



Report to Planning Committee 12 February 2026

Business Manager Lead: Oliver Scott – Planning Development

Lead Officer: Lynsey Preston - Senior Planner.

Report Summary			
Application No.	25/01879/OUTM		
Proposal	Outline planning application (with all matters reserved except for access to Allenby Road) for up to 70 dwellings (including affordable housing), highway works, public open space, children's play space, landscaping, drainage and all other associated works, including infrastructure.		
Location	Land West Of Allenby Road Southwell		
Applicant	Richborough	Agent	Fisher German LLP - Kerry Andrews
Registered	14.11.2025	Target Date / Extension of Time	13.02.2026
Recommendation	That Planning Permission is <u>APPROVED</u> subject to the condition(s) detailed at Section 10.0 and subject to the signing of a S106 for the contributions.		

This application is being referred to the Planning Committee for determination, in accordance with the Council's Scheme of Delegation, as the site is a departure from the plan.

The Site

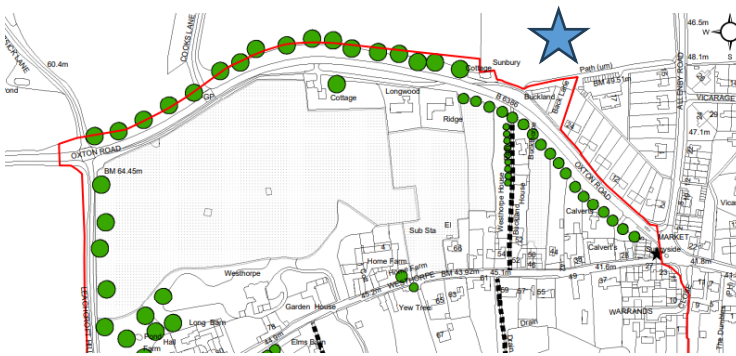
- 1.1 The site is located outside of the defined built up area of Southwell, as defined by the Allocations and Development Management DPD and is still outside in the Amended Allocations and Development Management DPD (status explored later in this report). The site comprises of land at 3.59ha in area.
- 1.2 The site relates to existing open agricultural fields to the west of the existing settlement of Southwell. The site is bounded on all sides by a large mature hedgerow and hedgerow trees to the north, west and southern boundaries. One tree is located within the site. An existing informal field farm access is located to the east of the site, from Allenby Road, forming a break in the hedgerow.

- 1.3 A public right of way is located north-south through the site and east-west along the southern boundary (SouthwellFP45 & SouthwellFP30). (see below)

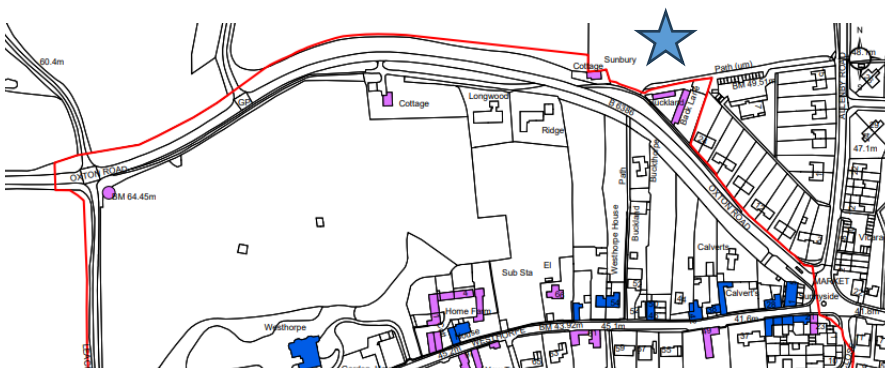


1.4

- 1.5 The site is located just outside of the defined Conservation Area, which runs to the south of the site along Oxton Road. There are unlisted buildings of local interest (shown in pink) to the south of the site on Oxton Road (see below, the star indicates the site location). Further details of the conservation and historical impact is explored in the heritage section of this report.



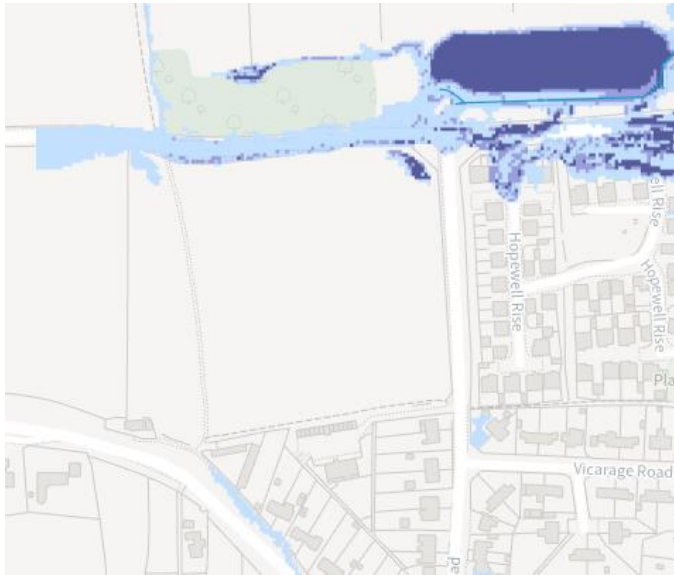
1.6



1.7

- 1.8 The site is within Flood Zone 1 according to Environment Agency maps therefore at lowest risk from fluvial flood risk and very low risk from surface water flooding. The map below shows the flood risk which coincides with the location of the watercourse to the north of the site (to the south of Halam Road)

- 1.9 There is no planning history relating to the site.



1.10

1.11 The site has the following constraints:

- Flood risk – Zone 1
- Buildings of local interest
- Footpaths Southwell FP45 & FP30
- Conservation Area setting

2.0 **Relevant Planning History**

2.1. PREAPM/00198/25 Erection of up to 70 dwellings Positive advice given 20.10.2025

3.0 **The Proposal**

3.1 This application seeks outline planning permission (with all matters reserved except for access to Allenby Road) for up to 70 dwellings (including affordable housing provision), highway works, public open space, children's play space, landscaping, drainage and all other associated works.



3.2

3.3 The application has been assessed based on the following plans and documents:

- Application form
- DRWG 0110 Rev F Indicative Framework Plan;
- DRWG no. 110535-PEF-ZZ-XX-DR-TP-00001 Rev P03 Site Access Arrangement;
- DRWG no. 1830-L-D-PL-200 Rev V3 Illustrative Landscape Strategy;
- Location Plan;
- DRWG no. 0101 Site Location Plan;
- Agricultural Quality Report 2704/1 (14 October 2025);
- Air Quality Assessment (August 2025 revised October 2025 Rev 1);
- Arboricultural Impact Assessment V4 October 2025;
- Climate Change Statement (November 2025);
- DEFRA Biodiversity Net Gain Report (October 2025);
- **DEFRA Biodiversity Net Gain Report January 2026;**
- Design and Access Statement (November 2025);
- Flood Risk Assessment & Drainage Strategy Report V1.7 (November 2025);
- **UPDATED Flood Risk Assessment & Drainage Strategy Report V1.8 (12.01.2026);**
- Geophysical Survey Report ref.25689 (dated 19/09/2025);
- Heritage Impact Assessment (October 2025);
- Landscape and Visual Appraisal V3 (October 2025);
- Mineral Resource Assessment (04 November 2025);
- Noise Assessment (October 2025);
- Nottinghamshire Rapid Health Impact Assessment (RHIS) Template 2025-30;
- Phase 1 Geo-environmental Assessment (28 October 2025);
- Planning Statement (27/10/2025 updated 04/11/2025 V1);
- Preliminary Ecological Appraisal (October 2025);
- **Updated Preliminary Ecological Appraisal Ref.V3 (January 2026);**
- Stage 1 Road Safety Audit – Designers Response rev. S2_P1 (07/10/2025);
- Statement of Community Involvement;
- Transport Statement Rev. P3 (23/10/25);
- Utilities Assessment Rev.2 (15/10/2025);
- BNG Metric;
- **BNG Metric V2 January 2026;**

4.0 **Departure/Public Advertisement Procedure**

4.1 Occupiers of 27 properties have been individually notified by letter. Two site notices have also been displayed near to the site and an advert has been placed in the local press.

4.2 Site visit undertaken on 21.11.2025.

5.0 **Planning Policy Framework**

5.1. **Southwell Neighbourhood Plan (made October 2016)**

Policy E1 – Flood Risk Assessments & Mitigation
Policy E2 – Flood Resilient Design
Policy E3 – Green Infrastructure & Biodiversity
Policy E4 – Public Rights of Way & Wildlife Corridors
Policy E5 – Green Link
Policy DH1 – Sense of Place
Policy DH2 – Public Realm
Policy DH3 – Historic Environment
Policy TA1 – Cycle & Pedestrian Routes
Policy TA2 – Public Transport Connectivity
Policy TA3 – Highways Impact
Policy TA4 – Parking Standards
Policy CF1 – Identified Assets
Policy CF2 – Green and Open Spaces and Burial Grounds
Policy HE1 – Housing Type and Density

5.2. 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 1 – Affordable Housing Provision
Core Policy 3 – Housing Mix, Type and Density
Core Policy 9 - Sustainable Design
Core Policy 10 – Climate Change
Core Policy 10A – Local Drainage Designations
Core Policy 12 – Biodiversity and Green Infrastructure
Core Policy 13 – Landscape Character
Core Policy 14 – Historic Environment
SoAP1 – Role and Setting of Southwell

5.3. Allocations & Development Management DPD (2013)

DM1 – Development within Settlements Central to Delivering the Spatial Strategy
DM3 – Developer Contributions and Planning Obligations
DM5 – Design
DM7 – Biodiversity and Green Infrastructure
DM8 – Development in the Open Countryside
DM9 - Protecting and Enhancing the Historic Environment
DM12 – Presumption in Favour of Sustainable Development
So/HN/1 - Southwell Housing Need

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 next stage in the Examination process will be the Inspector issuing their draft report.

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. Through this process representors have been provided the opportunity to raise objections to proposed modifications through the above consultation. Therefore, where content in the Submission DPD is either;

- Not subject to a proposed main modification;*
- The modifications/clarifications identified are very minor in nature; or*
- No objection has been raised against a proposed main modification*

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

[Submission Amended Allocations & Development Management DPD](#)
[Schedule of Main Modifications and Minor Modifications / Clarifications](#)

The policies which now carry substantial weight and therefore applicable to the consideration of this application are:

DM1 – Development within Settlements Central to Delivering the Spatial Strategy
DM3 – Developer Contributions and Planning Obligations
DM5(a) – The Design Process
DM5(b) – Design
DM5(d) – Water Efficiency Measures in New Dwellings
DM7 – Biodiversity and Green Infrastructure
DM9 – Protecting and Enhancing the Historic Environment

Core Policy 3 – Housing Mix, Type and Density

5.4. Other Material Planning Considerations

- National Planning Policy Framework 2024 (updated 2025)
- Planning Practice Guidance (online resource)
- Residential cycle and car parking standards Supplementary Planning Document (SPD)
- Landscape Character Assessment SPD
- S.72 Planning (Listed Buildings and Conservation Areas) Act 1990

- National Design Guide – Planning practice guidance for beautiful, enduring and successful places (October 2019)
- Newark and Sherwood Affordable Housing SPD (June 2013)
- Newark and Sherwood Developer Contributions SPD (December 2013)
- Building for a Healthy Life Criteria¹.

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/government/publications/consultation-and-pre-decision-matters)

Environment Agency – The development falls within flood zone 1 and therefore we have no fluvial flood risk concerns associated with the site. There are no other environmental constraints associated with the application site which fall within the remit of the Environment Agency.

NCC Lead Local Flood Authority – 03.12.2025 (Initial objection) Whilst the principles of the development are acceptable there are a number of issues within the submission that must be resolved before outline permission is granted.

1. The application fails to consider the flood alleviation works carried out in the immediate downstream location of the site and in particular any exceedance flow impacts on that area.
2. The use of one single attenuation basin as shown on the proposals for this site is not recommended due to the potential off site impact of exceedance flows. The applicant should consider the use of two or more smaller basins through the site.
3. Section 4.9 makes reference to culverting of a watercourse. This would not be permitted and the applicant should consider alternatives.
4. On page 2 of the Flood Risk Assessment Figure 8 appears to be blank.
5. Appendix A, the proposed plan appears incomplete.

The issues identified above have the potential to impact on the layout of the development and as such we object to the proposals as they stand.

16/01/2026 **NO OBJECTION** subject to conditions

Historic England – In this case we are not offering advice. This should not be interpreted as comment on the merits of the application. We suggest that you seek the views of your specialist conservation and archaeological advisers.

Sport England – The proposed development does not fall within our statutory remit (Statutory Instrument 2015/595) and, therefore, Sport England has not provided a detailed response in this case.

¹ <https://www.designforhomes.org/wp-content/uploads/2020/11/BFL-2020-Brochure.pdf>

NCC Rights of Way – Requires further information

1. Proposed maintenance of the footpaths
2. Traffic/ private vehicular access/intensification, would this be a danger to ROW users?
3. Clarification on who would maintain the footpaths going forward. Any change to the surface composition must be agreed with the Rights of Way Team.
4. How the developer would ensure the safety of the public, during the building phase.

No objection pending further information – Confirmation of the conditions (listed above) being accepted/included, there would be no objections.

Following further clarification on the comments raised, NCC Rights of Way officer stated that the comments raised are more specific to the detailed application through the Reserved Matters Application and not the Outline.

NCC Highways – No objections subject to conditions/informatives.

Town/Parish Council

- 6.1. Southwell Town Council – Object but state *Should the Outline Planning Permission be approved, Southwell Town Council would note the following concerns and priorities that we would wish to see addressed in Reserved Matters.*

- *Affordable Housing*
- *Waste Water Infrastructure*
- *Trees and Hedges*
- *Climate Change*

Representations/Non-Statutory Consultation

NCC Planning Policy – *Due to the length of these comments you are advised to review this on the Council's website. Summaries will be included in the relevant sections where necessary.*

NSDC Environmental Health (Contaminated Land) A Phase 1 Geo-environmental Assessment has been completed by Fisher German in support of this application. Whilst no potential sources of contamination are identified, the report recommends that a phase 2 intrusive investigation is completed. Given this recommendation I would request the use of the full phased contamination condition in the event that any elevated contamination is identified in the phase 2.

Air Quality The report uses current guidance (IAQM, EPUK etc.) on which to base the assessment and to consider the impact of traffic emissions and dust generated during the site development.

A qualitative construction phase dust assessment has been completed and with mitigation dust risk is described as 'not significant'. An appropriate suite of mitigation

measures (based on IAQM guidance) is proposed in Appendix D and I would expect these to be required by condition.

Operational phase traffic emissions have been screened using appropriate guidance and given current DEFRA mapped air quality levels and predicted vehicle movement numbers, the requirement for detailed assessment has been screened out and the impact is therefore considered 'not significant'.

Environmental Health welcomes the proposed incorporation of Electric Vehicle (EV) charge points at each dwelling as part of the design to minimise the impact of the development on air quality. I would request that this is secured by condition. Other design aspects that could be included which would also benefit local air quality are:- secure cycle storage for each dwelling, pedestrian and cycle connectivity into the wider network, resident sustainable travel information packs.

Broadly speaking Environmental Health can accept the findings of the assessment providing that dust mitigation and EV charge points at each dwelling (as a minimum) are mandated by condition.

I would point out that Environmental Health is not able to consider any risk to ecological receptors and appropriate expertise should be sought for this.

Finally, section 6.3 of the Summary and Conclusions describes a qualitative odour assessment being completed, however no odour assessment appears to have been carried out. I assume that this is a typo and therefore needs correcting.

NSDC Environmental Health (Noise) I have reviewed the noise assessment submitted in support of the outline application. This demonstrates that for the majority of the site an acceptable acoustic environment can be achieved both within proposed dwellings and external amenity space. However, noise levels nearest to the highway adjoining the site are above guideline levels. As such, attenuation by design, acoustic barriers and glazing will be required in these areas. Final design details are not known at this stage. The acoustic assessment should be taken account of in determining site layout, and an updated assessment submitted when final details are known.

NHS Greater Nottinghamshire Clinical Commissioning Partnership – Impact of new development on GP practice - The development is proposing up to (70) dwellings which based on the average household size (in the Newark & Sherwood Council area) of 2.5 per dwelling, primary care health provision would result in an increased patient population of approx. (175) (2.5 x A).

GP practice most likely to be affected by growth and therefore directly related to the housing development - It is unlikely that NHS England or Nottingham and Nottinghamshire ICB would support a single handed GP development as the solution to sustainably meet the needs of the housing development and that the health contribution would ideally be invested in enhancing capacity/infrastructure with existing local practices. The practice that it is expected this development to be closest to is: • Southwell Medical Centre • Hill View Surgery • Jubilee Park Medical Partnership – Lowdham Site

Necessary to make the development acceptable in planning terms All practices in the

area are working at capacity and therefore in order to make this development acceptable from a health perspective, the infrastructure will need to be developed to accommodate the increased population. Patients may not necessarily register with the above practices due to Patient Choice. However, infrastructure financing in the form of S106 will be required to ensure that there is adequate primary care health facilities within the Newark & Sherwood District Council area.

Plans to address capacity issues The practices are currently reviewing their options as to how they may accommodate the increased number of patients due to this housing development. It is likely that the plans will include either reconfiguration or extension of existing premises or a new build that this S106 contribution will contribute towards.

Fairly and reasonably related in scale and kind to the development. - As a consequence and since the number of dwellings exceed 65, we would ask for £982 per dwelling for costs of Primary Health Care provision as set out in the Newark and Sherwood Developer Contributions and Planning Obligations, revised indexation 2016. Details of this could be provided to the developer upon planning consent being granted and the development starting and any uncommitted funding could be returned within an agreed expiry period.

Financial contribution requested - £68,740.00 (70 x £982 per dwelling)

NSDC Conservation The proposed /development is considered to result in less than substantial harm to the setting of the Southwell Conservation Area, resulting in harm to the historic rural setting of the town. It is appreciated that there may be public benefits which may outweigh the level of harm.

Lincs County Council Archaeology If the planning authority is mindful to grant planning permission prior to the evaluation I recommend that a pre-commencement archaeological condition is attached to any consent issued in respect of this proposal. A condition is required to secure works based on current guidance from the Lincolnshire Handbook (2024).

NSDC Planning Policy *Southwell Neighbourhood Plan* The Amended Southwell Neighbourhood Plan was published under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 in December 2024. An Examiner has not yet been appointed, and the objections raised at the Regulation 16 stage remain unresolved. As these issues have not been considered through examination, the emerging Amended Neighbourhood Plan cannot be given any meaningful weight at this time. The existing Southwell Neighbourhood Plan remains extant and continues to form part of the statutory development plan until it is formally replaced or updated.

The Council is currently unable to demonstrate a five-year housing land supply. As a result, the tilted balance set out in Paragraph 11(d) of the NPPF is engaged. I am not aware of any protected areas or assets of particular importance that would provide a clear reason for refusing the application. Therefore, in accordance with part 2 of Paragraph 11(d), planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF, with particular regard to its key policy areas.

NSDC Sports, Community Facilities and Events Manager - If this proposal were to receive planning consent I would request that the scheme is compliant in respect of the Developer Contribution SPD. Specifically in respect of the Community facility contribution which would be allocated to suitable projects in the Southwell locality.

Southwell Civic Society - The Council's policy advice notes that the 2012 Gateway Study concluded that development of the application site would result in "an unacceptable level of impact and (it) was therefore excluded from the Draft Allocations & Development Management DPD". The 'unacceptable level of impact' has not changed so it is difficult to understand why the policy advice does not acknowledge this fact and that, in relation to the 'tilted balance', the harmful impact that would be caused by the proposed development would engage NPPF footnotes 7 and 9.

Consequently, we consider that the adverse impacts described above would 'significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, and securing well-designed places'. Therefore, the development plan policies should prevail, and the application should be refused.

Trent Valley Internal Drainage Board – No comments received.

Community Health Partnership – No comments received.

- 6.2. 15 comments have been received from any third party/local residents which are summarised below:

Principle

Creeping suburban ribbon development

Density of housing proposed is higher than new development to east of Allenby Road

70 dwellings not in line with the character of the area, overdevelopment; Needs reducing in line with other developments such as the 45 houses on Bramley Fields;

Houses on Lower Kirklington Road are struggling to sell, so why build more?

No need for more housing – even affordable housing is not affordable;

The point of extending the Conservation Area was to protect the rural environmental of the properties around Oxton Road;

Erosion of countryside 'Gateway';

There are other available sites in the town which are preferable to this one to meet both current and any additional housing targets;

Allenby Road provides a natural boundary to the town;

Concern about spread to Halam in the future;

Application is premature whilst a new Development Management DPD is in progress;

Highways/Rights of Way

Exacerbate existing issues on Halam Road and the area in general;

Allenby Road/Oxton Road is an almost blind junction;

Cars always parked on the northern side of Oxton Road going west;

Concern that the footpath will turn in to an access point from Oxton Road;

Condition of local roads with pot holes are terrible;

Has consideration been given to the access from Halam Road as opposed to Allenby Road?;

Estate roads accessing the properties should be fit for purpose and to proper adoptable highway standard with 2m wide footways on either side;

Flood Risk

Northern side of the site regularly floods, with standing water for weeks;

Loss of yet more arable land would upset the existing flood defences along Halam Road;

Increase flood risk with more concrete;

Ecology/Biodiversity

10% Biodiversity Net Gain by planting new trees and additional vegetation along the site boundaries is not balanced for the loss of agricultural land;

Loss of well used green space, used by dog walkers and others;

Destroying precious habitat for our wildlife;

Residential Amenity

Site is visible from the rear of properties on Oxton Road. Impact on construction work and the lives of those residents will be abominable;

Inevitably there will be noise, air contamination, dirt, vibration and light pollution throughout the building works;

No details of when the screening will go up to the south of the site; This should be early on in the development;

Next to a children's nursery, will cause disruption to the children attending & concern for their health;

Other matters

Southwell is already stretched at the surgery and schools, consideration of impact on these should be given.

A new park is not needed and will have no impact on current residents;

Not enough services for Southwell and have to go out of town to do a main shop due to inadequate Co-op foodstore to serve Southwell;

7.0 Comments of the Business Manager – Planning Development / Appraisal

7.1. The key issues are:

1. Principle of development
2. Loss of agricultural land
3. Housing need & mix
4. Impact on the Heritage Impact and the Visual Amenities of the Area
5. Impact on Residential Amenity
6. Highway Safety and Public Right of Way
7. Flood Risk and Drainage
8. Ecology, Trees and BNG

Principle of Development

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

7.3. The Adopted Development Plan for the District is the Core Strategy DPD (2019) and the Allocations and Development Management Policies DPD (2013). The adopted Core Strategy details the settlement hierarchy which will help deliver sustainable growth and development in the District. 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 1 (Settlement Hierarchy) of the Council's Core Strategy sets out the settlements where the Council will focus growth throughout the District. Southwell is defined within the hierarchy as a Service Centre and has a good range of local facilities including schools, public transport and local employment. Beyond Principal Villages new development will

be considered against Location, Scale, Need, Impact and Character. However, as part of the criteria Spatial Policy 3 states that development not in villages or settlements, in the open countryside, will be strictly controlled and restricted to uses which require a rural setting. Where Neighbourhood Plans define village envelopes, development will only be supported beyond them if they meet the requirements of relevant policies within the Core Strategy or Allocations & Development Management DPD.

- 7.4. The first assessment which is necessary as part of the current assessment is to determine whether the site can be considered in the village or falls outside of the village and therefore should be assessed as development in the open countryside.
- 7.5. In this respect, the explanation text of the Amended Core Strategy Spatial Policy 3 is relevant:
- 7.6. *4.25 In implementing Spatial Policy 3 its locational criteria supports the development of sites in 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, farm yards and community facilities.*
- 7.7. The proposal does not comply with any of the above criterion and given it is an undeveloped open field, it is expressly stated within the policy explanation that SP3 does not include such land. Therefore, the site is located within the open countryside where policy DM8 applies. However, the site is in close proximity to the defined settlement of Southwell, which is defined as a Service Centre under Spatial Policy 1 and has facilities to support additional development.
- 7.8. Due to the changes to the NPPF in December 2024 which amended the housing mechanism for housing delivery, the Council can no longer demonstrate a 5yr housing land supply. Therefore paragraph 11(d) of the NPPF is engaged which applies the presumption in favour of sustainable development, and granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance 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 combination.
- 7.9. Caveats to this relate to development relating to habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.
- 7.10. Therefore, given the tilted balance in favour of development, although the site is located outside of the defined settlement boundary where residential development

would normally be unacceptable, given the Council has no 5yr housing land supply, to resist development for this reason alone would be inappropriate.

- 7.11. Other material considerations also must be taken into account, and these are explored below.
- 7.12. Status of the Southwell Neighbourhood Plan. The existing Neighbourhood plan was approved and adopted by the Council as part of its Development Plan 2016. Due to the plan approaching 10 years old, a new plan was started in 2024 under the Neighbourhood Planning (General) Regulations 2012 but has been delayed due to outstanding objections. An Examiner has not yet been appointed, and the objections raised at the Regulation 16 stage remain unresolved. As these issues have not been considered through examination, the emerging Amended Neighbourhood Plan cannot be given any meaningful weight at this time.
- 7.13. The existing Neighbourhood Plan remains extant and continues to form part of the statutory development plan until it is formally replaced or updated.
- 7.14. History of the site In the Options Report of the Draft Allocations and Development Management DPD (2013), Newark and Sherwood District Council initially proposed allocating the site. However, following a significant level of objection, the Council undertook a Gateway Study to assess which sites in Southwell would be the most suitable for allocation, focusing on their impact on the town's key gateways. This site was found to have an unacceptable level of impact and was therefore excluded from the Draft Allocations and Development Management DPD.

Loss of Agricultural Land

- 7.15. 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.'
- 7.16. 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.
- 7.17. 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.

- 7.18. Having reviewed Natural England's Regional Agricultural Land Classification Maps, the application site is Grade 3 land (good to moderate). Soil testing has been carried out to distinguish whether the site is formed by Grades 3a or 3b land. The conclusion of this report is that the land is Grade 3a and therefore of good quality, albeit on the lowest end of the scale.
- 7.19. The loss of this 'good to moderate' agricultural land should therefore be considered against any benefits the proposed development could potentially bring about, in the overall planning balance.

Housing need & mix

- 7.20. Core Policy 3 of the Amended Core Strategy DPD states an emphasis of family housing of 3 bedrooms or more, smaller housing 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. This will depend on the local circumstances of the site, the viability and any localised housing need. The amended Core Policy 3 proposed through the Amended Allocations and Development Management DPD largely follows this same emphasis but emphasises the need for 2 and 3 bedroom family housing and a greater provision of bungalows on appropriate large sites and support for specialist housing such as extra care and retirement housing.
- 7.21. In addition, particular emphasis will be placed on considering the impact of physical disability and mental health when addressing housing needs. On sites of 10 dwellings or more, provision of 23% of new homes to M4(2) accessible and adaptable standard will normally be required. On sites of 50 dwellings or more 1% of new dwellings will normally be required to meet M4(3) wheelchair accessible standard and should be provided as part of the affordable housing delivered on site. The provision of M4(2) and M4(3) will be required unless site specific factors such as vulnerability to flooding, site topography, and other circumstances which may make a specific site less suitable for M4(2) and M4(3) compliant dwellings, particularly where step free access cannot be achieved or is not viable. Where step free access is not viable, neither M4(2) or M4(3) should be applied.
- 7.22. The Council's latest housing need report from Arc4 District Wide Housing Needs Assessment (Dec 2020), states that within the Southwell Sub Area the greatest need for market housing is 3 bedroom properties (33.3%), followed by 4 bedrooms or more (24%) then 3 and 2 bed roomed bungalows (15.2% & 14.8%).
- 7.23. In addition to the above there would be a requirement to provide affordable housing onsite at 30%, with the general makeup being 60% social rented/affordable rented – 40% affordable home ownership products. Working on a maximum provision on site of 70 dwellings, 30% affordable housing would equate to 21 dwellings (13:8 tenure split of dwellings). The amended Core Policy 1 within the Amended Allocations and Development Management DPD retains the stated tenure mix but the affordable home ownership product element of the contribution will comprise the overall national 25% First Homes with the remaining 15% made up of the other affordable

home ownership products based on an up-to-date assessment of local need. First Homes should secure a minimum discount of 30% against market value (see below, extract from the revised Core Policy 1).

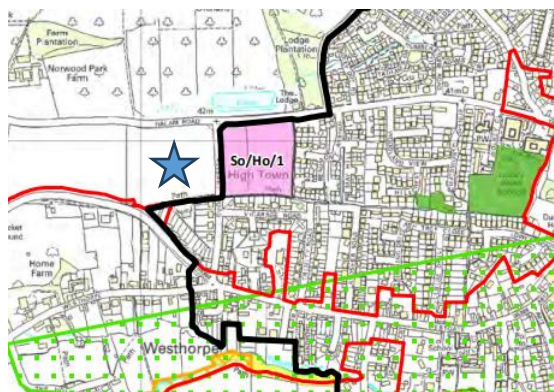
- 7.24. The Planning Statement submitted with the application states that at para 6.26 *“Delivery of 30% of the scheme as much needed local affordable housing in Southwell in accordance with NSDC policy requirements. The affordable homes proposed will contribute positively to addressing the shortfall in affordable housing within the district. This is a tangible benefit and merits significant weight.”*
- 7.25. The existing Southwell Neighbourhood Plan from 2016 states at Policy HE1 for Greenfield sites of schemes over 11 dwellings a housing mix is prescribed. However, the Arc4 report supersedes this document, as it was produced in 2020 and represents more up to date information. However, policy HE1 of the emerging NP broadly aligns with the requirements of the Arc4 report.
- 7.26. This provision can be secured through an associated S106, including the make-up of tenure and bedroom numbers. It is considered that this matter is acceptable.
- 7.27. *Density*
- 7.28. Core Policy 3 of the Amended Core Strategy DPD requires development densities in all housing developments to be no lower than 30 dwellings per hectare. Developments below this should be justified. Within the submission, 70 dwellings are proposed and given the site area of 3.29hectares would equate to 21 dwellings per hectare. Given this site is on the edge of a settlement, a density at 30 per hectare, may be too intensive and the layout should be designed to reflect a transitional site to the open countryside and thus a reduction in density is appropriate for this reasoning.

Impact on the Heritage Impact and the Visual Amenities of the Area

- 7.29. *Landscape*
- 7.30. Core Policy 9 (Sustainable Design) states that new development should be of an appropriate form and scale to its context complementing the existing built and landscape environments. DM5 requires development to respect the existing local vernacular in terms of scale, layout, design, materials and detailing.
- 7.31. Core Policy 13 of the Core Strategy addresses issues of landscape character. It states that development proposals should positively address the implications of the Landscape Policy Zones in which the proposals lie and demonstrate that such development would contribute towards meeting the Landscape Conservation and Enhancement Aims for the area.
- 7.32. The District Council has undertaken a Landscape Character Assessment to assist decision makers in understanding the potential impact of the proposed development on the character of the landscape. The LCA provides an objective methodology for

assessing the varied landscape within the District and contains information about the character, condition and sensitivity of the landscape. The LCA has recognised a series of Policy Zones across the 5 Landscape Character types represented across the District.

- 7.33. The site is located within the Mid Nottinghamshire Farmlands Policy Zone and specifically Halloughton Village Farmlands (MN PZ 38) according to the Council's Landscape Character SPD (2013). This landscape is gently undulating and rounded landform, with medium to long distance views towards frequently wooded skylines. These views are, however, often enclosed by hedgerows, vegetation (woods and riparian vegetation) and settlements. The buildings tend to be vernacular, with a few exceptions of more modern developments, principally around the north west of Southwell.
- 7.34. The landscape condition is defined as good and the area has a coherent pattern of elements composed of predominantly arable fields, blocks of deciduous woodland and isolated farms. The landscape sensitivity is defined as moderate with an apparent landform with intermittent areas of woodland giving moderate visibility value.
- 7.35. Landscape actions are to conserve and reinforce and where this relates to hedgerows and are gappy and in poor condition, these should be reinforced with new planting. New planting should take into consideration medium and longer distance views across the shallow ridgelines around Southwell which allow views across to the Minster and landscape beyond.
- 7.36. The Landscape and Visual Impact Appraisal submitted with the application also states that the site is located within the National Character :48 – Trent and Belvoir Vales. This character area is defined as having an undulating, strongly rural and predominantly arable farmland, centred on the River Trent. A low-lying rural landscape with relatively little woodland cover, the NCA offers long, open views.
- 7.37. The site falls outside of policy So/Pv Southwell Protected Views (see below), which sets out that the Council will seek to protect views of and across the principal heritage assets comprising of the Minster and Thurgarton Hundred Workhouse. The site is significantly outside of the view cone, therefore the impact in this regard is not considered applicable.



- 7.38. *Extract from Southwell policy map*

- 7.39. The application is in Outline form with the scale, massing and layout of the site yet to be considered, and would come from the subsequent detailed application known as Reserved Matters. The site is found at the settlement edge and has a rising landform from north to south. The surrounding landform, which is already built on and adjoins the site, is on a similar landform.
- 7.40. The combination of the hedgerow, hedge line trees, the level change and surrounding tree cover is typical of the host landscape. These factors influence the opportunity for, and frequency of, seeing the site from the wider open countryside. The effect of the site reduces expediently with distance and is not prominent in views.
- 7.41. The public right of way is located through the site, and although users of this would experience a change in their 'environment', the landscape buffer area as indicated on the indicative landscape plan shows that the western edge of the site can still be enhanced and the landscape strengthened to help to screen and protect the visual amenity. Whilst landscaping and layout is a reserved matter, the mitigation that this could bring to the proposal would offset the visual effect on the site's countryside setting. A condition could be imposed to ensure the landscape buffer to the west of the site is retained through to the detailed stage, as this would result in appropriate mitigation. The area around the footpath to the west of the site is identified in the Southwell NP as a 'green link' under Policy E5 and thus should be preserved as such, moving forward. This in itself does not preclude it from further development as this mitigation can be achieved through careful design.
- 7.42. Consequently, in landscape terms, subject to the appropriate design and landscaping to secure mitigation and reinforcement, the proposal would be in keeping with the local landscape character and setting and although it would result in limited number of material landscape or visual effects, these would be localised to the existing settlement edge location.
- 7.43. Responses from residents and consultees have mentioned inclusion of the site previously for consideration in the existing Allocations and Development Management DPD 2013, however it was removed from selection following a review of the Gateway Sites Assessment report (2012). This stated that the western boundary of the site does not conform to a physical natural or man-made barrier which would naturally define the extent of the site. At the present time (2012) Allenby Road itself provides a more appropriate limit to the growth of the settlement in the location, and in moving forward also provide a more defensible boundary in the long-term. The conclusion was that due to the open and prominent location with no natural screening to the west, the assimilation into the surrounding landscape character would be more difficult to achieve **than with other gateway site options.** (emphasis added).
- 7.44. This report led to the deletion of the site from the **DRAFT** Allocations document as it was in 2012, felt that the impact from this and the other sites assessed as part of this report, was greater than the ones that went on to be included in the current Plan. This does not automatically mean that a scheme is not deliverable on this site. Members should note that the report was 14 years ago when the Council was able to demonstrate a 5yr housing supply under the former local plan assessment. Planning

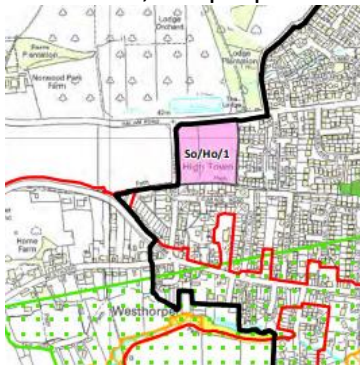
Policy now is under a different situation and material considerations must be considered in the round under the updated and current NPPF and PPG.

7.45. *Heritage*

- 7.46. Built Development – The site is located outside of the defined Southwell Conservation Area, to which the boundary is to the south of the site. There are no built heritage assets located within the site, however to the south of the site, outside of the site boundary, are buildings of local interest, non-designated heritage assets. These buildings are identified within the Southwell Neighbourhood Plan and within the Southwell Conservation Area Appraisal.
- 7.47. The Southwell Conservation Area Appraisal states the area of Westhorpe Character Area is generally agricultural in character. Westhorpe merged with Southwell following development in C18 and C19 along Westgate was consolidated in the C20. Development has extended in an east-west direction to include the subsidiary settlements of Westhorpe and Easthorpe so that the town now generally occupies the valleys of the dumble and the River Greet and the wooded ridge of higher ground between them.
- 7.48. The majority of the historic buildings within Westhorpe are of traditional construction and of modest scale, with brick and pantiles the most common facing materials. Generally, the buildings comprise simple cottage and farm buildings, and this is true of the non-designated heritage assets to the south of the site. Westhorpe Hall is the only high-status building within Westhorpe. There is no uniformed grain to the developments with area of open spaces which contribute to the character. It has its individual identity and historical context to the western periphery of Southwell. Oxton Road is generally of a verdant character with tree lined streets.
- 7.49. The Council's Conservation Officer has commented on the proposal stating that the most sensitive area of the site is to the south-west, where there are impacts to heritage assets. The existing cottages on the Oxton Road site are within the rural backdrop, which makes a positive contribution to their setting, illustrating the historic development of the town as a rural community. They have stated that in order to retain this rural character, the landscaping as shown on the indicative plan around the south-west corner of the development site, as this is a high point of the site, should be retained as a benefit.
- 7.50. Norwood Park, which is located to the north of the site, is an unregistered park and garden and therefore a non-designated heritage asset. It is considered that there is no intervisibility between Norwood Hall or the heritage assets within the park. The historic parkland site is over the brow of a hill, and is separated by the road, woodland and agricultural land. The retention of the hedgerows and mature trees along this boundary helps to retain the separation between the parkland and its heritage assets from the development site.
- 7.51. The retention of landscaping and a play area to the west and south of the site would help to maintain a rural character from the public footpath, and would retain views of

Sunbury Cottage to aid in placemaking and wayfinding to retain this focal point. Officers have advised to avoid the area to the west of the site, where the LEAP is located, from being built up and interrupting wider views towards the Conservation Area and equally towards the north and towards Norwood Park. As stated before, this western site is identified within the Southwell NP as being a 'green link' therefore keeping it free of built development would not be unreasonable.

- 7.52. The site is located to the north but outside of the Southwell policy area So/PV. The policy in the ADMDPD states that for developments outside of the view cone, development proposals which have the potential to negatively impact on the view of these heritage assets will not normally be acceptable. The level of potential impact will be dependent on factors such as scale, height, location and the scope for mitigation. The adjacent site to the east of Allenby Road, which is also outside of the view cone, but closer to the Southwell and within the land allocation So/Ho/1, was assessed by the Conservation Officer as not having any inter-visibility between the site and the Minster, Holy Trinity Church or the Workhouse. It was considered that the land was not significant to any of the assets' setting. Therefore, given that this application site is on a similar trajectory, with further built development located inbetween, the proposal would not result in harm to the setting of these assets.



- 7.53. The proposal is concluded to result in less than substantial harm to the setting of the Southwell Conservation Area and the non-designated heritage assets, resulting in harm to the setting of the town. In accordance with para 215 of the NPPF, *'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.'*
- 7.54. Para 216 of the NPPF states *'In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'*
- 7.55. The Southwell Neighbourhood Plan (2016) and Policy DH1 states that development should take in to account the Design Guide. The proposal is not subject to detailed design at this stage and just the principle.
- 7.56. *Archaeology* – The site is located approximately 1km west of Southwell Minster and the town's historic core. Within the wider landscape there are a number of earthwork features identified to the south and west of the site which appear to relate to former agricultural activity. The available resources suggest the site has been in agricultural

use for the most of its recent history. The geophysical survey reports on a potential feature which does appear to coincide with the early cartographic evidence and also a pit which may coincide with the eastern internal field boundary shown on the 1947 oblique of the area.

- 7.57. The 1835 Sanderson map annotates the area as 'Brick Hill Field' and the pit identified in the geophysical survey may be related to this industry. The 1841 tithe map of the area also shows extant and former field boundaries and track/pathway.
- 7.58. The presence of archaeological features on site cannot be entirely excluded, either predating the brick industry located in the area, or directly relating to the pre-industrial brick manufacture and the associated infrastructure and extractive activities. The Council's Archaeology consultant has recommended that an archaeological field evaluation is undertaken consisting of 3% coverage within the redline area, with a 1% contingency; this recommendation is consistent with evaluation recommendations for other sites in the region and district. The evaluation, adhering to an agreed and approved written scheme of investigation, will seek to identify the presence, extent, depth, date and significance of any below-ground archaeology. The results of the fieldwork will be used to inform and further measures to preserve in situ or preserve by record and significant archaeology identified during the evaluation.
- 7.59. The consultant has agreed with the agent that the fieldwork through trial trenching will be required to inform reserved matters but is not required for determination of this outline application. They agree to the imposition of a planning condition requiring a program of trial trenching to be undertaken prior to reserved matters stage.
- 7.60. Taking the above factors into consideration (landscape, heritage and archaeology), the site has been assessed in accordance with the landscape character SPD and the national landscape character, and it is considered that mitigation measures to reinforce landscape boundaries and a buffer would be acceptable mitigation. There would be no immediate harm to the landscape setting in the medium to long distance views.
- 7.61. The site is located outside of any heritage designation, however as stated above the site is adjacent to the Southwell Conservation Area, and adjacent to non designated heritage assets.
- 7.62. The proposal is considered to have less than substantial harm to the setting of the Southwell Conservation Area. Para 13 of the Planning Practice Guidance (PPG) *'The extent and importance of setting is often expressed by reference to the visual relationship between the asset and the proposed development and associated visual/physical considerations. Although views of or from an asset will play an important part in the assessment of impacts on setting, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust, smell and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places.'*

- 7.63. This harm needs to be weighed in the planning balance against the public benefits gathered by the scheme proposed in accordance with the NPPF and the PPG. Public benefits are defined in the PPG (para 20) as anything that delivers economic, social or environmental objectives as stated in para 8 of the NPPF. This includes the delivery of homes to *meet the needs of present and future generations*.
- 7.64. The proposal would result in the delivery of up to 70 dwellings, including affordable dwellings. The Council cannot demonstrate a 5yr housing land supply and in accordance with para 11dii of the NPPF, planning permission should be granted unless adverse impacts demonstrably outweigh the benefits. Para i) however states that where the proposal affects designated heritage assets a strong reason for refusing the development to ensure its protection also apply. It is considered the case that the harm to the setting of the Conservation Area is on the lower end of less than substantial harm and advice has been given that this harm can be mitigated for. Therefore, the benefits of the provision of housing to contribute to the 5yr housing supply (including affordable housing) outweighs any harm identified.
- 7.65. The site could have archaeological impact, however this is not considered to be worthy of scheduled monument significance and only of local significance. The harm to which can be mitigated by appropriate recording and mitigation.

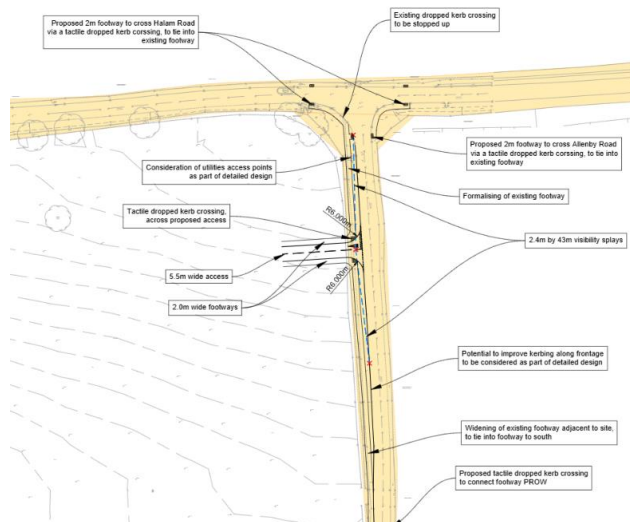
Impact upon Residential Amenity

- 7.66. The Policy DM5(b) advises development proposals should have regard to their impact on amenity or operation of surrounding land uses and where necessary mitigate for any detrimental impact.
- 7.67. The layout of the development and scale is not subject to this application and is for reserved matters stage. It is considered that a scheme can be designed to have an acceptable impact on neighbour amenity.
- 7.68. Comments have been received concerned over the impact of the development upon users of the local children's nursery in terms of their health. The Air Quality assessment has been reviewed by the Council's Environmental Health and officers concur with the assessment as suggest that the dust mitigation measures proposed within Appendix D of the report is conditioned. The operational traffic emissions have been concluded as not significant.
- 7.69. The agent has submitted a noise assessment report which has been assessed by the Council's Environmental Health Officers who state that the majority of the site can achieve an acceptable acoustic environment both within the proposed dwellings and external amenity space. However, noise levels nearest to Halam Road are above guideline levels. As such, attenuation by design, acoustic barriers and glazing will be required in these areas. Final design details are not known at this stage and it is reasonable to condition this information to come through at Reserved Matters stage and this will be managed by condition.

- 7.70. No conflict is identified in terms of amenity (loss of privacy, light or overbearing) therefore in respect of DM5(b) and the proposal is a compatible use for its context as required by CP9.

Impact upon Highway Safety and Public Rights of Way (PRoW)

- 7.71. SP7 and DM5(b) set out policy in respect of highway safety, transport and parking. Para 116 of the NPPF states *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.'*
- 7.72. The Outline planning application is for all matters reserved apart from access, therefore the impact upon the surrounding area is a matter which the Local Planning Authority must take into consideration to ensure an acceptable development.
- 7.73. As part of the proposal, the agent has submitted a Transport Statement (TS) and a stage 1 road safety audit, along with the details of the site access point, all of which have been assessed by Nottinghamshire County Council Highways officers.
- 7.74. In terms of traffic impact, the proposal will have a negligible effect on the capacity of the surrounding highway network during busy development periods. Such traffic movements are likely to be minimal, and it is considered the proposal is not anticipated to adversely affect the operation of the surrounding highway network subject to several conditions that must be adhered to.
- 7.75. The application site is well placed to where residents can walk and travel to/from nearby public transport facilities. It is important that new development promotes sustainable travel journeys in the creation of new and improved infrastructure that supplements Active Travel.
- 7.76. In this case having regard to the needs of pedestrians/bus users given the Active Travel philosophy it would be beneficial for the developer as part of the proposed scheme to provide a number of highway improvements as indicated within the TS i.e. dropped crossings/tactile paving, footway widening etc. in the area where each and every development must work with the Highway Authority in line with the Active Travel viewpoint.
- 7.77. In addition to this there is a need to maximise the width of the hardstanding area to the north bound bus stop on Allenby Road close to the application site.



7.78.

7.79. A new vehicular and pedestrian access is proposed on Allenby Road that will form part of a 278 agreement with NCC Highways as will other highway improvements. The proposed junction will operate under priority control and has been assessed in capacity terms and safety; the layout and driver's visibility requirements are considered satisfactory.

7.80. Residents who have responded during the application, have raised concerns over the safety of the site and the increase in the number of vehicles. However, the Highway Authority have assessed all the information, including the improved pedestrian access around the site. This will help to improve safety, and given the concern raised with regards to the use of the footways for school children around the site, the improvements are considered acceptable.

7.81. Although the proposal may increase the number of movements around the site, it has been assessed by the Highways Authority, that subject to conditions relating to the improvements, there is no conflict with the requirements of DM5(b) (the emerging plan), SP7, or the NPPF.

7.82. Car Parking - The Council's Residential cycle and car parking standards Supplementary Planning Document (SPD) provides guidance of minimum parking standards required for new developments regardless of tenure. As the design of the development has not yet been detailed, this is not able to be assessed and is thus for reserved matters stage. However, there is an expectation that the site can develop a scheme which is compliant with the SPD. Provision should also be made for secure cycle storage and storage of equipment, which is a matter for the detailed application stage.

7.83. PROW – Southwell footpaths 30 and 45 cross the application site. The application has received a response from VIA East Midlands (on behalf of Notts CC) seeking further details on the maintenance of the footpath, details of the intensification and danger to the ROW users, changes to the surfacing and safety of the public during building works. Given the layout of the site is not yet decided, details of these matter requested

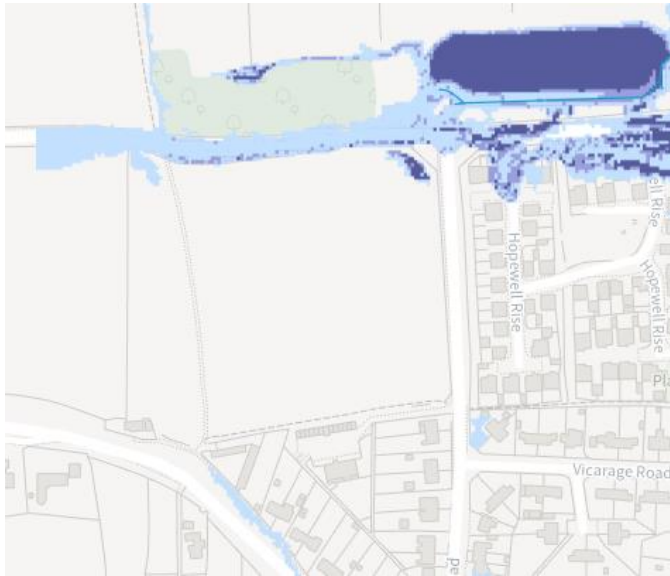
by VIA cannot be confirmed or clarified. The indicative layout, although this does not carry any weight in determination, does allow for the alignment of the PROWs within the scheme and would largely follow the existing alignment. The detail of the PROW as requested by VIA is for consideration at reserved matters stage.

- 7.84. Policy E5 of the Southwell NP states, *‘Development proposals that could contribute to the creation of a Green Link around Southwell to help maintain the rural character of the town, maintain attractive PROWs linked to open spaces, for the benefit of the public and wildlife, will be supported.’* The incorporation of the PROW to the west of the site within the open space, and similarly to the south of the site, would ensure this compliance.

Flood Risk Impacts and surface water drainage

- 7.85. Part of the site falls within Flood Zone 1, at lowest risk from fluvial flooding as shown on the Environment Agency’s Flood Map for Planning and at low risk from surface water flooding. Land to the north of the site, along Halam Road and outside the application site, and land to the junction of Allenby Road and Halam Road, is shown to have a pool of water (see the map below) thus showing a higher risk of surface water flooding.
- 7.86. Core Policy 10 ‘Climate Change’ of the Amended Core Strategy DPD aims to steer new development away from those areas at highest risk of flooding, applying the sequential approach to its location. In accordance with the requirements of Core Policy 10 ‘Climate Change’, Policy DM5(c) ‘Sequential Test’ of the Emerging Amended Allocations & Development Management DPD clarifies that development proposals follow a sequential approach to development and flood risk, seeking to steer new development away from those areas at highest risk. Core Policy 10A (Local Drainage Designations) states that the policy applies to Southwell and that the geographic extent, forms of development which will be subject to the designation and the specific standards that proposal will need to meet, will be defined through a Local Drainage Designations SPD. The SPD has not been produced and there is no expectation that this will be done before the change to the plan making regulations, where the current guidance (before the new regulations come in to force) alludes to no new SPDs can be commenced after 30 June 2026. Therefore, the focus is on updating existing SPDs mainly where it relates to S106 contributions. Given there is no geographical context of how to apply the policy, and the site is located outside of the defined built up area, it is difficult to state this policy could apply. However, given the very closely connected relationship of the site to the Southwell Urban Area it would seem sensible and logical to apply this policy too. Policy E1 of the Southwell Neighbourhood Plan (NP) states there should be no development within the flood plain of local watercourses that would result in a loss of floodplain storage.

- 7.87. Areas with critical drainage problems will only be considered where it constitutes appropriate development and it can be demonstrated, by application of the sequential test, that there are no reasonably available sites in lower risk flood zones.



7.88.

- 7.89. The site is located within the land at lowest risk from fluvial flooding, however land to the north of the site is at medium to high risk from surface water flooding (see above). This area coincides with the location of an open watercourse and an area of low lying land, where water naturally pools in the lowest section of the site. The PPG states that *'The sequential test should be applied to 'Major' and 'Non-major' development proposed in areas at risk of flooding, as set out in paragraphs 173 to 174 of the National Planning Policy Framework. Paragraphs 175, 176 and 180 set out exemptions from the sequential test.'* (Paragraph: 027 Reference ID: 7-027-20220825)

- 7.90. Para 175 states that *'The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future.'* Due to the small extent of surface water risk adjacent or within the site, it is considered that the proposal could be designed to demonstrate there would not be any built development in areas at risk from flooding.

- 7.91. In accordance with Annex 3:Flood risk vulnerability classification of the PPG, the use of the land for dwelling is classified as 'more vulnerable' and in accordance with Table 2: Flood risk vulnerability and flood zone 'incompatibility', the use of the land is compatible in flood zone 1 and the application of the exceptions test is not necessary.

- 7.92. The Environment Agency have stated that they have no fluvial flood risk concerns associated with the site. NCC as the Lead Local Flood Authority, have commented on the application, and following their initial objection and the submission of further

information from the agent, they are now satisfied with the impact from the development. The drainage strategy submitted with the application (as part of the revised flood risk assessment) demonstrates that an appropriate drainage system for both foul and surface water can be provided on the site which discharges to a suitable outfall with runoff rates being limited at Greenfield runoff rate (this rate sets the basis for setting consents for the drainage of surface water runoff from sites). Subject to the mitigation measures proposed, the development may proceed, and the development will not significantly increase flood risk to the wider catchment area. The drainage plan shows the use of swales to detain water and additional flood mitigation to the Halam Road boundary, along with a detention basin to the north-eastern corner of the site, which is the lowest section of the site. Where possible, preference should be given to multifunctional sustainable drainage systems, and to solutions that allow surface water to be discharged according to the following hierarchy of drainage options:

- i. into the ground (infiltration);
- ii. to a surface water body;
- iii. to a surface water sewer, highway drain, or another drainage system;
- iv. to a combined sewer.

7.93. The discharge is proposed to the existing watercourse which in the hierarchy is accepted. The LLFA have agreed with this conclusion and the submitted information within the document and have thus removed their objection, subject to the imposition of a condition relating to the detailed surface water drainage scheme being submitted in accordance with these principles.

7.94. The Town Council have provided comments on the proposal stating they are aware streams and rivers are plagued by sewerage pollution from Combined Sewer Overflows. Making sure new developments do not exacerbate this problem is a priority. Separate systems for foul and surface water and sufficient sustainable drainage systems would be expected.

7.95. Therefore, given the submitted information relies on this form of attenuation for surface water, and a condition can be imposed to secure this, it is considered that a scheme can be developed which would ensure the development, in terms of flood risk would be acceptable and not increase flood risk elsewhere. The proposal is considered to positively manage surface water and thus would accord with the Development Plan, NPPF, PPG and the Southwell Neighbourhood Plan.

Impact upon Ecology and trees (including BNG)

7.96. The starting point for development is that trees and features such as hedgerows should be retained where possible as set out in CP12 and DM5(b). Core Policy 12 and Policy DM7 seek to conserve and enhance the biodiversity of the district whilst DM5(b) seeks to retain features through integration and connectivity of green infrastructure to deliver benefits.

- 7.97. The revised Preliminary Ecological Appraisal submitted the application identifies areas of priority habitats beyond the application site but states that the development would not anticipate having adverse impacts on these areas due to the distance, lack of functionally linked habitats and the nature of the proposed development. Given the nature of the hedgerows on site, they are classified as Priority Habitats under the UK Biodiversity Action Plan. As part of this hedgerow is to be removed, adverse impacts are anticipated. However the impacts of this removal are due to be resolved through the requirements of Biodiversity Net Gain (BNG).
- 7.98. The site has been assessed to contain areas of modified grassland, individual trees, native hedgerows with and without trees, which are all of moderate ecological importance. The areas of modified grassland is to be retained in the most part which is acceptable, with the removal of one tree (T11) within the centre of the site (classified a U category), and removal of part of the hedgerow to Allenby Road to provide the access point. All trees and hedgerows to be removed are to be re-provided for within the site as part of the redevelopment.
- 7.99. *Bats* – The ash tree within the centre of the site (T11 as mentioned above) has been assessed for its roosting potential for bats. The aerial inspection concluded that the woodpecker hole is open on both sides, and therefore remains suitable as a feature for a bat. It is recommended that the tree is inspected by a bat licensed ecologist prior to felling. The habitats onsite and along the boundaries are considered to provide a low suitability for foraging/commuting bats. Due to the potential change in light levels and the use of the surrounding area, it is encouraged that the suitable lighting scheme is adopted.
- 7.100. *Birds* – Habitats such as hedgerows, trees and arable fields provide some suitable nesting and foraging opportunities for a range of bird species. The tree due for removal should first be checked to ensure no nesting birds are present. It is advised that the removal is taken place outside of bird nesting season of March – August inclusive. However, if clearance is required within this time then checks must be carried out within 24 hours of works commencing.
- 7.101. No great crested newts have been found on the site following the survey.
- 7.102. The Council's ecologist has assessed the proposal and concurs with the survey and recommends conditions relating to the submission of a Construction Environmental Management Plan (CEMP) and a Faunal enhancement plan. As part of the latter plan, they suggest at least 15 integrated bat boxes, 15 integrated bird boxes and hedgehog highways. The Emerging Southwell NP policy E3.5C states that on sites over 10 dwellings, integrated bat roosting boxes to be provided on 20% of the dwellings and integrated swift boxes in minimum groups of 3 to be provided on 10% of the dwellings, and integrated bird nesting boxes for species other than swifts on 10% of the dwellings. Based on the number of dwellings provided being 70, then 20% would be 14 boxes and 10% being 7. The condition as recommended by the Council's ecologist would comply with this requirement.
- 7.103. *Trees* – One ash tree which is to be felled as part of the proposal. The Arboricultural

assessment states this trees is on declining health with deadwood within the canopy and decay on the north side of the main stem. It is unlikely to offer long-term contribution. The remaining trees around the site are of B1 - C2 condition (moderate to low).

BNG

- 7.104. Due to the updated sustainable urban drainage information, the BNG calculations have been updated also. The area of neutral grassland within the vicinity of the proposed play area has been assigned a precautionary 'poor' condition.
- 7.105. The site falls within the Mapped Measure A/M2 on the Nottinghamshire & Nottingham Local Nature Recovery Strategy Habitat Map, which states "Target habitat enhancement and creation in areas where this will reduce fragmentation and increase ecological connectivity, through the creation of linkages, corridors and stepping stones." The ecologists consider that these habitats provide biodiversity value and met the requirements of this measure. Within the context of the site the ecologist agrees that the habitats do provide connectivity around the proposed development to the adjacent landscape.
- 7.106. The amended habitat score is now +0.97 Habitat units, equivalent to an uplift of 13.47% and +0.69 Hedgerow units equivalent to an uplift of 13.50% and as such off-site units will not be a requirement.
- 7.107. The site would be subject to the General Biodiversity Gain Condition and would require submission and subsequent approval by the local planning authority of a Biodiversity Gain Plan (BGP) prior to the commencement of development.
- 7.108. No conflict has been identified in respect of CP12, DM7 and DM5(b), NPPF and the PPG which are material planning considerations as well as the Southwell NP.

Other Matters

- 7.109. Contamination – A Phase 1 Geo-Environmental Assessment has been submitted by the application, which has been assessed by the Council's Environmental Health Officers. They state that whilst no potential sources of contamination are identified, the report recommends that a phase 2 intrusive investigation is completed. This can be secured through the standard phased contamination condition to ensure if elevated contamination is identified at the next stage.
- 7.110. Air Quality – The report has been assessed by Environmental Health officers, and some comments have been summarised briefly in the Residential Amenity section of the report. However, in summary, officers consider that the report follows current guidance and subject to a condition seeking appropriate mitigation, the impact of dust is not considered to be significant. Operational traffic emissions have been screened using appropriate DEFRA guidance and the impact is not considered to be significant. Officers welcome the inclusion of Electric Vehicle (EV) charging points to dwellings to

minimise the impact on air quality and additional measures such as cycle storage, pedestrian and cycle connectivity and resident travel information packs. Officers can accept the findings of the submitted assessment providing that dust mitigation and EV charge point at each dwelling are mandated by condition. Officers note that within the report (section 6.3 Summary and Conclusions) describes a qualitative odour assessment being completed. No such assessment has been received and it is assumed this is a typo. No such report is required but could be included in a CEMP if Members require.

7.111. Minerals In relation to the Minerals Local Plan, there are no Minerals Safeguarding and Consultation Areas covering, or in close proximity to, the site. There are no current or permitted minerals sites close to the application site. The County Council therefore does not wish to raise any objections to the proposal from a minerals' perspective.

7.112. Waste In terms of the Waste Local Plan, there are no existing waste sites within the vicinity of the site whereby the proposed development could cause an issue in terms of safeguarding existing waste management facilities (in accordance with Policy SP8 'Safeguarding Waste Management Sites' of the Waste Local Plan). As set out in Policy SP1 'Waste Prevention and Re-use' of the Waste Local Plan, the development should be 'designed, constructed and operated to minimise the creation of waste, maximise the use of recycled materials and assist with the collection, separation, sorting, recycling and recovery of waste arising from the development during its use.' In accordance with this, if the proposal is likely to generate significant volumes of waste through the development or operational phases, it would be useful for the application to be supported by a waste audit. Specific guidance on what should be covered within a waste audit is provided in paragraph 049 of the Planning Practice Guidance.

7.113. S106 developer contributions –

	Contribution based on up to 70 dwellings	
Affordable Housing	30% on site provision (60% social/affordable rent; 25% First Homes and 15% Shared Ownership)	On site
Community facilities	Off-site community facilities contribution £1,384.07 x 70 = £96,884.90 + indexation Sought for: <ul style="list-style-type: none"> Improvements to existing sports buildings in Southwell (details to be determined on the specific scheme at draft agreement stage but is likely to be one of the following sits, Southwell Rugby Club, bowls, tennis, cricket club, local scouts hut, or Brinkley football site.) 	Off Site
Education provision	Not requested by Nottinghamshire County Council	-
Health	£982.62 x 70 = £68,783.40 Sought for: <ul style="list-style-type: none"> Southwell Medical Centre Hill View Surgery Jubilee Park Medical Partnership – Lowdham Site 	Off site
Libraries (building costs)	Not requested by Nottinghamshire County Council	-
Libraries (stock)	161 (population) x 1.532 (items) x £12.67 (cost per item) = £3,125	Off site
Amenity Green Space & Open Space for Children and Young People	Green Space - SPD requirement is 14.4m ² /dwelling = 0.1008 ha (1,008m ²). Children and young people - SPD requirement is 18m ² per 2 bed and above dwellings = 0.1260ha (1,260m ²) Total = 0.2268ha (2,268m ²) Proposed provision – 0.8ha of public open space within the site comprising of native planting, outdoor children’s play equipment and recreational footpath.	On site
Maintenance of Amenity Green Space	SPD requirement is £282.79 / dwelling = £19,795.3	-
Maintenance of Public Open Space for Children and Young People	SPD requirement is £1031.30/ dwelling = £72,191	-
Transport	Contribution of £35,000 for the provision of the local community transport scheme Contribution of £4,800 is paid to provide improvements to two bus stops	Off site

	Scheme for free introductory bus passes set out in a Travel Plan.	
--	---	--

7.114. The agents have confirmed that the scheme would be policy compliant in terms of the required Developer Contributions that could be secured through a S106 agreement. Contributions from NCC for Education provision have not been requested as it would be covered by CIL contributions. No contributions have been requested towards library building costs as was the request of NCC. Health provision contributions have been requested and would be served in the local area. Payments would be required for transport provisions which are mainly to the local bus service and bus stop improvements. Open space requirements have been addressed onsite with an overprovision. If this is to be provided onsite then the maintenance contribution may not be required but it will depend on how this will be maintained moving forward, either via a management company.

7.115. **Community Infrastructure Levy (CIL)** – The applicant is advised that all planning permissions granted on or after the 1st December 2011 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at www.newark-sherwooddc.gov.uk/cil/. The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved. The actual amount of CIL payable will be calculated when a decision is made on the subsequent reserved matters application.

7.116. **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 scheme can deliver more than 10% BNG onsite, and this will be secured by appropriate legal agreement.

8.0 Implications

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

8.2. Legal Implications - LEG2526/5676

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 Conclusion

- 9.1. The application is for outline planning permission with all matters reserved apart from access. The Council cannot demonstrate a 5yr housing land supply with the Council's current supply at 3.84yrs. Therefore, the tilted balance in favour of sustainable development as stated in paragraph 11d of the NPPF is engaged.
- 9.2. Members will note that the site is located outside of the defined urban boundary of Southwell as defined within the Council's current and emerging Allocations and Development Management DPD. However, due to the close physical relationship to Southwell and its urban boundary and the lack of a sufficient housing supply, it is considered that the principle of development on the site is acceptable.
- 9.3. The site is located just outside of the defined Conservation Area and there are non-designated heritage assets also outside but in close proximity to the site. Para 11.d states that where there are **strong reasons** for refusing a development based on impact to designated heritage assets then this carries more weight than the delivery of housing (through the tilted balance). The harm to the Conservation Area and heritage assets are considered on the lower end of the less than substantial harm which, subject to the design and layout of the scheme could result in an acceptable impact.
- 9.4. Similarly, where the proposal would result in harm to flood risk the tilted balance does not apply. It has been demonstrated that the site is located within Flood Zone 1 and land which is the lowest lying to the north of the site, is susceptible to surface water flooding. However, the NPPF and PPG state that where the site can be developed away from areas of higher risk the sequential test does not apply. The proposal has not received an objection from the Environment Agency and the Lead Local Flood Authority have not objected subject to the imposition of a condition. Therefore, based on the above, it is considered that the tilted balance is still engaged in decision making.
- 9.5. The proposal has received comments from the surrounding community on its impact upon the surrounding landscape. Whilst this was a concern as raised through the 'Gateway' report in 2012, the Council is in a different policy position from 2012, and the review was undertaken as part of a range of sites within Southwell. The ones taken forward to the Plan, were the ones of least harm. The site has a sloped character with the highest part of the site to the south and the lowest to the north joining Halam Road. Whilst this would ensure the site has greater prominence in the area, with sufficient mitigation and a landscape buffer to the western boundary, the harm is not considered to be significant or detrimental to the surrounding landscape.
- 9.6. The proposal has been assessed by Nottinghamshire County Council Highways with regards to the proposed access from Allenby Road, and the submission includes a Stage 1 Road Safety Audit. The proposed access to the site is not considered to result in harm to highway safety.

- 9.7. Matters of residential amenity, ecology and impact on trees, are all considered acceptable or can be fully assessed through the subsequent reserved matters application, which relates to detail.
- 9.8. The proposal is therefore considered acceptable and in Officer's opinion there is not a strong reason for refusing outline planning permission, which would outweigh the benefits of delivering housing in this highly sustainable location that would contribute to the Council's 5yr Housing Land Supply. The proposal is therefore considered to accord with the Development Plan, taking in to account the material considerations of the NPPF, PPG, the Landscape Character SPD and the Southwell Conservation Area Appraisal.

10.0 Conditions

01

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

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

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

02

Details of the appearance, landscaping, layout and scale (hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

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

03

The availability of the Southwell FP30 and FP45 shall not be affected or obstructed in any way by the proposed development at this location unless subject to an appropriate diversion or closure orders nor shall path users in the area be impeded or endangered by the proposed development.

Reason: to safeguard the Public Rights of Way and Bridleways.

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.
- f. Details of any scaffolding erection and associated ground protection within the root protection areas

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.

05 - LLFA

No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Link Engineering Flood Risk Assessment (FRA) and Drainage Strategy Report ref LE25158 version 1.8 dated 2026.01.12, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:

- Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753 and NPPF Paragraph 175.
- Limit the discharge generated by all rainfall events up to the 100 year plus 40% (climate change) critical rain storm to QBar rates for the developable area.
- Provide detailed design (plans, network details, calculations and supporting summary documentation) in support of any surface water drainage scheme, including details on any

attenuation system, the outfall arrangements and any private drainage assets.

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

- o No surcharge shown in a 1 in 1 year.
 - o No flooding shown in a 1 in 30 year.
 - o For all exceedance to be contained within the site boundary without flooding properties in a 100 year plus 40% storm.
- Evidence to demonstrate the viability (e.g Condition, Capacity and positive onward connection) of any receiving watercourse to accept and convey all surface water from the site.
- Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.
- Evidence of approval for drainage infrastructure crossing third party land where applicable.
- Provide a surface water management plan demonstrating how surface water flows will be managed during construction to ensure no increase in flood risk off site.
- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term effectiveness.

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

06 - Highways

Unless otherwise approved in writing by the Local Planning Authority, the development shall not be commenced until a detailed scheme of the junction/access onto Allenby Road and highway improvement works for the northbound bus stop together with improved (footway) pedestrian facilities and crossing points has been submitted to and approved in writing by the Local Planning Authority.

1. (a) The approved highway scheme shall be completed in accordance with the approved details before the first dwelling is occupied. For the avoidance of doubt the highway works shall include: -

- (b). (i) The construction of the new junction to Allenby Road together with uncontrolled pedestrian crossing points/tactile paving (all to NCC standard highway details).
- (ii) The widening of the hardstanding raised area to the north bound bus stop located outside no. 13 Allenby Road (to NCC standard highway details).
- (iii) The construction of new uncontrolled pedestrian crossing points/tactile paving to the footway on the southwest corner junction of Allenby Road/Halam Road (all to NCC standard highway details).
- (iv) The full length of the existing footway fronting the site on Allenby Road is to be widened and formalised to 2m in width (to NCC standard highway details).

Reason: In the interests of highway safety; to ensure satisfactory highway infrastructure provision and to safeguard the users of the highway. Note: For the avoidance of doubt the developer will be required to enter into a 1980 Highways Act Section 278 Agreement with the

Highway Authority to comply with the requirements of this condition.

07 – Highways

No part of the development shall be occupied or brought into use until driver's visibility splays detailed on drawing ref: 110535-PEF-ZZ-XX-DR-TP-00003 are cleared of all obstructions to visibility exceeding 600mm in height above carriageway level. The visibility splays shall subsequently be maintained free of any visual obstruction thereafter.

Reason: To ensure adequate visibility at the site access in the interests of road safety.

08 – Highways

(a) No works shall take place, including any demolition, site clearance or ground works, until a Construction Method Statement comprehensively detailing the logistics of construction has been submitted to and approved in writing by the local planning authority. The Construction Method Statement shall include, but not be limited to:

- (i) Construction traffic routes, including provision for access to the site
- (ii) Entrance/exit from the site for visitors/contractors/deliveries
- (iii) Location of directional signage within the site
- (iv) Siting of temporary containers
- (v) Parking for contractors, site operatives and visitors
- (vi) Identification of working space and extent of areas to be temporarily enclosed and secured during each phase of construction
- (vii) Temporary roads/areas of hard standing
- (viii) Storage of materials and large/heavy vehicles/machinery on site
- (ix) Measures to control noise and dust
- (x) Details of street sweeping/street cleansing/wheelwash facilities
- (xi) Details for the recycling/disposing of waste resulting from demolition and construction works

(b) The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: These details are needed prior to the commencement of development in order to ensure that adequate on-site provision is made for construction traffic, including allowance for safe circulation, manoeuvring, loading and unloading of vehicles, as well as parking, and to reduce impact on residential amenity and the general amenity of surrounding occupiers during construction.

09 – Highways

The development hereby permitted shall not be commenced until details of car parking facilities for each residential plot within the development in accordance with policy hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

Reason: To ensure that adequate provision is made on the site for the traffic generated by

the development.

10 – Highways

No part of the development hereby permitted shall be brought into use until provision has been made within the application site for the secure parking of cycles to each dwelling to include the provision of electric vehicle charging facilities in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall not thereafter be used for any other purpose and shall be maintained for the life of the development.

REASON: In the interest of furthering travel by sustainable modes.

11 – Environmental Health

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

Part A: Site Characterisation

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

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's ['Land contamination risk management \(LCRM\)'](#)

Part B: Submission of Remediation Scheme

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

Part C: Implementation of Approved Remediation Scheme

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

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

Part D: Reporting of Unexpected Contamination

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

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

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

12 - Archaeology

Part 1 No development or enabling or associated engineering works shall take place until an archaeological Mitigation Strategy for the protection of archaeological remains is submitted to and approved in writing by the Local Planning Authority. The Mitigation Strategy will include appropriate Written Schemes of Investigation (WSI) for evaluation trenching and contingency for further mitigation work if required (i.e. excavation, subject of a separate and

approved WSI). These schemes shall include the following:

1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).
2. A methodology and timetable of site investigation and recording
3. Provision for site analysis
4. Provision for publication and dissemination of analysis and records
5. Provision for archive deposition
6. Nomination of a competent person/organisation to undertake the work

The scheme of archaeological investigation must only be undertaken in accordance with the approved details.

Reason: To ensure satisfactory arrangements are made for the recording of possible archaeological remains in accordance with the National Planning Policy Framework 207 & 216 and policies DM8 (2013).

13 - Archaeology

Part 2 The archaeological site work must be undertaken only in full accordance with the approved written schemes referred to in the preceding Condition. The applicant will notify the Local Planning Authority of the intention to commence at least fourteen days before the start of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without prior consent of the Local Planning Authority.

Reason: To ensure satisfactory arrangements are made for the recording of possible archaeological remains in accordance with the National Planning Policy Framework 207 & 216 and policies DM8 (2013).

14 – Archaeology

Part 3 A report of the archaeologist's findings shall be submitted to the Local Planning Authority and the Historic Environment Record Officer at Lincolnshire County Council within 3 months of the works hereby given consent being commenced unless otherwise agreed in writing by the Local Planning Authority; and the condition shall not be discharged until the archive of all archaeological work undertaken hitherto has been deposited with the local museum service, or another public depository willing to receive it.

Reason: To ensure satisfactory arrangements are made for the recording of possible archaeological remains in accordance with the National Planning Policy Framework 207 & 216 and policies DM8 (2013).

15 - Landscaping

The reserved matters submission for the landscaping of the Site shall include the submission of Landscape Masterplan and full details of both hard and soft landscape works (both in the

public realm/strategic landscaping works and for individual plots) and a programme for their implementation. This submission shall include:

- o Provision for replacement or new boundary treatments including hedgerows and trees (which shall be identified and justified) in line with the Illustrative Landscape Strategy (drwg no. 1830-L-D-PL-200 rev V3) or any updated version that shall be agreed through the relevant reserved matters approval

- o Hard landscaping details shall include car parking layouts and materials, materials for other vehicle and pedestrian access and circulation areas, minor artefacts and structures for example, furniture, refuse or other storage units, signs, lighting etc.

- o Soft landscaping details shall include planting plans, written specification (including cultivation and other operations associated with plant and grass establishment) and schedules of plants, including species, numbers and densities together with clear annotations as to existing trees and hedgerows that would be retained plus proposed finished ground levels or contours.

The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species.

Reason: In the interests of visual amenity and biodiversity, to ensure that trees and hedgerows to be lost as a result of development is properly and commensurately mitigated with replacements, to reflect the objectives set out in the NPPF and Policy CP12 of the Newark and Sherwood Amended Core Strategy.

16 - Landscaping

All hard and soft landscape works shall be carried out during the first planting season following commencement of the development or in accordance with an approved implementation plan for the Site as approved by the reserved matters approval. The works shall be carried out before any part of the development is occupied or in accordance with a programme which shall firstly be agreed in writing with the local planning authority.

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

17 - Ecology BNG

A. The Biodiversity Gain Plan shall be prepared in accordance with the principles set out in the 'DEFRA Biodiversity Net Gain Report V2' and Statutory Biodiversity Metric, dated 30/10/2025 and January 2026 respectively and both produced by Heatons Ecology Ltd.

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 approved in writing by, the local planning authority and including:

- (a) a non-technical summary;

- (b) the roles and responsibilities of the people or organisations(s) delivering the HMMP;

(c) the location and details of the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;

(d) the management measures to maintain habitats in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and

(e) the monitoring methodology and frequency in respect of the created or enhanced habitat.

C. Notice in writing shall be given to the local planning authority when the HMMP works have started.

D. Notice in writing shall be given to the local planning authority when the site construction compound has been removed.

E. A completion report, evidencing the completed enhancements, shall be submitted to, and be approved in writing by the local planning authority within 9 months of removal of the site construction compound.

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

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 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

18 - Ecology

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 within Section 45 of the Preliminary Ecological Appraisal Report V3, January 2026 produced by Heatons Ecology Ltd.

The approved CEMP (Biodiversity) shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To safeguard protected species as required by the National Planning Policy Framework, ADMDPD Policy DM5 and Core Strategy Policy 12.

19 - Ecology

A. The approved development must not commence until a Faunal Enhancement Plan has been submitted to, and been approved by, the local planning authority. The plan must show the type, and proposed locations for 15 integrated bat boxes and 15 integrated bird boxes within new dwellings and details for incorporating these (i.e., height and orientation). The plan must show where hedgehog holes must be created in solid boundaries within the approved development to create a 'hedgehog highway'.

B. Photographic evidence of all installed boxes, and photographic evidence of hedgehog holes created within the approved development, must be submitted to, and be approved in writing by, the local planning authority to fully discharge the condition. Thereafter, the installed boxes 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.

20 - Noise

The reserved matters application shall be accompanied by a Noise Attenuation Scheme taking into account the submitted Noise Assessment (October 2025).

Reason: To ensure that noise levels and vibration are appropriately mitigated and that the mitigation measures are implemented in a timely manner in the interests of residential amenity. This condition accords with Policies DM5 and the NPPF.

21

The development hereby permitted authorises the erection of no more than 70 dwellings. Any reserved matters application for the development hereby approved shall broadly show development in the area shown as developable/residential on plan reference 0110 Rev F.

Reason: To define the planning permission and to ensure an appropriate landscape buffer is provided within the site.

The following activities must not be carried out under any circumstances.

- a. No fires to be lit on site within 10 metres of the nearest point of the canopy of any retained tree/hedgerow on the proposal site.
- b. No equipment, signage, fencing etc shall be attached to or be supported by any retained tree on the application site,
- c. No temporary access within designated root protection areas without the prior written approval of the District Planning Authority.
- d. No mixing of cement, dispensing of fuels or chemicals within 10 metres of any retained tree/hedgerow on the application site.
- e. No soak- aways to be routed within the root protection areas of any retained tree/hedgerow on the application site.
- f. No stripping of top soils, excavations or changing of levels to occur within the root protection areas of any retained tree/hedgerow on the application site.
- g. No topsoil, building materials or other to be stored within the root protection areas of any retained tree/hedgerow on the application site.
- h. No alterations or variations of the approved works or protection schemes shall be carried out without the prior written approval of the District Planning Authority.

Reason: To protect existing trees and hedgerows within the site.

No removal of hedgerows, trees or shrubs shall take place between 1st March and 30th September inclusive. Where this is not possible, areas should be cleared of vegetation only if they have been surveyed by a suitably qualified ecologist and has found to be clear of nests immediately prior to the destructive works commencing and these finding have been submitted to and confirmed in writing by the Local Planning Authority. If an active nest is identified then the area will need to be retained until the young have been deemed, by a suitably qualified ecologist, to have fledged and a five meter buffer around the nest should be maintained. Only once this has happened can the area be cleared from site.

Reason: To safeguard protected species and to accord with the objectives of the NPPF, Policy CP12 of the Newark and Sherwood Amended Core Strategy.

The construction phase of the development shall be carried out in complete accordance with Appendix D of the Air Quality Assessment (August 2025) or any amending document approved by the Local Planning Authority.

Reason: To ensure that adequate mitigation is made for Air Quality and in the interests of residential amenity.

Informatives

01

Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be entered into post the approval of the reserved matters or full application, the bond secured and the Highway Authority's technical approval and inspection fees must be paid before any drawings will be considered and approved.

02

There are two Public Rights of Way, Ref: Southwell FP30 and FP45 within the application site boundary. The applicant is advised that before undertaking any work that affects these footpaths you must contact Nottinghamshire CC - Highway Authority's Public Rights of Way Team. Consultation comments provided by the Public Rights of Way Team dated 02/12/2025 must be adhered to by the applicant/agent.

03

It is recommended the resulting written schemes of investigation are approved by the LCC Historic Environment Officer prior to formal submission to the Local Planning Authority. Ten days' notice is required before commencement of any archaeological works.

04

For Part B d) of Condition 17 completion of the development, and therefore the start of the 30-year period is considered to be when the site construction compound has been removed.

05

This application has been the subject of pre-application discussions and has been approved in accordance with that advice. 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 accordance with Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

06

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

The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved. The actual amount of CIL payable will be calculated when a decision is made on the subsequent reserved matters application.

IMPORTANT

The development granted by this notice must not begin unless:

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

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

Biodiversity Net Gain

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

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

OR

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

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

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. Details of these exemptions and associated legislation are set out in the planning practice guidance on biodiversity net gain (Biodiversity net gain - GOV.UK (www.gov.uk)) However in this case the Council consider that this development is not exempt and mandatory Biodiversity Net Gain does apply here.

BACKGROUND PAPERS

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Application case file.

