

Report to Planning Committee 12 February 2026

Business Manager Lead: Oliver Scott – Planning Development

Lead Officer: Yeung Browne – Planning Development Officer

Report Summary			
Application Number	25/01974/PIP		
Proposal	Application for permission in principle for residential development for a minimum of four dwellings and a maximum of four dwellings.		
Location	Land Adjacent The Brushes Retford Road Walesby		
Applicant	Mr D Fury	Agent	IBA Planning Ltd - Mr Nick Baseley
Registered	07.05.2025	Target Date	26.12.2025
		Extension of time	18.02.2026
Web Link	25/01974/PIP - Application for permission in principle for residential development of minimum of 4 and a maximum of 4 dwellings - Land Adjacent The Brushes Retford Road Walesby		
Recommendation	That Permission in Principle is Approved		

This application is being referred to the Planning Committee for determination as the application represents a departure from the plan.

1.0 The Site

- 1.1 The site is located at the west of Retford Road at the village of Walesby, opposite of the defined built-up area of Walesby. The proposed site consists of two parcels of land, positioned either side (north and south) of the dwelling on east of Retford Road known as The Brushes; as well as north of The Firs, a boarding cattery, south of the southern parcel of the proposed site.



Aerial view of the proposed site



Proposed block plan

- 1.2 The northern parcel of land appears to be used for horses grazing as it is noted that some horses were within the section of land on the site visit. The southern parcel of land appears to be overgrown and was vacant on the day of the site visit.
- 1.3 The parcels of land have gated access directly onto Retford Road, as shown on the proposed block plan. No trees are visible within the proposed site (both parcel of lands), some mature hedges separate the dwelling in between the parcels of land.
- 1.4 According to Environment Agency Flood Maps, the site is in Flood Zone 1 therefore at very low risk of fluvial flooding, and also at very low risk of surface water flooding.
- 1.5 The site is not within a conservation area and there are no nearby listed buildings. The site is considered to fall within open countryside.

2.0 Relevant Planning History

- 2.1 Pre-application advice was sought in August 2025.

3.0 The Proposal

- 3.1 The application seeks Permission in Principle (the first of a 2-stage process) for residential development of 4 dwellings on the site (two dwellings on each parcel of land). No specific details are required at this stage.



- 3.2 Permission in Principle requires only the location, the land use, and the amount of development to be assessed. If residential development (as is the case in this application), the description must specify the minimum and maximum number of dwellings proposed.
- 3.3 It is the second stage of the process, Technical Details Consent, which assesses the details of the proposal. This must be submitted within 3 years of the Permission in Principle decision.
- 3.4 The proposed dwellings would each have their own detached garage, utilising the existing vehicular accesses from Retford Road. As the proposal is for permission in principle, no elevational details or plans have been submitted at this stage – details would be considered at the Technical Details Consent stage if permission in principle is approved.
- 3.5 Documents assessed in this appraisal:
- Planning Statement received 20 November 2025
 - Application Form received 20 November 2025
 - Site Location Plan ref: 25/537/01 received 20 November 2025
 - Feasibility plan ref: 25 537 03 received 20 November 2025

4.0 Departure/Public Advertisement Procedure

- 4.1 Occupiers of two properties have been individually notified by letter. A site notice has also been displayed near to the site on 26 November 2025.
- 4.2 Site visit undertaken 26 November 2025.

5.0 Planning Policy Framework

The Development Plan

- 5.1 **Newark and Sherwood Amended Core Strategy DPD (adopted March 2019)**
- Spatial Policy 1 - Settlement Hierarchy
 - Spatial Policy 2 - Spatial Distribution of Growth
 - Spatial Policy 3 – Rural Areas
 - Spatial Policy 7 - Sustainable Transport
 - Core Policy 3 – Housing Mix, Type and Density
 - Core Policy 9 - Sustainable Design
 - Core Policy 10 – Climate Change
 - Core Policy 12 – Biodiversity and Green Infrastructure
 - Core Policy 13 – Landscape Character
- 5.2 **Allocations & Development Management DPD (adopted 2013)**
- DM1 – Development within Settlements Central to Delivering the Spatial Strategy
 - DM5 – Design
 - DM7 – Biodiversity and Green Infrastructure
 - DM8 – Development in the Open Countryside
 - DM12 – Presumption in Favour of Sustainable Development

- 5.3 The [Draft Amended Allocations & Development Management DPD](#) was submitted to the Secretary of State on the 18th January 2024. Following the close of the hearing sessions as part of the Examination in Public the Inspector has agreed a schedule of 'main modifications' to the submission DPD. The purpose of these main modifications is to resolve soundness and legal compliance issues which the Inspector has identified. Alongside this the Council has separately identified a range of minor modifications and points of clarification it wishes to make to the submission DPD. Consultation on the main modifications and minor modifications / points of clarification is taking place between Tuesday 16 September and Tuesday 28 October 2025. 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. 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 **Other Material Planning Considerations**

- National Planning Policy Framework 2024 (with amendment - February 2025)
- Planning Practice Guidance

6.0 **Consultations**

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

Statutory Consultations

- 6.1 **NCC Highway** – confirmed that the scale of development proposed would not be expected to result in any significant increase in traffic. However, the suitability of the site would be contingent on the ability to provide safe access, which would require adequate visibility splays based on the operating speed of the road.

Parish Council

- 6.2 **Walesby Parish Council** – has concerns regarding this application mainly due to the location of the plots in relation to the blind brow on Retford Road and this area has been known as an accident blackspot. Furthermore, the extra strain on the services, such as drainage, sewage and electric as these are currently considered to be at capacity or beyond.

Representations/Non-Statutory Consultation

- 6.3 **Eight letters of representations have been received from local residents**, raising the following concerns:

- Retford Road is busy with commercial, farming and emergency response vehicles and the proposed accesses are also close to the junction off New Hill and there has been several accidents in the recent years.
- Brick wall and iron gates of property on west of Retford Road have been smashed down from speeding vehicle, which the Police were called out.
- Accidents at the New Hill and Retford Road junction are a reoccurring theme. Damages happened to the boundary wall and hedge at the Local Garage on Retford Road, as well as the Cattery and other properties on Retford due to overtaking vehicles speeding.
- A local primary school is located on New Hill, the drop off and pick up time causes chaos on Retford Road.
- The road is constantly suffering from speeding motorists and has had a high volume of Road Traffic Collision (RTC) coming from the New Hill junction onto Retford Road.
- While the highway authority stated that there were 4 personal injury collision between Jan 2022 to June 2025, there were other RTCs on this stretch of Retford Road which involved all three Emergency Services, some also involved the use of the air ambulance.
- The land should continue to be used as pasture for horses or other similar animals as it has been for many years.
- The fields should remain as grazing fields for animals as well as for drainage of the village. Currently, the fields act as a large soak away for the village. 4 additional houses would have impact on the existing services, such as drainage and future flooding implication.
- Lane further west of the proposed site is not part of the current application, would the land beyond the proposed site be let to get overgrown or would there be further application for new dwellings, which should not be permitted as it is open countryside.
- The proposed new dwelling could impact on the cattery business south of the proposed site
- Land fault through the field north of the Brushes may require extensive building work to the foundations.
- Trees on the southern boundary and may be too close to buildings.
- The proposed would take away valuable green space within the area.

7.0 Appraisal

- 7.1 The key issues are:

- Principle of Development
- Location

- Land Use
- Amount of Development

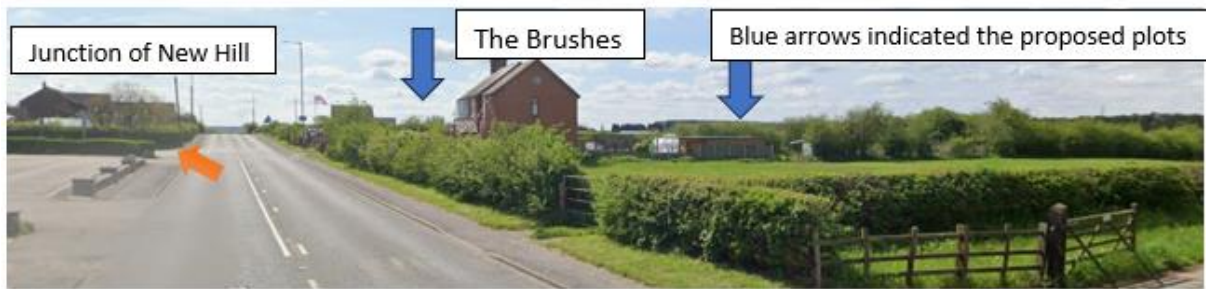
- 7.2 All other matters would be considered as part of the Technical Details Consent (Stage 2) application which would be required if permission in principle (Stage 1) is approved.
- 7.3 The National Planning Policy Framework 2024 (NPPF) promotes the principle of a presumption in favour of sustainable development and recognises the duty under the Planning Acts for planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. The NPPF refers to the presumption in favour of sustainable development being at the heart of development and sees sustainable development as a golden thread running through both plan making and decision taking. This is confirmed at the development plan level under Policy DM12 of the Allocations and Development Management Development Plan Document (DPD).

Principle of Development

- 7.4 This type of application requires only the principle of the proposal to be assessed against the Council's Development Plan and the NPPF. The 'principle' of the proposal is limited to location, land use, and the amount of development. Issues relevant to these 'in principle' matters should be considered at the permission in principle stage. Any other details regarding the development are assessed at the second stage of the process under a 'Technical Details Consent' application which must be submitted within 3 years of the Permission in Principle decision (if approved).

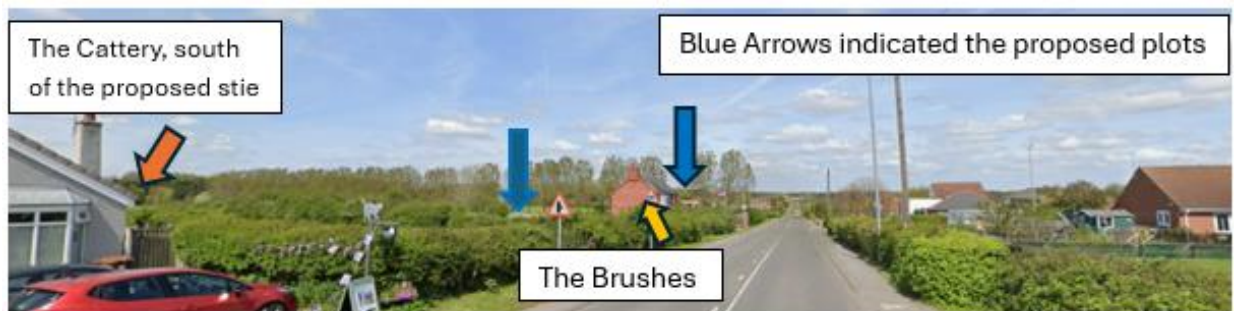
Location and Land Use

- 7.5 The Adopted Development Plan for the District is the Amended Core Strategy DPD (2019) and the Allocations and Development Management DPD (2013). The Core Strategy details the settlement hierarchy which will help deliver sustainable growth and development in the district (Spatial Policy 1). The intentions of this hierarchy are to direct new residential development to the Sub-regional Centre, Service Centres, and Principal Villages, which are well served in terms of infrastructure and services. Spatial Policy 2 of the Council's Core Strategy sets out the settlements where the Council will focus growth throughout the district. Applications for new development beyond Principal Villages, as specified within Spatial Policy 1, will be considered against the 5 criteria within Spatial Policy 3 (Rural Areas). In accordance with Spatial Policy 3, proposals outside of settlements and villages, within the open countryside, will be assessed against Policy DM8 of the Allocations and Development Management DPD.
- 7.6 The village of Walesby itself is classified as an 'other village' as defined by the Settlement Hierarchy, therefore would need to be assessed against Spatial Policy 3. The locational criteria outlined in Spatial Policy 3 supports the development of sites within sustainable accessible villages. In decision making terms this means locations within the existing built extent of the village, which includes dwellings and their gardens, commercial premises, farmyards and community facilities. It would not normally include undeveloped land, fields, paddocks or open spaces which form the edge of built form.



View from north to south on Retford Road

- 7.7 Walesby, along with many other villages in the district, does not have an established village envelope. The site is located within the open countryside outside of the main built-up settlement, yet is west of Retford Road to the established residential development within the village. The site is an agricultural field and backs onto woodland and agricultural land to the south, east and west. Whilst the site does sit within the settlement if this were to be defined by the 30mph sign and village entrance sign, it is the absence of built development and the connection to the wider agricultural landscape which ties this site as an open countryside location. As such, the proposal needs to be assessed against Policy DM8 (Development in the Open Countryside).



View from south to north on Retford Road

- 7.8 Policy DM8 provides for a number of developments that may be acceptable subject to meeting defined criteria and states permission for new houses will only be granted where 'they are of exceptional quality or innovative nature of design, reflect the highest standards of architecture, significantly enhance their immediate setting and be sensitive to the defining characteristics of the local area.'
- 7.9 Paragraph 84 of the NPPF states homes in the open countryside should be avoided unless there is an essential need for a rural worker dwelling or 'it is of exceptional quality and truly outstanding, reflecting the highest standards of architecture, and would help raise standards of design more generally in rural areas and significantly enhance its immediate setting'.
- 7.10 Walesby has certain local amenities including a primary school, a community centre, a church, and two public houses. There is also a bus service to Newark, Mansfield, Ollerton and Retford (in another district). Furthermore, the site is roughly 1.5 miles from the amenities of Ollerton & Boughton, which is a Service Centre in the Sherwood Area under the Settlement Hierarchy of Spatial Policy 1 of the Core Strategy (2019), which is well served in terms of services and facilities, the facilities of which are to be boosted by the Ollerton Town Centre Regeneration, bringing additional and enhanced facilities. Access into Ollerton can be achieved using pavements along Retford Road and buses. The historic core of Ollerton is also

roughly 1.85 miles away, itself with certain local amenities. As such, the village is considered a sustainable location.

- 7.11 Following the publication of the NPPF on 12th December 2024, the LPA 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.
- 7.12 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 3.43 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.
- 7.13 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.
- 7.14 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.’
- 7.15 As such, whilst the site is located within the open countryside and is contrary to the settlement hierarchy and policy SP3, the tilted balance is engaged, and the provision of housing is given additional weight in the planning balance where the site is considered sustainable. Smaller unallocated sites, such as this site, will play a small role in helping the district to meet its housing targets and identified housing needs. Given the site’s location close to an existing settlement, this is considered sustainable and therefore acceptable in terms of both the location and the land use.
- 7.16 The site would provide 4 additional housing units on the edge of the village but into land within the open countryside. At this stage it is not known whether the dwellings would be bungalows or houses, nor the final design, but such details would come at the technical detail stage.

Amount of Development

- 7.26 The application proposes 4 dwellings over two plots. The site covers approximately 4295sqm. This equates to 0.43 hectares. The generally accepted density for new residential development within the District is 30 dwellings per hectare. The number of dwellings on site would be 4, which equates to an approximate density of 9 per hectare. Given the rural, edge of settlement location, this maximum is considered acceptable, as any higher density would likely result in an unacceptable visual impact, traffic generation, drainage, sewerage or local infrastructure (these would be matters for the TDC stage).
- 7.27 Given the size of Walesby, it is not considered the additional 4 dwellings would overwhelm the existing village. Furthermore, given the proximity of the site to the service centre of Ollerton and Boughton, there would be sufficient access to services to serve the additional dwellings without such services becoming overwhelmed. With regards to the provision of affordable housing, there is no policy requirement to provide affordable housing provision on developments of less than 10 dwellings.
- 7.28 In this instance, the proposed site is considered to be within the open countryside adjacent to the built-up village of Walesby. There are no impacts at this stage that would warrant refusal when applying the tilted balance in accordance with paragraph 11(d) of the NPPF, which favours the presumption in favour of development unless there are convincing issues which would warrant refusal. Whilst Walesby is an 'other village', with some but not all the essential amenities, the site is located within 1.3 mile of the Service Centre of Ollerton and Boughton, which has a wide range of services and amenities. Considering the Council's lack of a five-year housing land supply, and an out-of-date local plan, the provision of housing is given additional weight in the planning balance. At this stage, there are no impacts that would significantly or demonstrably outweigh the provision of housing, in accordance with NPPF paragraph 11(d). The proposal is therefore considered acceptable in principle when applying the tilted balance.

Matters for Technical Details Consent Stage

- 7.29 The Technical Details Consent application would be required to be submitted within three years of the decision date if the application was approved. Policy DM5(b) Design of the emerging amended DPD sets out the criteria for which all new development should be assessed against. These includes, but are not limited to, safe and inclusive access, parking provision, impact on amenity, local distinctiveness and character, public realm, biodiversity and green & blue infrastructure, ecology, crime & disorder, unstable land etc. The technical details consent application would need to carefully consider these criteria.

Impact on Visual Amenity and the Character of the Area

- 7.30 Core Policy 9 seeks to achieve a high standard of sustainable design which is appropriate in its form and scale to its context, complementing the existing built and landscape environment. Policy DM5 requires the local distinctiveness of the District's landscape and character of built form to be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development.

- 7.31 Core Policy 13 seeks to secure new development which positively addresses the implications of relevant landscape Policy Zone(s) that is consistent with the landscape conservation and enhancement aims for the area(s) ensuring that landscapes, including valued landscapes, have been protected and enhanced.
- 7.32 Paragraph 135 of the NPPF states inter-alia that development should be visually attractive, sympathetic to local character and history, and should maintain or establish a strong sense of place.
- 7.33 The site is within the Sherwood Policy Zone (S PZ 27): Ollerton Estate Farmlands as defined within the Landscape Character Assessment SPD. This states the condition of the landscape is moderate and the sensitivity is moderate with an outcome to conserve and create the landscape. The policy zone justification states with regards to built features, these should conserve the character and setting of Walesby. New development should respect the scale, design and materials used in the Policy Zone and be contained near to the existing settlement of Walesby in addition to containing new development within existing field boundaries.
- 7.34 No details of the proposed scheme have been submitted at this stage. The design, scale and layout of the dwellings will be a key consideration at Technical Details Stage - the proposed dwellings should not result in harm or detrimental impact on the character or appearance of the area. The construction of 4 new dwellings would likely be more prominent than the existing structures. The design should aim to minimise the visual impact due to the edge of settlement location, to ensure there is no harm, or limited harm, to the character of the area and surrounding landscape. Soft landscaping should also be utilised to achieve an acceptable design.

Impact on Residential Amenity

- 7.35 Policy DM5 of the DPD states that development should have regard to its impact upon the amenity of surrounding land uses and neighbouring development to ensure that the amenities of neighbours and land users are not detrimentally impacted. The NPPF seeks to secure high quality design and a high standard of amenity for all existing and future occupants of land and buildings.
- 7.36 Paragraph 135 of the NPPF seeks to ensure that developments have a high standard of amenity for existing and future users. The immediate neighbouring property to the proposed site would be The Brushes (between the two parcels of land) and The Firs to the south. Providing the detached dwellings would have sufficient space apart from each other on their side elevations; and subject to openings on the side elevations (if any) are design/considered carefully and would not have any direct view to each other's internal areas. Given the size of the site, it is considered that acceptable spacing and amenity could be achieved at technical detail stage, thereby achieving a scheme which would not result in unacceptable impacts upon the amenities of neighbouring occupiers, in relation to overbearing impacts, overshadowing, loss of light or loss of privacy. This would be subject to technical details and further assessment.

Impact on Highways

- 7.37 Spatial Policy 7 states that new development should provide appropriate and effective parking provision and Policy DM5 states that parking provision should be based on the scale and specific location of development. The Newark and Sherwood Residential Cycle and Car Parking Standards and Design Guide SPD (2021) provides guidance in relation to car and cycle parking requirements. Table 2 of SPD recommends the number of parking spaces depending on the number of bedrooms and location of the dwelling.
- 7.38 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.
- 7.39 There are existing accesses onto Retford Road directly from both parcels of land. The Highway authority (HA) was consulted on this application, and stated that this section of the B6387 Retford Road is a single carriageway subject to a 40mph speed limit. It runs relatively straight along the western edge of the village of Walesby and is rural in character, with only a scattering of mainly residential dwellings accessed from it. Footways are present on both sides, and the route accommodates a bus service. There is some adverse vertical alignment observed adjacent to the site subject to these proposals.
- 7.40 The HA also specified that although traffic flows along this section of Retford Road are not heavy, vehicle speeds have been observed in excess of the posted 40mph limit. Additionally, four Personal Injury Collisions have been recorded along the section between Houghton Way and Brake Lane during the latest three-year period (plus the current year to date), January 2022 – June 2025.



Existing accesses showing on the site location plan



Feasibility/Indicative Plan

- 7.41 The HA further concluded that the scale of development proposed would not be expected to result in any significant increase in traffic. The layout shown on drawing reference 25/537-03 “Feasibility Plan” appears to provide parking and turning facilities, which would need to comply with local standards. Given the scale of development relative to the size of the site, this would seem achievable. Visibility splay details will need to be provided at the Technical Details Consent Stage, the suitability of the site would be contingent on the ability to provide safe access, which would require adequate visibility splays based on the operating speed of the road.

Trees, Landscaping and Ecology

- 7.42 Core Policy 12 of the Core Strategy seeks to secure development that maximises the opportunities to conserve, enhance and restore biodiversity. Policy DM5 of the DPD states that natural features of importance within or adjacent to development sites should, wherever possible, be protected and enhanced. The NPPF also includes that opportunities to incorporate biodiversity in and around developments to provide net gains should be encouraged.
- 7.43 It is not clear whether the proposal would result in the removal of any trees within the site or around the access. In the event that this is the case, in order to consider the potential impact of the development a Preliminary Ecology Appraisal (PEA) and any follow up surveys that are recommended and the PEA would be required to support the Technical Details Consent application.
- 7.44 Ultimately it is important that all development does not adversely impact the natural environment or surrounding character unnecessarily and that construction is carried out proactively to protect existing ecological features. If development is proposed close to established trees/hedgerows or would result in the removal of such features, you would be

required to submit a Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan, indicating where trees or hedgerows may be affected by the proposed development. This includes on adjacent land or highways. The survey would need to include all the information required as per the specification of BS 5837: 2012, or by any subsequent updates to this standard. Further information can be found in the NSDC List of Local Requirements Validation Checklist.

- 7.45 Landscaping and green infrastructure should be incorporated into the proposal in line with Policy DM7. It is strongly recommended that replacement trees of a similar species should be included in the landscaping plan to replace any trees that require removal (if any).

Flood Risk and Drainage

- 7.46 The site has a very low risk of flooding from rivers and from surface water. At present the site is undeveloped therefore any development on site would potentially increase the risk of surface water flooding. Paragraph 173 of the NPPF states when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.
- 7.47 In terms of surface water, in accordance with Core Policy 10, and Policy DM5, new development should positively manage its surface water run-off through the design and layout of development to ensure that there is no unacceptable impact in 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. 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.
- 7.48 The application site lies within Flood Zone 1 and is therefore at a very low risk of flooding. It is therefore sequentially preferable in terms of flood risk.
- 7.49 Nevertheless, the proposal would result in the development of an existing greenfield site, which has the potential to increase surface water. Details of how surface water run-off would be suitably disposed of would be considered at the Technical Details Consent stage, however Officers are satisfied that there would be a technical solution to ensure that surface water run-off from the site would not increase.

Community Infrastructure Levy (CIL)

- 7.50 The site is located within the Housing Low Zone 1 of the approved Charging Schedule for the Council's Community Infrastructure Levy. Residential development in this area is rated at £0m2 for CIL purposes.

Biodiversity Net Gain (BNG)

- 7.51 Biodiversity Net Gain (BNG) – In England, BNG became mandatory (under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021)) from February 2024. BNG is an approach to development which makes sure a

development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development. This legislation sets out that developers must deliver a minimum BNG of 10% - this means a development will result in more, or better quality, natural habitat than there was before development. The TDC application would need to clearly set out how the application complies with one of the exemptions for BNG or detail how BNG would be achieved on-site or in accordance with the BNG hierarchy.

8.0 Implications

- 8.1 In writing this report and in putting forward 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.

Legal Implications - LEG2526/2058

- 8.2 Planning Committee is the appropriate body to consider the content of this report. A Legal Advisor will be present at the meeting to assist on any legal points which may arise during consideration of the application.

9.0 Conclusion

- 9.1 The purpose of this application is to assess the acceptability of the proposal on the application site, in relation to location, land use, and amount of development, in principle only. Any other issues should be assessed at Technical Details stage. Further to the above assessment, it is considered that, despite the edge of village location, when applying the titled balance set out in paragraph 11 of the NPPF, the location and land use is suitable for 4 dwellings and is an acceptable amount of development for the site. The principle of development is therefore acceptable subject to final details, mitigation measures, and site-specific impacts, which would be assessed in detail at Technical Details Consent stage.
- 9.2 It is therefore recommended that unconditional Permission in Principle is approved.
- 9.3 It should be noted that conditions cannot be attached to a Permission in Principle. Conditions would be attached to the Technical Details Consent. The Permission in Principle and the Technical Details Consent together form the full permission. No development can commence until both have been approved.
- 9.4 Technical Consent Submission Requirements:
- Completed Technical Details Consent Application Form
 - Site Location Plan
 - Existing and Proposed Site Plan (including details of access, boundary treatments and landscaping)
 - Existing and Proposed Plans and Elevations
 - Preliminary Ecology Assessment (and any follow-up surveys as recommended)
 - Tree survey, Arboricultural Impact Assessment and Tree Protection Plan (where relevant)
 - Details of BNG

10.0 Informative Notes to the Applicant

- 01 The Technical Details Consent application is required to be submitted within three years of the decision date. The Council's up to date Development Plan Policy sets out the criteria for which all new development should be assessed against. This includes but is not limited to safe and inclusive access, parking provision, drainage, impact on amenity, local distinctiveness and character, heritage matters and biodiversity and green infrastructure. The technical details consent application would need to carefully consider these criteria and the Applicant's attention is drawn to the Officer Report that accompanies this decision for further advice on these criteria.
- 02 The grant of permission in principle is not within the scope of biodiversity net gain (as it is not a grant of planning permission), but the subsequent technical details consent (as a grant of planning permission) could be subject to the biodiversity gain condition.
- 03 You are advised that as of 1st December 2011, the Newark and Sherwood Community Infrastructure Levy (CIL) Charging Schedule came into effect. Any subsequent technical details submission may therefore be subject to CIL (depending on the location and type of development proposed). Full details are available on the Council's website www.newark-sherwooddc.gov.uk/cil/
- 04 The application as submitted is acceptable. In granting permission without unnecessary delay the District Planning Authority is implicitly working positively and proactively with the applicant. This is fully in accordance with Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

BACKGROUND PAPERS

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

Application case file.

