



Report to Planning Committee 15 January 2026

Business Manager Lead: Oliver Scott – Planning Development

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

Report Summary			
Application Number	25/00785/FUL		
Proposal	Proposed Development of Nine detached dwellings along with associated Garages, Access Road and Landscaping.		
Location	Land to the north of 14 Cottage Close Blidworth NG21 0QE		
Applicant	Mr Lee Evans	Agent	-
Web link	https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SW5KD8LBM2N00		
Registered	12th May 2025	Target Date	7th July 2025 EOT until 22 nd August 2025
Recommendation	Grant Planning Permission subject to the conditions set out at section 10.0 of this report and Unilateral Undertaking for monitoring of BNG.		

This application was deferred at committee on the 4.12.2025 due to concerns with surface water flood risk. The Lead Local Flood Authority has been consulted, and the committee report has been updated to address drainage and flood risk matters. All updated sections are in red text.

This application is being referred to the Planning Committee for determination by the local ward member, Councillor Thompson, due to the following concerns:

- Highway safety concerns with the proposed access and speeding traffic – there would be a need for traffic lights

- **Infrastructure should be thought about prior to any builds, and new sewerage pipes added instead of overloading existing ones**
- **Concerns over existing flooding - the road does flood at the bottom of Main Street, Dale Lane area because of blocked drains**

1.0 The Site

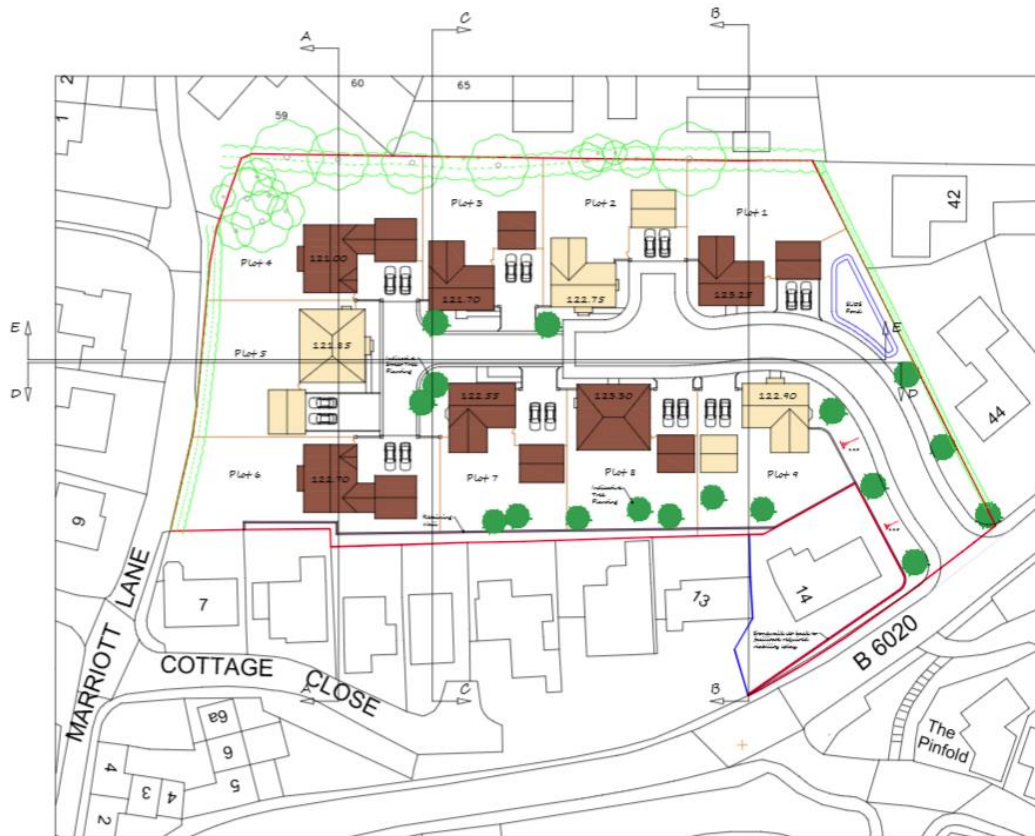
- 1.1 The application site is located to the north of dwellings fronting Cottage Close and Main Street, Blidworth and is within the conservation area. The site comprises undeveloped land, approximately 0.69 hectares in size. Marriott Lane bounds the site to the west, and a new residential development lies to the south (just outside of the conservation area). The site is bordered by mature hedgerow as well as sporadic trees. The ground levels of the site are not level, with a downward slope towards the north. The site has the following constraints:
- Conservation Area

2.0 Relevant Planning History

- 2.1 20/02114/OUTM Outline Planning Application (all Matters Reserved) for erection of 21 dwellings, entrance road and garages – Refused (reasons in relation to heritage harm, highways safety, surface water drainage, developer contributions).

3.0 The Proposal

- 3.1 This application seeks permission for 9 detached dwellings on the site, with a new access proposed from Main Street to the south (adjacent no.14 Cottage Lane). The dwellings would be large family homes - 5 of the dwellings would have 4 bedrooms and 4 would have 5 bedrooms. The proposed site plan is shown below:



3.2

3.3 Documents assess in this appraisal:

- 056 101 REV A PLOT 1 PLANS AND ELEVATIONS received 12th May 2025
- 056 102 REV A PLOT 2 PLANS AND ELEVATIONS received 12th May 2025
- 056 103 REV A PLOT 3 PLANS AND ELEVATIONS received 12th May 2025
- 056 104 REV A PLOT 4 PLANS AND ELEVATIONS received 12th May 2025
- 056 105 REV A PLOT 5 PLANS AND ELEVATIONS received 12th May 2025
- 056 106 REV A PLOT 6 PLANS AND ELEVATIONS received 12th May 2025
- 056 107 REV A PLOT 7 PLANS AND ELEVATIONS received 12th May 2025
- 056 108 REV A PLOT 8 PLANS AND ELEVATIONS received 12th May 2025
- 056 109 REV A PLOT 9 PLANS AND ELEVATIONS received 12th May
- 2025056 - 110 REV B PLOTS 1 5 AND 7 GARAGE PLANS AND ELEVATIONS received 25th July 2025
- 056 - 112 REV B PLOTS 3 8 AND 9 GARAGE PLANS AND ELEVATIONS received 25th July 2025
- 056 - 201 REV F SITE LAYOUT PLAN received 8th OCTOBER 2025
- 056 - 204 REV B SITE SECTIONS D-D E-E received 25th July 2025
- 0001 REV P SITE ACCESS LAYOUT received 25th July 2025
- 0002 REV P02 SITE ACCESS LONGITUDINAL SECTIONS received 25th July 2025
- 056 - 207 VEHICLE TRACKING received 25th July 2025
- Speed Survey Summary received 4th July 2025
- Visibility Calculations received 4th July 2025
- Design and Access Statement received 12th May 2025
- Biodiversity Gain Plan received 12th May 2025

- PHASE 2 PRE-DEVELOPMENT ARBORICULTURAL REPORT received 12th May 2025
- Location Plan received 12th May 2025
- Small Sites Metric received 5th June 2025
- Preliminary Ecology Survey received 5th June 2025
- Heritage Statement received 12th May 2025
- 0001 REV 0 TOPOGRAPHICAL SURVEY received 12th May 2025

4.0 Departure/Public Advertisement Procedure

- 4.1 Occupiers of 30 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 13th June 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 7 - Sustainable Transport
 Core Policy 3 – Housing Mix, Type and Density
 Core Policy 9 -Sustainable Design
 Core Policy 10 – Climate Change
 Core Policy 12 – Biodiversity and Green Infrastructure
 Core Policy 13 – Landscape Character
 Core Policy 14 – Historic Environment

5.2 Allocations and Development Management DPD (2013)

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

- 5.3 The [Draft Amended Allocations & Development Management DPD](#) was submitted to the Secretary of State on the 18th January 2024. 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 now consider the representations and finalise his examination report and the final schedule of recommended main modifications.

- 5.4 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.

5.5 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

Residential Cycle and Car Parking Standards & Design Guide SPD June 2021

Planning (Listed Buildings and Conservation Areas) Act 1990

Conservation Area Appraisal

Housing Needs Survey

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: For guidance on Statutory Consultees see Table 2: [Consultation and pre-decision matters - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/consultation-and-pre-decision-matters)

- 6.1. **Nottinghamshire County Council (Highways):** No objection subject to conditions.
- 6.2. Comments received 18.08.2025 - *Following the Highway Authority's initial comments dated 14th July 2025, revised plans have been received that satisfies the County Council's gradient requirements. Some of the driveway lengths appear short. The applicant is referred to the County Council's Highway Design Guide. A bin store will also be required to cater for bins from the shared private drive. The most appropriate location would appear to be between plots 2 and 3 where a tree is currently detailed. Subject to these changes the Highway Authority would be happy to support the application subject to conditions.*
- 6.3. Comments received 27.10.2025 - *Further to the Highway Authority's consultation responses of the 18th of August 2025, a revised plan has now been received reference 056-201 Rev F that addresses previous concerns. Consequently, the Highway Authority has no objection to the proposal subject to conditions.*
- 6.4. Officer note: The recommended conditions have been included at the end of this report.
- 6.5. **Town/Parish Council:**

Blidworth Parish Council – Strong objection to application. Access is dangerous and inappropriate. Within the conservation area – the development is not fitting with the character of the village and is further ‘overdevelopment’ on greenfield space.

Representations/Non-Statutory Consultation:

- 6.6. **NSDC Conservation:** *Having assessed comments in the pre-app of PREAPP/00136/24 from the previous conservation officer, the development would not preserve or enhance the Conservation Area.*
- 6.7. *The scale of the dwellings (which were not provided during pre-app stage) are extensive and dominate the immediate rural character. The lane, hedgerow and the low-stone wall on the main road all form part of the character of the Conservation Area. These would be impacted on a less than substantial level of harm especially by the removal of the stone wall for the access (which is historic).*
- 6.8. *To summarise, the setting of the rural character of the site, the lane and historic wall are all key features, and the scheme would fail to enhance or preserve the Conservation Area.*
- 6.9. **NSDC Ecology:** The most recent comments (received 25th November 2025) reiterate that there are professional disagreements in relation to the BNG assessment and that amendments would be required when it comes to discharging the statutory BNG condition. The SUDS pond (Bioswale), four urban trees, the (assumed) grassland surrounding these and the proposed two new hedgerows H3 and H4 will represent significant on-site enhancement and will need to be secured by an appropriate planning condition, and monitoring fees secured most likely via a Unilateral Undertaking. Given the relatively small area of the on-site BNG and the habitat types involved that will require monitoring, it would be disproportionate to require the HMMP to include monitoring and for the submission of regular monitoring reports. In this instance it is considered that monitoring would most effectively be achieved by occasional visual inspections by the local planning authority. There would be a relatively modest charge for this. If the application were granted planning approval, planning conditions are recommended to make the application acceptable in terms of relevant national and local planning policy concerning biodiversity matters. The conditions include a condition to secure the on-site BNG; a CEMP condition; and Faunal Enhancement Plan. These conditions have been included at the end of the report.
- 6.10. **Lead Local Flood Authority:** As a statutory consultee the LLFA should only be consulted on major developments with regards to surface water drainage.

Having considered the scale of this application the LLFA believes it is not required to respond to this application, as such, we will not be making any bespoke comments. However as a general guide the following points are recommended for all developments:

1. The development should not increase flood risk to existing properties or put the development at risk of flooding.
2. Any discharge of surface water from the site should look at infiltration – watercourse – sewer as the priority order for discharge location.

3. SUDS should be considered where feasible and consideration given to ownership and maintenance of any SUDS proposals for the lifetime of the development.

4. Any development that proposes to alter an ordinary watercourse in a manner that will have a detrimental effect on the flow of water (eg culverting / pipe crossing) must be discussed with the Flood Risk Management Team at Nottinghamshire County Council.

6.11. Comments have been received from 24 third parties/local residents that can be summarised as follows:

- Concerns regarding position of access onto Main Street – dangerous, not suitable for traffic, difficult bend on a hill, visibility concerns, speeding cars, narrow road,
- Concerns for pedestrian safety
- Change in levels will be very steep and in the winter will be inaccessible when there is snow and ice
- Would cause increase in traffic and congestion
- Concerns that development will cause loss of privacy to neighbouring dwellings and gardens
- Area is 'natural break' between conservation area and the new development
- Surrounding area has already been overshadowed by the large estate recently built on the Meadows, New Lane.
- Impact on the character of the area and landscape – currently characterised by low density housing and open green space
- Would detrimentally affect the conservation area
- Area is unstable
- Concerns construction will cause cracks from vibration, noise, dust and disturbance
- Narrow pavement – construction will obstruct this further
- Development has been refused time and time again
- Concerns for wildlife in field including red kites, a barn owl, and bats
- Concern that the work on the wall would damage its integrity
- Concerns regarding local services – difficult to get doctors appointment and local school is full
- No social housing included in the plans
- Already lots of new homes within Blidworth

- Field was intended to be protected as wildlife haven
- Query over site layout plan and ownership of corner of land (plot 4)
- Impact on neighbouring amenity (Plot 1) - Overbearing impact, overshadowing, and loss of privacy
- Field is peaceful and should be protected
- No clear advantages of development to local community
- Query as to if planning officers visit the site before making decisions
- **Officer note:** A number of submitted comments reference the site as being within the Green Belt however to clarify, the site is not within the Green Belt which is defined on the Policies Map.

7.0 Appraisal

7.1 The key issues are:

- Principle of Development
- Impact on the Character of the Area
- Impact on Amenity
- Impact on Highway Safety
- Impact on Ecology
- **Flood Risk and Drainage**
- Biodiversity Net Gain

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

Principle of Development

7.3 Blidworth is identified in Spatial Policies 1 and 2 as a Principal Village, whereby new residential development is acceptable in principle subject to site specific impacts. These are discussed below.

Housing Mix

7.4 Core Policy 3 sets out the housing mix, type and density expectations for new development. The policy states the District Council will seek to secure new housing development which

adequately addresses the housing need of the District, namely family housing of 3 bedrooms or more; smaller houses of 2 bedrooms or less; and housing for the elderly and disabled population. The District Council will seek to secure an appropriate mix of housing types to reflect local housing need.

- 7.5 The most up to date housing needs survey was carried out in 2020. The district is divided into sub-areas. Blidworth falls within the Mansfield Fringe area. The need for the area is set out in the table below:

Dwelling type and number of bedrooms	Current stock profile (%)	Market need profile (%)	Affordable rented need profile (%)	Intermediate need profile (%)
1 to 2-bedroom house	9.3	12.0	0.0	6.0
3-bedroom house	41.8	26.9	42.5	35.8
4 or more-bedroom house	21.7	34.3	32.2	35.8
1-bedroom flat	2.3	2.5	11.0	0.0
2 or more-bedroom flat	2.1	0.0	0.0	0.4
1-bedroom bungalow	0.0	0.0	0.0	2.4
2-bedroom bungalow	13.6	3.5	14.2	7.9
3 or more-bedroom bungalow	6.9	20.7	0.0	11.7
Other	2.2	0.0	0.0	0.0
Total	100.0	100.0	100.0	100.0

- 7.6
- 7.7 The highest need is for 4 or more bedrooms houses (34.3%). The scheme includes 4x 5 bed dwellings and 5x 4 bed dwellings. This does not reflect the broader mix that the table sets out, however it is noted that it would meet the greatest market need (4 and 5 bed dwellings), which would contribute to the need for larger family homes in the District overall. As the scheme is relatively small scale (under 10 dwellings) it is not considered that the lack of smaller homes should be a reason to refuse the application.
- 7.8 Core Policy 3 states that development densities in all housing developments should normally be no lower than an average 30 dwellings per hectare net. Development densities below this will need to be justified, taking into account individual site circumstances. The density equates to approximately 13 dwellings per hectare (9 dwellings on a site approximately 0.69 hectares in size). This is below the average, however given the context of the site within the conservation area (discussed further in the next section), it is considered that this lower density is required to limit the level of harm to the character and appearance of the conservation area and its rural character. Therefore the lower density in this case is acceptable.

Impact on Visual Amenity, the Character of the Area and the Conservation Area

- 7.9 The site is within the conservation area, therefore Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is relevant. Section 72 states (inter-alia), 'with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

- 7.10 Core Policy 14 and DM9 reflect this and seek to preserve and enhance the heritage assets within the district. Core Policy 9 and DM5 seek to ensure that development reflects the local distinctiveness of the district. Part 12 of the NPPF reflects this, and requires new development to be visually attractive, to be sympathetic to local character and history, including the surrounding built environment and landscape setting, and to establish or maintain a strong sense of place.
- 7.11 Part 16 of the NPPF sets out at paragraph 212 that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 7.12 Paragraph 215 goes on to state that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 7.13 The site as existing is undeveloped land, and contributes to the character of the conservation area, forming a break from development between the dwellings to the south and the recent residential development to the north (which is located outside of the conservation area). The Council's conservation team has been consulted on the application, and they have raised concerns with the scheme, referring to the comments that were provided at pre-application stage. The pre-application comments are detailed below:

The site is located within Blidworth Conservation Area. The conservation area was originally designated in 1977 due to the medieval origins and is laid out in a relatively linear formation over the rising topography.

The buildings within the Conservation Area are a mixture of houses, cottages, public houses and agricultural buildings predominantly dating from the 18th and 19th century, constructed in red brick (some rendered and limewashed) with pantile roofs. Some of the buildings have possible earlier timber framed remains. The character and appearance is typified by the vernacular construction and traditional palette of materials. The greenery and mature trees interspersed within and surrounding the village enhances the rural appearance and makes a positive contribution to the overall character.

The field comprising the proposal site itself has no known intrinsic special interest, however, the openness of the site makes a positive contribution to the rural character of the conservation area. Although this part of Blidworth has some modern developments within the vicinity (in and outside the conservation area), the development of the site will inevitably erode this rural openness. However, sensitive development may be possible.

The layout shown within the pre-application submission shows a modern development of 9 detached dwellings set within a cul-de-sac. The proposed development pattern and house type do not reflect the historic and traditional and therefore is unlikely to preserve or enhance the character and appearance of the conservation area. Alternative house types and development form should be considered for the development of this site.

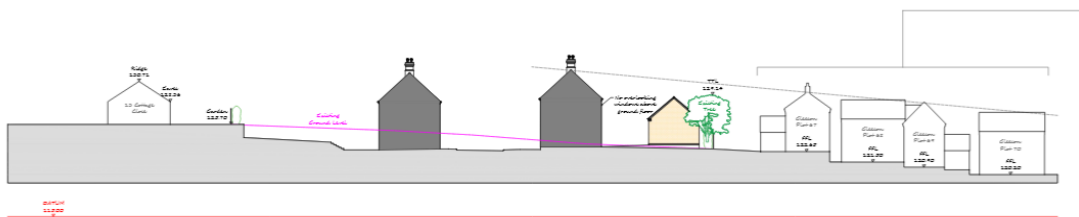
- 7.14 There are no significant changes from the pre-application enquiry proposal to what has been submitted for this full application in terms of the number of dwellings or the layout, therefore the above comments continue to be relevant. In addition, the comments on the current application raise concerns with the proposed new access onto Main Street (access was not proposed with the pre-application enquiry and therefore not raised as a concern specifically). The new access would require the partial removal of a stone wall which stretches along the frontage of Main Street and contributes positively to the character of the conservation area. The remainder of the wall to be retained would also need to be set back to allow adequate visibility splays. Mature trees would need to be removed to allow for the access and this greenery adds to the rural character of the area, which would subsequently be lost.
- 7.15 The scheme does include some traditional features, such as flush casement and sash windows, the use of stone cills and headers, dentel brickwork eaves detail, traditional chimney details and reduced gable sizes to reflect the gable sizes in the conservation area. These positive details could be conditioned if approved.
- 7.16 The dwellings would be constructed in 'tumbled red brick' (Plots 1,3,4,6,7,8), 'tumbled split faced stone' (Plots 2,5, and 9), all with slate grey roof tiles. The scale of the dwellings is large (three storey detached properties), each with a detached or attached garage, compared to dwellings immediately south (on Cottage Lane) which are red brick bungalows. It is noted that the existing bungalows sit on a higher ground level than the site and therefore the impact of the scale would be somewhat minimised. It is also acknowledged that the bungalows are of modern construction and have a neutral impact on the character of the conservation area as existing.
- 7.17 Plots 4, 5, and 6 would be positioned with the rear elevations and gardens backing onto Marriott Lane. The site plan indicates the existing hedgerow along this boundary would be retained, which is welcomed. Although it would be the rear elevations facing the lane, given the set back position (minimum 14m to rear elevation), it is not considered this would have a detrimental impact on the character of the lane, as the retained hedge would provide some screening and would retain the rural character of the area.
- 7.18 There is variety in terms of dwelling types within the locality, therefore although the designs of the dwellings do not necessarily reflect the historic character of the conservation area, it is not considered the designs are harmful. However, as existing the undeveloped site contributes positively to the character of the conservation area, and therefore developing the site for residential use would result in less than substantial harm to the character of the conservation area, as the built form would erode the openness of the site. In addition, the partial loss, and realignment of the stone boundary wall to Main Street, and the loss of the trees, would result in less than substantial harm. It should be noted that the level of harm is considered to be minor and therefore at the lower end of the scale.
- 7.19 In accordance with the NPPF, where development would result in less than substantial harm, this should be weighed against the public benefits of the proposal. This is considered in the planning balance and conclusion section of this report.

Impact on Residential Amenity

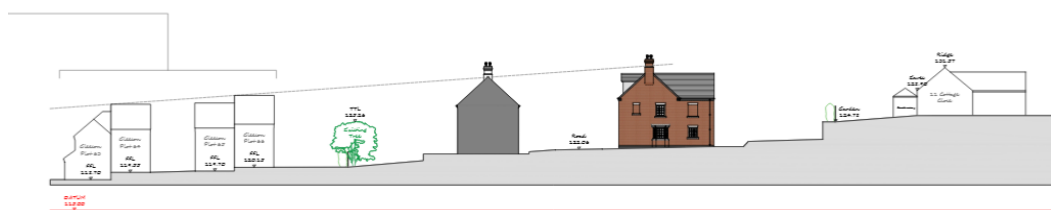
- 7.20 Policy DM5 and Part 12 of the NPPF seek to ensure that adequate levels of amenity are achieved for future occupiers of new development and that amenity for neighbouring occupiers is not adversely impacted in relation to overbearing impact, loss of light, loss of privacy and noise levels.
- 7.21 The following section drawings have been submitted to demonstrate the relationship between the proposed dwellings, the neighbouring bungalows to the north, and the new development to the south (approved under application 20/00475/FULM). The fuchsia line shows the existing ground levels and the section drawing shows that the site would be levelled, resulting in the ridge height of the closest dwelling being at a similar height to the bungalows to the south (due to the ground level differences).



Section A-A



Section B-B



Section C-C

- 7.22
- 7.23 The minimum back-to-back separation distances between the new development and surrounding properties is 14.9m, however this is measured from Plot 9 to what is likely to be an extension or a garage to 12 Cottage Close (as can be seen in the below plan). The rear elevation of no.12 is stepped and the distance from Plot 9 to the furthest point of the rear elevation is 22.14m (therefore over the accepted 21m rule of thumb). Plot 6 is a minimum of 7.2m from the neighbouring dwelling on Cottage Close, however it is the side elevation of Plot 6 which would face south, with no windows. The elevation would not extend across the entire boundary of the rear garden to 8 Cottage Close, but approximately a third. Given the difference in land levels (Cottage Close being on higher ground), plus the boundary

treatments, it is not considered that the relationship would result in unacceptable impacts on amenity for future occupants or neighbouring occupants.



7.24

7.25 The comments from neighbours regarding residential amenity have been considered and it is acknowledged that the immediate environment would be altered for existing occupiers. The outlook to the rear would change from an undeveloped field to dwellings, however views are not a material consideration. Overbearing impact, loss of light and privacy have all been assessed and it is not considered there would be any unacceptable impacts due to separation distances, positioning of the dwellings, and the lower ground level of the site. Overall, it is considered the layout and proposed amenity spaces for future occupants are acceptable and that on balance, there would be no unacceptable impacts on neighbouring amenity.

7.26 Noise has been raised as a concern, however it is not considered that an additional 9 dwellings would result in a significant increase in noise levels within the surrounding area. Although immediate neighbours may notice a difference, any typical domestic noise coming from the development would not be a reason to refuse the application (E.G cars coming and going, children playing in gardens etc). Noise, dust and any disturbance in relation to the construction phase would need to be managed through a construction management plan to ensure construction did not take place at unsociable times (evenings, weekends etc) and is carried out safely. This can be secured by condition.

Impact on Highways Safety

7.27 A new access is proposed for the development off Main Street to the south of the site. The ground levels are significantly different with Main Street situated on a lower level than the site. Objections have been received from local residents with concerns regarding the access.

7.28 NCC Highways have been consulted on the application and initially objected on the grounds that it had not been demonstrated that safe and suitable access could be achieved. This related to the gradient of the access and visibility splays. Further information and amended plans were submitted which have now satisfied the Highway Authority in relation to access and highway safety, subject to conditions.

- 7.29 Further comments raised a query in regard to driveway lengths and noted that a bin collection point would be required for the private drive section (plots 3, 4, 5, 6 and 7). A revised site layout plan has been submitted with the following changes:
- Moved position of garages to Plots 1 and 2 to provide minimum driveway length of 6.1m, without encroaching on the root protection area (RPA) of any trees to be retained.
 - A bin collection area to serve the properties accessed off the private driveway (Plots 3-7) has been included in front of plot 2.
- 7.30 The above changes have addressed the final concerns raised by NCC Highways. The comments received on 27th October 2025 confirm no objection subject to conditions. These conditions have been included at the end of this report, or incorporated into other conditions (E.G. the wheel washing condition is part of a construction management condition and it is not necessary to repeat this as a separate condition).
- 7.31 Given there is no objection from NCC Highways, and they are satisfied that safe and suitable access can be achieved, the proposal complies with Spatial Policy 7, DM5 and DM5(b) of the emerging plan, and Part 9 of the NPPF. The objections from local residents have been noted, however it is considered that the concerns have been addressed through the revised plans.

Impact on Trees

- 7.32 An Arboricultural report has been submitted as part of the application. In summary, the proposal would require the removal of a group of silver birch trees in the southeast corner of the site to accommodate the proposed access, as well as a small, young sycamore tree. The report includes a Tree Constraints Plan of the existing site layout, a Tree Constraints Plan of the proposed site layout and a tree protection plan. Aside from those mentioned, all other trees on site would be retained.
- 7.33 The group of birch trees are categorised as B2 – trees of a quality that are worth retaining. Although ideally the trees should be retained (in accordance with Policy DM7), the loss of this group of trees is not considered to be a reason to refuse the application, particularly given the loss would be accounted for in the biodiversity net gain calculations and therefore compensated for (albeit off-site). The proposed site plan does include new tree planting, which can also be secured by condition and would go some way to mitigating the loss.
- 7.34 Section 5 of the report sets out the Arboricultural Method Statement including tree protection measures – these can be secured by condition. It is noted that the tree protection plan in the report is based on an earlier version of the proposed layout, and therefore an updated tree protection plan can be secured by condition.

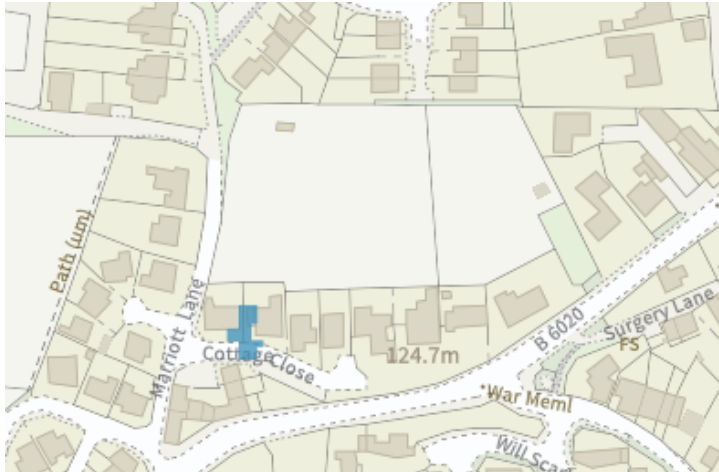
Impact on Ecology

- 7.35 Policy DM5 states that 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.

- 7.36 The site falls within the zone of influence of an area that may be classified as a Special Protection Area in the future, hereafter referred to as a possible potential Special Protection Area (ppSPA), due to its significance for breeding birds, specifically nightjar and woodlark. Since this is neither a formal designation or a potential SPA, it is often overlooked or missed during usual desk study procedures. Natural England have produced an Advice Note which details a risk-based approach for developments within and in close proximity to the ppSPA area to consider potential impacts on breeding nightjar and woodlark. However, in this instance the site is located approximately 500m away from the nearest area of the ppSPA and it is considered that the majority of the habitats within the site would be unsuitable to support these species. Therefore, the proposals would not have any impact on any site afforded either a statutory or non-statutory designation for its nature conservation interest, or any future designation of land within the Sherwood Forest area as an SPA.
- 7.37 Initially, the Ecology Officer reviewed the submitted application and advised that the following were required:
- PEA report
 - Statutory Biodiversity Metric
 - Updated Biodiversity Statement
 - PBRA (within the PEA report)
- 7.38 Additional information was subsequently submitted which has been reviewed and the following comments provided (summary):
- 7.39 *I can confirm that the proposal would not have any impacts on designated sites, priority habitats, protected or priority species. This, combined with delivery of a mandatory minimum 10% measurable biodiversity net gain and the provision of faunal enhancements would, in my opinion, represent compliance with relevant national and local planning policy concerning biodiversity. The most appropriate mechanism for the precautionary working methods would be via a Construction Environmental Management Plan: Biodiversity (CEMP(B)) secured by a planning condition. Details for the bat and bird boxes and hedgehog highway could be provided via a simple annotated Faunal Plan, showing the proposed location of the hedgehog highways and boxes and summary details regarding the box design and their installation.*
- 7.40 The requested conditions are included in the list at the end of this report. Subject to compliance with the conditions there are no concerns regarding protected species. BNG is discussed separately in a following section.
- 7.41 Flood Risk and Drainage
- 7.42 At Planning Committee (4.12.2025), concerns were raised by Members regarding surface water run off, noting that 7 Cottage Close, to the south west of the site, is at risk of surface water flooding and has flooded in the past. Members were concerned that developing the application site would worsen the flood risk for the neighbouring dwellings, and felt that further information was required before they could determine the application. Suitable drainage is required as part of Building Regulations (separate from the planning process), however it is a material consideration.

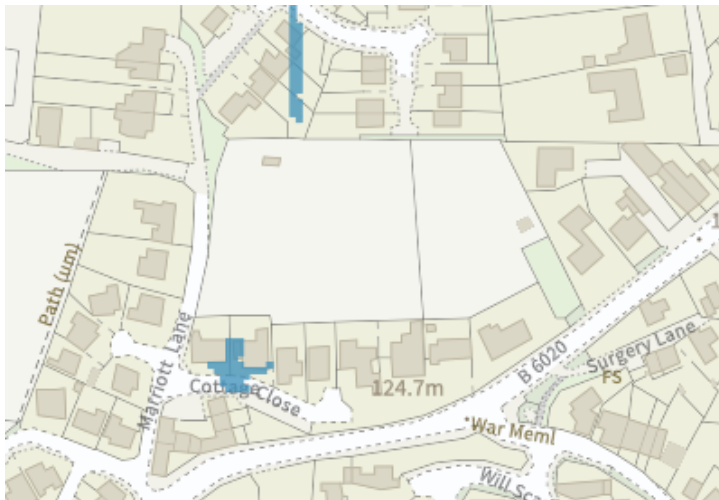
7.43 The following maps are taken from the Environment Agency website and demonstrate that a small section of the application site is at 'very low risk' of surface water flooding (1 in 1000 annual likelihood of flooding). No. 7 is at a higher risk of surface water flooding as shown on the '1 in 30' map, however it is noted that this is outside of the application site boundary.

7.44 1 in 30 (Annual likelihood of flooding)



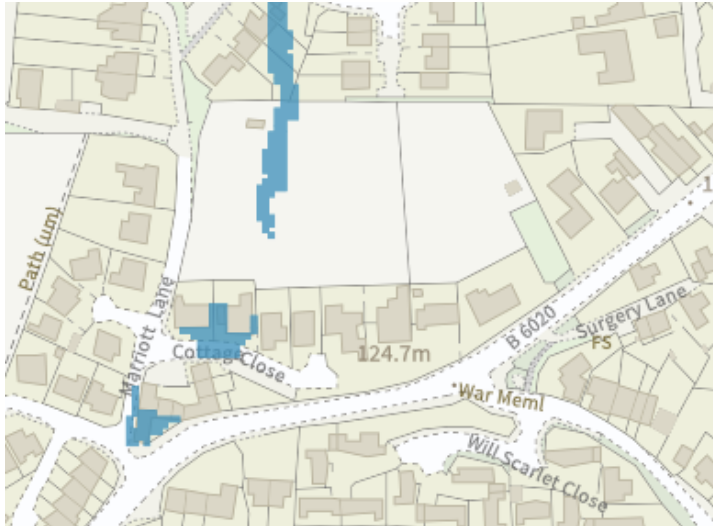
7.45

7.46 1 in 100 (Annual likelihood of flooding)



7.47

7.48 1 in 1000 (Annual likelihood of flooding)



7.49

7.50 Details of the drainage strategy have not been submitted as part of the application. Policy DM5 and Core Policies 9 and 10, direct that development proposals should include measures to pro-actively manage surface water including the use of appropriate surface treatments in highway design and Sustainable Drainage Systems.

7.51 Paragraph 182 of the NPPF states that applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal.

7.52 The PPG advises that the types of sustainable drainage system which may be appropriate will depend on the proposed development and its location, as well as any planning policies and guidance that apply locally. Where possible, preference should be given to multi-functional sustainable drainage systems, and to solutions that allow surface water to be discharged according to the following hierarchy of drainage options:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

7.53 The LLFA has been consulted and confirmed they do not wish to provide any bespoke comments. The general advice has been provided (which reflects the above policies and guidance):

- 1. The development should not increase flood risk to existing properties or put the development at risk of flooding.*
- 2. Any discharge of surface water from the site should look at infiltration – watercourse – sewer as the priority order for discharge location.*
- 3. SUDS should be considered where feasible and consideration given to ownership and maintenance of any SUDS proposals for the lifetime of the development.*

4. Any development that proposes to alter an ordinary watercourse in a manner that will have a detrimental effect on the flow of water (eg culverting / pipe crossing) must be discussed with the Flood Risk Management Team at Nottinghamshire County Council.

- 7.54 The applicant has advised in an email dated 8.12.2025 that the intention is to follow the SUDS protocol, i.e. use soakaways where possible, and if this is not possible then any surface water would be attenuated and released in a controlled manner into the drainage network. The point of access to the drainage network would be on Main Street, not Marriott Lane.
- 7.55 The approach proposed by the applicant would accord with the above policies, and guidance. To secure further detail, the applicant has agreed to a pre-commencement condition. With a suitable surface water drainage system, any surface water within the site will be directed away from neighbouring properties and would therefore be acceptable.
- 7.56 In relation to the comments about the existing situation and flooding to no.7, it should be noted that the application site slopes downwards to the north (away from no. 7). Therefore, it is highly unlikely that the localised flooding experienced by no.7 is run off from the site (as any run off would fall northwards). In addition, it is not proposed that the land levels at the southern boundary would be lowered, therefore the land level relationship between number 7 and the site would remain the same. In any case, the surface water within the site would be managed as part of the development (as described above) via a drainage scheme, and therefore in the instance that any of the surface water is coming from the application site at present, this should be reduced with the installation of a drainage system.
- 7.57 In conclusion, the surface water flood risk within the surrounding area would not be made any worse as a result of the development (but potentially improved), and therefore subject to a condition, surface water flood risk should not be a reason to refuse the application. The proposal accords with DM5, Core Policies 9 and 10, and part 14 of the NPPF.
- 7.58 **Community Infrastructure Levy (CIL) –**
- 7.59 The site is located in the Housing Low Zone of the CIL charging schedule where CIL is zero rated, therefore the development would result in no CIL charge.

Biodiversity Net Gain

- 7.60 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.
- 7.61 The Ecology Officer disagrees with the submitted calculations and has requested amendments (specifically in relation the value assigned to the grass type on site). The agent has submitted a letter from their Ecologist (Armstrong Ecology) justifying their assessment and calculations. It is acknowledged on both sides that off-site BNG would be required to achieve the mandatory 10% net gain. On site net gain is also proposed as shown on the

proposed site plan, in the form of a SUDS pond (Bioswale), four urban trees, the grassland surrounding these, and the proposed two new hedgerows H3 and H4. The Council's Ecologist has confirmed the on-site BNG would qualify for Tier 1 relief in terms of the monitoring fee (therefore would be £1033). The monitoring fee would need to be secured by a legal agreement. It is not confirmed where the off-site net gain would be sourced, however this does not need to be finalised prior to determination.

- 7.62 Government guidance is clear regarding decisions and discharge of the deemed biodiversity gain condition "*...it would be generally inappropriate for decision makers, when determining a planning application for a development subject to biodiversity net gain, to refuse an application on the grounds that the biodiversity gain objective will not be met*". As such, the professional disagreement regarding the calculations, and the unknown factors in terms of where the net gain will be achieved are not reasons to refuse the application.

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 – LEG2526/1787

- 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 principle of residential development in this location is acceptable, in line with Spatial Policies 1 and 2 of the Development Plan, subject to site specific impacts. Concerns were initially raised in regard to highway safety, due to the location and gradient of the proposed access. Concerns were also raised regarding the impact on the conservation area. Revised plans and additional information have been submitted throughout the lifetime of the application that now satisfies the local Highway Authority. They have removed their objection subject to conditions.

- 9.2 With regard to the conservation area, it is acknowledged that the site in its present form contributes to the character of the conservation area and the proposal would result in less than substantial harm. In accordance with paragraph 215 of the NPPF, this harm should be weighed against the public benefits of the proposal. In this instance the proposal would contribute 9 dwellings to the Council's housing targets. Targets have recently increased significantly, and the Council cannot currently demonstrate a 5 year housing land supply. As such, small scale residential developments that have a likelihood of a quick build out rate should be approved in line with Paragraph 11 of the NPPF, unless one of the following applies:

- i. the application of policies in this Framework that protect areas or assets of particular importance⁷ provides a strong reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination⁹.

9.3 Protected areas listed in footnote 7 include designated heritage assets, therefore applies to conservation areas. Nonetheless, there must be a strong reason for refusal to be refused when the Council does not have an up-to-date housing land supply. Given that the level of harm caused to the character and appearance of the conservation area as result of the proposal would be at the lower end of the scale, it is considered that the contribution that it would make towards the housing supply would be a public benefit that would outweigh the harm identified, and therefore would be acceptable in accordance with the NPPF, Core Policy 14, DM9 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposed materials and design details are of a high quality, and existing hedgerow and trees would be retained. This would aid in preserving the character of the area.

9.4 Some of the issues raised by the Ecology Team have been addressed, however there is still disagreement in relation to the baseline calculations. Nonetheless, given that the net gain is proposed to be sourced off site as well as some on site net gain, there is no reason why a 10% net gain cannot be achieved, therefore this is not a reason to refuse the application.

9.5 Matters regarding surface water flood risk and drainage were raised as a concern in December's committee and the application was deferred for this reason, to allow further information to be presented to the committee. Following discussions with the applicant and consultation with the LLFA, subject to details of a drainage strategy, it is considered that the development would not increase surface water run off for neighbouring dwellings. Details of a drainage strategy can be secured by condition and a condition to this effect has been included at the end of this report.

9.6 Further to the above assessment, the provision of 9 additional dwellings would carry significant weight in the planning balance, and there has been no harm identified that would significantly and demonstrably outweigh the benefits. The less than substantial harm to the conservation area is outweighed by the public benefit of the contribution to the housing targets. The proposal is, on balance, considered to accord with the Development Plan and the NPPF and therefore it is recommended that planning permission is granted subject to conditions.

10.0 Conditions

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the following approved plans/submitted documents:

- Location Plan received 12th May 2025
- 056 - 201 REV F SITE LAYOUT PLAN received 8th OCTOBER 2025
- 056 101 REV A PLOT 1 PLANS AND ELEVATIONS received 12th May 2025
- 056 102 REV A PLOT 2 PLANS AND ELEVATIONS received 12th May 2025
- 056 103 REV A PLOT 3 PLANS AND ELEVATIONS received 12th May 2025
- 056 104 REV A PLOT 4 PLANS AND ELEVATIONS received 12th May 2025
- 056 105 REV A PLOT 5 PLANS AND ELEVATIONS received 12th May 2025
- 056 106 REV A PLOT 6 PLANS AND ELEVATIONS received 12th May 2025
- 056 107 REV A PLOT 7 PLANS AND ELEVATIONS received 12th May 2025
- 056 108 REV A PLOT 8 PLANS AND ELEVATIONS received 12th May 2025
- 056 109 REV A PLOT 9 PLANS AND ELEVATIONS received 12th May
- 2025056 - 110 REV B PLOTS 1 5 AND 7 GARAGE PLANS AND ELEVATIONS received 25th July 2025
- 056 - 112 REV B PLOTS 3 8 AND 9 GARAGE PLANS AND ELEVATIONS received 25th July 2025
- 056 - 204 REV B SITE SECTIONS D-D E-E received 25th July 2025
- 0001 REV P SITE ACCESS LAYOUT received 25th July 2025
- 0002 REV P02 SITE ACCESS LONGITUDINAL SECTIONS received 25th July 2025
- 056 - 207 VEHICLE TRACKING received 25th July 2025
- Speed Survey Summary received 4th July 2025
- Visibility Calculations received 4th July 2025

Reason: So as to define this permission.

3. Prior to the commencement of development, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include as a minimum:

- a) Measures to prevent to the egress of mud and other detritus to the public highway;
- b) A layout of the site, including materials storage and internal routes for construction traffic;
- c) Parking for site operatives;
- d) Details of the proposed build program.

Once approved, the Construction Management Plan shall be adhered to at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of Highway safety.

4. The development hereby permitted shall be constructed entirely of the materials details submitted as part of the planning application.

Reason: In the interests of visual amenity.

5. No development shall be commenced until details of the means of foul drainage and surface water disposal have been submitted to and approved in writing by the local planning authority. The development shall be carried out thereafter in accordance with the approved details.

Reason: To ensure the provision of satisfactory means of foul sewage/surface water disposal.

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

External windows including roof windows, doors and their immediate surroundings, including details of glazing and glazing bars.

Treatment of window and door heads and cills

Verges and eaves

Rainwater goods

Reason: In order to preserve or enhance the character and appearance of the conservation area.

7. No works or development shall take place until an arboricultural method statement and scheme for protection of the retained trees/hedgerows has been submitted to and agreed in writing by the Local Planning Authority. This scheme shall include
 - a. A plan showing details and positions of the root protection areas.
 - b. Details and position of protection barriers.
 - c. Details and position of underground service runs and working methods employed should these runs be within the designated root protection area of any retained tree/hedgerow on or adjacent to the application site.

d. Details of any special engineering required to accommodate the protection of retained trees/hedgerows (e.g. in connection with foundations, bridging, water features, hard surfacing).

e. Details of construction and working methods to be employed for the installation of drives and paths within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.

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

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

8. Prior to first occupation/use of the development hereby approved full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority These details shall include:

- full details of every tree, shrub, hedge to be planted (including its proposed location, species, size and approximate date of planting)
- existing trees and hedgerows which are to be retained
- proposed finished ground levels or contours
- means of enclosure
- car parking layouts and materials
- other vehicle and pedestrian access and circulation areas hard surfacing materials

Reason: In the interests of visual amenity and biodiversity.

9. The approved soft landscaping shall be completed during the first planting season following the first occupation of the development. Any trees/shrubs which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The approved hard landscaping scheme shall be completed prior to first occupation or use.

Reason: To ensure the work is carried out within a reasonable period and thereafter properly maintained, in the interests of visual amenity and biodiversity.

10. Prior to first occupation of any of the dwellings hereby approved, the visibility splays detailed on plan reference 49769 XX XX DR C 0001 Rev P01 shall be provided from the junction with the B6020 Main Street hereby approved. Nothing shall be planted, erected, or be allowed to grow on the areas of land so formed that would obstruct visibility from a height 0.6m above carriageway level, and the visibility splays shall be maintained free from obstruction for as long as the development hereby permitted remains in existence.

Reason: In the interest of highway safety.

11. Prior to the completion of any site clearance, site stripping, or site establishment details of the proposed arrangements for the management and maintenance of the streets (prior to an agreement being entered into under Section 38 of the Highways Act 1980) including associated streetlighting and drainage shall be submitted to and be approved by the Local Planning Authority. The streets including streetlighting and drainage shall for the lifetime of the development be maintained in accordance with the approved private management and maintenance details unless an agreement has been entered into under Section 38 of the Highways Act 1980 at which point those streets covered by the agreement will not be subject to the approved management and maintenance details.

Reason: To ensure that the street infrastructure is maintained to an appropriate standard.

12. Prior to first occupation of any of the dwellings hereby approved, the streets and footways affording access to that dwelling shall be completed up to binder course level and shall be street lit.

Reasons: To ensure that the streets serving the development are sufficiently completed and are available for use by the occupants and other users of the development in the interest of highway safety.

13. Prior to first occupation of any of the dwellings hereby approved, the access and parking area to that dwelling shall be provided in a bound material (not loose gravel) and which shall be drained to prevent the unregulated discharge of surface water onto adjacent roads and footways.

Reason: To ensure appropriate access and parking arrangements are available, to reduce the possibility of deleterious material being deposited on the public highway (loose stones etc), to minimise the chance of highway flooding and severe icing, and in the interest of highway safety.

14. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and 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 CEMP (Biodiversity) should incorporate in full the Precautionary Methods of Working detailed across paragraphs 5.14 to 5.29 within the Preliminary Ecological Appraisal and Biodiversity Impact Assessment Report, 11/11/2025 produced by Armstrong Ecology Ltd. 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.

15. A. The approved development shall not commence until a faunal enhancement plan has been submitted to, and been approved by, the local planning authority. The plan is to show the type, location of, and details for fixing into place of:
 - (i) Six integrated swift boxes in groups of three on two dwellings and
 - (ii) Two integrated bat boxes on two dwellings (one box on each dwelling), and details of gaps in fences or walls to create a hedgehog highway.

B. The approved boxes and hedgehog highway shall be installed prior to first use of the approved development and photographic evidence of the installed boxes and hedgehog holes shall be submitted to, and be approved in writing by, the local planning authority to fully discharge the condition. Thereafter, the installed boxes and hedgehog highway shall be retained for compliance.

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

16. A. The Biodiversity Gain Plan shall be prepared in accordance with the principles set out within amended versions of the 'Preliminary Ecological Appraisal and Biodiversity Impact Assessment Report' dated 11 November 2025 and Small Sites Metric (Statutory Biodiversity Metric) Revision No. 1 dated 11 November 2025, both prepared by Armstrong Ecology Ltd., which shall be submitted to, and which have then been approved in writing by the local planning authority.

B. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP)], prepared in accordance with the approved Biodiversity Gain Plan has been submitted to, and been approved in writing by, the local planning authority and including:

- a) The roles and responsibilities of the people or organisation(s) delivering the HMMP; b) The planned habitat creation and enhancement works to create or

improve habitat to achieve the biodiversity gain in accordance with the approved Biodiversity Gain Plan; and

c) The management measures to maintain habitats in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of the development.

C. Notice in writing shall be given to the local planning authority when the first dwelling has been occupied.

D. A completion report, evidencing the completed habitat enhancements, shall be submitted to, and be approved in writing by the Local Planning Authority within 12 months of the first dwelling being occupied.

E. The created and/or enhanced habitats specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Reason: To ensure that the development delivers a biodiversity net gain 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.

Notes to Applicant:

1. 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).
2. You are advised that you may require building regulations approval in addition to the planning permission you have obtained. Any amendments to the permitted scheme that may be necessary to comply with the Building Regulations, must also be approved in writing by the Local Planning Authority in order that any planning implications arising from those amendments may be properly considered.

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

3. The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority regarding compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible. Please email hdc.north@nottsc.gov.uk to discuss the necessary highways legal agreements. It is an offence under S148 and S151 of the Highways Act 1980 to transfer or deposit mud and debris on the public highway.

The applicant must make every effort to prevent this occurring.

4. 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))

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 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.

5. For the purposes of Part B c) of Condition **16** completion of the development, and therefore the start of the 30-year period is considered to be when the first dwelling has been occupied.

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.

