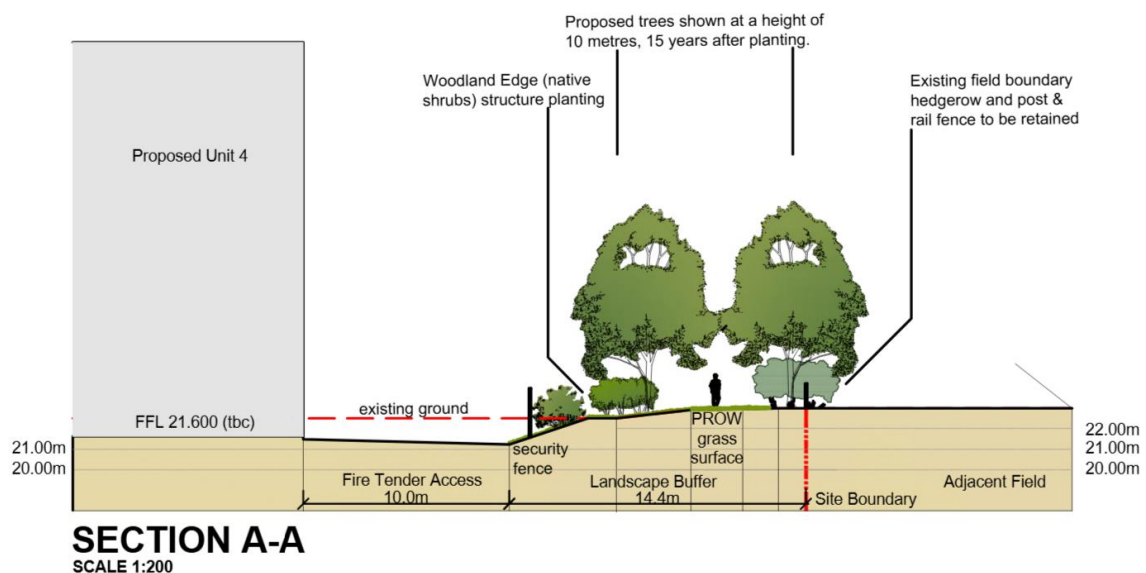
7.106 This proposed route is welcomed and would provide a sustainable route to the development from Coddington (as well as to the BNG area), to allow employees to walk or cycle to work. As the footpath lies outside of the site boundary, it is proposed to secure its implementation via Grampian condition (a condition worded in a negative form – i.e. prohibiting development authorised by the planning permission or other aspects linked to the planning permission such as the occupation of premises, until a specified action has been taken). A condition requiring details of cycle storage can also be included to ensure suitable storage on site.

7.107 The comments from the Ramblers Association raise concern that an application for a new footpath has not been acknowledged within this application. The application referred to is DMMO No. 1243, submitted by Coddington Parish Council, that seeks to add a Footpath from Beacon Hill Park, via the A1 underpass to the application site. Upon searching for the application, although submitted in 2020, it appears from the County Council website that the status is 'awaiting validation'. There is no further information readily available to indicate if this route will be implemented in future, however the revised Illustrative Landscape Masterplan (Rev 02) includes a link to the A1 underpass (extract shown below), which would allow an access point to the site if required. This is not required to make the development acceptable, as the implementation of the new route is outside of the developer's control, however the inclusion of the link on the masterplan is welcomed.



7.108

7.109 The comments from the Rights of Way team raise concerns regarding the existing footpath (4A) which runs alongside the east of the site to the north. The proposal would not directly impact this footpath however there would be visual impacts for users. The following section drawing illustrates the relationship between the development and the footpath (existing PROW between the trees). The trees would provide some screening and although the outlook would be altered, it is not considered that the change in outlook would result in significant adverse impacts. Queries have been raised with regard to the management of the trees – these would be part of the landscaping scheme and a condition requiring a management plan is included in the recommended conditions list.



7.110

7.111 Another concern was raised regarding safety of pedestrians accessing the existing public footpath route which runs across the new Tritax roundabout to the north of the site. A condition is attached to the Phase 1 development stating, 'The development will require the

diversion of existing public rights of way and no part of the development hereby permitted or any temporary works or structures shall obstruct the public right of way until approval has been secured and the diversion has been constructed in accordance with a detailed design and specification first submitted to and approved in writing by the Local Planning Authority.' As such, any requirement for the diversion is covered by the Phase 1 approval and it is not necessary to duplicate it on this application. In any case the diversion would be subject to a separate legal process. This issue has however been raised with the agent and they have confirmed that there is no requirement to divert any public rights of way.

7.112 In terms of public transport, bus stops, bus routes and free shuttle buses, NCC Highways has recommended a condition requiring the submission of a revised Framework Travel Plan to ensure the inclusion of a shuttle bus to connect the travel hubs in Newark (e.g. train stations and main bus stops). The Travel Plan would be monitored and reviewed and a full travel plan would be required for each phase of the development. The condition is considered sufficient to address the concerns raised by Active Travel, and therefore is included at the end of this report.

7.113 **Impact on Trees**

7.114 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. Policy DM5 of the DPD states that natural features of importance within or adjacent to development sites should, wherever possible, be protected and enhanced.

7.115 The submitted tree survey provides a reasonable assessment of the existing tree stock. It notes that the trees are generally of lower value with the occasional moderate value tree. To facilitate the development, the removal of four category 'C' trees (T22, T23, T24, T29), one hedge (H4) and partial removal of two tree groups (G13, G17) will be required. Overall, the tree removals will have some negative visual impact, caused by the fragmentation of the small woodland areas. However, the development retains all the higher-value trees, helping to maintain the arboricultural and landscape character of the site.

7.116 A few small mistakes in the Arboricultural Method Statement report have been noted by the Tree Consultant. It has been advised that an updated version of the AMS is provided – this can be secured by condition.

7.117 The Tree Consultant has also recommended a condition to secure the implementation and confirmation of Tree Protection Measures prior to the commencement of any development or site works. A suitably worded condition has been included in the conditions list at the end of this report.

7.118 In summary, although some trees would be lost to facilitate the development, it is acknowledged that this will be mitigated through additional tree planting and the large biodiversity net gain area in the south of the site (providing an approximate 20% net gain). Given the low-moderate value of the trees, their loss is not a reason to refuse the application and the impact on trees overall is considered acceptable.

7.119 **Impact on Ecology**

7.120 DM5 states where it is apparent that a site may provide a habitat for protected species, development proposals should be supported by an up-to date ecological assessment. Significantly harmful ecological impacts should be avoided through the design, layout and detailing of the development, with mitigation, and as a last resort, compensation (including off-site measures), provided where significant impacts cannot be avoided.

7.121 Chapter 6 of the Environmental Statement covers ecology.

7.122 The Ecology Officer has provided informal comments during the lifetime of the application and is generally accepting of the information submitted to date. One missing report was noted (Phase 2 Winter Bird Report) that was mentioned in the ES but not submitted. The report has now been submitted along with an Addendum to Chapter 6 dated September 2025. The addendum summarises that due to the loss of arable land that cannot be mitigated for within the proposed development, moderate adverse effects at the local are anticipated for skylark. Positive effects on generalist bird species are anticipated in the medium and long-term as a result of the retention of the majority of woodland, scrub and hedgerows along with the significant area of proposed new habitat creation and the appropriate management of the on-site green infrastructure. With the habitat mitigation, once established, the impacts would be negligible at the local level. With this in mind the impact on birds, on balance, would be acceptable.

7.123 The Ecology Officer also noted that Barbastelle bats were recorded as part of the bat surveys. This is a habitats directive Annex II species. It is the Ecology Officer's view that the evaluation for this species has not taken enough care to research the local status of this species and in has been undervalued. However, the mitigation that will be required is already being proposed as this will likely be concerned with lighting impacts which can be controlled via planning conditions. A condition requiring details of external lighting has been included in the list at the end of the report.

7.124 No other concerns were raised with the submitted information, and it is considered that on balance, subject to habitat mitigation, the impact on ecology and protected species would be acceptable and there would be no significant impacts.

7.125 **Contamination**

7.126 The comments from the Environmental Health Officer are noted and the full phased contamination condition has been included. Subject to compliance with the condition, it is considered that the development would be acceptable in this respect.

7.127 **Archaeology**

7.128 Policy DM9 states development proposals should take account of their effect on sites and their settings with the potential for archaeological interest. Where proposals are likely to affect known important sites, sites of significant archaeological potential, or those that become known through the development process, will be required to submit an appropriate desk based assessment and, where necessary, a field evaluation. This will then be used to inform a range of archaeological mitigation measures, if required, for preservation by record and more occasionally preservation in situ.

7.129 Trench trials have been carried out on site. Comments from the Historic Environment Officer confirm that the trench trials have uncovered an area of archaeological significance on site. A condition has been recommended which is included in the list at the end of this report to require an Archaeological Mitigation Strategy. Subject to the condition, it is not considered there would be a significant or unacceptable impact on archaeology.

7.130 **Flood Risk and Drainage**

7.131 Policy DM5 and Core Policy 9 require that proposals pro-actively manage surface water and Core Policy 10 seeks to mitigate the impacts of climate change through ensuring that new development proposals taking into account the need to reduce the causes and impacts of climate change and flood risk. The site is within Flood Zone 1 according to the Environment Agency maps and is therefore at a low risk of flooding from rivers. The site is also outside of area at high risk of surface water flooding.

7.132 Conditions have been attached to require drainage details prior to each phase of development, as requested by the Environment Agency and the LLFA. Given the large scale of development proposed the conditions are considered to meet the tests of the NPPF and have been included at the end of this report. Subject to adequate drainage strategies being implemented in accordance with approved details, it is not considered the development would result in any increase in flood risk or drainage issues within the area.

7.133 **S106 and Developer Contributions**

7.134 Comments from NCC Highways request £15,000 for the monitoring of the Travel Plan. This is to be secured through a S106. Monitoring fees for the BNG will also be secured via the S106 agreement.

7.135 **Community Infrastructure Levy (CIL)** – Not applicable for this type of development.

7.5 Biodiversity Net Gain

7.6 In England, BNG became mandatory (under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021)) from February 2024. BNG is an approach to development which makes sure a development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development. This legislation sets out that developers must deliver a minimum BNG of 10% - this means a development will result in more, or better quality, natural habitat than there was before development.

7.7 The application includes an area covering approximately 40 acres within the southern part of the site that will be dedicated to biodiversity net gain. Based on the submitted information it is anticipated that the development will provide a net gain of approximately 20%, therefore there are no concerns that the mandatory 10% is achievable on site. Monitoring fees for the BNG will require securing via a legal agreement.

8.0 Implications

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

8.2 Legal Implications – LEG2526/4219

8.3 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 proposal is for outline permission for development of agricultural land to B8 storage and distribution with ancillary offices, associated car parking and landscaping. The site is close to, but outside of the defined urban boundary of Newark, within the open countryside. For this reason the development is contrary to the Development Plan (DM8) and this is the reason the application is being determined by the Planning Committee. In addition, it should be noted that following a screening opinion, the development is considered to be EIA development.

9.2 In accordance with the NPPF, proposals should be determined in accordance with an up-to-date Development Plan unless material considerations indicate otherwise. There is a clear

drive from National Government for the development of large logistics sites, in a bid to support and improve the UK economy (Part 6 of the NPPF). Likewise, local studies demonstrate significant demand for development of this type and scale, with the Nottinghamshire Core & Outer HMA Logistics Study identifying the Newark area (around the A46 and A1) as an 'area of opportunity'.

- 9.3 The proposed development would be an expansion of 'Phase 1' of Newlink Business Park' and the site is well connected to the major highway network. The development would bring about significant economic benefits including approximately 1000 jobs, as well as jobs throughout the construction phase, and significant investments into the district. The site includes a biodiversity net gain area of approximately 40 acres, which would be open to the public and would provide some visual mitigation and separation between Coddington and the development.
- 9.4 Due to the significant scale of the proposal (up to 90,500sqm), there would be harmful impacts on the landscape, the setting of Coddington Conservation Area, and loss of best and versatile agricultural land. Further to the independent assessment of the LVIA, it is considered that the significant visual impact would be limited to a localised impact, which would be reduced over time.
- 9.5 In considering the planning balance, the public benefits of the scheme including significant job creation (estimated 1000 jobs, not inclusive of the jobs during construction) and significant investment into the district, weigh heavily in favour of the development. It is acknowledged that the location is not within the urban boundary, however given the close proximity to it, and the connections to the wider road network, the location is not considered unsustainable. It is acknowledged there would be harm as a result of the development, however on balance, the significant benefits are considered to outweigh the harm identified. Therefore, in this instance it is considered there are material considerations that justify approving the development despite conflict with the Development Plan.
- 9.6 For the above reasons, it is recommended that planning permission is granted, subject to conditions and a S106 agreement to secure monitoring fees for the Travel Plan and biodiversity net gain.

10.0 Conditions

01 Time Limit

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 Approved Plans

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

- Site Location Plan (Ref. 16233-SGP-XX-ZZ-DR-A-131000 Rev. P01);
- Proposed Parameters Plan (Ref. 16233-SGP-XX-ZZ-DR-A-101011 Rev. P02).

Reason: To ensure the development comes forwards as envisaged.

03 Reserved Matters

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

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

04 Phasing Plan

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 phasing plan shall set out the extent of each proposed phase and detail the timing and delivery of key supporting infrastructure including the estate road, the sustainable urban drainage system, on-site landscaping and footpath/cycleway connections. 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

05 CEMP

No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan for biodiversity (CEMP: Biodiversity) has been

submitted to and been approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.
- i) An annotated plan providing a summary of the elements covered by items b), c), d), e) and h).

The approved CEMP (Biodiversity) 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 safeguard protected species as required by the National Planning Policy Framework, ADMDPD Policy DM5 and Core Strategy Policy 12.

06 Construction Method Statement

No development shall take place on any phase or sub phase until a Construction Method Statement (CMS) has been submitted to and has been approved in writing by the Local Planning Authority including a works programme. For each part of the works programme (i.e., site clearance, foundations, structures, roofing, plumbing, electrics, carpentry, plastering, etc.) the CMS shall include:

- a quantitative assessment of site operatives and visitors,
- a quantitative assessment of the size and number of daily deliveries,
- a quantitative assessment of the size, number, and type of plant,
- a plan identifying any temporary access arrangements,
- a plan of parking for site operatives and visitors,
- a plan of loading and unloading areas for vans, lorries, and plant,
- a plan of areas for the siting and storage of plant, materials, and waste,
- the surface treatment of temporary access, parking and loading and unloading areas, and
- wheel and vehicle body washing facilities;
- provision of road sweeping facilities;

The first action on commencement of development, and prior to any further action (including site clearance, site stripping or site establishment) shall be the formation of; any temporary access arrangements; parking areas; and loading, unloading, and storage areas in accordance with the approved CMS and thereafter any temporary access, parking, load and unloading, and storage areas shall be set out and utilised in accordance with the approved CMS and programme. The designated parking, loading, and unloading, and storage areas shall be used for no other purpose during the respective part of the programme.

Reason: To minimise the impact of the development on the public highway during construction in the interest of highway safety.

07 Contamination

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 until Parts A to D of this condition have been complied with in relation to that 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. (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.

08 Environment Agency

The development hereby permitted shall not be commenced until such time as a scheme to treat and remove suspended solids from surface water run-off during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason: The Humber river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. The proposal could

lead to a deterioration in biological quality and prevent the improvement of The Fleet because it may cause rising trends in pollutants, specifically suspended solids in the water body that would impact on the biological quality preventing the waterbody from improving from its current Bad Ecological Status.

09 Surface water drainage scheme

No part of the development hereby approved shall commence for any phase or sub phase until a detailed surface water drainage scheme based on the principles set out in the Flood Risk Assessment & Drainage Strategy Report (Document Ref. LP434-NBP-LE_GEN-XX-RP-E-FRA01, dated October 2024), has been submitted for that phase 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.
 - No surcharge shown in a 1 in 1 year.
 - No flooding shown in a 1 in 30 year.
 - For all exceedance to be contained within the site boundary without flooding properties in a 100 year plus 40% storm.
- Evidence to demonstrate the viability (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.

10 Archaeology

No development shall take place within the Proposed Mitigation Area shown on Figure 10 of the 'Trial Trench Evaluation and Strip, Map and Sample' report (Oxford Archaeology, October 2024) until an Archaeological Mitigation Strategy (including a Written Scheme of Investigation for any archaeological fieldwork proposed) has been submitted to and approved in writing by the Local Planning Authority. This should detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation. The development, and any archaeological fieldwork, post-excavation analysis, publication of results and archive deposition detailed in the approved documents, shall be undertaken in accordance with the approved Archaeological Mitigation Strategy.

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

11 Arboricultural Method Statement

No works within any 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 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.

12 Framework Travel Plan

Prior to the submission of any reserved matters applications, a revised Framework Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Framework Travel Plan shall set out the overarching strategy, objectives, targets, and mechanisms for securing sustainable travel across the development and also include the following:

Details of a daily or more frequent return shuttle bus service to connect the development and travel hubs such as Newark's train stations and the main bus stops within Newark shall be submitted. This bus service shall be operational upon practical completion of the unit(s) and reviewed after at least three months, six months and after twelve months, and thereafter every twelve months and maintained for a period for a minimum period of 10 years from the commencement of the use unless, either a commercial bus service passing within 400 metres of the site comes into operation, or the bus service is proven to be no longer viable. If a commercial service does come into operation, or the bus service is shown to be no longer viable, then the applicant shall seek the written approval of the Local Planning Authority that the service is no longer required.

Subsequently, a Full Travel Plan for each phase or plot of the development shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of that phase or plot. Each Full Travel Plan shall accord with the approved Framework Travel Plan and include site-specific measures, targets, monitoring arrangements, and details of implementation.

All Travel Plans shall be implemented in full, monitored, and reviewed in accordance with the approved details.

Reason: In the interests of sustainable development.

13 Bus Shelters

Prior to occupation of any reserved matters phase or subphase, covered and lit bus shelters shall be provided at the bus stops.

Reason: In the interests of encouraging sustainable travel.

14 Internal roads

Before development commences on a particular phase, details of the new roads, bus turning facilities, and pedestrian and cycle facilities for that phase, including links to the adjacent development approved under 20/01452/OUTM, shall be submitted and approved by the local planning authority including layout, street lighting, drainage and outfall proposals, and any proposed structural works. The new roads and pedestrian and cycle facilities for that phase shall be implemented in accordance with the approved details, prior to first occupation of the relevant phase.

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

15 Securing Onsite Biodiversity Net Gain

A. Any phase biodiversity gain plan shall be in accordance with the Overall Biodiversity Gain Plan approved for the purposes of paragraph 13 of Schedule 7A of the Town and Country Planning Act or such revised version of the overall gain plan submitted to and been approved in writing by the local planning authority.

B. No phase of development shall commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Phase Biodiversity Gain Plan for that phase has been submitted to and been approved in writing by the local planning authority and including:

- (a) A non-technical summary;
- (b) The roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (c) The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Phase Biodiversity Gain Plan for that phase;
- (d) The management measures to maintain habitats in accordance with the approved Phase Biodiversity Gain Plan for that phase for a period of 30 years from the completion of development; and
- (e) The monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

C. Notice in writing shall be given to the Council when approved works for any phase have started.

D. No operational use of that phase shall take place until:

- a) The habitat creation and enhancement works set out in the approved HMMP for that phase have been completed; and
- b) A completion report, evidencing the completed habitat enhancements for that phase, has been submitted to, and been approved in writing by the Local Planning Authority.

E. The created and/or enhanced habitat specified in the approved HMMP for that phase shall be managed and maintained in accordance with the approved HMMP for that phase.

F. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP for that phase.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act and to ensure compliance with the NPPF in relation to biodiversity matters and compliance with Amended Core Strategy Core Policy 12 Biodiversity and Green Infrastructure.

16 Time Limit On Supporting Ecology Assessment

If any phase of development hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within 2 years from the date of the planning consent, further update ecological surveys shall be undertaken to:

- a) Establish if there have been any changes in the presence and/or likely absence of protected and notable species; and
- b) 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 be approved in writing by the local planning authority prior to the commencement of that phase of development.

Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reasons: To ensure compliance with the NPPF in relation to biodiversity matters and compliance with Amended Core Strategy Core Policy 12 Biodiversity and Green Infrastructure.

17 Sustainability Measures

Each application for reserved matters for any building phase shall include details of sustainability measures and environmentally sustainable features proposed to be incorporated into the design of the phase both during its construction and operation, which builds upon the aims of the submitted Energy and Sustainability Statement (dated 03/12/2024) prepared by Cudd Bentley.

Reason: In the interest of tackling climate change and securing a sustainable development.

18 Detailed Lighting Scheme

Each application for reserved matters for any phase or sub-phase shall be accompanied by the submission of a Lighting Design Strategy for Biodiversity (excluding highway street lights) for that phase or sub-phase. The strategy shall:

- a) Identify those areas/features on site where artificial lighting is likely to affect light sensitive species like bats, birds and invertebrates, and 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
- b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans 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 strategy, and which have been approved in writing by the local planning authority. These shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reasons: To ensure compliance with the NPPF in relation to biodiversity matters and compliance with Amended Core Strategy Core Policy 12 Biodiversity and Green Infrastructure.

19 Tritax Roundabout Improvements

No part of any phase of the development shall be occupied/brought into use until the amendments to the Tritax Park roundabout as indicatively shown on Drawing Number 7146-011 have been implemented.

Reason: In the interests of highway capacity and safety.

20 Long Hollow Way Roundabout Improvements

No part of any phase of the development shall be occupied/brought into use until the amendments to the Long Hollow Way roundabout as indicatively shown on Drawing Number 17146-011 have been implemented.

Reason: In the interests of highway capacity and safety.

21 Footpath and Cycle Path

No part of any phase of the development shall be occupied/brought into use until the footpath/cycleway shown indicatively on the Proposed Footpath/Cycleway Plan (Drawing Ref. 16-233-SGP-XX-XX-DR-A-900000 Rev. P07) has been implemented. Prior to its installation, details of the footpath/cycleway including design and specification shall be submitted to and approved in writing by the Local Planning Authority. The footpath/cycleway shall thereafter be installed in accordance with the approved details.

Reason: In the interest of promoting sustainable travel.

22 Cycle Parking

No part of the development hereby permitted shall be brought into use in any phase until provision has been made within the site for parking of cycles for that 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 and be covered, and shall not thereafter be used for any purpose other than the parking of cycles.

Reason: In the interest of promoting sustainable travel.

23 External Plant Details

Before the installation of any external plant or machinery, full details of them, including any associated enclosures, shall be submitted to and approved in writing by the Local Planning Authority. Any approved enclosure shall be installed prior to the first use of the plant and shall thereafter be maintained for the life of the development.

Reason: In the interest of residential amenity.

24 Air Quality

The mitigation measures set out in sections 7.1 and 7.2 of the submitted Air Quality Assessment carried out by Tetra Tech shall be adhered to throughout the construction phase.

Reason: In the interests of minimising dust during construction.

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 Informative

The development granted by this notice must not begin unless:

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

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

Biodiversity Net Gain

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

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

OR

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

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan 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 \(www.gov.uk\)](https://www.gov.uk/guidance/biodiversity-net-gain))

Based on the information available, this permission is considered by NSDC to require the approval of a biodiversity gain plan before development is begun, because none of the statutory exemptions or transitional arrangements are considered to apply.

The permission which has been granted has the effect of requiring or permitting the development to proceed in phases. The modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

In summary: Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).]

Advice about how to prepare a Biodiversity Gain Plan can be found at [Submit a biodiversity gain plan - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan) and [Biodiversity net gain - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/biodiversity-net-gain)

The Biodiversity Gain Plan should be submitted via the Planning Portal, as an application for approval of details reserved by condition following grant of planning permission.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

05

For the purposes of part B(d) of condition 16 completion of development is considered to be when the relevant phase comes into operational use.

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.

