



Report to Planning Committee 12 February 2026

Business Manager Lead: Oliver Scott – Planning Development

Lead Officer: Kirsty Catlow – Planning Development Officer

Report Summary

Application No.	25/01298/FUL		
Proposal	Proposed Erection of two Dwellings.		
Location	Land At 50A Main Street, Lowdham NG14 7BE		
Applicant	Messrs Grant Wainwright & Drew Wainwright	Agent	Mr Anthony Northcote
Web Link	25/01298/FUL Proposed Erection of two Dwellings. Land At 50A Main Street Lowdham NG14 7BE		
Registered	01.08.2025	Target Date	26.09.2025
		Extension of Time	20.02.2026
Recommendation	That Planning Permission is <u>APPROVED</u> subject to the conditions detailed at Section 10.0, and the signing of a Unilateral Undertaking to secure the dwellings as self-build.		

This application is being referred to the Planning Committee for determination by the local ward member, Councillor Wendel, on the following grounds; over intensive development; harm to residential amenity; impacts upon surface water drainage; not in keeping with surrounding area; harm to highway safety; loss of trees; no bio-diversity net gain; and would set a precedent for further inappropriate 'back land' development.

1.0 The Site

- 1.1 The application site is located to the rear of 50 Main Street in Lowdham, with access taken from Main Street along the southern side of the building, through an existing car park.



1.2 No. 50 which fronts onto Main Street, and is within the same ownership as the application site, is currently occupied by a number of businesses including a book shop, a beauty salon and a hair salon. To the west on the opposite side of Main Street is the village Post Office and a children's day nursery. The remainder of the area is predominantly residential in nature.

1.3 To the south of the site, on the opposite side of a private driveway serving 5 dwellings, is 48 Main Street, a detached two storey dwelling, located approx. 16m from the application site. To the northeast, at a higher level than the application site, is 48A Main Street, a detached single storey dwelling sited within a large plot, located approx. 6.5m from the application site, with some tree screening along boundary. This neighbouring property also has a detached outbuilding (historically associated with no.48 to the immediate south of the site, the northern elevation of which sits on the shared boundary). To the southeast, opposite the shared driveway, is 48D, a detached single storey dwelling sited within a large plot, located approx. 21m from the site. To the north of the site is no. 52, a two-storey detached dwelling fronting onto Main Street with a two storey rear projection. The rear garden of no. 52 extends rearwards and runs along the whole of the northern boundary of the application site.



1.4 The application site is currently undeveloped grassland. It is noted that some

unprotected trees along the southern boundary of the site have been felled. In terms of site levels, from Main Street, the ground level rises north-eastwards towards the rear of the site, with a steep step up to the rear of the existing buildings, resulting in the majority of the site on a significantly higher level than Main Street.



Photograph taken from the east facing back towards the rear of 50 Main Street

1.5 In terms of site constraints, the application site is largely located within Flood Zone 1 on the Environment Agency's Flood Zone map, and is therefore has a low risk of flooding. The site is also at a low risk from surface water flooding. However, it is noted that areas immediately downstream, including Main Street to the west, off which access to the site would be, are with Flood Zones 2/3 and therefore at a high risk of flooding.



1.6 The site is not located within the Lowdham Conservation Area (this is located some distance to the west, beyond the A6097 Epperstone By-Pass). There are no Listed buildings within the immediate setting of the site. The nearest Listed buildings are the Framework Knitters workshops located to the northwest of the site, on the corner of

Main Street and Ton Lane.

2.0 Relevant Planning History

2.1. 24/00558/FUL - Five 2 bedroom townhouses. Application Refused on 08.07.2024 on the following grounds:-

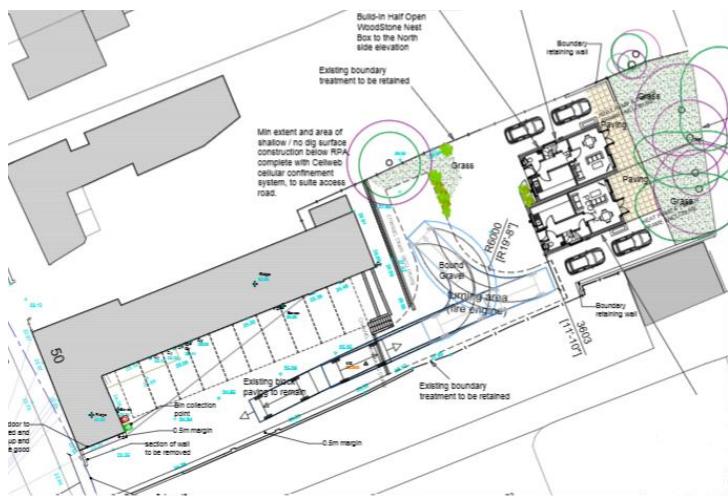
1. *Due to the back land and elevated position of the site, and the cramped layout with no garden space, the proposal would have a detrimental impact on the character and appearance of the surrounding area. In addition, the lack of private amenity space, limited internal floorspace, the location of the bin store area alongside one dwelling, and the distance to the public highway to carry the bins, would cumulatively result in poor amenity levels for the occupants of the dwellings. The proposal is contrary to Policy DM5 (Design) of the adopted Allocations and Development Management DPD and Core Policy 9 (Sustainable Design) of the Amended Core Strategy adopted 2019 and Part 12 of the NPPF.*
2. *It has not been demonstrated that the existing shared access from Main Street would have adequate visibility splays or sufficient width for the intensification of the access that would occur as a result of the development. In addition, the proposed car parking spaces are below the minimum dimensions set out in the Council's adopted Parking Standards SPD, and there is insufficient turning space within the site. For these reasons it is considered the proposal would have an unacceptable impact on highway safety, contrary to Spatial Policy 7 (Sustainable Transport), DM5, and Part 9 of the NPPF.*
3. *No information has been provided to demonstrate the proposal is for self-build dwellings (and therefore exempt from Biodiversity Net Gain) and the terraced and small-scale design does not lend itself to this type of development. It is the opinion of the Local Planning Authority that the proposal is not exempt from the mandatory biodiversity net gain requirement of 10% which came into effect for small sites on 2nd April 2024 (under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021)). No information in relation to the baseline value of the site, nor a draft Biodiversity Net Gain Strategy which is required by the Council's adopted local validation list has been submitted. In addition, trees have been removed from the site and the layout of the proposal indicates that further removal would likely be required. The proposal is therefore contrary to the aims of Core Policy 12 and DM7 which seek to protect and enhance the biodiversity of the district.*
4. *The proposal would increase surface water run off towards Main Street where there is an extant risk of surface water flooding. The application form states that surface water would be discharged to the main sewer. Infiltration and discharge to a surface water body have not been explored. The proposal would not pro-actively manage surface water and would increase the risk of surface water flooding in the surrounding area, contrary to Core Policy 10, DM5, and Part 14 of the NPPF.*

3.0 The Proposal

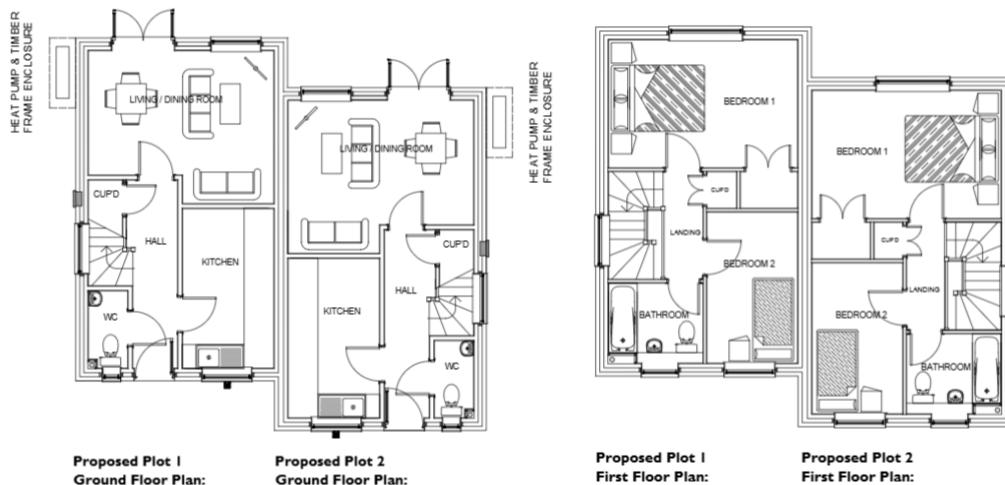
3.1 The application seeks permission for the erection of a pair of 'self-build' semi-

detached two storey dwellings, located towards the east of the site. The dwellings would be sited central to the plot, set off the side boundaries, with their front/rear elevations slightly staggered to reflect the angle of the eastern boundary. Each dwelling would be served by two tandem car parking spaces to the side of each plot. To the front of the properties would be a vehicular turning area, large enough to accommodate a fire engine. Some engineering works will be required to recontour the site to allow for vehicular access.

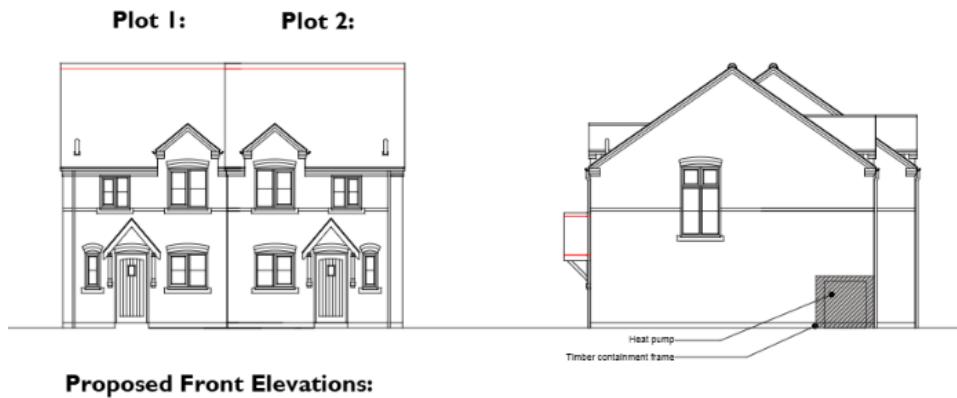
3.2 Along the southwestern boundary of the site would be a channel drain for surface water run-off, to the southern boundary, adjacent to a neighbouring outbuilding, a new retaining boundary wall is proposed. Along the eastern boundary a new 1.8m high closed boarded timber fence is proposed. The existing close boarded fence along the northern boundary is to be retained.



3.3 Each dwelling would provide the following accommodation: a living / dining room, kitchen, w.c. and hallway at ground floor, and two bedrooms (1 double and 1 single) and a bathroom at first floor. Each dwelling would have a gross internal floor area of 70m².



3.4 The dwellings would be of a simple dual pitched roof design with casement windows and a storm porch above the front door. The dwellings are proposed to be constructed of red brick with a clay pantile.



Proposed Front Elevations:

3.5 Revised plans have been received during the course of the application. The following documents have been assessed in this appraisal:

- Topographical Survey 0001
- Location Plan 703_2025
- Existing Site Block Plan 703_2024_01
- Tree Protection Plan Rev A
- Planning Statement, including Flood Risk Assessment Report dated July 2025
- Drainage Strategy dated July 2025
- Preliminary Ecological Appraisal dated 9th July 2025
- Arboricultural Impact Assessment and Method Statement dated 23rd July 2025

Received by the Local Planning Authority on 31st July 2025

- Proposed Site Block Plan 703_2024_02 Rev A
- Proposed Site Section 703_2024_03 Rev D
- Plans and Elevations 703_2024_04 Rev A

Received by the Local Planning Authority on 8th December 2025

4.0 Departure/Public Advertisement Procedure

4.1 Occupiers of 29 properties have been individually notified by letter. A site notice has also been displayed near to the site.

4.2 Site visit undertaken on 08.09.2025.

5.0 Planning Policy Framework

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

- Spatial Policy 1 – Settlement Hierarchy
- Spatial Policy 2 – Spatial Distribution of Growth
- Spatial Policy 7 – Sustainable Transport
- Core Policy 3 – Housing Mix, Type and Density
- Core Policy 6 – Shaping our Employment Profile
- Core Policy 9 – Sustainable Design
- Core Policy 10 – Climate Change

Core Policy 12 – Biodiversity and Green Infrastructure
Core Policy 13 – Landscape Character

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

DM5 – Design

DM7 – Biodiversity and Green Infrastructure

DM12 – Presumption in Favour of Sustainable Development

5.3 The Draft Amended Allocations & Development Management DPD was submitted to the Secretary of State on the 18th January 2024. Following the close of the hearing sessions as part of the Examination in Public the Inspector has agreed a schedule of 'main modifications' to the submission DPD. The purpose of these main modifications is to resolve soundness and legal compliance issues which the Inspector has identified. Alongside this the Council has separately identified a range of minor modifications and points of clarification it wishes to make to the submission DPD. Consultation on the main modifications and minor modifications / points of clarification took place between Tuesday 16 September and Tuesday 28 October 2025. The next stage in the Examination process will be the Inspector issuing their draft report.

5.4 Tests outlined through paragraph 49 of the NPPF determine the weight which can be afforded to emerging planning policy. The stage of examination which the Amended Allocations & Development Management DPD has reached represents an advanced stage of preparation. Turning to the other two tests, in agreeing these main modifications the Inspector has considered objections to the submission DPD and the degree of consistency with national planning policy. 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](#)

5.5 The following emerging policies are considered to carry weight in the consideration of this application.

Policy DM5(b) – Design

Policy DM5(c) – Sequential Test

Policy DM5(d) – Water Efficiency Measures in New Dwellings

Policy DM7 – Biodiversity and Green Infrastructure

5.6 Other Material Planning Considerations

National Planning Policy Framework 2024

Planning Practice Guidance (online resource)

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

District Wide Housing Needs Survey carried out by Arc 2020

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

6.0 Consultations and Representations

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

Statutory Consultations

6.1. Nottinghamshire County Council (Highways) – Raised concerns:-

Access to the proposed dwellings is via an existing private drive currently serving the commercial premises at 50A Main Street. Proposals involve removal of the front boundary wall, widening the access to approximately 5.9 metres. The shared access runs alongside the existing parking spaces for the commercial premises and culminates in a turning area adjacent to the proposed new dwellings.

Minimum standard parking provision is proposed for the new residential dwellings, however, it is unclear how the existing parking arrangements for the commercial units at 50A Main Street would be impacted on. The proposed development could lead to a loss of these existing spaces which are well utilised. Any displaced parking is likely to result in on-street parking, which would exacerbate existing amenity issues.

The proposed access does not incorporate pedestrian visibility splays, which are required for sites with moderate to heavy pedestrian footfall, which raises concerns regarding pedestrian safety, given the village centre location and the proposed intensification of the access.

The internal layout must provide a turning area large enough to accommodate a long wheelbase transit van, to allow such vehicles to enter and exit the site in a forward gear.

6.2. Nottinghamshire Lead Local Flood Authority – Standing Advice:-

1. The development should not increase flood risk to existing properties or put the development at risk of flooding.

2. Any discharge of surface water from the site should look at infiltration – watercourse – sewer as the priority order for discharge location.

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

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

6.3. Severn Trent Water – No objections:-

Request that any approval be conditioned as follows:

1. The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and

2 The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

3. Planning Practice Guidance and section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and there is no watercourse available as an alternative, other sustainable methods should also be explored. If these are found unsuitable satisfactory evidence will need to be submitted before a discharge to the public sewerage system is considered. No surface water to enter the foul or combined water systems by any means.

To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

6.4 NSDC Tree Consultant – No objections. Advise as follows:-

The AIA and AMS have been prepared in accordance with BS5837:2012.

A BS5837:2012 tree survey of the area recorded 7 individual trees consisting of Cherry, Whitebeam, Elder and Cypress and 1 Hawthorn hedge. The majority of trees are lower (Category C) quality, with 1 moderate value Category B specimen (T1) located on adjacent land to the northwest.

The proposed development will not require the removal of any trees at site.

Pruning of 1 tree (T7) has been recommended to facilitate development and provide 2m clearance from the proposed dwellings.

Construction impacts on nearby retained trees are considered manageable. No-dig construction of a proposed hard surface has been recommended where works fall within RPAs (notably tree T1 Whitebeam).

On balance, the arboricultural impacts are minor, limited to some works within the RPA of T1 and some minor pruning to T7. Provided the Arboricultural Method Statement and Tree Protection Plan measures are implemented, the development is acceptable in arboricultural terms.

We request the following conditions: Implementation and Confirmation of Tree Protection Measures Works must be carried out in full compliance with the submitted Arboricultural Method Statement and Tree Protection Plan. Prior to the commencement of any development or site works, all approved tree protection measures shall be installed. Written confirmation of their installation, supported by photographic evidence or a site inspection report from the appointed Arboriculturist, shall be submitted to the LPA for approval. The approved tree protection measures shall be retained and maintained in full for the duration of the development. No fencing shall be moved, removed, or altered without the prior written agreement of the LPA.

Town/Parish Council

6.5 Lowdham Parish Council – Object, on the following grounds:-

Overbearing and unacceptable impact on neighbours

Flood risk

Loss of trees removed from site

Representations/Non-Statutory Consultation

6.6 29 comments have been received from local residents objecting to the application on the following grounds:-

- Highway safety, narrow site entrance, increase in traffic, congestion and parking. Lack of adequate bin storage.
- Increase in surface water drainage and silt run-off from the site, lack of on-site attenuation, increase risk of properties flooding downstream.
- Impacts upon residential amenity, loss to quality of life, loss of privacy, overlooking, overbearing, overshadowing
- Out of character with the surrounding area, over development of the site, properties too tall
- Loss of trees and biodiversity
- Proposed scheme does not meet greatest housing needs
- Undermine land stability, impact on stability historic Coach House
- Land ownership, location of site boundaries

7.0 Comments of the Business Manager

7.1. The key issues are:

- Principle of development
- Impact on Visual Amenity and the Character of the Area
- Impact on Amenity

- Impact on the Highway
- Flood Risk and Surface Water Drainage
- Impact on Ecology, Trees and Biodiversity

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. Following the publication of the NPPF on 12th December 2024, the Local Planning Authority can no longer demonstrate a 5-year housing land supply. The development plan is therefore not up to date for decision making in respect of housing, and the tilted balance will need to be applied as the NPPF is an important material planning consideration.

7.4. The NPPF (2024) has introduced changes to the way in which local authorities formulate the number of new homes needed to be delivered in their areas and as such the need for houses in the district has increased significantly which means that the Authority is no longer able to demonstrate a five-year supply of housing. The LPA is currently only able to demonstrate a housing land supply of 3.84 years. This means that the Development Plan is now out of date in terms of housing delivery and the tilted balance has come into effect.

7.5. The shortfall in the supply of deliverable housing sites means that, in accordance with the presumption in favour of sustainable development (at paragraph 11d), any adverse impacts caused by the proposal must significantly and demonstrably outweigh its benefits, for planning permission to be refused. This means the Authority has a duty to '...grant permission unless:

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

7.6. Footnote 8 (in relation to out of date policies) states, '*this includes, for applications involving the provision of housing, situations where: the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.*'

7.7. Paragraph 73 of the NPPF states that small to medium sized sites can make an important contribution to meeting the housing requirement of an area. As such, when assessing such applications for residential developments in the District, great weight should be attached to the need for additional housing in the overall planning balance.

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

Principle of Development

7.9. The site is within the village of Lowdham, identified within Spatial Policy 1 (Settlement Hierarchy) of the Amended Core Strategy as a Principal Village. Principal Villages have a good range of day-to-day facilities – primary school, food shop, health facilities, employment or access to nearby employment and complement the role of Service Centres. Spatial Policy 2 (Spatial Distribution of Growth) identifies Lowdham for 1% of Principal Village Growth in terms of housing growth. In principle, residential development within Lowdham is acceptable.

7.10. Core Policy 3 (Housing Mix, Type and Density) seeks to secure an appropriate mix of housing types to reflect local housing need. Such a mix will be dependent on the local circumstances of the site, the viability of the development and any localised housing need information. The most up to date needs assessment is the District Wide Housing Needs Assessment December 2020 carried out by Arc4.

7.11. The assessment identifies Lowdham as within the wider 'Nottingham Fringe' area. Table 5.10 below shows the market need for different types of dwellings in this area.

Table 5.10 Dwelling mix and future development priorities: Nottingham Fringe

Dwelling type and number of bedrooms	Current stock profile (%)	Market need profile (%)	Affordable rented need profile (%)	Intermediate need profile (%)
1 to 2-bedroom house	6.3	9.1	0.0	6.0
3-bedroom house	32.7	46.7	79.0	35.8
4 or more-bedroom house	44.8	22.7	0.0	35.8
1-bedroom flat	0.7	0.0	0.0	0.0
2 or more-bedroom flat	2.8	3.3	0.0	0.4
1-bedroom bungalow	0.5	0.0	0.0	2.4
2-bedroom bungalow	4.8	7.5	12.2	7.9
3 or more-bedroom bungalow	6.5	9.2	8.8	11.7
Other	0.8	1.5	0.0	0.0
Total	100.0	100.0	100.0	100.0

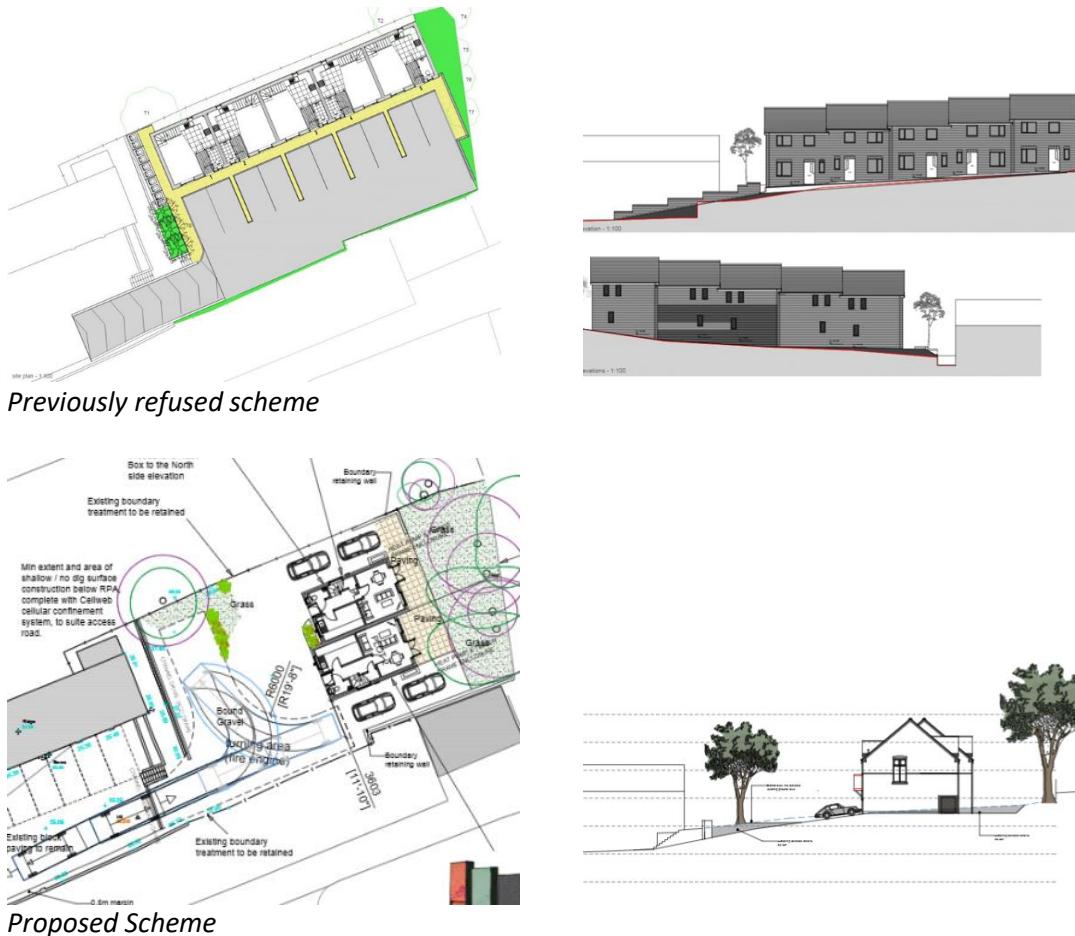
7.12. It is clear that the priority in this area is for 3 bedroom houses, followed by 4 bedroom houses. The market need profile for 1-2 bedroom houses, such as the ones proposed, is only 9.1%. Both proposed dwellings would have 2 bedrooms, and whilst the development would not meet the greatest need in terms of house size, it is

however acknowledged that 2 dwellings would meet a small identified housing need, and contribute towards the overall housing supply within the district.

- 7.13. The application is advanced as being for 2 self-build dwellings. The definition of '*self-build and custom housebuilding*' is contained within the Self-build and Custom Housebuilding Act 2015 Act (as amended by the 2016 Housing and Planning Act) means '*the building or completion by (a) individuals, (b) associates of individuals, or (c) persons working with or for individuals, of houses to be occupied as homes by those individuals.*'
- 7.14. The application has been submitted by Messrs Grant Wainwright & Drew Wainwright, and the agent has confirmed that the two dwellings would each be for the applicants who are brothers.
- 7.15. Officers are satisfied that the proposal complies with the definition of self-build and custom housebuilding set out at Section 1(A1) of the Self-Build and Custom Housebuilding Act 2015. However, in order to ensure that the development is suitably secured as two custom self-build dwellings, in the event that Members are minded to grant planning permission, the applicants have agreed to enter into a Unilateral Undertaking to that accord.

Impact on Visual Amenity and the Character of the Area

- 7.16. Core Policy 9 seeks to achieve a high standard of sustainable design which is appropriate in its form and scale to its context, complementing the existing built and landscape environment.
- 7.17. Policy DM5 (Design) of the Allocations & Development Management Plan and Policy DM5(b) (Design) require the local distinctiveness of the District's landscape and character of built form to be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development.
- 7.18. Paragraph 135 of the NPPF states that development should be visually attractive, sympathetic to local character and history, and should maintain or establish a strong sense of place.
- 7.19. The previously refused application on the site was for 5 terraced dwellings that would be orientated to face south, with each dwelling stepped up with the slope of the site. The current proposal would be for 2 semi-detached dwellings, which would be orientated to face west, towards Main Street, sited at the same ground level (see proposed site section below).



7.20. The proposed dwellings would be sited to the rear of 50A Main Street, on a higher ground level than Main Street. Policy DM5 states proposals creating back land development will only be approved where they would be in-keeping with the general character and density of existing development in the area, and would not set a precedent for similar forms of development, the cumulative effect of which would be to harm the established character and appearance of the area. Inappropriate back land and other uncharacteristic forms of development will be resisted.

7.21. It is noted that along Main Street, existing development is relatively high density, with tightly knit development concentrated along the frontage of Main Street. To the rear, there are later infill dwellings which form an existing 'back land' character along this section of Main Street, however it is noted that the existing dwellings are either single or 1 ½ storey dwellings, resulting in low level dwellings with large footprints within spacious garden plots. There is also an historic Coach House immediately adjacent to the southeastern corner of the site.

7.22. The proposal is for a pair of two storey semi-detached dwellings in an elevated position to the rear of 50A Main Street. The submitted cross section demonstrates that the proposed dwellings would be taller than 50A Main Street, and it is likely that the southern most dwelling would be visible when viewed along the vehicular access from Main Street.

7.23. In terms of the impacts upon the character of the area, as detailed above, there is already an established form of back land development to the rear of properties along the eastern side of Main Street, in particular 48A and 48D Main Street and those accessed off Cranleigh Drive to the south, as shown on the site plan below:-



7.24. Backland development is therefore already a characteristic of the immediate area. In terms of density and house to plot ratio, it is acknowledged that the proposal for 2 two storey dwellings with smaller footprints would differ from the lower density of existing housing development immediately adjacent to the site. However, it is also acknowledged that following the previous refusal, the number of dwellings proposed has been reduced from 5 to 2, which has significantly reduced the total amount of development proposed on the site. Furthermore, the dwellings have been re-orientated by 90 degrees to face Main Street, thereby respecting the general pattern and grain of existing residential development. As a result, Officers are of the view that the two dwellings would not result in significant harm to the character or appearance of the surrounding area to warrant a refusal. Even if the dwellings would be partially visible from Main Street, they would not appear overly intrusive, given their degree of setback from the public realm.

7.25. In terms of the site layout, the vehicular circulation areas would remain to the front of the existing dwellings, due to the need to provide access to the two dwellings, and an internal turning area for a fire engine. Car parking for the two dwellings has been relocated to the side of each dwelling, and small pockets of landscaping have been introduced to the site frontage, thereby reducing the dominance of parked cars to the site frontage.

7.26. In terms of the design and appearance of the dwellings, they would be constructed in red brick and clay pantiles which would reflect the existing materials palette of the local area. A number of design features have been incorporated into the proposed dwellings including small gables above the bedroom windows at first floor, a storm porch above the front door, window headers and cills, horizontal brick coursing and casement windows with horizontal bars. The addition of these details results in a development which would better reflect the historic buildings within the vicinity.

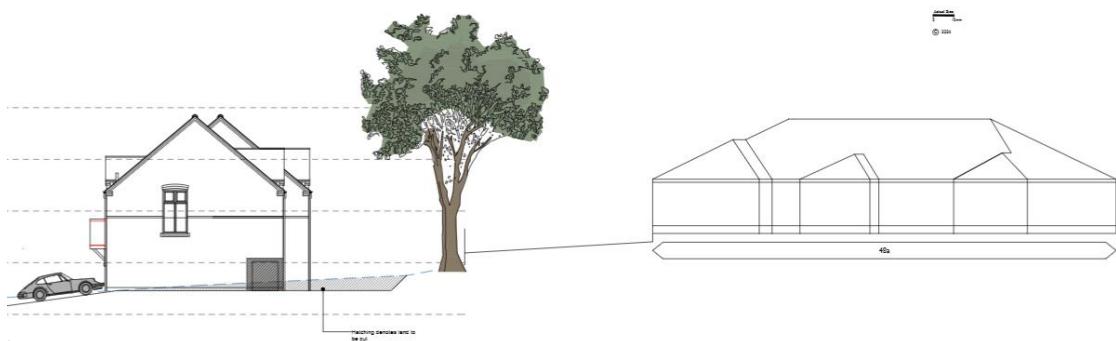
Subject to conditions controlling the external materials of the proposed dwellings, it is considered that the development would make a positive contribution to the character of the area.

- 7.27. The revised proposal would no longer result in an inappropriate or uncharacteristic form of back land development, nor would it result in significant harm to the character or appearance of the area. The proposal would therefore accord with Core Policy 9 and DM5, and guidance contained within paragraph 139 of the NPPF, which is a material planning consideration.

Impact on Amenity

- 7.28. Policy DM5 states the layout of development within sites and separation distances from neighbouring development should be sufficient to ensure that neither suffers from an unacceptable reduction in amenity including overbearing impacts, loss of light and privacy. Development proposals should have regard to their impact on the amenity or operation of surrounding land uses and where necessary mitigate for any detrimental impact. Proposals resulting in the loss of amenity space will require justification.
- 7.29. Paragraph 135 of the NPPF seeks to ensure that developments have a high standard of amenity for existing and future users.
- 7.30. The proposal would result in the loss of existing undeveloped green space to the rear of 50A Main Street, however it is acknowledged that the building is home to businesses and therefore does not necessarily require associated outdoor amenity space.
- 7.31. Following the previously refused scheme, the number of dwellings has been reduced from 5 to 2, and the position and orientation of the dwellings has been revised. During the course of the application, further amendments were made to the siting of the dwellings and the window positions within the northern most dwelling.
- 7.32. To the south of the site, on the opposite side of a private driveway serving 5 dwellings, is 48 Main Street, a detached two storey dwelling, located approx. 16m from the application site. This dwelling is considered to be of a sufficient distance away from the application site, and separated by a private driveway, so as not to be unduly harmed as a result of the proposed development, either through overlooking, overshadowing or through overbearing impacts, or an increase in activity along the access.
- 7.33. To the northeast, at a higher level than the application site, is 48A Main Street, a detached single storey dwelling sited within a large plot, located approx. 6.5m from the application site, with some tree screening along boundary. This neighbouring property also has a detached outbuilding (historically associated with no.48 to the immediate south of the site, the northern elevation of which sits on the shared boundary). The rear elevations of the proposed dwellings would be located 9-10m from the shared boundary. A cross section has been provided with the application

showing the relationship of the proposed dwellings in relation to no. 48A.

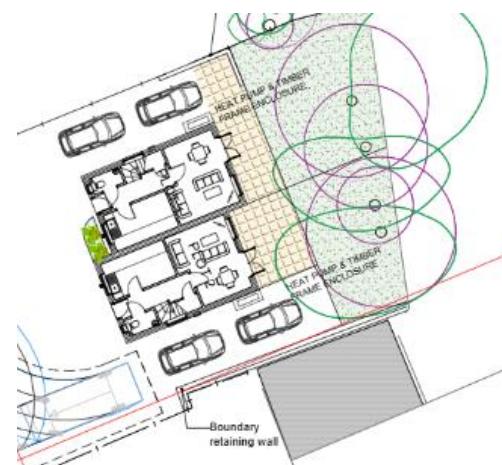


7.34. Given the separation distances involved, the changes in levels, the presence of trees along the boundary, and that this neighbouring dwelling is oriented 45 degrees in relation to the application site, it is not considered that the living conditions of its occupiers would be unduly harmed as a result of excessive overlooking, overshadowing or over dominance. A condition is proposed which would require the existing trees along the eastern boundary of the site to be protected during the construction phase.

7.35. In terms of the impacts upon the historic outbuilding associated with no 48A, this is an attractive former coach house located adjacent to the southern boundary of the application site. A tandem driveway is proposed adjacent to this outbuilding, with a retaining boundary wall proposed, details of which would be secured by condition. Concerns have been raised by the owners of the outbuilding in terms of the impacts of the development on the structure integrity of the building. Whilst such concerns are valid, such matters are not a material planning consideration, rather a civil matter between the two parties.



Photos of historic outbuilding



Site plan with outbuilding in grey

7.36. To the southeast of the site, on opposite side of a private shared driveway, is 48D Main Street, a detached single storey dwelling sited within a large plot, located approx. 21m from the site. This dwelling is considered to be of a sufficient distance away from the application site, and separated by a private driveway, so as not to be unduly harmed as a result of the proposed development, either through overlooking, overshadowing or through overbearing impacts, or an increase in activity along the access.

7.37. To the north of the site is no. 52, a two-storey detached dwelling fronting onto Main Street with a two-storey rear projection. The rear garden of no. 52 comprises of a small courtyard style area immediately adjacent to the rear elevation, with steps leading up to an extensive lawned garden which runs along the whole of the northern boundary of the application site.



Rear elevation of no. 52 with site on the left

Rear garden of no.52 with site on the right

7.38. As detailed above, during the course of the application the proposed dwellings were re-sited within the plot and located further away from the shared boundary with no. 52, with the northern most plot now separated by a 4m wide driveway. Given the separation distances between the two proposed dwellings and the house at no.52, the development would not result in overshadowing or appear overbearing in relation to the dwelling itself. In terms of the impacts upon the rear garden area, it is acknowledged that the proposed dwellings would be visible from the rear lawned garden area of no.52, and the outlook from would change. However, given the set back away from the shared boundary, it is not considered that the development would appear so overly dominant or result in unacceptable level of overshadowing that it would significantly harm the living conditions of its occupiers. No.52 benefits from a substantial garden area, with a more enclosed courtyard area to the immediate rear of the dwelling, and a substantial lawn area beyond. Even if a low level of shading to the garden did occur to the north of the proposed dwellings, there would be large areas of the garden not in shade which could be utilised for outdoor amenity.

7.39. In terms of overlooking, the northern most dwelling has been 'handed', resulting in the closest first floor window facing westwards towards no.52 comprising of a bathroom window, as opposed to a bedroom window. The side elevations of the dwellings would not have any windows serving habitable rooms, only one tall window serving the staircase. Ground floor windows would be screened by the existing close boarded timber boundary fencing. Conditions are proposed which would require the bathroom and landing windows to be fitted with obscure glazing prevent any unacceptable levels of overlooking towards no. 52. Whilst views from the bedroom windows may be possible towards no.52, given the separation distances and the oblique angles involved they would not result in significant harm. In urban areas such as this, there will usually be some level of mutual overlooking over garden areas from bedroom windows. It is common practice to ensure that the zone immediately to the rear of the dwelling is protected from direct overlooking, which would be the case

here.

- 7.40. In terms of the living conditions of future occupiers, each dwelling would have a reasonably sized rear garden area, comprising of part patio and part lawn. Whilst it is noted that the gardens are likely to be shaded during the earlier part of the day due to the trees along the eastern boundary, given the modest size of the dwellings proposed (3 person, 2 bedroom dwellings), the size and nature of the gardens would provide adequate opportunities for outdoor seating and clothes drying for future occupiers and are considered acceptable.
- 7.41. Although not formally adopted by the Council, it is noted that the minimum internal floor areas set out within the Government's '*Technical housing standards – nationally described space standard*' for two storey, two bedroom, 3 person dwellings is 70m², which the proposed dwellings would meet, and all habitable rooms would have adequate natural light. The proposed dwellings would therefore provide an acceptable level of amenity for future occupiers.
- 7.42. For the reasons outlined above, the proposal would not result in harm to the amenities of neighbouring or future occupiers, having regards to Core Policy 9, DM5 and Paragraph 135 of the NPPF.

Impact upon Highway Safety

- 7.43. Spatial Policy 7 states that new development should provide safe, convenient and attractive accesses for all. Policy DM5 states that provision should be made for safe and inclusive access to new development.
- 7.44. Paragraph 116 of the NPPF provides that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.45. The NSDC Residential Cycle and Car Parking Standards Design Guide SPD sets out the minimum car parking standards which requires 2 car parking spaces for 2 bedroom dwellings in this area, plus 2 secure cycle spaces. To accord with Spatial Policy 7 (bullet 5) of the Amended Core Strategy and the NPPF, the District Council will seek to encourage these minimum car parking standards for new residential development. These figures are considered as the recommended minimum standards as the starting point. Visitor parking will be encouraged where the site cannot deliver these recommended minimum space standards.
- 7.46. The development proposes to use the existing access to the site from Main Street, which currently leads to an area of commercial car parking serving 50A. This access is currently bound to one side by the two-storey elevation of 50A Main Street and a boundary wall, and to the other side by a wall and planting. The boundary wall adjacent to 50A is proposed to be removed, so too is an existing pedestrian door in the side elevation of no.50A facing the access. The plans show that the access would be widened to 5.9m, with a useable carriage way width of 4.9m which would allow two way traffic, and NCC Highways have confirmed that this which would be in

accordance with the Nottinghamshire Highways Design Guide (NHDG) for private accesses serving up to 5 dwellings.

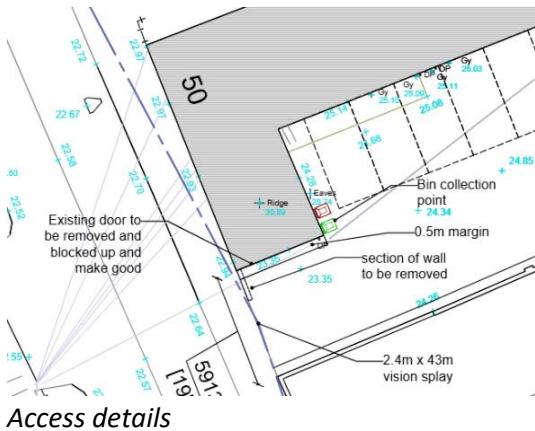


Photo of wall and door to be removed



7.47. In terms of pedestrian safety, a 0.5m wide margin is proposed on either side of the access, these do not meet the recommended standards for pedestrian visibility splays, with the NHDG requiring unobstructed visibility splays of 2m by 2m. As such NCC Highways have raised a concern regarding pedestrian safety. It is however noted that the existing access is used by customers of 50A Main Street to access an area of existing car parking to the rear of the property, and whilst it is acknowledged that the proposed development would result in the access serving an additional two dwellings, it could be argued that the 0.5m wide margins are an improvement over and above the existing pedestrian access arrangements.

7.48. In terms of proposed car parking levels, each dwelling would be served by two tandem car parking spaces, which would meet the minimum car parking requirements as set out in the Car Parking SPD. There is no requirement to provide dedicated visitor car parking on a scheme of this size. In terms of the spaces, they would measure 3.6m in width by 11 m in length which would meet the guidelines on minimum dimensions. As such, it is considered that the proposed development would provide adequate off-street car parking, which is also acknowledged by NCC Highways.

7.49. In order to encourage the use of alternative, sustainable modes of transport, a condition will be attached to any approval requiring the provision of an EV charging point and secure covered cycle storage for each dwelling.

7.50. With regards to vehicle turning, the site layout plan includes a turning area for a fire engine, and NCC Highways have confirmed that the swept path as shown is acceptable.

7.51. In terms of the existing commercial car parking to the rear of 50A, adjacent to the access to the proposed dwellings, no spaces would be lost as a result of the proposed development.

7.52. Bin storage was also raised as a concern by NCC Highways. There is space within the garden area of each plot to store household wheelie bins, and an area to the side of the access, close to Main Street, is proposed for storage on bins collection day, which is large enough to accommodate bins associated with two dwellings. It is

acknowledged that bins would need to be wheeled down to the public highway on collection days, this is not an unusual arrangement for properties with long driveways.

- 7.53. Despite the concerns raised by NCC Highways in relation to pedestrian intervisibility splays at the site entrance, it is not considered that the proposed development would result in unacceptable impacts upon highway safety, nor would the residual cumulative impacts on the road network be severe. Furthermore, they would not significantly or demonstrably outweigh the benefits of two additional dwelling in the overall planning balance.
- 7.54. For all of the above reasons it is considered that the proposal would accord with the Local Plan and the guidance contained within the NPPF when taken as a whole.

Flood Risk and Surface Water Drainage

- 7.55. Core Policy 10 (Climate Change) aims to steer new development away from those areas at highest risk of flooding, applying the sequential approach to its location. Policy DM5 (Design) supports this approach to new development in areas at risk of flooding.
- 7.56. Core Policy 10A (Local Drainage Designations) states that in order to ensure the appropriate management of flood risk, the District Council will work with partners to develop Local Drainage Designations in Lowdham and Southwell to ensure that development positively manages its surface water run-off through the design and layout of new development in order that there be no unacceptable impact from run-off on surrounding areas or the existing drainage regime.
- 7.57. DM5(b) (Design) and DM5(c) (Sequential Test) of the emerging Amended Allocations & Development Management DPD, aim to steer new development away from areas at high risk of flooding.
- 7.58. Paragraph 173 of the NPPF states when determining any planning applications, Local Planning Authorities should ensure that flood risk is not increased elsewhere.
- 7.59. The majority of the site falls within Flood Zone 1 therefore is at low risk of flooding, however a very small part of the access (where it crosses the pavement) and Main Street are located within Flood Zone 2. The site itself is at low risk of surface water flooding.
- 7.60. Due to the dwellings being proposed on a high ground level within Flood Zone 1, and only a very small area of the site itself being within Flood Zone 2, it is not considered necessary for a district wide sequential test to be applied. It is clear, based on the site characteristics, that the dwellings would not be at risk of flooding (due to the higher ground level) and in any case would be well outside of the flood risk area (Flood Zone 2), and are therefore proposed within a sequentially preferable location within the site. As such, taking a pragmatic approach, it is considered that the sequential test is passed.

7.61. In terms of surface water, in accordance with Core Policies 9 and 10 and DM5, new development should positively manage its surface water run-off through the design and layout of development, to ensure that there would be no unacceptable impacts in terms of run-off into surrounding areas or the existing drainage regime. Development proposals should wherever possible include measures to pro-actively manage surface water including the use of appropriate surface treatments in highway design and Sustainable Drainage Systems.

7.62. The PPG explains that sustainable drainage systems (or SuDS) are designed to control surface water run off close to where it falls, combining a mixture of built and nature based techniques to mimic natural drainage as closely as possible, and accounting for the predicted impacts of climate change.

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

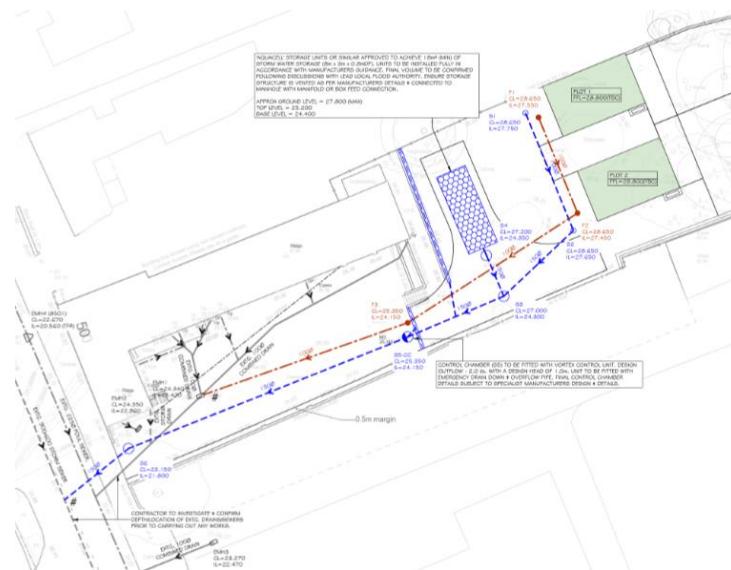
- i. into the ground (infiltration);
- ii. to a surface water body;
- iii. to a surface water sewer, highway drain, or another drainage system;
- iv. to a combined sewer.

7.64. This hierarchical approach is advocated by both the County Council as Lead Local Flood Authority and Severn Trent Water.

7.65. Many of the objections received raise concerns regarding flood risk, in particular an increase in surface water run-off. Main Street and the properties to the west of it, currently have issues with surface water flooding as well as fluvial flooding. The proposal would see the loss of a grassed area in which infiltration would occur naturally, to a large area of hard surfacing and buildings, which are likely to increase the levels of surface water run-off down to Main Street.

7.66. A Drainage Strategy Report has been submitted in support of the application. In terms of the hierarchy, the report concludes that due to the clay subsoil, the size of the site and the steep slope, the first preference for discharging of surface water drainage via soakaways, would be detrimental to ground stability and would not be viable. In terms of the second option, discharging to a surface water body, the closest watercourse, Cocker Beck, is located approx. 150m to the west. Due to its distance from the site and the need to cross third party land, this would not be viable on such a small-scale development. The applicant therefore proposes to connect into the existing surface water sewer in Main Street. Severn Trent Water have confirmed that a surface water connection can be accommodated, at a restricted flow rate of 2 litres per second, and any connection would be subject to a S106 application for direct connection. The report details a number of mitigation methods which the developer could adopt to ensure a 2 litre per second rate could be achieved, and these include; SUDS planters or rainwater harvesting; the use of channel drains, a sump, catchpits and an

attenuation tank. The report confirms that the drainage system will cater for all rainfall events up to a 100 year +40% climate change return period.



Proposed drainage plan

7.67. The applicants have followed the drainage hierarchy as set out above, and have discounted the first two options upon grounds which Officer's consider to be reasonable. Subject to limiting the surface water run-off rates from the site to 2 litres per second (i.e. greenfield run-off rates), it is not considered that this would exacerbate existing flooding issues downstream. It is not considered necessary for the Local Planning Authority to condition the approval of the proposed drainage strategy, as this would be dealt with under separate legislation. In any event the Local Planning Authority does not have any in house drainage specialists who could review and approve such a scheme. Any connection to the public sewer would be restricted to the aforementioned run-off rates by Severn Trent Water under a S106 Drainage agreement.

7.68. For the reasons outlined above, future occupiers of the site would not be at risk from flooding, and the applicant has demonstrated that the site could be developed without resulting in surface water run-off which would exacerbate existing flooding issues downstream. As such, the proposal would accord with Core Policies 9, 10 and 10A, Policies DM5, DM5(b) and DM5(c), and guidance contained within the NPPF.

Impact upon Ecology, Trees and Biodiversity

7.69. Core Policy 12 states that the Council will seek to conserve and enhance the biodiversity of the District and that proposals will be expected to take into account the need for the continued protection of the District's ecological and biological assets. Policy DM7 supports the requirements of Core Policy 12 and states that development proposals affecting sites of ecological importance should be supported by an up-to-date ecological assessment. Policy DM5 seeks to avoid adverse impacts upon ecological interest and protected species.

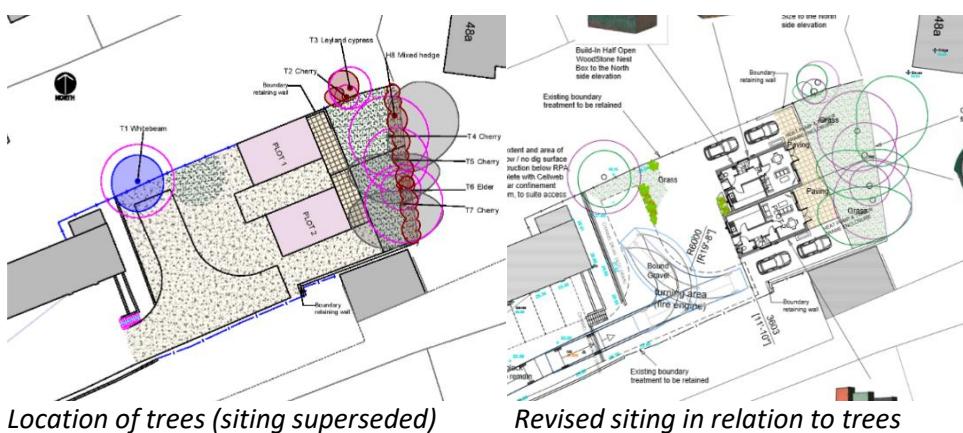
Ecology

7.70. In terms of the impacts upon Ecology, a Preliminary Ecological Assessment has been submitted in support of the application. It concludes that there would be no loss of roosting opportunities for either bats or birds as a result of the development, and suggests the installation of bat and bird boxes on the site to provide roosting opportunities.

7.71. Details of proposed bat and bird boxes have been submitted as part of the application, and these include an integrated eco bat box to the southern side elevation of the dwelling, a nest box and swift box to the northern elevation, and a nest box on an existing Cherry Tree. Subject to a condition to secure the installation of these bat and bird boxes, the proposal development would secure bio-diversity enhancement measures.

Trees

7.72. A Tree Survey, Arboricultural Impact Assessment and Method Statement, and a Tree Protection Plan have been submitted in support of the application. The Tree Survey assessed the quality of the remaining trees on site. T1 (Whitebeam) is categorised as B2 with a remaining contribution of 20+ years. All the other trees are either graded C or U which are of low value in terms of amenity.



7.73. The tree survey confirms that all trees would be retained, and the revised siting demonstrates that the proposed dwellings would no longer encroach into the root protection areas. The proposed tree protection plan includes the erection of protected fencing around the trees, and a no-dig, permeable geocell surface within the root protection area. Subject to a condition requiring the tree protection to be installed prior to development commencing, and retained throughout the construction period, the proposal would not result in harm to trees.

7.74. Objections have been raised on the grounds that trees have been previously felled on the site prior to the submission of this planning application, and the remaining tree stumps are visible on site. However, said trees were not protected by a Tree Preservation Order nor by a Conservation Area status, therefore their felling did not require the approval of the Local Planning Authority.

Biodiversity Net Gain

7.75. Biodiversity Net Gain (BNG) is a way of creating and improving natural habitats. BNG makes sure development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development. 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)) for major developments from 12 February 2024 (developments over 1Ha in area) and for 'minor sites' on 2 April 2024. 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. However, there are some developments that are exempt from the BNG such as self-build and custom build applications which are for <9 dwellings and on sites <0.5Ha in area (under Regulation 8 of the Exemption Regulations). To meet this exception there is a requirement for applications to consist exclusively of dwellings that are self-build or custom housebuilding as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015.

7.76. The submitted application form states that the two dwellings would be a custom self-build project for the two applicants who are brothers. Officers are satisfied that the proposal complies with the definition of self-build and custom housebuilding set out at Section 1(A1) of the Self-Build and Custom Housebuilding Act 2015. However, in order to ensure that the development is a custom self-build dwelling, the applicant intends to enter into a Unilateral Undertaking to that accord.

7.77. As the proposed dwellings have been advanced as a self-builds, which will be secured by way of a Unilateral Undertaking, the development is exempt from the mandatory biodiversity net gain (BNG) requirement.

Other Matters

7.78. **Community Infrastructure Levy (CIL)** - The site is located within Housing High Zone 3 of the approved Charging Schedule for the Council's Community Infrastructure Levy. As such new residential development in this area is rated at £70m2 for CIL purposes. The proposed new total floor space of the two new dwellings would be 140m2, which would equate to a CIL contribution of £11,987.77. It would be the applicants' responsibility to apply for a CIL self-build exemption.

7.79. **Land Stability** - Comments have been received raising concern that the removal of the trees and potential development of the site could result in land instability and subsidence. The NPPF states at paragraph 190 that where a site is affected by land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. As such, if the development were to be approved, the developer would be responsible for ensuring that the appropriate measures were put in place to ensure the development does not create unstable land or damage to neighbouring properties.

7.80. **Landownership** – During the course of the application concerns were raised by local residents that the application red line boundary included land outside the applicants' ownership. The agent, on behalf of the applicant, has signed Certificate B on the

application form and served notice on a single landowner. The Local Planning Authority have no reason to dispute the signed certificate. If planning permission were to be granted, it would be the responsibility of the development to ensure that the permission could be lawfully implemented.

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 - LEG2526/278

- 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 principle of residential development in this Principal Village location is considered acceptable, and the two proposed dwellings would make a small but important contribution to housing land supply in the District. The proposed development of the site, with a pair of two storey semi-detached dwellings, would be an acceptable form of back land development in this location, and the design and external appearance of the dwellings would make a positive contribution to the area, subject to securing high quality materials via condition. The proposal would not result in significant harm to the living conditions of neighbouring dwellings, nor result in unacceptable impacts on highway safety or severe harm to the road network. Furthermore, the development of the site would not put future occupiers at risk of flooding, nor exacerbate existing flooding downstream. The existing trees on the site would be suitably protected, and ecological enhancements would be secured.
- 9.2. For the reasons outlined above, the proposals are considered to accord with the aforementioned policies, and the guidance contained within the NPPF and the NPPG when taken as a whole.

10.0 Conditions

01

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

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

02

The development hereby permitted shall not be carried out except in complete accordance with the following approved plan references:

- Location Plan 703_2025

Received by the Local Planning Authority on 31st July 2025

- Proposed Site Block Plan 703_2024_02 Rev A
- Proposed Site Section 703_2024_03 Rev D
- Plans and Elevations 703_2024_04 Rev A

Received by the Local Planning Authority on 8th December 2025

Reason: So as to define this permission.

Pre-Commencement

03

Prior to the commencement of any development on the site, including site clearance works, all tree protection measures, as detailed on the Tree Protection Plan Rev A and within the Arboricultural Impact Assessment and Method Statement dated 23rd July 2025, both received by the Local Planning Authority on 31st July 2025, shall be installed. The said tree protection measures shall be retained and maintained in full for the duration of the construction phase. No protective fencing shall be moved, removed, or altered without the prior written approval of the Local Planning Authority.

Reason: To ensure existing trees are suitably protected during the construction phase of the development.

Pre-Installation/Pre-Occupation Conditions

04

No development above damp-proof course shall take place until details of the following external materials have been submitted to and approved in writing by the Local Planning Authority:-

- Bricks (including horizontal banding)
- Roof tiles
- Storm Porch Frame
- Headers and Cills
- Windows and Doors

The development shall thereafter be carried out in accordance with the approved details.

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

05

Prior to first occupation of the development hereby approved, full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include:

- a) full details of all soft landscaping to be provided on site, to include every tree, shrub, hedge to be planted (including its proposed location, species and size). The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species;
- b) full details of all hard surfacing materials to be provided to car parking, pedestrian access and circulation areas on site;
- c) means of enclosure;
- d) retaining walls and structures.

Reason: To ensure the development preserves the character and appearance of the area.

06

Prior to first occupation of the development hereby approved, the site access improvements (including the demolition of the boundary wall and permanent closure of the doorway in the side elevation of 50A), the driveway, vehicular turning and car parking areas shall be provided in accordance with the details as shown on the Proposed Site Block Plan 703_2024_02 Rev A Received by the Local Planning Authority on 8th December 2025. The site access, driveway vehicular turning and parking areas shall thereafter be retained, and shall not be used for any purpose other than for the parking, turning, loading and unloading of vehicles.

Reason: In the interest of highway safety.

07

Prior to first occupation of the development hereby approved, provision shall be made within each plot for an electric vehicle charging facility and secure covered cycle parking, in accordance with details which shall be first submitted to and approved in writing by the Local Planning Authority. The approved facilities shall thereafter be retained for the life of the development.

Reason: In the interest of promoting sustainable modes of travel.

08

Prior to first occupation of the development hereby approved, the bat and bird boxes, as detailed on the Proposed Site Block Plan 703_2024_02 Rev A Received by the Local Planning Authority on 8th December 2025, shall be installed in accordance with the guidance set out in the Preliminary Ecological Appraisal dated 9th July 2025, received by the Local Planning Authority on 31st July 2026.

Reason: To secure bio-diversity enhancements measures on the site.

09

The first-floor bathroom window openings in the western elevation, and the landing window openings in the northern and southern elevations shall be fitted with obscure glazing to level 3 or higher on the Pilkington scale of privacy or equivalent. This specification shall be complied with before the development is first occupied and shall thereafter be retained for the lifetime of the development.

Reason: To prevent harm through unacceptable level of overlooking on neighbouring properties.

Compliance Conditions

10

The hard landscaping scheme approved under condition 05 of this permission (hard surfacing, means of enclosure and retaining structures) shall be completed prior to first occupation. The approved soft landscaping scheme approved under condition 07 of this permission (tree, shrub and hedge planting) shall be completed during the first planting season following the first occupation of the dwelling, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees/shrubs which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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

Informatics

01

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

02

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.

03

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

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

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

OR

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

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

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

Based on the information available, this permission is considered by NSDC not to require the approval of a biodiversity gain plan before development is begun, because the following reason or exemption is considered to apply – The proposal is for a self-build residential development.

BACKGROUND PAPERS

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

Application case file.

Committee Plan - 25/01298/FUL



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