



Report to Planning Committee 12 February 2026

Business Manager Lead: Oliver Scott – Planning Development

Lead Officer: Jamie Pegram – Planning Development Officer

Report Summary			
Application Number	25/02147/PIP		
Proposal	Application for permission in principle for construction of between 1 (minimum) and 2 (maximum) dwellings		
Location	Land To The Rear Of 59 Beacon Hill Road Newark On Trent NG24 2JH		
Web Link	25/02147/PIP Application for permission in principle for construction of between 1 and 2 dwellings Land To The Rear Of 59 Beacon Hill Road Newark On Trent NG24 2JH		
Applicant	Mr Andrew Ellis & Mr Chris Burton	Agent	JF Planning Associates - Mr Jamie Foot
Registered	19.12.2025	Target Date	26.01.2026
		Extension of Time	12.02.2026
Recommendation	That Permission in Principle is Approved		

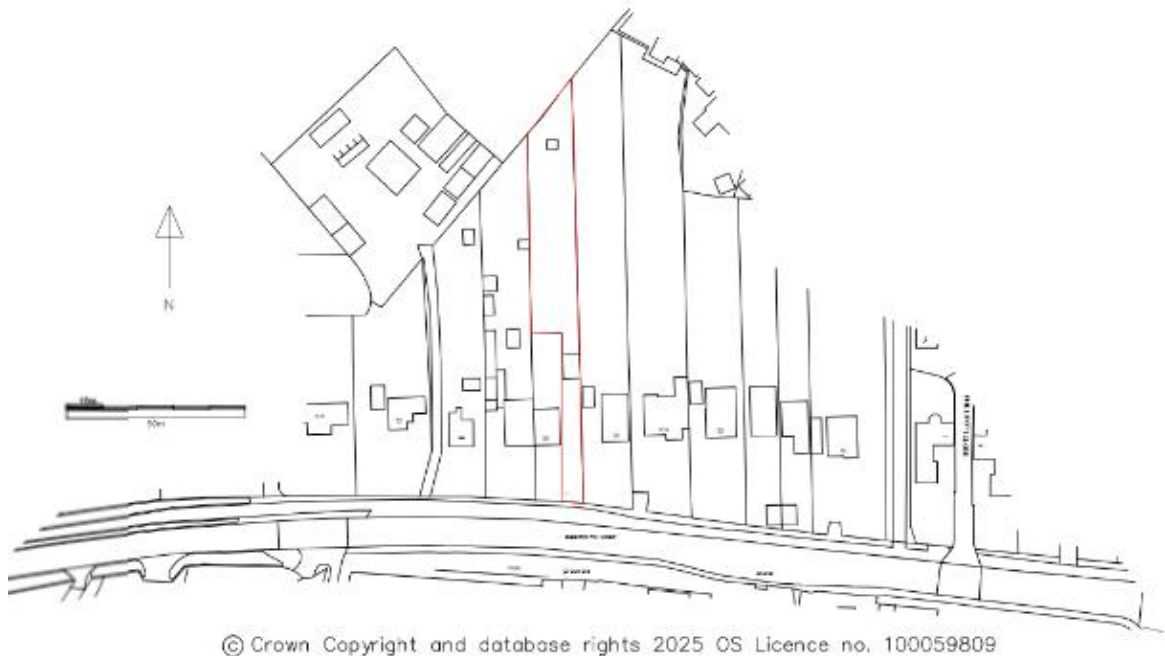
This application is being referred to the Planning Committee for determination as the application has been called in by Cllr David Moore for the following reasons, back land development, street scene / character, over intensive.

1.0 The Site

1.1 The application site relates a rectangular parcel of land approximately 0.10 hectares in area within the defined Newark Urban Area. The site is approximately 117m in length and 13.2m in width including the potential access to the site down the side of 59 which is approximately 5.5m wide. To the front (south) of the site is an existing semi-detached two storey dwelling set back approximately 15m from the highway edge. The site is bounded to the east and west by existing residential development and by Beacon Hill Road to the south.

1.2 The site is within Flood Zone 1 and at low risk of surface water flooding.

- 1.3 The rear of the site is bounded by existing overgrown hedgerows/shrubbery to the boundaries with some domestic hedgerow trees within, and to the rear (north) boundary by mature trees.



2.0 **Relevant Planning History**

23/01125/FUL - Demolition of Garage/Outbuildings, Erection of One Single Storey Dwelling, Widen Existing Access to Form Shared Private Drive and Create New Parking for Existing Dwelling (resubmission) - Refused 21.10.2022 due to character

22/01517/FUL - Demolition of garage and outbuildings. Erection of one single storey dwelling. Widen existing access to form shared private drive. Create new parking for existing dwelling – Refused 22.08.2023 due to character, amenity and ecology impacts.

3.0 **The Proposal**

- 3.1 The application seeks Permission in Principle (the first of a 2-stage process) for residential development of between 1 and 2 dwellings. No specific details are required at this stage.
- 3.2 Permission in Principle requires only the location, the land use, and the amount of development to be assessed. If residential development (as is the case in this application), the description must specify the minimum and maximum number of dwellings proposed.
- 3.3 It is the second stage of the process, Technical Details Consent, which assesses the details of the proposal. This must be submitted within 3 years of the Permission in Principle decision.

3.4 The proposed dwellings would create a new residential access drive off Beacon Hill 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:

- Application Form received 24.12.2025
- Site Location Plan Drawing 001 Received 24.12.2025
- Panning Statement Received 24.12.2025

4.0 Departure/Public Advertisement Procedure

4.1 Occupiers of 4 properties have been individually notified by letter. A site notice has also been displayed near to the site expiring 27.01.2026.

4.2 Site visit undertaken 13th January 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 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

5.2. Allocations & Development Management DPD (2013)

- DM1 – Development within Settlements Central to Delivering the Spatial Strategy
- DM5 – Design
- DM7 – Biodiversity and Green Infrastructure
- DM8 – Development in the Open Countryside
- DM9 – Protecting and Enhancing the Historic Environment
- DM12 – Presumption in Favour of Sustainable Development

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. Relevant policies in the Draft Amended Allocations & Development Management DPD:

- Policy DM1: Development within Settlements Central to Delivering the Spatial Strategy
- Policy DM5(a): The Design Process
- Policy DM5(b): Design
- Policy DM12: Presumption in Favour of Sustainable Development

5.6. **Other Material Planning Considerations**

- National Planning Policy Framework 2025
- Planning Practice Guidance (online resource)
- Newark and Sherwood Residential Cycle and Car Parking Standards and Design Guide (2021)

6.0 Consultations and Representations

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

Statutory Consultations

6.2. **NCC Highways** – Access for two additional dwellings at this location would appear achievable. Detailed matters will need to be provided at technical details stage,

including but not limited to:

- Provision of a shared access compliant with geometrical requirements set out in the Nottinghamshire Highways Design Guide (NHGD)
- Provision of a turning head capable of accommodating a 3.5t long-wheelbase van, delivery vehicles can enter, turn and exit in a forward gear.
- Parking Provision for all dwellings (including the existing dwelling) in accordance with the Newark and Sherwood Residential Cycle and Car Parking Standards and Design Guide.

Town/Parish Council

6.3. **Newark Town Council** – No Comments Received.

Representations/Non-Statutory Consultation

- 6.4. Environmental Health Contaminated Land – The site of this application lies within the zone of influence (250m) of the former Beacon Hill Landfill Site. Whilst a condition cannot be requested to consider this feature as part of a PIP application and subsequent full application is likely to require this to be investigated and remediated (if required) by use of condition.
- 6.5. Neighbour & Public consultations – 4 public objections have been received with concerns regarding suitability of the land for development, ecology, highway safety and amenity impacts.

7.0 Appraisal

7.1. The key issues are:

- 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).
- 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).

Location

- 7.6. The starting point for considering development is against the Development Plan. Spatial Policy 1 and 2 of the Core Strategy outlines the settlement hierarchy for the district identifying the Newark Urban Area as the sub-regional centre. It is intended that the Newark Urban Area be the focus for housing and employment growth in the district. As such residential development within the Newark Urban Area is acceptable in principle given the site is located within a sustainable settlement.
- 7.7. Following the publication of the NPPF on 12th December 2024 these changes carry over to the updated 2025 document, 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.
- 7.8. The NPPF (2025) 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.
- 7.9. 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, in particular those for the location and design of development (as set out in chapters 9 and 12) and for securing affordable homes'

7.10. Footnote 7 of the NPPF (2024) sets out the certain protected areas/assets that could provide a strong reason for refusing development, these include habitat sites, SSSIs, designated heritage assets and areas at risk of flooding. Where a protected asset or designation provides a strong reason for refusing development this would outweigh the tilted balance and the benefits of housing provision. There are no protected assets or areas that would provide a strong reason for refusing development on this site.

7.11. In this case the site is located within a sustainable location with services and facilities as well as a focus for housing and therefore is a suitable location for the proposed development.

7.12. Policy DM5 states that proposals creating backland development will only be approved where they would be in-keeping with the general character. It is noted that the proposal is seeking permission in principle for dwellings in a backland position where currently development is predominantly ribbon development of houses with large, long gardens. Therefore, backland development would be out of character with the area. However it is noted that an appeal for 25/00512/PIP (which was refused at committee) on a site just to the north west of this current application (Land to the rear of 55 Beacon Hill Road), was recently allowed due to the lack of 5-year housing land supply, despite not only being backland development but also being located outside of the urban boundary. Therefore, when considering the tilted balance and the lack of 5-year housing land supply it is considered that the development here would not be demonstrably harmful to refuse on its backland character alone. In addition, subject to the design and scale of the dwellings, there may be limited impact on character. This cannot be fully assessed at this stage.

Land use

7.13. Residential is a suitable use of the land considering the surrounding residential context and nearby services and facilities being located within a sub-regional centre. Highways have raised no objection and consider that safe access is achievable for up to 2 dwellings provided that turning heads and appropriate parking is provided at technical details stage. The site is not located within the conservation area or within the setting of any listed buildings with this in mind the land use is considered appropriate.

Amount of Development

7.14. The application proposes between 1 and 2 dwellings. The site covers approximately 0.10 hectares. The general accepted density for new residential development within the district is 30 dwellings per hectare. The maximum number of dwellings on site would be 2, which equates to an approximate density of 20 per hectare. Given the settlement location, this is considered acceptable and would not be considered to

introduce a harmful density in terms of wider impacts, such as visual impact, traffic generation, drainage, sewerage or local infrastructure, in accordance with SP2 (this would be a matter for the TDC stage).

- 7.15. The maximum number of dwellings proposed here would be up to 2 units which would not overwhelm the sub-regional centre, given the transport links and employment opportunities, facilities and services available which would be sufficient services to serve the additional dwellings at an appropriate distance. Furthermore 2 dwellings would not overwhelm services and facilities within the area such as the church, schools, doctor or transport services, whilst it is noted that the dwellings would be in a backland location given the shortfall of 5 year land supply and weighing in the tilted balance at this stage there are no demonstrable harms that would warrant refusal.

Matters for Technical Details Consent Stage

- 7.16. The Technical Details Consent application would be required to be submitted within three years of the decision date if the application was approved. Policy DM5 of the DPD sets out the criteria for which all new development should be assessed against. These includes, but are not limited to, safe and inclusive access, parking provision, impact on amenity, local distinctiveness and character, and biodiversity and green infrastructure. The technical details consent application would need to carefully consider these criteria. It is noted that the environmental health officer has mentioned contamination due to being within the buffer zone of the now decommissioned Beacon Hill Landfill however PIPs do not allow for conditions to be attached at technical matters stage it is likely if approved that a phased contamination condition would be necessary.

Impact on Visual Amenity and the Character of the Area

- 7.17. 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.
- 7.18. 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.
- 7.19. Policy DM5 states that the rich local distinctiveness of the District's landscape and character of built form should be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development.
- 7.20. 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 1 to 2 new dwellings would be more prominent than the existing site. The design should aim to minimise the visual impact through its design a scale of dwellings, to ensure there is no harm, or limited

harm, to the character of the area and surrounding landscape. Soft landscaping should also be utilised where possible to achieve an acceptable design.

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. The NPPF seeks to secure high quality design and a high standard of amenity for all existing and future occupants of land and buildings.
- 7.22. Paragraph 135 of the NPPF seeks to ensure that developments have a high standard of amenity for existing and future users. There is a dwelling located directly south of the land however the land is of substantial size whereby acceptable amenity and separation distances could be achieved. The proposed site is substantial in size, and it is considered that up to 2 dwellings with sufficient amenity garden space and parking could be achievable. The proposal could be located an acceptable distance from neighbours to avoid overbearing, overshadowing or privacy impacts. At this stage it is not possible to fully assess amenity due to their only being a site location plan provided, however sufficient spacing from neighbouring dwellings can be achieved given the scale of the site. This would be subject to technical details and further assessment.

Impact on Highways

- 7.23. 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.
- 7.24. 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.
- 7.25. An new access would be created onto Beacon Hill Road the highways authority have commented and have no objection to the residential access in principle and have advised that an achievable access is achievable subject to appropriate visibility splays, parking including the existing dwelling, turning heads being provided at technical stage the proposal can be achieved without impacting on highway safety.
- 7.26. Overall, it is considered that the scheme could accord with policy however this would be subject to a separate assessment of technical details.

Trees, Landscaping and Ecology

- 7.27. 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.
- 7.28. An access can be created without impacting on any trees or hedges, the scheme does not appear to be proposing to remove 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.
- 7.29. 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, the following would be required: 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.
- 7.30. 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).

Contamination Risk

- 7.31. Policy DM10 of the DPD states that where a site is highly likely to have been contaminated by a previous use, investigation of this and proposals for any necessary mitigation should form part of the proposal for re-development.
- 7.32. Paragraph 196 of the NPPF states planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation). After remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990
- 7.33. Due to being within the 250m buffer zone of the former Beacon Hill landfill a Phase 1 Contamination Survey would be required to be submitted as part of the Technical

Details Consent application. The Council's Environmental Health team would be consulted for comments at Technical Details Consent stage.

Community Infrastructure Levy (CIL)

- 7.34. The site is located within the Housing Medium Zone 2 of the approved Charging Schedule for the Council's Community Infrastructure Levy. Residential development in this area is rated at £45m2 for CIL purposes. The development would be subject to CIL at Technical Details Consent stage. As the proposed floorspace is currently unknown, the CIL charge cannot be advised.

Biodiversity Net Gain (BNG)

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

8.0 Implications

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

Legal Implication – LEG2526/ 9022

- 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 the location and land use is suitable for 2 dwellings and is an acceptable amount of development for the site. It is noted that the proposal would be backland development which could be considered as out of character with the area, however this not considered a strong reason to refuse the application, especially given the design and scale details are not provided at this stage,

therefore the full impact on the character of the area cannot be assessed. The principle of development is therefore acceptable subject to final details, mitigation measures, access arrangements and site-specific impacts, which would be assessed in detail at Technical Details Consent stage.

- 9.2 It is therefore recommended that unconditional Permission in Principle is approved.
- 9.3 It should be noted that conditions cannot be attached to a Permission in Principle. Conditions would be attached to the Technical Details Consent. The Permission in Principle and the Technical Details Consent together form the full permission. No development can commence until both have been approved.
- 9.4 Technical Consent Submission Requirements:
- Completed Technical Details Consent Application Form
 - Site Location Plan
 - Existing and Proposed Site Plan (including details of access, boundary treatments and landscaping)
 - Existing and Proposed Plans and Elevations
 - Preliminary Ecology Assessment (and any follow-up surveys as recommended)
 - Tree survey, Arboricultural Impact Assessment and Tree Protection Plan (where relevant)
 - Contaminated Land Desktop Study/Preliminary Risk Assessment
 - Details of BNG

10.0 Informative Notes to the Applicant

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

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 - 25/02147/PIP

