



Report to Planning Committee – 15 January 2026

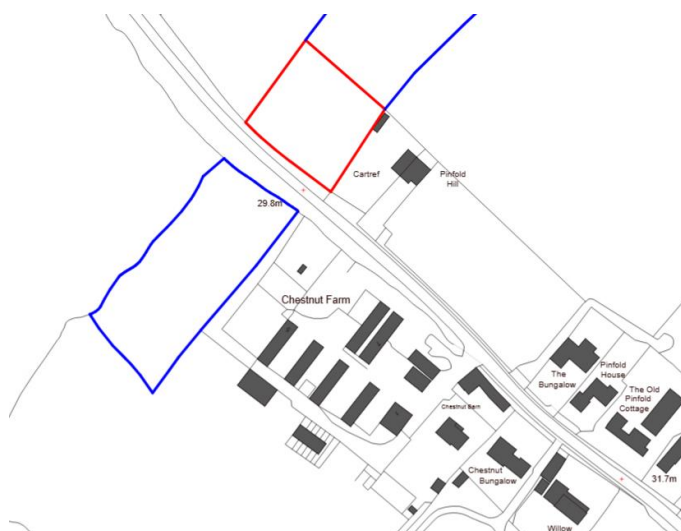
Business Manager Lead: Oliver Scott – Planning Development

Lead Officer: Jared Pailing – Planning Development Officer

Report Summary			
Application Number	25/01832/PIP		
Proposal	Application for permission in principle for proposed residential development of 2 dwellings		
Location	Land Adjacent Cartref Corkhill Lane Normanton		
Applicant	Henry Leivers	Agent	IBA Planning Ltd - Nick Baseley
Registered	22.10.2025	Target Date	26.11.2025 EOT – 23.01.26
Recommendation	That Permission in Principle is Approved		

1.0 The Site

- 1.1 The site (outlined in red) comprises of a square parcel of undeveloped agricultural land measuring 0.24 hectares in area, fronting onto Corkhill Lane to the immediate northwest of the village of Normanton. The surrounding area otherwise is predominantly fields. The site is bounded by hedgerows.

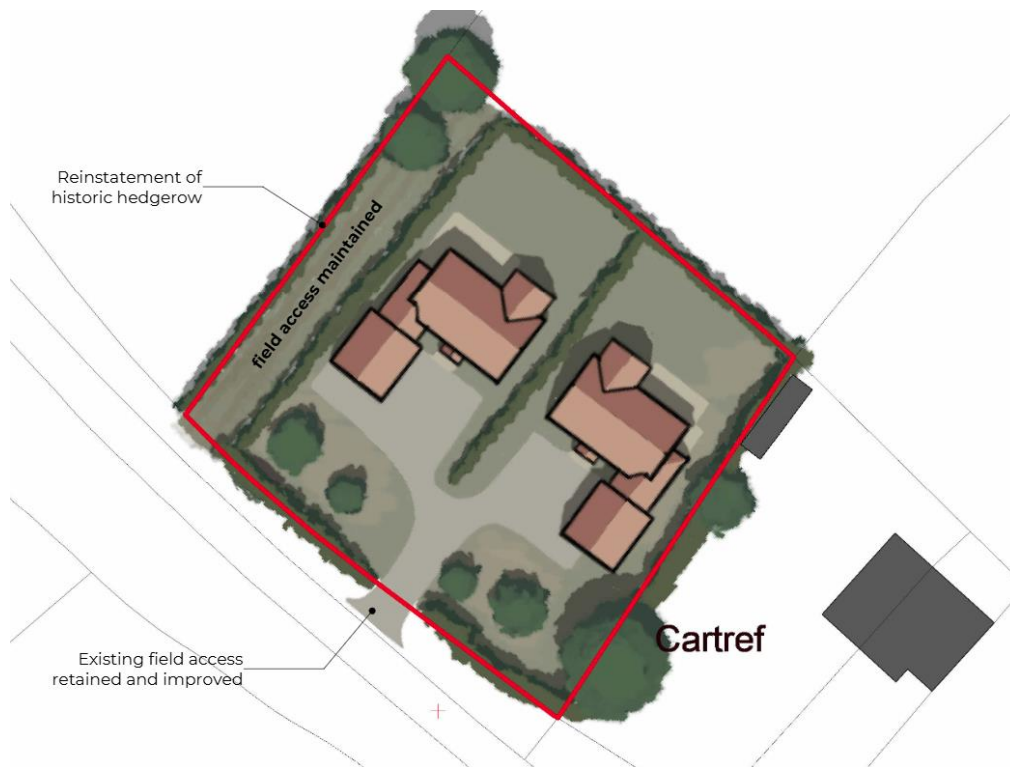


2.0 Relevant Planning History

- 2.1 25/01827/PIP - Application for permission in principle for a residential development of a minimum of 2 dwellings and a maximum of 5 dwellings is currently subject to an application for 'Permission in Principle'. The application is currently under consideration and will also be presented to Planning Committee on 15th January 2026.

3.0 The Proposal

- 3.1 The application seeks Permission in Principle (the first of a 2-stage process) for residential development of 2 dwellings. No specific details are required at this stage.
- 3.2 Permission in Principle requires only the location, the land use, and the amount of development to be assessed. If residential development (as is the case in this application), the description must specify the minimum and maximum number of dwellings proposed.
- 3.3 It is the second stage of the process, Technical Details Consent, which assesses the details of the proposal. This must be submitted within 3 years of the Permission in Principle decision.
- 3.4 In terms of accessing the site, the proposed dwellings could utilise the existing access off Corkhill Lane. As the proposal is for permission in principle, no site plan or elevational details are required to be submitted at this stage. Such details would be considered at the Technical Details Consent stage, if permission in principle is approved.
- 3.5 The indicative plans show the entrance is to be retained and seemingly improved to create a new shared driveway. It also illustrates how the site could be laid out with 2 dwellings:-



3.6 Documents assessed in this appraisal:

- Application form – Submitted 23rd October 2025;
- Feasibility Layout Plan (2553 S02 MF 060 REV P01) – Submitted 23rd October 2025;
- Site Location Plan (2553 S02 MF 001 REV) – Submitted 23rd October 2025;
- LTR from Agent – 23rd October 2025.

4.0 Departure/Public Advertisement Procedure

4.1 Occupiers of 10 properties have been individually notified by letter. A site notice has also been displayed near to the site expiring 26.11.2025.

4.2 Site visit undertaken 17th October 2025.

5.0 Planning Policy Framework

The Development Plan

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

- Spatial Policy 1 - Settlement Hierarchy
- Spatial Policy 2 - Spatial Distribution of Growth
- Spatial Policy 3 – Rural Areas
- Spatial Policy 7 - Sustainable Transport
- Spatial Policy 8 – Protecting and Promoting Leisure and Community Facilities
- Core Policy 6 – Shaping our Employment Profile
- Core Policy 9 -Sustainable Design

- Core Policy 10 – Climate Change
- Core Policy 12 – Biodiversity and Green Infrastructure
- Core Policy 13 – Landscape Character

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

- So/PV – Southwell Protected Views
- DM1 – Development within Settlements Central to Delivering the Spatial Strategy
- DM5 – Design
- DM7 – Biodiversity and Green Infrastructure
- DM8 – Development in the Open Countryside
- DM12 – Presumption in Favour of Sustainable Development

5.3. **Southwell Neighbourhood Plan (Made 11th October 2016)**

- Policy SD1: Delivering Sustainable Development
- Policy E1 – Flood Risk Assessment and Mitigation
- Policy E2 – Flood Resilient Design
- Policy E4 – Public Rights of Way and Wildlife Corridors
- Policy DH1: Sense of Place
- Southwell Design Guide

5.4. 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 is taking place between Tuesday 16 September and Tuesday 28 October 2025. Once the period of consultation has concluded then the Inspector will consider the representations and finalise his examination report and the final schedule of recommended main modifications.

5.5. 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.

5.6. 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.

- 5.7. 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.

a. DM5b – Design

5.8. **Other Material Planning Considerations**

National Planning Policy Framework 2024
Planning Practice Guidance (online resource)
NSDC Landscape Character Assessment SPD 2013
NSDC Residential Cycle and Car Parking Standards 2021
NCC Highways Design Guide

6.0 **Consultations and Representations**

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

Statutory Consultations

- 6.2. **NCC Highways** – Standing advice

Town/Parish Council

- 6.3. **Southwell Parish Council** – Object to the proposal on grounds of concerns over shared septic tank, missed 5 year supply, benefits of the housing supply, outside of the urban boundary.
- 6.4. **Southwell Civic Society** – Dispute the relevance of the submitted appeal statement and consider the site unsuitable for development due to lack of services, utilities and lack of affordable housing within the proposal.

Representations/Non-Statutory Consultation

- 6.5. 10 Resident/Neighbours have had individual letters posted. – Two Neighbours have commented to object to the proposal. One objection relates to the lack of amenity resources as their property is immediately next to the site and have highlighted the lack of mains drains, mains supply of water, gas supply and streetlights. A second comment has been received again raising the issue of facilities such as streetlights, footpaths and gas.

7.0 Appraisal

- 7.1. The key issues are:

- Principle of Development
- Location
- Land Use
- Amount of Development

- 7.2. All other matters would be considered as part of the Technical Details Consent (Stage 2) application which would be required if permission in principle (Stage 1) is approved.

- 7.3. The National Planning Policy Framework 2024 (NPPF) promotes the principle of a presumption in favour of sustainable development and recognises the duty under the Planning Acts for planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. The NPPF refers to the presumption in favour of sustainable development being at the heart of development and sees sustainable development as a golden thread running through both plan making and decision taking. This is confirmed at the development plan level under Policy DM12 of the Allocations and Development Management Development Plan Document (DPD).

- 7.4. On 16th December 2025 the Government Published a consultation on proposed reforms to the NPPF (2024). The consultation and draft NPPF do not constitute Government Policy or Guidance. However, they are capable of being material considerations in the assessment of this application. As the policy document is in the early stages of consultation it has been afforded limited weight.

Principle of Development

- 7.5. This type of application requires only the principle of the proposal to be assessed against the Council's Development Plan and the NPPF. The 'principle' of the proposal is limited to location, land use, and the amount of development. Issues relevant to these 'in principle' matters should be considered at the permission in principle stage. Any other details regarding the development are assessed at the second stage of the

process under a 'Technical Details Consent' application which must be submitted within 3 years of the Permission in Principle decision (if approved).

Location

- 7.6. The Adopted Development Plan for the District is the Amended Core Strategy DPD (2019) and the Allocations and Development Management DPD (2013). The Core Strategy details the settlement hierarchy which will help deliver sustainable growth and development in the District (Spatial Policy 1). The intentions of this hierarchy are to direct new residential development to the Sub-regional Centre, Service Centres, and Principal Villages, which are well served in terms of infrastructure and services. Spatial Policy 2 of the Council's Core Strategy sets out the settlements where the Council will focus growth throughout the District. In accordance with Spatial Policy 3 (Rural Areas), proposals outside of settlements and villages, within the open countryside, will be assessed against Policy DM8 of the Allocations and Development Management DPD.
- 7.7. Normanton is not defined within the settlement hierarchy and is therefore an 'other village'. Proposed Developments within these villages are assessed against Spatial Policy 3 'Rural Areas'. The locational criteria outlined in Spatial Policy 3 supports the development of sites within sustainable accessible villages. In decision making terms this means locations within the existing built extent of the village, which includes dwellings and their gardens, commercial premises, farmyards and community facilities. It would not normally include undeveloped land, fields, paddocks or open spaces which form the edge of built form.
- 7.8. Normanton, along with many other villages in the district, does not have an established village envelope and is described within the Adopted Southwell Neighbourhood Plan as a "hinterland" that relies on Southwell as its service centre. However, the site is located outside of the main built-up area of the settlement, and before the 30mph street sign when entering Normanton from the west. For these reasons it is considered the site falls outside of the village and is within the open countryside. However, it is acknowledged that there is a pair of residential dwellings adjoining the site's eastern boundary.
- 7.9. As such, the proposal needs to be assessed against Policy DM8 (Development in the Open Countryside).
- 7.10. Policy DM8 provides for a number of developments that may be acceptable subject to meeting defined criteria and states permission for new houses will only be granted where 'they are of exceptional quality or innovative nature of design, reflect the highest standards of architecture, significantly enhance their immediate setting and be sensitive to the defining characteristics of the local area.'
- 7.11. Paragraph 84 of the NPPF states homes in the open countryside should be avoided unless there is an essential need for a rural worker dwelling or 'it is of exceptional quality and truly outstanding, reflecting the highest standards of architecture, and would help raise standards of design more generally in rural areas and significantly enhance its immediate setting'. Further to this, although not part of the urban built

up area of Southwell, the Southwell Neighbourhood Plan still applies. It states new developments will only be supported if compliant with National and Local Policies putting the proposal at odds with policy due to its open countryside location.

- 7.12. Whilst Normanton is an 'other village', it has some local services of its own, including a garden centre and café which are located within 0.2 miles of the site. Furthermore, the site is within a 1 mile walk from the centre of Southwell, which is identified as a 'Service Centre' under the Settlement Hierarchy of Spatial Policy 1, and is well served in terms of services and facilities. Pedestrian access into Southwell could be gained along Corkhill Lane and Normanton Road, via a footpath which starts adjacent to the south east corner of the site.



- 7.13. Alternatively, there is a Public Right of Way from Corkhill Lane, located opposite the site, and extends to Greet Lily Mill at the entrance to Southwell.
- 7.14. The NPPF (2024) has introduced changes to the way in which local authorities formulate the number of new homes needed to be delivered in their areas and as such the need for houses in the District has increased significantly which means that the Authority is no longer able to demonstrate a five year supply of housing. The LPA is currently only able to demonstrate a housing land supply of 3.84 years. This means that the Development Plan is now out of date in terms of housing delivery and the tilted balance has come into effect.
- 7.15. The shortfall in the supply of deliverable housing sites means that, in accordance with the presumption in favour of sustainable development (at paragraph 11d), any adverse impacts caused by the proposal must significantly and demonstrably outweigh its benefits, for planning permission to be refused. This means the Authority has a duty to '...grant permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, 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 combination.
- 7.16. Footnote 8 (in relation to out of date policies) states, 'this includes, for applications involving the provision of housing, situations where: the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.'
- 7.17. As such, whilst the site is located within the open countryside and is contrary to the settlement hierarchy, the tilted balance is engaged, and the provision of housing is given additional weight in the planning balance. Smaller unallocated sites, such as this site, will play a small role in helping the district to meet its housing targets and identified housing needs and given its location close to an existing settlement this is considered acceptable.
- 7.18. The site will provide 2 additional housing units on the edge of the village but on land considered open countryside. At this stage it is not known whether these would be bungalows or houses, these details would come at the technical detail stage. It is considered that 2 houses or bungalows are likely to be most appropriate however this will be dealt with at the technical details stage. The indicative layout demonstrates that a scheme could be designed to reflect the layout of the adjacent dwellings which are well set back from the street and screened by substantial planting including along the site's north west boundary which would provide a welcome buffer between the proposed built form and the open countryside.

Land Use

- 7.19. Residential is a suitable use of the land considering the proximity to the village of Normanton and the Service Centre of Southwell, and its position adjacent to a small number of other dwellings. The development of this site would also broadly reflect the existing pattern of development found along this section of Corkhill Lane.

Loss of Agricultural Land

- 7.20. As the site lies in the open countryside, Policy DM8 is relevant insofar as the impact of the loss of agricultural land. The final paragraph of this policy states '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 and community benefits that outweigh the land loss.'
- 7.21. Clearly agricultural land is an important natural resource and how it is used is vital to sustainable development. The Agricultural Land Classification system classifies land

into 5 grades, with Grade 3 subdivided into sub-grades 3a and 3b. The best and most versatile land is defined as Grades 1, 2 and 3a (as defined by the NPPF) and is the land which is most flexible, productive and efficient in response to inputs, and which can best deliver food and non-food crops for future generations. This is a method of assessing the quality of farmland to assist decision makers.

- 7.22. Estimates in 2012 suggest that Grades 1 and 2 together form about 21% of all farmland in England; Subgrade 3a also covers about 21%. The vast majority of land within the Newark and Sherwood District is Grade 3. There is no Grade 1 land (excellent quality) or Grade 5 land (very poor) in the Newark and Sherwood district. There are limited amounts of Grade 2 (very good) and 4 (poor) land.
- 7.23. Having reviewed Natural England's' Regional Agricultural Land Classification Maps, the application site is Grade 3 land (good to moderate). Unfortunately, there is no database, nor has any soil testing been carried out, to distinguish whether the site is formed by Grades 3a or 3b land, and therefore it is not known whether the site comprises of 'the best and most versatile agricultural land'.
- 7.24. The loss of this 'good to moderate' agricultural land measuring a modest 0.24 hectares, should therefore be considered against any benefits the proposed development could potentially bring about, in the overall planning balance.

Amount of Development

- 7.25. The application proposes 2 dwellings. The site covers approximately 0.24 hectares. The generally accepted density for new residential development within the district is 30 dwellings per hectare. The number of dwellings on site would be 2, which equates to an approximate density of 8.3 dwellings per hectare. Given the existing pattern of development along this section of Corkhill Lane, and its rural 'edge of settlement' location, this ratio is considered acceptable in principle and would appear in keeping with the existing density of development in the area. Any higher density would likely result in an unacceptable visual impact. The amount of development in terms of footprint and massing would be considered at the Technical Design Stage. Overall, the maximum is considered acceptable and would not be considered to introduce a harmful density in terms of wider impacts, such as visual impact, traffic generation, drainage, sewerage or local infrastructure, in accordance with Spatial Policy 3.
- 7.26. The maximum number of dwellings proposed here would be 2 units which, given the size of Normanton, is considered proportionate to the existing village. Given the proximity of the site to the service centre of Southwell, there would be sufficient access to services to serve the additional dwellings without such services becoming overwhelmed.

Planning Balance

- 7.27. In this instance, the site is considered to be located within the open countryside adjacent the built form of Normanton village. There are no impacts at this stage that would warrant refusal when applying the tilted balance in accordance with paragraph 11(d) of the NPPF, which favours the presumption in favour of sustainable development unless there are convincing issues which would warrant refusal. Whilst

Normanton is an 'other village', with little in terms of the essential amenities, the site is located within 1 mile of the Service Centre of Southwell accessible via existing footpath connections, which has a wide range of services and amenities. Considering the Council's lack of a five-year housing land supply, and an out-of-date local plan, the provision of housing is given additional weight in the planning balance. At this stage, there are no impacts that would significantly or demonstrably outweigh the provision of housing, in accordance with NPPF paragraph 11(d). The proposal is therefore considered acceptable in principle when applying the tilted balance.

Matters for Technical Details Consent Stage

- 7.28. The Technical Details Consent application would be required to be submitted within three years of the decision date if the application was approved. Policy DM5 of the DPD sets out the criteria for which all new development should be assessed against. These includes, but are not limited to, safe and inclusive access, parking provision, impact on amenity, local distinctiveness and character, and biodiversity and green infrastructure. These policies are now reflected in the emerging plan policy DM5b.
- 7.29. The technical details consent application would need to carefully consider these criteria. Residential is a suitable use of the land considering the proximity to the village.

Impact on Visual Amenity and the Character of the Area

- 7.30. Core Policy 9 seeks to achieve a high standard of sustainable design which is appropriate in its form and scale to its context, complementing the existing built and landscape environment. Policy DM5 requires the local distinctiveness of the District's landscape and character of built form to be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development.
- 7.31. Core Policy 13 seeks to secure new development which positively addresses the implications of relevant landscape Policy Zone(s) that is consistent with the landscape conservation and enhancement aims for the area(s) ensuring that landscapes, including valued landscapes, have been protected and enhanced.
- 7.32. Paragraph 135 of the NPPF states inter-alia that development should be visually attractive, sympathetic to local character and history, and should maintain or establish a strong sense of place.
- 7.33. The site is located within the Mid-Nottinghamshire Farmlands Landscape Character Area in the Newark and Sherwood Landscape Character Assessment (2010). The site falls within the Mid Nottinghamshire Farmlands Policy Zone MN PZ 35: Maythorne Meadowlands, which is described as rolling and undulating topography with wooded skylines, interrupted intermittently by pylons and power lines, with the River Greet running through. Both the landscape sensitivity and condition is defined as 'moderate', and the proposed action for the area is to 'conserve and create' including conserving the rural character of the landscape by limiting any new development to around the settlements of Normanton and Maythorne.

- 7.34. The topography of the site, which slopes up from the adjacent highway means any dwellings would be located within an elevation position within the street. Therefore, regarding impact on the landscape, two dwellings of either bungalow proportions or a maximum of 1.5/2 stories considered not to cause substantial concern.
- 7.35. The historic settlement of Southwell is located close by to the south, however, due to the presence of foliage and treelines, views of the minster and historic core are limited. The site is not within one of the defined protected view cones for Southwell, although it is acknowledged that the view cones cease to the south of Corkhill Lane.
- 7.36. In terms of design, these details are to be considered at the technical stage and at this stage of the application hold little weight, however, any design put forward should be sympathetic to the historic nature of the area and nearby village and close proximity neighbours, that is to say for example a clear new build design as often seen in more urban areas would be unlikely to be supported. The design should aim to minimise the visual intrusion, to ensure there is no harm, or the level of harm is limited, to the character of the area and surrounding landscape. Soft landscaping should also be utilised to achieve an acceptable design.

Impact on Residential Amenity

- 7.37. Policy DM5 of the DPD states that development should have regard to its impact upon the amenity of surrounding land uses and neighbouring development to ensure that the amenities of neighbours and land users are not detrimentally impacted. The NPPF seeks to secure high quality design and a high standard of amenity for all existing and future occupants of land and buildings.
- 7.38. Paragraph 135 of the NPPF seeks to ensure that developments have a high standard of amenity for existing and future users. The closest dwellings to the site are Cartref & Pinfold Hill immediately east of the proposed site with Cartref sharing a boundary. Cartref features an outbuilding close the boundary, but the house itself is located c24m away from the boundary. No other dwellings are located close to the site and are instead further into the village. The submission indicates the access to the site would be the existing access currently serving the field. Given the separation distance it is not considered that there would be any unacceptable impacts on amenity for neighbouring occupants in relation to overbearing impact, loss of light or loss of privacy (subject to final details).
- 7.39. The comments objecting to the proposal are noted. Although, the presence of two new dwellings would undoubtedly have an impact in terms of views from Cartref due to an open field being replaced with dwellings, the loss of pleasant views is not a material planning consideration in terms of residential impact. It is not considered that there would be any unacceptable impacts on amenity for neighbouring occupants in relation to overbearing impact, loss of light or loss of privacy (subject to final details).

Impact on Highways

- 7.40. Spatial Policy 7 states that new development should provide appropriate and effective parking provision and Policy DM5 states that parking provision should be based on the

scale and specific location of development. The Newark and Sherwood Residential Cycle and Car Parking Standards and Design Guide SPD (2021) provides guidance in relation to car and cycle parking requirements. Table 2 of SPD recommends the number of parking spaces depending on the number of bedrooms and location of the dwelling.

- 7.41. Paragraph 116 of the NPPF provides that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.42. From the submitted plans it appears the existing rural access to the site would be finished in a hard bound surface and turned into a shared drive for the two dwellings but not details are submitted at this stage.
- 7.43. The access would need to meet the requirements set out in the NCC Highways Design Guide. For a shared private drive of up to a maximum of 5 dwellings this would require a 4.8m width within 8.0m of the highway plus 0.5m clearance on both sides, additional width for bin storage.
- 7.44. Subject to access improvements, it is considered the scheme would be acceptable in relation to highway safety and the highway network. Parking provision would need to adhere to the recommendations set out in Table 2 of the SPD. For dwellings with up to 2-3 bedrooms 2 spaces would be required and for 4+ bedrooms 3 spaces would be required. Highways have commented at this stage to advise standing advice is sufficient but subject to further details they may be consulted at a later stage.
- 7.45. Attention should also be drawn to the way the site will interact with the public highway. Currently there is no pedestrian footpath, and the site is accessed directly via the highway which would be a danger to residents and pedestrians if houses were to be built on the site. As such, highways may require consideration be given to the potential of a pedestrian footpath link as part of any technical details. Consideration should also be given as to how the development may impact the nearby public rights of way in line with Policy E4 of the adopted neighbourhood plan which seeks to enhance and conserve public rights of way.

Trees, Landscaping and Ecology

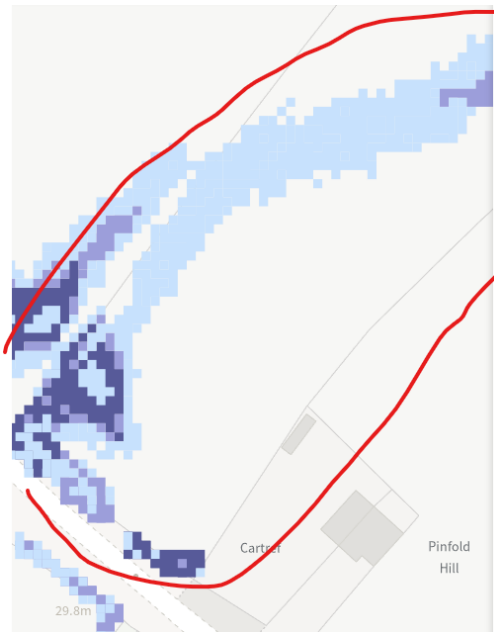
- 7.46. Core Policy 12 of the Core Strategy seeks to secure development that maximises the opportunities to conserve, enhance and restore biodiversity. Policy DM5 of the DPD states that natural features of importance within or adjacent to development sites should, wherever possible, be protected and enhanced. The NPPF also includes that opportunities to incorporate biodiversity in and around developments to provide net gains should be encouraged
- 7.47. It is unlikely that the proposal would require the removal of any trees or hedgerow bounding the site. In the event this was the case, in order to consider the potential impact of the development a Preliminary Ecology Appraisal (PEA), and any follow up surveys that are recommended by the PEA, would be required to support the

Technical Details Consent stage.

- 7.48. Ultimately it is important that all development does not adversely impact the natural environment or surrounding character unnecessarily and that construction is carried out proactively to protect existing ecological features. If development is proposed close to established trees/hedgerows or would result in the removal of such features, a Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan, indicating where trees or hedgerows may be affected by the proposed development would be required. This includes on adjacent land or highways. The survey would need to include all the information required as per the specification of BS 5837: 2012, or by any subsequent updates to this standard. Further information can be found in the NSDC List of Local Requirements Validation Checklist.
- 7.49. Landscaping and green infrastructure should be incorporated into the proposal in line with Policy DM7. It is strongly recommended that replacement trees of a similar species should be included in the landscaping plan to replace any trees that require removal (if any).

Flood Risk

- 7.50. Core Policy 10 of the Core Strategy and Policy DM5 of the Allocations and Development Management DPD along with the NPPF set out a sequential approach to flood risk which is reflected in Policy DM5. Core Policy 9 requires new development proposals to pro-actively manage surface water.
- 7.51. The application site lies within Flood Zone 1 and is therefore at a very low risk of flooding. It is therefore sequentially preferable in terms of flood risk.
- 7.52. However, the site has been identified as at risk of surface water flooding ranging from low-high at varying locations of the site. The entrance to the south to the site ranges from low risk (lightest hue of blue) to medium (darker hue) and high (darkest blue) with the southeastern most area being at high risk of flooding. To the western part of the site there is a high density of high risk flooding with medium and low interspersed. Running along the majority of the boundary and to the north is low risk.



7.53. Para 172 of the NPPF states that all plans should apply a sequential, risk-based approach to the location of the development taking into account all sources of flood risk and the current and future impacts of climate change. Considering the on site risks of surface water flooding, it will need to be demonstrated during the technical stage that the area is appropriate for development in terms of flood risk and that any development would not result in an increased flood risk off site. The indicative plan provided shows the area along the site's northwestern boundary, which is at highest risk of flooding, would be retained as a field access and so remaining in agricultural use.

7.54. Policies E1&E2 of the adopted neighbourhood plan also reinforces the need for site specific flood risk assessments as well as the need to demonstrate flood resilience. These policies are reflected in Core Policy 10 of the Amended Core Strategy and DM5 of the Adopted Allocations SPD. A site-specific flood risk assessment is required to demonstrate how the proposal would be acceptable in terms of flooding and how the proposal would comply with the sequential test requirements set out in national policy.

7.55. The proposal would result in the development of an existing greenfield site, which has the potential to increase surface water drainage. Details of how surface water run-off would be suitably disposed of would be considered at the Technical Details Consent stage, however Officers are satisfied that there would be a technical solution to ensure that surface water run-off from the site would not increase. For example, if soakaways are not suitable, the site is large enough to accommodate on-site surface water attenuation measures.

Contamination Risk

7.56. Policy DM10 of the DPD states that where a site is highly likely to have been contaminated by a previous use, investigation of this and proposals for any necessary mitigation should form part of the proposal for re-development.

7.57. Paragraph 196 of the NPPF states planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation). After remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990

7.58. Due to the previous agricultural use of the site there is potential for contamination. A Phase 1 Contamination Survey would be required to be submitted as part of the Technical Details Consent application. The Council's Environmental Health team would be consulted for comments at Technical Details Consent stage.

Community Infrastructure Levy (CIL)

7.59. The site is located within the Housing Very High Zone 4 of the approved Charging Schedule for the Council's Community Infrastructure Levy. Residential development in this area is rated at £100m² for CIL purposes. The development would be subject to CIL at Technical Details Consent stage. As the proposed floorspace is currently unknown, the CIL charge cannot be advised.

Biodiversity Net Gain (BNG)

7.60. Biodiversity Net Gain (BNG) – In England, BNG became mandatory (under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021)) from February 2024. BNG is an approach to development which makes sure a development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development. This legislation sets out that developers must deliver a minimum BNG of 10% - this means a development will result in more, or better quality, natural habitat than there was before development. The TDC application would need to clearly set out how the application complies with one of the exemptions for BNG or detail how BNG would be achieved on-site or in accordance with the BNG hierarchy.

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 - LEG2526/949

Planning Committee is the appropriate body to consider the content of this report. A

Legal Advisor will be present at the meeting to assist on any legal points which may arise during consideration of the application.

9.0 Conclusion

- 9.1. The purpose of this application is to assess the acceptability of the proposal on the application site, in relation to location, land use, and amount of development, in principle only. Any other issues should be assessed at Technical Details stage. Further to the above assessment, it is considered that the location and land use is suitable for 2 dwellings and is an acceptable amount of development for the site. The principle of development is therefore acceptable subject to final details, mitigation measures, access arrangements and site-specific impacts, which would be assessed in detail at Technical Details Consent stage.
- 9.2 It is therefore recommended that unconditional Permission in Principle is approved.
- 9.3 It should be noted that conditions cannot be attached to a Permission in Principle. Conditions would be attached to the Technical Details Consent. The Permission in Principle and the Technical Details Consent together form the full permission. No development can commence until both have been approved.
- 9.4 Technical Consent Submission Requirements:
- Completed Technical Details Consent Application Form
 - Site Location Plan
 - Existing and Proposed Site Plan (including details of access, boundary treatments and landscaping)
 - Existing and Proposed Plans and Elevations
 - Preliminary Ecology Assessment (and any follow-up surveys as recommended)
 - Tree survey, Arboricultural Impact Assessment and Tree Protection Plan (where relevant)
 - Contaminated Land Desktop Study/Preliminary Risk Assessment
 - Details of BNG

10.0 Informative Notes to the Applicant

- 01 The Technical Details Consent application is required to be submitted within three years of the decision date. The Council's Development Plan Policy sets out the criteria for which all new development should be assessed against. These includes but is not limited to safe and inclusive access, parking provision, drainage, impact on amenity, local distinctiveness and character, heritage matters and biodiversity and green infrastructure. The technical details consent application would need to carefully consider these criteria and the Applicant's attention is drawn to the Officer Report that accompanies this decision for further advice on these criteria.
- 02 The grant of permission in principle is not within the scope of biodiversity net gain (as it is not a grant of planning permission), but the subsequent technical details

consent (as a grant of planning permission) could be subject to the biodiversity gain condition.

- 03 You are advised that as of 1st December 2011, the Newark and Sherwood Community Infrastructure Levy (CIL) Charging Schedule came into effect. Any subsequent technical details submission may therefore be subject to CIL (depending on the location and type of development proposed). Full details are available on the Council's website www.newark-sherwooddc.gov.uk/cil/
- 04 The application as submitted is acceptable. In granting permission without unnecessary delay the District Planning Authority is implicitly working positively and proactively with the applicant. This is fully in accordance with Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

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.

