

Report to Planning Committee 12 February 2026

Business Manager Lead: Oliver Scott – Planning Development

Lead Officer: Yeung Browne – Planning Development Officer

| Report Summary            |  |                          |                                    |
|---------------------------|--|--------------------------|------------------------------------|
| <b>Application Number</b> | 25/02047/HOUSE   |                          |                                    |
| <b>Proposal</b>           | Retention of garage (as constructed)   |                          |                                    |
| <b>Location</b>           | Holly House 5 East Lane Edwinstowe NG21 9QN  |                          |                                    |
| <b>Applicant</b>          | Mark Atherton and Carol Watson   | <b>Agent</b>             | IBA Planning Ltd - Mr Nick Baseley |
| <b>Registered</b>         | 07.05.2025   | <b>Target Date</b>       | 26.12.2025                         |
|                           |  | <b>Extension of time</b> | 18.02.2026                         |
| <b>Web Link</b>           | <a href="#">25/02047/HOUSE - Retention of garage (as constructed) at Holly House 5 East Lane Edwinstowe NG21 9QN</a> |                          |                                    |
| <b>Recommendation</b>     | Refuse as reason set out in section 10   |                          |                                    |

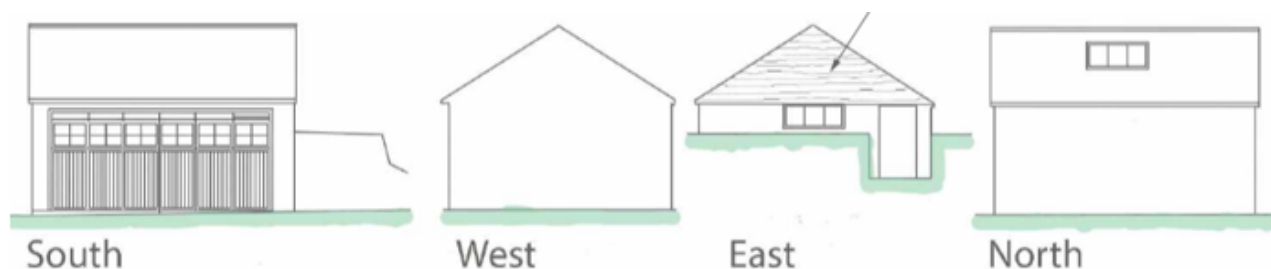
This application is being referred to the Planning Committee by the Business Manager due to the contentious nature of the development within Edwinstowe Conservation Area and its public interest.

## 1.0 The Site

- 1.1 The site lies within the principal village of Edwinstowe, adjacent to the south of the district centre as defined by the Newark and Sherwood Allocations and Development Management DPD (adopted March 2019).
- 1.2 No. 5 East Lane is identified in the Conservation Appraisal as a period property that makes a positive contribution to the character and appearance of the Conservation Area (CA). The building appears to form part of a terrace of 19th century cottages, and incorporates a 2 storey bookend which sits perpendicular to the road (this being no 5). This part of the building range is red brick in Flemish bond with stone plinth, casement windows under segmental headers, with a hipped pantile roof, dentil course and ridge stacks.



- 1.3 The property obtained planning permission for front and side extensions with alterations to the dwelling and a new garage in 2021. The extensions and the alterations to the dwelling have been carried out. The garage is in the process of being completed; however, the conditions and details for the original approved development were never discharged. Furthermore, the sections of the garage that have been built are not in accordance with the approved drawings under planning permission ref.21/00238/FUL. The previously approved single storey garage would measure 6.0m in depth and 7.0m in width, standing at eaves and ridge height of 3.0m and 5.0m approximately, with a small set of rooflights to be located to the rear elevation.



**Elevations of the garage approved under planning permission 21/00238/FUL.**

- 1.4 According to Environment Agency Flood Maps, the site is in Flood Zone 1 therefore at very low risk of fluvial flooding, and is also at very low risk of surface water flooding.

## **2.0 Relevant Planning History**

- 2.1 A pre-application advice was sort in December 2024 with the current scheme (*Other than the wood cladding as built and altered colour of the front elevation of the garage, replace some lower part of cladding, replace existing tiles with rosemary tile*).
- 2.2 21/00238/FUL - Demolition of existing porch, existing garage and lean-to outhouse, construction of new front and side extension, and new garage. Approved on 06.12.2021.
- 2.3 Pre-application advice was sought prior to the householder application approved in 2021 being submitted.
- 2.4 67860233 – Extend dwelling by conversion of outbuildings at rear. Approved 22.04.1986.

## **3.0 The Proposal**

- 3.1 The application seeks retrospective planning permission to retain the garage building as constructed.



- 3.2 The constructed two storey garage measures at 4.2m in depth and 7.22m in width, standing at eaves and ridge height of 3.0m and 5.25m approximately with three small rooflights located on the rear elevation (north). The garage door on the current proposed scheme measures c.2.8m in width and at c.1.76m in height when measure from ground level.



- 3.3 The external materials of the garage building consist of multi colour bricks with vertical timber cladding/boarding in black, the roofing material is pantile as showed on the street view photo above.
- 3.4 The garage door is yet to be installed. A genuine timber door is proposed, which would be sliding on a rail to be routed in the garage along the side wall without opening onto the highway.
- 3.5 Documents assessed in this appraisal:
- Application Form received 04 December 2025
  - Site Location Plan ref: 001 received 04 December 2025
  - Proposed block plan, ref: 002 received 04 December 2025
  - Proposed floor plans and elevations ref: 003 received 04 December 2025
  - Planning and Heritage Statement received 04 December 2025

#### **4.0 Departure/Public Advertisement Procedure**

- 4.1 Occupiers of twelve properties have been individually notified by letter.
- 4.2 A site notice has also been displayed near to the site on 29 December 2025.
- 4.2 Site visit undertaken 29 December 2025.

#### **5.0 Planning Policy Framework**

##### **The Development Plan**

- 5.1 **Newark and Sherwood Amended Core Strategy DPD (adopted March 2019)**
- Core Policy 9 -Sustainable Design
  - Core Policy 14 – Historic Environment

## 5.2 **Allocations & Development Management DPD (adopted 2013)**

- DM5 – Design
- DM6 – Householder Development
- DM9 – Protecting and Enhancing the Historic Environment
- DM12 – Presumption in Favour of Sustainable Development

5.3 The [Draft Amended Allocations & Development Management DPD](#) was submitted to the Secretary of State on the 18th January 2024. 5.1. Following the close of the hearing sessions as part of the Examination in Public the Inspector has agreed a schedule of ‘main modifications’ to the submission DPD. The purpose of these main modifications is to resolve soundness and legal compliance issues which the Inspector has identified. Alongside this the Council has separately identified a range of minor modifications and points of clarification it wishes to make to the submission DPD. Consultation on the main modifications and minor modifications / points of clarification is taking place between Tuesday 16 September and Tuesday 28 October 2025. Once the period of consultation has concluded then the Inspector will consider the representations and finalise his examination report and the final schedule of recommended main modifications.

5.4 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.

## 5.5 **Other Material Planning Considerations**

- National Planning Policy Framework 2024 (with amendment - February 2025)
- Planning Practice Guidance
- Householder Development SPD (2014)
- Residential cycle and car parking standards SPD

## 6.0 **Consultations**

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

### **Statutory Consultations**

6.1 **None**

## **Parish Council**

- 6.2 **Edwinstowe Parish Council** – has no material objections to this application.

## **Representations/Non-Statutory Consultation**

- 6.3 **NSDC conservation team** – provided detail comments summarised as follow:
- The mix of materials is unconventional within the CA, fails to preserve the vernacular character of the Edwinstowe CA.
  - The mismatch of green and cream windows and doors, along with the presence of trickle vents on the building are inharmonious appearance within the CA.
  - The eaves height of the garage building is higher than those at 1 East Lane (a dwellinghouse), which is at odds with the hierarchy of the street scene coupled with the substantial width makes the building read as a new dwellinghouse, not a subservient feature as an outbuilding should normally be, and certainly does not read as belonging to 5 East Lane.
  - The large French doors providing a Juliet balcony at first floor level is highly atypical of an outbuilding.
  - The Velux windows used on the rear elevation are with bulky outer frame and top bar, and centre pivot opening is unacceptable.
  - The large French doors providing a Juliet balcony at first floor level is highly atypical of an outbuilding.
  - The use of overly stained black and white bricks provide a prominent contrast to the local vernacular which does not preserve its special character and appearance.
  - The presence of date stones is discordant with the architectural of an outbuilding, which would typically be associated with civic buildings and would not normally be found on vernacular and domestic outbuildings.

Overall, the scale of the garage building is considered to be harmful to the setting of 1 East Lane as a non-designated heritage asset, as well as to the street scene of the CA. The development, as built, is considered to cause less than substantial harm to the character and appearance of the Edwinstowe Conservation Area.

Full copy of the [conservation comment](#) is available through public access.

- 6.4 **Four letters of representations have been received from local residents**, support the application with the following grounds:
- The constructed garage in question is a vast improvement, both structurally and visually to what it was previously.
  - The garage is a fine addition to Edwinstowe and hopefully a positive guide for future building within the village environment.
  - This is a great addition to the road and far better than the ramshackle lean to that was there before.
  - The roof line and cladding fits in nicely with the new build properties across the road and ties the two together aesthetically.
  - The current appearance of the building is far better than the run-down, weed ridden construction that was previously there, even in its current half-finished state.

- The wooden cladding echoes that of the houses on the opposite side of the High Street.
- The completion of this building will enhance East Lane further.

## **7.0 Appraisal**

7.1 The key issues are:

- Principle of Development
- Impact on Visual Amenity and Character of Area
- Impact upon Residential Amenity
- Impact upon Highway Safety

### **Principle of Development**

- 7.2 Householder developments are accepted in principle subject to an assessment of a number of criteria outlined in Policy DM6. These criteria include the provision that the proposal should respect the character of the surrounding area. The overall shape, size and position of an extension must not dominate the existing house or the character of the surrounding area. It also states that there should be no adverse impact on the amenities of neighbouring users including loss of privacy, light and over-bearing impact.
- 7.3 Policy DM5 accepts development providing that it does not unacceptably reduce amenity in terms of overbearing impacts, loss of light and privacy. It also states that the rich local distinctiveness of the character of built form should be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development.
- 7.4 As the application concerns a designated heritage asset, in the form of a conservation area, section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') are particularly relevant. Section 72(1) also requires the Local Planning Authority (LPA) to pay special attention to the desirability of preserving or enhancing the character and appearance of conservation areas.
- 7.5 The duty in s.72 of the Listed Buildings Act does not allow a local planning authority to treat the desirability of preserving the character and appearance of conservation areas as mere material considerations to which it can simply attach such weight as it sees fit. When an authority finds that a proposed development would harm the character or appearance of a conservation area, it must give that harm considerable importance and weight.

### **Impact on Visual Amenity and Character of Area**

- 7.6 Core Policy 14 states that the Council will aim to secure the continued preservation and enhancement of the character, appearance and setting of the District's heritage assets and historic environment and the preservation of the special character of Conservation Areas – including such character identified in Conservation Area Character Appraisals.
- 7.7 Policy DM9 (Protecting and Enhancing the Historic Environment) states development proposals should take account of the distinctive character and setting of individual conservation areas including open spaces and natural features and reflect this in their layout, design, form, scale, mass, use of materials and detailing. Impact on the character and

appearance of Conservation Areas will require justification in accordance with the aims of Core Policy 14.

- 7.8 Core Policy 9 seeks to achieve a high standard of sustainable design which is appropriate in its form and scale to its context, complementing the existing built and landscape environment. Policy DM6 reflects this and states that proposals should respect the design, materials and detailing of the host dwelling.
- 7.9 Part 16 of the NPPF seeks to conserve and enhance the historic environment. Paragraph 203 states that when determining applications local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness.
- 7.10 Part 12 of the NPPF (Achieving Well Designed Spaces) paragraph 135 states inter-alia that development should be visually attractive as a result of good architecture, should be sympathetic to local character and history, and should maintain or establish a strong sense of place.
- 7.11 The Council's adopted Householder Development Supplementary Planning Document (SPD, 2014) includes the following guidance on garages and outbuildings:
- 8.14 Poorly designed and sited garage and outbuildings can give rise to detrimental impacts on the appearance of the host dwelling and the character of the surrounding area, as well as a reduction in the standards of amenity to neighbouring properties and occupiers of the host dwelling. As a result the design and assessment of such development should make reference to general guidance provided in Section 7 of this document and consider the following:*
- i. Whether the proposal is domestically proportioned and would not introduce a feature that would be overly dominant in comparison to the main dwelling house.*
  - ii. The impact of how the proposal is sited in relation the dwelling and surrounding area.*
  - iii. Whether the form and angle of pitch to the roof is sympathetic to that of the host dwelling and that external facing materials have been chosen which respect those of the existing property.*
  - iv. Ensuring that sufficient amenity space to the host dwelling has been retained.*
  - v. In the case of garages, safe access and egress to the highway can be achieved.*
- 7.12 The new garage is positioned adjacent to no.1 East Lane to its west, adjacent and fronting onto East Lane on its south; despite the ridge height being the same as no.1 East Lane, the eaves of the building on the front elevation are higher than no.1 East Lane. The gable end on the eastern elevation which is highly visible when travelling from east to west on East Lane has a set of full-height balcony style French doors at first floor level. It is understood that the doors would be opening inward and there is no external balcony.





**Proposed site plan**

**Site photo**

**Site photo**

- 7.13 Conditions imposed on the former application (21/00238/FUL) required details and specification of bricks to be submitted and approved prior to construction above damp proof course, and details of timber garage doors to be submitted, no details were submitted by the applicant since the grant of planning permission. The garage is constructed in a mix of brick and timber weatherboarding walling, with clay pantiles to the roof. A green uPVC window has been installed, and a cream composite door installed. No garage door has been installed to date. It is proposed to use a timber garage door on rails, which would be side opening.
- 7.14 The proposed site is within the Edwinstowe Conservation Area (CA). Traditional outbuildings within a village location like this would typically be brick with pantiles or a slate roof. Timber would have been used for traditional joinery such as doors and windows. The currently used of mix materials for the building is unconventional within the CA. NSDC conservation team commented the constructed hybrid of timber and brick fails to preserve the vernacular character of the Edwinstowe CA, the mix of the two materials provides a discordant feature within the CA, which fails to either preserve or enhance its special character and appearance.
- 7.15 While it is acknowledged that timber weatherboarding can be seen within agricultural type buildings, and is used within the residential development west of High Street, over the road at Tattersall Close, which is located outside the conservation area, the mix of materials used on this garage building is not typical on this section of East Lane which is within Edwinstowe Conservation Area.
- 7.16 The eaves height of the garage building is higher than those at 1 East Lane, which is a dwellinghouse. This is at odds with the hierarchy of the street scene. The garage building in its current state reads as a new dwellinghouse not a subservient outbuilding and it certainly does not read as belonging to 5 East Lane. The introduction of a building of similar proportions as 1 East Lane, a standalone dwelling does not achieve a sense of subservience to the host dwelling and is considered to be harmful to the setting of 1 East Lane as a non-designated heritage asset, as well as to the street scene of the CA. These issues cannot be resolved or mitigated by minor alteration(s) to the already constructed building.
- 7.17 The large Juliet balcony style/French doors at first floor level is highly atypical of an outbuilding. Furthermore, the mismatch of green and cream windows and doors, as well as the presence of trickle vents result in an inharmonious appearance of the building within the CA. While the Velux windows are on the rear elevation, not readily seen from public domain, they all have bulky outer frame and top bar, and centre pivot opening which is unacceptable with CA.



- 7.18 Last but not least, the choice of brickwork incorporates a great variety of colours, which is not consistent with the local vernacular. Overly stained black and white bricks provide a prominent contrast to the local vernacular which, does not preserve its special character and appearance. The presence of date stones is also considered discordant with the architectural simplicity one would associate with an outbuilding.
- 7.19 It is considered the two storey garage building is overly-prominent when compared to the host dwelling and the adjacent dwelling to the west. It therefore represents an incongruous and dominating feature, which would fail to achieve the high design standards required by the NPPF and Core Policy 9. Furthermore, the form of development would be inappropriate in scale and context.
- 7.20 The proposed site is readily visible from a vantage point, adjacent to East Lane, with scale and mass similar to the adjacent dwelling known as no.1 East Lane. The garage building, when viewed alongside the existing structure, is not subservient to the host dwelling, the development as built, is considered to cause less than substantial harm to the character and appearance of the Edwinstowe Conservation Area, to which there is no public benefit, which is contrary to s16 and 72 of the Act, as well as policy and advice contained within Policies CP9 and CP14 of the Amended Core Strategy DPD, Policies DM5, DM6 and DM9 of the Council's ADMDPDs. The proposal is also contrary to Parts 12 and 16 of the NPPF, a material planning consideration.

#### Impact on Residential Amenity

- 7.21 Policy DM5 of the DPD states that development should have regard to its impact upon the amenity of surrounding land uses and neighbouring development to ensure that the amenities of neighbours and land users are not detrimentally impacted. Criterion 2 and 3 of Policy DM6 relate to neighbouring amenity for householder developments and state that new householder developments should not have an adverse impact on the amenities of neighbouring users including loss of privacy, light and overbearing impact and that the layout of development within the site and separation distances from neighbouring development is sufficient to ensure that neither suffers from an unacceptable reduction in amenity by virtue of overlooking and loss of light or overbearing impacts.
- 7.22 Section 7 of the SPD states that new developments have the potential to give rise to significant impacts on the amenity of neighbouring properties through overlooking, overbearing and overshadowing effects. The SPD advises that when considering the potential amenity issues, regard should be given to the separation distance involved. The level of separation from neighbouring properties consideration should be given to the positioning of the proposal in relation to the principal windows of habitable rooms in neighbouring properties. Furthermore, the NPPF seeks to secure high quality design and a high standard of amenity for all existing and future occupants of land and buildings.
- 7.23 The only neighbouring dwelling that would be adjacent to the garage building would be no.1 East Lane, which is situated to the west of the new building. The building is 4.2m in depth and 7.22m in width, which would have similar depth as the neighbouring dwelling to the west. The proposed garage building would not project beyond the front or the rear of the elevations beyond this neighbouring dwelling to the west. The proposed block plan below

shows the relationship between the garage and the adjacent neighbouring dwelling to the west known as no.1 East Lane.



- 7.24 There is no window on the eastern elevation on the neighbouring dwelling, taking into account the current arrangement, it is not considered the garage building would have detrimental impact to this adjacent dwelling to the west. The proposal is considered to be complied with Policy DM6 and DM5 of the DPD in this regard.

#### Impact on Highways

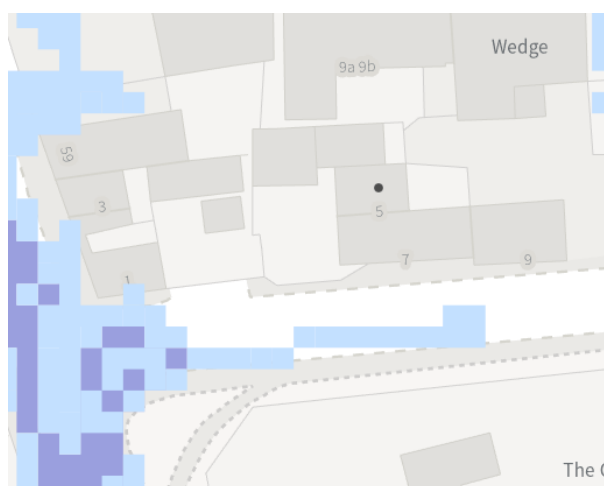
- 7.25 Paragraph 116 of the NPPF states that schemes can be supported where they provide safe and suitable access for all. Spatial Policy 7 seeks to ensure that vehicular traffic generated does not create parking or traffic problems. Policy DM5 requires the provision of safe access to new development and appropriate parking provision.
- 7.26 NCC Highways provided standing advice on the original application in 2021; given there is already an existing vehicular access serving the site; the proposed garage will be utilizing the existing access. With the above in mind, it is not considered the proposal would impact upon the parking provision of the site due to the addition of the proposed structure.
- 7.27 The previously approved garage had the dimensions of 6m by 7m approximately. The currently proposed garage would measure at 4.2m in depth by 7.22m in width externally. The proposed garage door width would be c.2.8m and at c.1.76m in height when measured from ground level.
- 7.28 The Newark and Sherwood Residential cycle and car parking standards SPD and the Nottinghamshire highway design guide specified that *'if garages are to be counted as a car parking space they will be required to have clear internal dimensions of at least 3.3m x 6m per single garage space (including integral garages) with a minimum door width of 2.4m or 6m x 6m per double garage space with a minimum door width of 4.2m.'*
- 7.29 While the current building could potentially accommodate one vehicle, it is unclear how the applicant would manoeuvre the vehicle into and out of the garage building with its orientation, existing arrangement and relation with the adopted road known as East Lane. Further information on the parking arrangement was encouraged at the pre-application stage in December 2024, but no further information has been put forward on the current

application. Due to the harmful impacts of the building, outlined above, resulting in it being considered unacceptable; neither the application nor agent were contacted to provide further detail. It was considered not expedient to put the applicant to further unnecessary expense and potentially given a false sense of hope that the proposal to retain the garage building as constructed would be supported.

- 7.30 The previously approved garage would measure 6.0m in depth and 7.0m in width, with the garage door at c.6.0m in width, which would be sufficient to accommodate two cars potentially. The current proposed scheme has reduced the depth of the garage from 6.0m to c.4.2m; along with the reduction of the width of the garage door. It is unclear how the garage building could accommodate a vehicle and manoeuvre safely into and out of the garage building onto East Lane.
- 7.31 Therefore, due to the lack of sufficient information and detail as stated above, the applicant has failed to adequately demonstrate that the proposed development would have no harmful impact upon highway safety.
- 7.32 Nevertheless, while the proposal fails to accord with the NPPF, Spatial Policy 7 of the ACS as well as Policy DM5 of the ADMDPD, this building could easily be used as an outbuilding and the existing parking arrangement on East Lane would not alter. Existing double yellow lines are already positioned outside the proposed building, the number of parking spaces available on the street would not be varied from the current proposal. Therefore, it is not considered sufficient to refuse this application on highway grounds.

#### Flooding/surface water run-off

- 7.33 The emerging Policy DM5(b) 'Design-10 (Flood Risk and Water Management)' of the Allocations & Development Management DPD requires new development proposals to proactively manage surface water.



- 7.34 The site is located within an area at low risk from surface water flooding. Prior to the construction of the existing garage, subject to this application, the proposal contained an existing structure. It is not considered the proposal would have a harmful impact upon surface water run-off to the application and nearby sites. The site contains other areas of porous surfacing which is considered would be sufficient.

### Community Infrastructure Levy (CIL)

- 7.35 The proposed development would result in less than 100m<sup>2</sup> of net additional floorspace/Gross Internal Area and is therefore not CIL liable. A more detailed CIL information paragraph has been recommended to be attached to the decision notice accordingly.

### Biodiversity Net Gain (BNG)

- 7.36 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. However, this is a householder application and is exempted from the BNG rules (under Regulation 5). BNG is therefore not applicable in this case. A more detailed BNG information paragraph has been recommended to be attached to the decision notice accordingly.

## **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 – LEG2526/105**

- 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 Harm has been identified in respect of visual impact; the proposed development would not be of a reasonable size and scale relative to the existing property and would adversely affect the appearance of the Blidworth Conservation Area (less than substantial harm). There are no public benefits to outweigh the demonstrable harm, and a recommendation of refusal is offered.
- 9.2 The proposal is therefore contrary to the NPPF which forms a material consideration as well as the Development Plan namely, Core Policy 9 (Sustainable Design) and Core Policy 14 (Historic Environment) of the Amended Core Strategy and policies DM5 (Design). DM6 (Householder Development) and DM9 (Protecting and Enhancing the Historic Environment) of the Allocations and Development Management DPD adopted 2013, Section 72 Act as well as the NPPF.

## 10.0 Reason for refusal

In the opinion of the Local Planning Authority, the garage building as constructed would result in harm to the character and appearance of Edwinstowe Conservation Area. The proposed detached garage with room above, by virtue of its scale, massing and the use of the external materials, results in an incongruous and dominating addition to the streetscene on East Lane, detrimental to the character and appearance the Edwinstowe conservation area, as well as a disproportionate form of development which could not reasonably be considered subservient or ancillary to the host dwelling, given the relative size. Whilst amounting to less than substantial harm, in line with the NPPF, this harm is not outweighed by any public benefit.

The proposal therefore fails to accord with Core Policies 9 and 14 of the Amended Core Strategy (2019) and policies DM5, DM6 and DM9 of the Allocations and Development Management DPD (2013), as well as sections 12 and 16 of the NPPF. The proposal also contrary to the objective of preservation required under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990).

### Informatives

01

The application is clearly contrary to the Development Plan and other material planning considerations, as detailed in the above reason(s) for refusal. Working positively and proactively with the applicants would not have afforded the opportunity to overcome these problems, giving a false sense of hope and potentially incurring the applicants further unnecessary time and/or expense.

02

You are advised that as of 1st December 2011, the Newark and Sherwood Community Infrastructure Levy (CIL) Charging Schedule came into effect. Whilst the above application has been refused by the Local Planning Authority you are advised that CIL applies to all planning permissions granted on or after this date. Thus any successful appeal against this decision may therefore be subject to CIL (depending on the location and type of development proposed). Full details are available on the Council's website [www.newark-sherwooddc.gov.uk/cil/](http://www.newark-sherwooddc.gov.uk/cil/)

03

### Biodiversity Net Gain

From the information provided as part of the application, the development refused 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](http://www.gov.uk))).

Based on the information available, this development is considered by NSDC not to require the approval of a biodiversity gain plan before development is begun (if it had been approved), because the following reason or exemption is considered to apply - Householder development.

04

List of drawings and document:

- Application Form received 04 December 2025
- Site Location Plan ref: 001 received 04 December 2025
- Proposed block plan, ref: 002 received 04 December 2025
- Proposed floor plans and elevations ref: 003 received 04 December 2025
- Planning and Heritage Statement received 04 December 2025

#### 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.



