



Report to: Planning Committee 7 May 2026
 Business Manager Lead: Oliver Scott – Planning Development
 Lead Officer: Kirsty Catlow – Planning Development Officer

Report Summary			
Application No.	25/01952/FUL		
Proposal	Erection of Four Bungalows		
Location	Land to the rear of Mill Lane, Caunton.		
Applicant	Mr Ajay Reddy	Agent	Grace Machin Planning & Property – Mr George Machin
Web Link	25/01952/FUL Erection of Five Bungalows Land To The Rear Of Mill Lane Caunton		
Registered	20.11.2025	Target Date	15.01.2026
		Ext of time	15.05.2026
Recommendation	That Planning Permission is Approved, subject to the conditions set out in Section 10.0, and a Unilateral Undertaking to secure Bio-diversity Net Gain.		

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

1.0 The Site

1.1 The site is located to the rear of properties which front onto Mill Lane. The site comprises of a grassed field which is accessed via a track between two residential properties. A drainage ditch runs along the southern boundary of the site which is shared with properties fronting onto Mill Lane. The land rises from south to north and is bounded along the rear garden areas of properties on Mill Lane by hedging and fencing, with hedging and trees along the western boundary. A right of way (known as Caunton FP7) runs along the access track and heads in a north westerly direction.

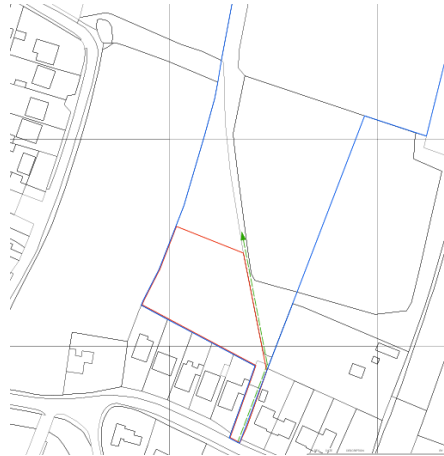


Access to the site off Mill Lane

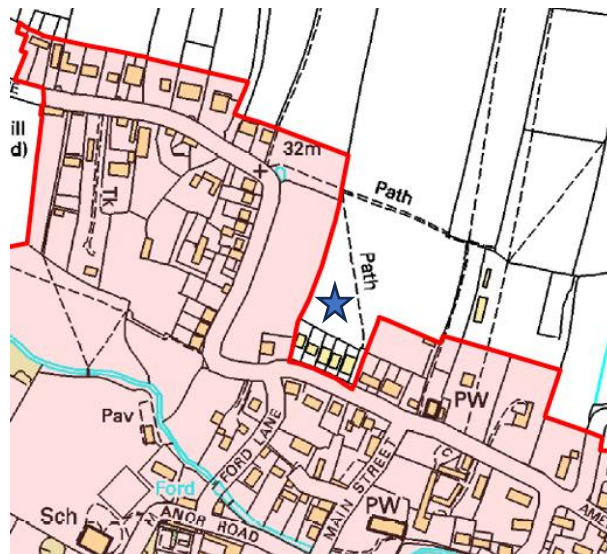


View across the site from the PROW

- 1.2 Properties on Mill Lane are predominantly detached and a mix of house types, with single storey dwellings located predominantly to the west of the access, and two storey dwellings located to the east. The form of development within the village is predominantly linear, with dwellings positioned around the local network of roads. The application site is considered to be outside the built-up settlement boundary of Cauntun and within the open countryside.



- 1.3 Land to the east and west of the site is defined as being within the Cauntun Conservation Area.



Cauntun Conservation Area boundary map

- 1.4 The site is designated as being within Flood Zone 1 and is at a low risk from surface water flooding in accordance with Environment Agency mapping. However, it is noted that properties immediately downstream of the application site, including those on Mill Lane and Main Street to the south are located within Flood Zones 2/3 and are therefore at a high risk of flooding. Representations have also been received from local residents, raising concerns that surface water run-off from the site exacerbates existing flooding issues within the village, and this is addressed in more detail within the subsequent report.

2.0 **Relevant Planning History**

- 2.1 **18/00737/OUT** – Outline planning application for up to 5no. dwellings. Application refused 20.06.2018 on the following grounds:

'The proposed development would result in additional dwellings within the open countryside outside of the main built-up area of Caunton. Policy DM8 of the Allocations and Development Management DDP (2013) strictly controls and limits the types of development in the countryside. The proposal does not accord with any of the exceptions listed. This policy is consistent (as tested in adopting the DPD) with the National Planning Policy Framework (NPPF). The proposal is therefore considered to be contrary to Policies SP3 (Rural Areas), Core Policy 9 (Sustainable Design) and policy DM8 of the Development Plan as well as being contrary to the National Planning Policy Framework (NPPF) a material planning consideration.'

'In the opinion of the Local Planning Authority, the proposed development would result in a loss of rural character through the proposed intrusion of residential development into an area of open countryside. Furthermore, the proposal would it is considered represent a visually prominent form of back land development when viewed from Mill Lane which would be out of keeping with the linear grain of surrounding residential built form. The proposal would set a dangerous precedent for similar forms of development within the immediate area to the detriment of the rural character and appearance of the surrounding locality. Furthermore, the proposal is considered to result in less than substantial harm to the appreciation of the character and appearance of the Caunton Conservation Area, particularly when approaching the village from the footpath (Caunton FP7) to the east of the site. The proposed development is therefore contrary to Core Policy 13 (Landscape Character) and Core Policy 14 (Historic Environment) of the Core Strategy, Policy DM5 (Design), DM9 (Protecting and Enhancing the Historic Environment) of the Development Plan and the aims of the NPPF, a material consideration.'

An appeal was subsequently submitted to the Planning Inspectorate, which was dismissed. In terms of whether the site is within the village of Caunton, the Inspector was not persuaded that the site lies within the village of Caunton. In terms of the impact on the character and appearance of the area the Inspector stated:- *'the development would intrude into the generally undeveloped land to the rear of the frontage dwellings and would appear as a sporadic form of back land development that would encroach into the countryside. Whatever its final form, the development would suburbanise the site, eroding the rural qualities of the area....reduce the openness....thus the development would have a detrimental impact on the character and appearance of the area.'*

The Inspector also held that the proposal would result in harm to the setting of the Caunton Conservation Area (CCA) through suburbanising the site and altering the perception of the CCA in views of the village to the south. The harm identified was '*less than substantial*'.

It should be noted that this appeal was determined in March 2019, prior to the changes to the NPPF in December 2024, regarding the calculation of the District's five year housing land supply.

- 2.2 25/01338/AGR - Application to determine if prior approval required for an erection of a portal framed agricultural building under Schedule 2 part 6. Prior approval not required 01.09.2025.
- 2.3 12/01311/FUL - Installation of a 730kW Ground mounted solar PV array and all associated electrical connections. Application Permitted 14.01.2013.
- 2.4 10/00072/FUL – Change of use from agricultural land to keeping of horses including erection of two stable blocks – Refused 28.04.2010.

3.0 The Proposal

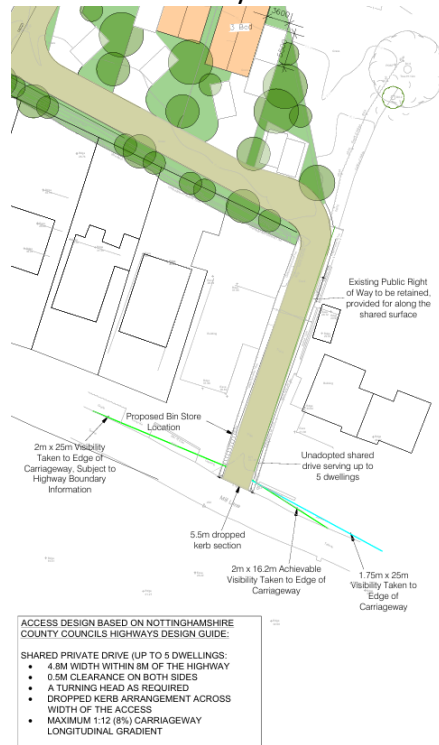
- 3.1 The application originally sought planning permission for the erection of five single storey dwellings, however, this has been reduced to four single storey dwellings during the consideration of the application. The revised site plan is shown below:-



- 3.2 All of the proposed dwellings would be 3-bedroom bungalows, with a floor area measuring 76 sqm. All of the properties would be single storey. The dwellings are proposed to be constructed of red brick with red clay pantiles.
- 3.3 The four bungalows would be identical and would provide an open plan kitchen/living/dining area, a bathroom and three bedrooms.



3.4 Access to the 4 dwellings would be via a shared drive off Mill Lane to the south. The proposed dwellings would each have three parking spaces. A turning head is also proposed to the west of the site. The existing Public Right of Way would be accommodated on the shared driveway.



3.5 Documents assessed in this appraisal:

- Application Form
- Location Plan 0241 01
- Planning Statement
- Arboricultural Report
- Transport Assessment
- Drainage Documentation
- Biodiversity Net Gain (BNG) Strategy Report
- Preliminary Ecological Appraisal Report

Statutory Biodiversity Metric
Received by the Local Planning Authority 19.11.2025

Site Access Plan 17-0707-001 P02
Revised Block Plan with site sections 0241 02 Rev J
Received by the Local Planning Authority 05.03.2026

Drainage Addendum Note (email)
Received by the Local Planning Authority 10.04.2026

Floor Plans and Elevations of 3 bed bungalow 0241 04 Rev C
Received by the Local Planning Authority 23.04.2026

4.0 Departure/Public Advertisement Procedure

4.1 Occupiers of 10 neighbouring properties have been individually notified by letter. A site notice has also been displayed near to the site, and an advert has been placed in the local press.

4.2 Site Visit undertaken: 10.12.2025.

5.0 Planning Policy Framework

5.1 The Development Plan

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 9: Sustainable Design

Core Policy 10: Climate Change

Core Policy 12: Biodiversity and Green Infrastructure

Core Policy 13: Landscape Character

Core Policy 14: Historic Environment

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

Policy DM1: Development within Settlements Central to Delivering the Spatial Strategy

Policy DM5: Design

Policy DM7: Biodiversity and Green Infrastructure

Policy DM8: Development in the Open Countryside

Policy DM9: Protecting and Enhancing the Historic Environment

Policy DM10: Pollution and Hazardous Substances

Policy DM12: Presumption in Favour of Sustainable Development

5.3 The [Draft Amended Allocations & Development Management DPD](#) (DMADMDPD) was submitted to the Secretary of State on the 18th January 2024. Following the close of the hearing sessions as part of the Examination in Public the Inspector has agreed a schedule of 'main modifications' to the submission DPD. The purpose of these main

modifications is to resolve soundness and legal compliance issues which the Inspector has identified. Alongside this the Council has separately identified a range of minor modifications and points of clarification it wishes to make to the submission DPD. Consultation on the main modifications and minor modifications / points of clarification took place between Tuesday 16 September and Tuesday 28 October 2025. The next stage in the Examination process will be the Inspector issuing their draft report.

Tests outlined through paragraph 49 of the NPPF determine the weight which can be afforded to emerging planning policy. The stage of examination which the Amended Allocations & Development Management DPD has reached represents an advanced stage of preparation. Turning to the other two tests, in agreeing these main modifications the Inspector has considered objections to the submission DPD and the degree of consistency with national planning policy. Through this process representors have been provided the opportunity to raise objections to proposed modifications through the above consultation. Therefore, where content in the Submission DPD is either;

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

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

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

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

Policy DM5(a) – The Design Process

Policy DM5(b) – Design

Policy DM7 – Biodiversity and Green Infrastructure

Policy DM9 – Protecting and Enhancing the Historic Environment

Policy DM10 – Pollution and Hazardous Materials

5.4 **Other Material Planning Considerations**

- National Planning Policy Framework 2024 (amended 2025)
- Planning Practice Guidance (PPG)
- Residential Cycle and Car Parking Standards & Design Guide SPD June 2021
- NSDC Landscape Character Assessment SPD (2013)
- Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

6.0 **Consultations**

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

6.1 Caunton Parish Council original comments – Object.

- This development is outside of the Village envelope and is in the Green Belt, it is considered to be inappropriate back land development.
- The development would result in a loss of rural character through the proposed intrusion of residential development into an area of open countryside. The proposed plan does not accord with the current ribbon development of that area as it is designed in an irregular layout, this will have a significant visual impact.
- The Village suffered from serious flooding during 2023 with 39 houses flooded. Future flooding risks is the greatest concern of Caunton residents.
- The applicant identifies increased surface water arising from the 5 properties connecting into existing drainage pipes under the access road and along Mill Lane and Ford Lane discharging into the Beck watercourse. These drains are already inadequate and cannot cope as it is Regular surface flooding occurs on these roads and the gardens of adjacent properties. Additional water from any new development will exacerbate this drainage problem.
- This application has been previously rejected and was also rejected at appeal on 27th March 2019, all of the reasons for refusal still hold true today and should be considered.
- The development would be in conflict with policy SP3 of the core strategy and policy DM8 of the DPD which seek, amongst other things, to protect the countryside from unnecessary developments.
- The development would suburbanise the site and would alter the perception of the Caunton Conservation area as it would interrupt views of the village and the openness of this part of the Caunton Conservation area which would result in serious harm to its setting.
- It is considered that the development would be in conflict with policies DM5 and DM9 of the DPD, policies CP13 and CP14 of the core strategy and the framework which seek, amongst other things, to ensure that development proposals continue the preservation and enhancement of the character, appearance and setting of the District's heritage assets and resist inappropriate back land and other uncharacteristic forms of development

Caunton Parish Council revised Comments - Objection upheld.

- The reduction in number of dwelling and alterations is noted. However, the Parish Council still object and restate the reasons for their objection, as previously submitted.

6.2 NSDC Conservation comments on original proposal for five dwellings – Raised concerns.

This application is five new bungalows in a green field, located on the outside fringe of the Caunton Conservation Area. There are a row of modern C20 dwellings located fronting Mill Lane which are also on the outside edge of the CA. The application site sits behind these dwellings. To the immediate west of the application site the conservation area continues with the inclusion of an undeveloped green field.

There are no designated or non-designated heritage assets located in the immediate setting of the application site, although there is a Wesleyan Methodist Chapel located in the wider setting to the east along Mill Lane. Caunton is a typical medieval nucleated settlement, and the core of the village is located to the south of the application site. The C20 dwellings to the immediate south are an anomaly within the nucleated core, as the remainder of the built form here is historic in origin.

The scheme now submitted presents a high-density development of bungalows on a narrow plot - the frontages are not aligned because of land ownership boundary constraints and as such the overall site plan has a somewhat awkward composition. The planning statement references the landscaped plots, but the curtilages of each dwelling are limited and there is no landscaping plan submitted. The overall plan form of the new dwellings would not therefore be a seamless transition from the row of C20 dwellings located to the immediate south. Notwithstanding this, the scale and overall footprint of the new dwellings is modest; the bungalows are well designed with a well-considered over-sailing roof on each corner, supported on pillars, with contemporary glazing set into the gable ends.

The window apertures are modestly scaled and if a positive design code was applied to the bungalows (as there is only minimal supporting information at present) their stylistic qualities would not be harmful to the street scene of the Caunton Conservation Area. However, the neutral impact relates to the design code only; the plan form and overall arrangement of the dwellings does not present a balanced or aligned frontage, with the bungalows seemingly squeezed into the plot at different angles to maximise density.

This will serve to exacerbate the harm caused by the unsightly C20 dwellings which sit in between two sides of the conservation area boundary. The new dwellings would be visible across the field when traveling from the west along Mill Lane and it is here where there will be impact to the experience of the conservation area. Their overall scale is modest, so the impact is at the lower to moderate end of less than substantial harm, in accordance with Para 215 and 220 of the NPPF. The planning balance offered by the public benefits of additional housing provision must be considered against this. If it is determined that the scheme is acceptable, then NSDC Conservation should be re consulted as there will need to be a strict set of pre-commencement conditions.

The works are considered to cause a marginal to moderate degree of less than substantial harm to the street scene of the conservation area as the proposal presently stands and thus the public benefits of the proposal must be judged against the parameters of Para 215 and 220 of the NPPF, or Section 72 of the Listed Building and Conservation Areas Act (1990).

NSDC Conservation updated comments on revised proposal for four dwellings – No objections. I note the revisions relate to the removal of one dwelling from the plot. I previously identified a positive design code to the dwellings, but raised concerns around an over intensification of development in this plot, which would have resulted in a cramped layout and a set of properties; these were disproportionately aligned to account for the truncated site curtilage.

Following the reduction of one dwelling, the proposed site plan now results in a far more cohesive and balanced overall appearance. The front line of the dwellings is now broadly consistent and is stepped forwards in a coherent manner, as the dwellings are sited from west to east. As such, I consider my concerns have been addressed and I raise no further objections.

- 6.3 **NCC Rights of Way Officer original comments – Object.** Caunton Footpath No. 7 runs across the entrance to the site and adjacent to the border of the proposed development. The development recognises the existence of the PROW but has omitted details of how the maintenance of the footpath will be implemented. The safety of the public needs to be addressed and how the aspect is being changed. How will access to the public be managed during the development stages. Object until clarification on the outstanding issues are resolved.

NCC Rights of Way Officer updated comments – Support. In light of the recommendations being acknowledged in the correspondence on this date and the applicant recognising the PROW, we would have no reason to object to the proposal.

- 6.4 **NCC Flood Team – No specific response required.** Having considered the scale of this application the LLFA believes it is not required to respond to this application, however due to the proximity of the development to areas that are at risk of flooding and have experienced significant flooding in the past we ask that the following points are considered in detail as part of the application:
1. The development should not increase flood risk to existing properties or put the development at risk of flooding.
 2. Any discharge of surface water from the site should look at infiltration – watercourse – sewer as the priority order for discharge location.
 3. SUDS should be considered where feasible and consideration given to ownership and maintenance of any SUDS proposals for the lifetime of the development.
 4. Any development that proposes to alter an ordinary watercourse in a manner that will have a detrimental effect on the flow of water (eg culverting / pipe crossing) must be discussed with the Flood Risk Management Team at Nottinghamshire County Council.

- 6.5 **NCC Highways original comments – No objection.** Regarding the vehicle access to the site, adequate driver's visibility onto Mill Lane is achievable and parking provision within the curtilage of each dwelling is in accordance with Car Parking Standards. However, the layout of the parking on the driveways to the three dwellings on the eastern side of the site due to the angled arrangement drivers may find it difficult to manoeuvre out of the drives onto the new private road. An Autotrack swept path analysis should confirm this arrangement. Amendments are required in this regard.

In summary the erection of 5no. new dwellings would unlikely be detrimental upon highway safety in the area, with traffic attraction likely to be around 3 two-way trips in the busy hour. The proposed widened private access road is considered by the Highway Authority to be an acceptable width for use by vehicles accessing the dwellings and users of the footpath, subject to the requirements of the PROW team.

To conclude, the Highway Authority considers that in terms of traffic impact, the proposal will have a negligible effect on the surrounding highway network, subject to requested conditions.

NCC Highways revised comments – No objection. The proposed development has been amended and now proposes the construction of 4no. dwellings (bungalows) with curtilage parking areas, serviced off an existing access track to the highway at Mill Lane.

The site access at Mill Lane will be an upgraded dropped kerb arrangement with the proposed driveway generally a minimum width of 4.8 m.

Regarding the vehicle access to the site, adequate driver's visibility onto Mill Lane is achievable and parking provision within the curtilage of each dwelling is in accordance with Car Parking Standards. The revised block plan layout appears satisfactory.

It is noted that the site was previously refused planning permission in June 2018 for a similar scheme proposal; however, it should also be noted that reasons for refusal were not related to highways matters. Additionally, the later planning appeal was dismissed, highway matters were also not addressed within the said appeal statement.

In summary the erection of 4no. new dwellings would unlikely be detrimental upon highway safety in the area, with traffic attraction likely to be around 2-3 two-way trips in the busy hour. The proposed widened private access road is considered by the Highway Authority to be an acceptable width for use by vehicles accessing the dwellings and users of the footpath, subject to the requirements of the PROW team.

To conclude, the Highway Authority considers that in terms of traffic impact, the proposal will have a negligible effect on the surrounding highway network. On this basis there are no objections to the proposed development subject to conditions.

6.6 Environmental Health Officer original comments – Further information required.

Access to the proposed dwellings is via a single-track lane between existing properties and across the rear of domestic gardens. Vehicles using this access will therefore be passing in close proximity to the existing premises, with the potential to cause disturbance to the occupiers of these properties at all hours of the day and night. It is additionally noted that the plan shows the waste bin storage area to be immediately adjacent to a neighbouring properties wall, again having the potential to cause disturbance.

Would therefore request an acoustic assessment be submitted, demonstrating the proposal will not have an unacceptable impact on exiting property prior to permission being granted.

Environmental Health Officer revised comments – No objection. I have reviewed the acoustic report submitted with the application and amended plans. The bin store has been located away from the neighbouring dwelling as previously proposed, and the acoustic report indicates traffic entering and leaving the site will not cause unreasonable disturbance. I therefore have no objection to the proposed development.

- 6.7 **Ecology Officer – No objection.** The proposed development would not have an adverse impact on any site designated for its nature conservation interest. The site predominantly comprises a grassland field that was assessed to support other neutral grassland in 'moderate' condition.

Further surveys would be disproportionate, and I support the precautionary working methods (PWM) that have been recommended for amphibians and reptiles which is provided at paragraph 6.5 of the Preliminary Ecological Assessment Report (PEAR).

The trees within the hedgerow could provide roosting opportunities for a small number of individual bats. These are proposed to be retained but I agree that should these trees require removal or arboricultural works that further surveys would be required.

A sensitive lighting scheme is recommended during the operational period which I support, and I would advise that lighting during construction should be positioned to ensure the retained and adjacent boundary lines of trees and hedgerows remain unlit.

The PEAR did not record any evidence of nests, though the survey was undertaken outside of the breeding season. The grassland, and in particular the scrub, hedgerow and trees were considered to offer suitable nesting opportunities for a range of species. 3.10. The main mitigation measures required are ecological supervision if vegetation clearance cannot take place outside of the bird nesting season. In addition, two general use bird boxes are recommended to be installed on new buildings or retained trees to provide compensation for the loss of suitable breeding habitat.

Whilst the PEAR did not find evidence of the presence of badger or hedgehog, it considered that the habitats present provided suitable conditions to potentially be utilised by these species. Consequently, precautionary working methods are recommended in Section 6 of the PEAR, specifically in relation to these species. I would advise that these are appropriate and proportionate to the scale of development proposed and level of potential adverse effects on these species.

If the application were granted planning permission the general Biodiversity Gain Condition (as set out in Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended)) would apply. Consequently, the proposal has been supported by a Biodiversity Net Gain (BNG) calculation with the associated baseline habitat condition assessments (where applicable) provided within the User comments box of the SBM.

The majority of the post-development habitats will comprise new dwellings and associated vegetated gardens and access. The road verge is proposed to be sown with a species-rich flowering lawn mix and is targeted to provide modified grassland in 'moderate' condition. A new native hedgerow with trees is proposed along the southern boundary which is targeted to 'poor' condition.

As it currently stands, the proposed development would result in a small loss of -1.64 Habitat Units and -0.04 Hedgerow Units. This includes a trading rule error for medium distinctiveness units which comprise a loss of -0.61 other neutral grassland units and 0.16 scrub units. As such, an off-site solution is required as identified within the BNG report.

Within the assessment as it currently stands there are habitats that would class as 'significant on-site enhancement', these include the retained hedgerow in 'moderate' condition, provision of modified grassland in 'moderate' condition and a newly planted hedgerow with trees. Paragraph 9 of Schedule 7A of the Town and Country Planning Act 1990 requires significant on-site enhancement to be subject to a planning condition, section 106 agreement or conservation covenant that requires the enhancement to be maintained for at least 30 years after completion of the development. In this instance, I would suggest that a planning condition would be the most appropriate mechanism should the application be granted approval.

As it is the local planning authority's obligation to ensure that proposed enhancements are achieved and maintained, there will be a need for the authority to monitor this. Consequently, a proportionate monitoring fee will be required, and should be secured by a separate, simple, Unilateral Undertaking, should the application be granted approval. Or if there is a requirement for a Section 106 Agreement for other matters, this should form part of that s106.

In addition to the bird boxes recommended at paragraph 6.17 of the PEAR, Section 6.4 outlines species-specific enhancements which include the provision of one general use bird box and one bat box either integrated within the new buildings or erected on mature trees. Access gaps within boundary fences for wildlife are also recommended. I support these recommendations; however, these should be provided as boxes integrated into the walls of the new houses to provide long-term sustainable benefits. Together these would represent proportionate species-specific enhancement, and I recommend that they are secured via a condition for a Faunal Enhancement Plan as outlined within Section 7 of these comments.

Representations/Non-Statutory Consultation

6.8 30 letters of representation have been received from local residents, objecting to the proposals on the following grounds;

- Development in the open countryside and not in a sustainable location
- Inadequate drainage and significant risk to local drainage capacity
- There are critical drainage problems associated with the site
- A full FRA should be submitted

- Potential Flood Risk and localised flooding from increased surface water run-off
- Existing drainage has been interfered with, reducing its effectiveness
- Introducing additional hard standing will substantially increase the volume of water requiring drainage
- Without adequate attenuation measures the increased impermeable surfaces will accelerate surface water runoff into the village drainage network and low-lying areas
- Insufficient SUDs provisions
- There is a need for the proposed drainage to be independently assessed
- Access is unsuitable and too narrow
- Increase traffic
- Access is inadequate for lorries to deliver building materials
- Lack of public transport in the village
- Impact on privacy
- Noise and disturbance
- Impact to wildlife
- Destroy the area, site is part of the rural village setting
- Harm to the character and appearance of the area introducing uncharacteristic back land development and eroding openness
- Proposed mitigation planting cannot be guaranteed long-term
- Harm to the setting of the Conservation Area
- Impact on public footpath, dog walkers
- Failure to achieve BNG
- Impact to internet service which are already poor
- Location of bin store is close to other properties which could be unpleasant, also long way to walk for residents
- There is no gas in the village oil tankers will have to access the properties
- Oil tanks will be needed for each property, significantly reducing the area of vegetation
- Unsustainable location as a car is essential
- Would not address real local housing needs, no need for further single storey properties
- Loss of green area, open rural aspect
- Loss of grade 2 agricultural land

On receipt of amended plans a further 7 letters of objection have been submitted objecting on the following grounds;

- The reduction to 4 dwellings does not overcome the previous reason for objection
- The noise report contains inaccurate information
- Reducing to 4 dwellings does not negate the flooding issues
- Inadequate bin storage
- Reiterate previous objections

7.0 **Appraisal**

Principle of Development

- 7.1 The National Planning Policy Framework (NPPF) promotes the principle of a presumption in favour of sustainable development and recognises the duty under the Planning Acts for planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. The NPPF refers to the presumption in favour of sustainable development being at the heart of development and sees sustainable development as a golden thread running through both plan making and decision taking. This is confirmed at the development plan level under Policy DM12 of the Allocations and Development Management DPD.
- 7.2 The NPPF states that good design is a key aspect of sustainable development and that decisions should ensure that developments are visually attractive and sympathetic to the surrounding built environment. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. This can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs (para 7). Sustainable development has three objectives including an economic objective to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth (para 8).
- 7.3 Policy DM12 of the DPD states *'A positive approach to considering development proposals will be taken that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Development Plan is the statutory starting point for decision making. Planning applications that accord with the policies in the Development Plan for Newark and Sherwood (including, where relevant, policies in Neighbourhood Development Plans) will be approved without delay, unless material considerations indicate otherwise.'*
- 7.4 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. Caunton is not identified in the hierarchy and is therefore classed as an 'Other Village'.
- 7.5 The village envelope of Caunton is not defined in the adopted Local Plan and therefore it is a matter of judgement as to whether the land in question falls within or outside of the settlement.
- 7.6 Under 18/00737/OUT it was concluded that the site was not within the main built-up area of the village and was therefore within the open countryside. The Inspector upheld this view. Officers of are the view that the site, which comprises of an open agricultural field adjacent to the main built-up part of Caunton, remains within the open countryside, and as such, the proposal will be assessed against Policy DM8 (Development in the Open Countryside) of the Allocations and Development Management DPD.



- 7.7 Policy DM8 states that Planning Permission will only be granted for new dwellings 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.
- 7.8 Whilst the site is located to the north of the village of Caunton (a settlement identified as an 'other village' in the settlement hierarchy set out under Spatial Policy 2) outside the main built-up part of the settlement, it is immediately adjacent to existing residential development to the south and within walking distance of the centre of the village, which is served by a Church, a Primary School (due to close Summer 2026), a cricket club, a Public House and a restaurant open at weekends. Therefore, whilst the site is outside the main built-up part of the settlement, it is not in an isolated location. In terms of sustainability, the village of Caunton is not well served by public transport, future occupiers would be likely to travel by car to Southwell (a Service Centre located 9km from the site) or Newark (a sub-regional centre located 9.5km from the site) to access local services and facilities.
- 7.9 Following the publication of the NPPF on 12th December 2024, the Local Planning Authority can no longer demonstrate a 5-year housing land supply. The development plan is therefore not up to date for decision making in respect of housing, and the tilted balance will need to be applied as the NPPF is an important material planning consideration.
- 7.10 The NPPF (2024) has introduced changes to the way in which local authorities formulate the number of new homes needed to be delivered in their areas and as such the need for houses in the district has increased significantly which means that the Authority is no longer able to demonstrate a five-year supply of housing. The LPA is currently only able to demonstrate a housing land supply of 3.84 years. This means that the Development Plan is now out of date in terms of housing delivery and the tilted balance has come into effect.

- 7.11 The short fall 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 strong reason restricting the overall scale, type or distribution of development in the plan area;
 - ii. or 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.
- 7.12 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.’
- 7.13 As such, whilst the site is located within the open countryside and is contrary to the settlement hierarchy, the tilted balance is engaged, and the provision of housing is given additional weight in the planning balance. 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 and given its location adjacent to an existing settlement this weighs in favour of the proposal in the overall planning balance.
- 7.14 In terms of specific housing needs, the District Wide Housing Needs Assessment (Dec 2020) states that in the Sutton on Trent Sub Area, which Caunton is located within, the greatest need is for 4+ bedroomed houses (37.3%), followed by 3 bedroom houses (34.3%) and 3+ bedroom bungalows (15.2%). The proposed development of four 3 bed bungalows would not meet the greatest need in terms of dwelling types, but it would still meet an identified housing need in this particular area of the District, which weighs in favour of the proposals.
- 7.15 In terms of the loss of agricultural land, the final paragraph of Policy DM8 states that *‘Proposals resulting in the loss of the most versatile areas of agricultural land, will be required to demonstrate a sequential approach to site selection and demonstrate environmental and community benefits that outweigh the land loss.’* Having reviewed Natural England’s Regional Agricultural Land Classification Maps, the application site is Grade 3 land (good to moderate). Unfortunately, there is no database, nor has any soil testing been carried out, to distinguish whether the site is formed by Grades 3a or 3b land, and therefore it is not known whether the site comprises of ‘the best and most versatile agricultural land’. Given the very modest size of the site, the loss of this ‘good to moderate’ agricultural land would not weigh significantly against the proposal in the overall planning balance.

Impact on Visual Amenities and Character of the Area including designated heritage assets

- 7.16 Core Policy 14: Historic Environment (Core Strategy DPD) and DM9: Protecting and Enhancing the Historic Environment (Allocations and Development DPD) amongst other things, seek to protect the historic environment and ensure that heritage assets are managed in a way that best sustains their significance.

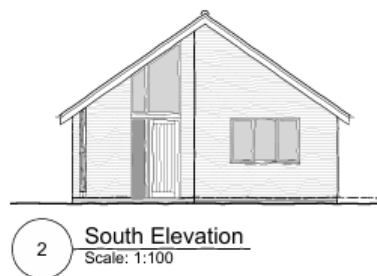
- 7.17 The importance of considering the impact of new development on the significance of designated heritage assets, furthermore, is expressed in section 16 of the National Planning Policy Framework (NPPF). Paragraph 212 of the NPPF states that when considering the impact of proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation and this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Section 16 goes on to advise that any harm to or loss of the significance of a designated heritage asset requires clear and convincing justification. The NPPF also makes it clear that protecting and enhancing the historic environment is sustainable development. Local Planning Authorities should also look for opportunities for new development to enhance or better reveal the significance of heritage assets when considering development in conservation areas and such proposals should be considered favourably.
- 7.18 Core Policy 9 states that new development should achieve a high standard of sustainable design that is of an appropriate form and scale to its context complementing the existing built and landscape environments. Policy DM5(b) of the emerging DPD states that local distinctiveness should be reflected in the scale, form, mass, layout, design and materials in new development. Core Policy 13 of the Core Strategy also addresses issues of landscape character. It states that development proposals should positively address the implications of the Landscape Policy Zones in which the proposals lie and demonstrate that such development would contribute towards meeting the Landscape Conservation and Enhancement Aims for the area.
- 7.19 The District Council has undertaken a Landscape Character Assessment (LCA) to assist decision makers in understanding the potential impact of the proposed development on the character of the landscape. The LCA provides an objective methodology for assessing the varied landscape within the District, and contains information about the character, condition and sensitivity of the landscape. The LCA has recognised a series of Policy Zones across the 5 Landscape Character types represented across the District.
- 7.20 The site falls within the Mid-Nottinghamshire Character Area and policy zone MN PZ 28: Caunton Village Farmlands & Ancient Woodlands of the SPD where the detailed landscape action is to 'Conserve and Reinforce.' The landscape is defined as being generally undulating with some flat areas. The area has a coherent pattern of elements composed of arable fields, blocks of woodland and isolated farmhouses; overall the area is visually unified, that arises in a good landscape condition. The landscape sensitivity is defined as being moderate. In relation specifically to '*built features*', the policy action is as follows:-
- Conserve the rural character of the landscape by limiting any new development to within the settlements of Caunton;
 - Maintain use of vernacular materials, style and scale in any new developments;
 - Promote measures for reinforcing the traditional character of existing farm buildings using vernacular building styles.
- 7.21 The application site has been the subject of a previous application (18/00737/OUT) for the erection of up to 5 dwellings, which was refused on the following grounds:-

“the proposed development would result in a loss of rural character through the proposed intrusion of residential development into an area of open countryside. Furthermore, the proposal would it is considered represent a visually prominent form of back land development when viewed from Mill Lane which would be out of keeping with the linear grain of surrounding residential built form. The proposal would set a dangerous precedent for similar forms of development within the immediate area to the detriment of the rural character and appearance of the surrounding locality. Furthermore, the proposal is considered to result in less than substantial harm to the appreciation of the character and appearance of the Caunton Conservation Area particularly when approaching the village from the footpath (Caunton FP7) to the east of the site”.

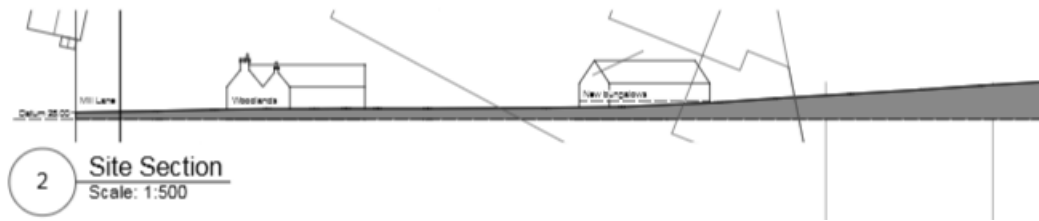
- 7.22 This refusal of the application was appealed (APP/B3030/W/18/3206741) and subsequently dismissed. In assessing the impact on the character of the area the Inspector stated that *“the development would intrude into the generally undeveloped land to the rear of the frontage dwellings and would appear as a sporadic form of back land development that would encroach into the countryside”* and *“the development would suburbanise the site, eroding the rural qualities of the area and would be clearly visible from Mill Lane, the public footpath that crosses the site and the surrounding properties”*. The Inspector concluded that the development would have a detrimental impact on the character and appearance of the area.
- 7.23 In respect of the designated Conservation Area the Inspector found *“that the significance of the setting of the CCA as a designated heritage asset is derived primarily by the spaciousness of the area where it meets the built extent of the village to the south. For the reasons given above the development would suburbanise the site and would alter the perception of the CCA as one views the village to the south. This would interrupt views of the village and the openness of this part of the CCA which would result in material harm to its setting”*. Whilst it was concluded that the harm would be ‘less than substantial’, there was no substantive evidence that there were any public benefits that would outweigh the great weight that the Framework requires at paragraph 215 to be given to the conservation of heritage assets.
- 7.24 The previous outline application for 5 dwellings sought approval of access and layout with all other matters reserved. The scheme comprised of a pair of semi-detached two storey dwellings (closest to the site entrance), a pair of semi-detached single storey dwellings and a detached single storey dwelling.
- 7.25 The number of dwellings the current application seeks approval for has been reduced from 5 to 4, and the layout has also been amended to reflect the character and form of existing residential development to the immediate south of the site.



- 7.26 The proposed scale and footprints of the dwellings, the pattern of development and the 'house to plot ratio' would all reflect the existing single storey bungalows located adjacent to the site on Mill Lane, and would therefore respect the character and appearance of the surrounding area. Whilst it is acknowledged that the proposal would still result in some intrusion into the open countryside, given the low density, and single storey nature of the proposals, the level of intrusion would be limited.
- 7.27 Each of the single storey dwellings would be identical, designed with a dual pitch roof, over-sailing on each corner, supported on pillars, with contemporary glazing set into the gable ends. The window apertures have been modestly scaled. Overall, subject to a condition requiring the final details of the external construction materials to be approved, the proposed design is considered to be acceptable.



- 7.28 The proposed dwellings would be visible from the Public Right of Way which runs along the access road and then crosses the field in a northerly direction beyond the north-eastern boundary. However, the level of visual intrusion would be limited, particularly given the reduction in the number and scale of the dwellings and the changes to their siting, in comparison to the previously refused scheme. Furthermore, glimpses of the dwellings from the designated Conservation Area may be possible along the access road, but given their single storey nature, they would be largely screened from view by the existing dwellings on Mill Lane, as shown on the cross section below:-



- 7.29 Following consultation with the Conservation Team, they raised no objections to the revised scheme, subject to the imposition of a condition to control the external construction materials. As a result, Officers are of the view that the revised scheme would not result in any harm to the setting of the Conservation Area and thus it is not necessary to consider the public benefits of the scheme.
- 7.30 If Members conclude that the proposal would result in (less than substantial) harm to the setting of the Conservation Area, paragraph 215 of the NPPF states that. *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”*. Therefore, if any harm is identified, this must be weighed against any public benefits of the proposal, i.e. the lack of a five-year housing land supply, and the provision of housing which meets an identified need.
- 7.31 On balance, the revised scheme would not result in a detrimental impact on the character of the countryside nor harm to the setting of the Cauntton Conservation Area, and any limited harm must be weighed against benefits of the scheme. Furthermore, the proposal would be acceptable in design terms and would reflect the existing character and pattern of residential development in the immediate area, having regards to the aims of Policies CP9 and CP13 of the Core Strategy and emerging DM5 (b).

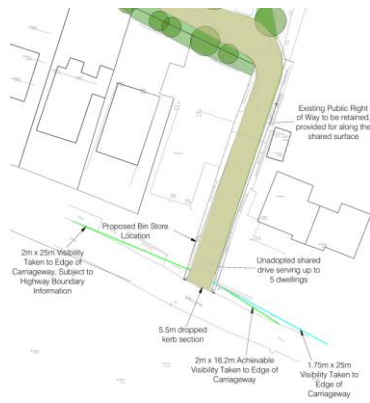
Impact upon Residential Amenity

- 7.32 The NPPF seeks to secure high quality design and a high standard of amenity for all existing and future occupants of land and buildings. Policies CP9 and emerging DM5(b) are relevant in considering impacts on residential amenity. Paragraph 135 of the NPPF requires that development should create places with a high standard of amenity for existing and future users.
- 7.33 The proposed dwellings would be a minimum of 30m from the rear elevations of properties to the south on Mill Lane and would all be single storey. The front facing southern elevation of each dwelling would contain an entrance door with side light and a ground floor bedroom window. Due to the separation distances, and the positions of the neighbouring dwellings, there are no concerns that there would be any loss of privacy, overbearing impacts or loss of light to neighbouring occupiers, as a result of the proposed development.

- 7.34 Concerns were originally raised by Environmental Health with regards to potential noise and disturbance from the use of the access and the location of the bin store, in relation to the two properties which flank the access. In response to this the proposed bin store was relocated further away from the dwelling located to the west of the access road, and an acoustic assessment report was submitted. The report concludes that the noise from the proposed access would be low and unlikely to significantly affect the acoustic climate in the area. It also states that a single heavier vehicle movement from the existing agricultural/equestrian use of the access would generate much higher noise levels than the proposed use. Following a re-consultation with Environmental Health, they raise no objections to the proposal. Officers also note that noise was not a ground for refusal under the previous application 18/00737/OUT for the erection of up to 5 dwellings on the site. On this basis it is not considered that the proposal would result in unacceptable impacts in relation to noise on the residential amenities of neighbouring residential properties.
- 7.35 In terms of future occupiers, having regard to the National Space Standards, 3 bedroom single storey dwellings for 4 persons require a Gross Floor Area of 74 sqm and the proposed dwellings would have a Gross Floor Area of 76 sqm with the requisite internal storage spaces. As a result, the proposed dwellings would comply with national living space standards. In terms of outdoor amenity space, each dwelling would be served by a private rear garden area commensurate with the size of the properties.
- 7.36 The proposed development would not therefore have a detrimental impact upon the amenities of surrounding dwellings, and would provide an acceptable standard of living for future occupiers. As such the proposed development is considered to be acceptable in this regard and therefore accords with emerging Policy DM5 (b).

Impact upon Highway Safety

- 7.37 Spatial Policy 7 states that new development should provide safe, convenient and attractive accesses for all, Policy DM5 states that provision should be made for safe and inclusive access to new development.
- 7.38 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 The proposed dwellings are to be accessed via an unadopted shared driveway. The submitted access plans show the access designed in accordance with the highway design guide. The access would have a 5.5m dropped kerb section leading to a 4.8m wide drive, for the first 8 metres. Adequate pedestrian and vehicular visibility splays have been provided along with a bin store close to Mill Lane. The existing Public Right of Way is also to be retained.



- 7.40 The Council’s Residential Cycle and Car Parking Standards Design Guide SPD advises that Caunton is within the ‘Rest of the District’ category and for a 3 bedroom dwelling, the minimum number of off-street car parking spaces required is 3. In addition to providing 3 car parking spaces per dwelling, a further two visitor car parking spaces and a turning head are proposed. As a result, adequate car parking and vehicular turning can be provided within the site and the proposal is unlikely to result in any severe detrimental impact on highway safety.
- 7.41 The highway authority raised no objection to the proposal and consider that in terms of traffic impact, the proposal would have a negligible impact on the surrounding highway network. They have suggest a number of conditions in relation to EV charging points, cycle parking, access provision and a construction management plan, which are recommended to be attached to any approval.
- 7.42 In terms of the impacts upon the Public Right of Way (shown below) which runs along the access to the site and beyond the north eastern boundary (as shown in green on the plan below), the agent has provided additional information in relation to its status, protection and maintenance during the construction phase, and future maintenance and operation. Subject to the safety of Public Rights of Way users being protected through a Construction Management Plan condition, and an informative advising on temporary closures, the proposed development would not have an unacceptable impact on the PROW or the safety of its users.



- 7.43 For the reasons outlined above, the proposal would not result in unacceptable harm to highways safety, and would accord with Spatial Policy 7, emerging Policy DM5(b), Part 9 of the NPPF and the Nottinghamshire Highway Design Guide.

Impact on Flooding and Drainage

- 7.44 Core Policy 10 (Climate Change) aims to steer new development away from those areas at highest risk of flooding, applying the sequential approach to its location. Policy DM5 (Design) supports this approach to new development in areas at risk of flooding.
- 7.45 DM5(b) (Design) and DM5(c) (Sequential Test) of the emerging Amended Allocations & Development Management DPD, aim to steer new development away from areas at high risk of flooding.
- 7.46 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 According to Environment Agency Flood Risk Maps, the site is within Flood Zone 1 which has a low probability of flooding from rivers and the sea. The site itself is largely at a low risk from surface water flooding, however, it is noted that the southern boundary of the site and the properties located immediately beyond on Mill Lane are at a high risk from surface water flooding.



Extract from the Environment Agency surface water map

- 7.48 It is also evident from the representations received from local residents that there are existing issues with surface water flooding affecting this section of Mill Lane and the properties along it.
- 7.49 Any proposed development cannot be expected to resolve existing surface water drainage problems, especially those which exist off the site. What new developments would be expected to do is not exacerbate existing surface water drainage problems. In accordance with Core Policies 9 and 10 and DM5, new development should **positively manage** its surface water run-off through the design and layout of development, to ensure that there would be no unacceptable impacts in terms of run-

off into surrounding areas or the existing drainage regime. Development proposals should wherever possible include measures to pro-actively manage surface water including the use of appropriate surface treatments in highway design and Sustainable Drainage Systems.

- 7.50 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.
- 7.51 The types of sustainable drainage system which it may be appropriate to consider, will depend on the proposed development and its location, as well as any planning policies and guidance that apply locally. Where possible, preference should be given to multifunctional sustainable drainage systems, and to solutions that allow surface water to be discharged according to the following hierarchy of drainage options:
- i. into the ground (infiltration);
 - ii. to a surface water body;
 - iii. to a surface water sewer, highway drain, or another drainage system;
 - iv. to a combined sewer.
- 7.52 This hierarchical approach is advocated by both the County Council as Lead Local Flood Authority and Severn Trent Water. Members should note however, that as the application is not a major development, nor in a critical drainage area, the Lead local Flood Authority is not a statutory consultee on this application, and although they have commented, they have not provided detail specific comments for this reason.
- 7.53 The proposed development would result in the loss of an agricultural field into which infiltration would occur naturally, to an area largely finished in hard surfacing and buildings, which is likely to increase the levels of surface water run-off down to Mill Lane, unless suitably mitigated for.
- 7.54 The application has been supported by a Drainage Design Report, which includes a surface water drainage strategy.
- 7.55 The Surface Water Drainage Strategy concludes that due to the high water table in the clay strata, soakaways are not considered to be a feasible means of disposing of the surface water run-off generated by the development. Therefore, it is proposed to store surface water on-site before connected into the existing culverted section of the watercourse at a controlled rate, which would in turn discharge into Caunton Beck.
- 7.56 The current greenfield peak run off rates of the site have been calculated at 2.0 l/s. The site would be served by two outlets. Outlet 1 would serve the majority of the site. Surface water run-off would discharge into sub-surface attenuation in the form of tanking to provide on-site storage, with water then discharging through a controlled manhole at a peak of 1.5l/s. The peak water level would be fully contained within the structure, having regard for the 100yr + 40% climate change return period. Outlet 2 would serve the lower section of the access road. Again, sub-surface storage would be provided together with a controlled manhole to ensure that peak discharge rates were limited to 0.5l/s.



- 7.49 The applicants have followed the drainage hierarchy as set out above, and have discounted the first option upon grounds which Officer’s consider to be reasonable. Subject to limiting the surface water run-off rates from the site to 2 l/s (i.e. greenfield run-off rates), it is not considered that this would exacerbate existing flooding issues downstream. It is not considered necessary for the Local Planning Authority to condition the approval of the proposed drainage strategy, as this would be dealt with under separate legislation. In any event the Local Planning Authority does not have any in house drainage specialists who could review and approve such a scheme. The correct mechanism for approving surface water run-off rates from the site into the local drainage system sits outside of the planning process. Surface water run-off from the site would be restricted to the aforementioned run-off rates by Severn Trent Water under a S106 Drainage agreement.
- 7.50 For the reasons outlined above, future occupiers of the site would not be at risk from flooding, and the applicant has demonstrated that the site could be developed without resulting in surface water run-off which would exacerbate existing flooding issues downstream. As such, the proposal would accord with Core Policies 9, 10 and 10A, Policies DM5, DM5(b) and DM5(c), and guidance contained within the NPPF.

Impact on Ecology

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

Trees

- 7.52 In terms of the impacts upon trees, the site is currently an open field with hedgerow and hedgerow trees along the southern and western boundaries. The application is supported by an Arboricultural Report which identifies the site as containing 14 tree

features, with 1 tree having moderate value (Category B) and 13 trees of low value (Category C). The Category B tree is located within the front garden of a neighbouring dwelling with minimal encroachment into the site access and will not therefore be affected by the proposal. Furthermore, the proposed site layout plan demonstrates that the existing low value Category C trees would not be directly impacted upon by the proposed development as the dwellings have been sited away from them. It is also noted that additional landscaping planting is proposed. Subject to a condition requiring the provision of a landscaping scheme to ensure the protection and retention of the existing hedgerows and trees, and to provide a detailed planting schedule, it is not considered that the proposals would result in unacceptable harm to trees, and would secure bio-diversity enhancement measures.

Ecology

- 7.53 The application has also been submitted with a Preliminary Ecological Appraisal (PEA) report. The report identifies that the site was likely to provide suitable terrestrial habitat for amphibians, such as Great Crested Newts (GCN), and for foraging bats, as such suitable mitigation measures are proposed within the report, including the provision of bat boxes, bird boxes and wildlife corridors.
- 7.54 Subject to conditions requiring the submission of a fauna scheme, together with a condition to ensure that the development is undertaken in accordance with the mitigation measures set out in the PEA, the proposal would not result in harm to protected species and would secure bio-diversity enhancement measures., in accordance with Core Policy 12 of the Amended Core Strategy DPD, emerging Policy DM5(b), and guidance contained within the NPPF, which is a material consideration.

Biodiversity Net Gain

- 7.55 Biodiversity Net Gain (BNG) is a way of creating and improving natural habitats. BNG makes sure development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development. In England, BNG became mandatory (under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021)) for 'minor sites' such as this on 2 April 2024. This legislation sets out that developers must deliver a minimum BNG of 10% - this means a development will result in more, or better quality, natural habitat than there was before development.
- 7.56 The application is supported by a Biodiversity Net Gain Strategy Report and Statutory Biodiversity Metric. The BNG report identifies that the development would result in an overall habitat area unit change of -1.64 resulting in an overall net change of -92.61%. Therefore, to achieve 10% net gain for area habitats, there is a 1.82 unit deficit. The proposed development would also result in an overall unit change of -0.04 for hedgerow units resulting in a net change of -8.28%. Therefore, to achieve 10% net gain for hedgerows, there is a 0.09 unit deficit.

- 7.57 To provide some net gain on the site, the proposed scheme includes the planting of native hedgerow along the southern boundary of the site, together with the retention of the existing hedgerow along the western boundary. Such habitats would be classed as 'significant on-site enhancement'. In order to secure a proportionate fee associated with the 30-year monitoring of this on-site enhancement, a Unilateral Undertaking will have to be entered into prior to the determination of the application.
- 7.58 In order to make up for the shortfall of on site BNG, the applicant proposes to purchase off-site credits. Both the on-site and off-site BNG will be secured via the biodiversity gain condition, and it has been demonstrated that the development is capable of discharging the Bio-Diversity Net Gain condition.

Community Infrastructure Levy

- 7.59 The site is located within Housing High Zone 3 of the approved Charging Schedule for the Council's Community Infrastructure Levy. As such residential development in this area is rated at £70m2 for CIL purposes.

8.0 Implications

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 – LEG2627/2098

- 8.1 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 Whilst the application site is located within close proximity to the village of Caunton, and is not therefore in an isolated location, it is located outside the settlement boundary and is therefore within the Open Countryside and contrary to Policy DM8.
- 9.2 Whilst the development of this site for housing would be contrary to the settlement hierarchy, given that the District cannot currently demonstrate a five year housing land supply (this currently stands at 3.84 years) the tilted balance under paragraph 11d of the NPPF is engaged, and the provision of housing is given significant weight in the overall planning balance.
- 9.3 In terms of material benefits of the scheme, the proposal would not only contribute to the District's housing supply, it would meet an identified housing need in the form of 3 bedroom bungalows, and provide economic benefits during the construction phase and beyond. The impacts of the proposal upon the setting of the Caunton Conservation Area, highway safety, residential amenity, flooding, trees and ecology are also considered acceptable, in Officer's opinion.

- 9.4 In terms of factors weighing against the scheme, the development of this site with four bungalows would result in some limited intrusion into the open countryside, and future occupiers are likely to require a car to access shopping and health services.
- 9.5 Taking the above into account, it is acknowledged that the proposal would give rise to some harm to the open countryside, but it is considered that the level of harm would be limited, and would not significantly and demonstrably outweigh the benefits. The provision of four additional 3-bed bungalows, together with the associated social and economic benefits, when considered in the context of the tilted balance, are judged to outweigh the identified harm. On this basis, the development is considered to be acceptable and compliant with the overall aims of the development plan and the NPPF, when read as a whole.

RECOMMENDATION

10.0 Conditions

01

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

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

02

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

Location Plan 0241 01
Received by the Local Planning Authority 19.11.2025

Site Access Plan 17-0707-001 P02
Revised Block Plan with site sections 0241 02 Rev J
Received by the Local Planning Authority 05.03.2026

Floor Plans and Elevations of 3 bed bungalow 0241 04 Rev C
Received by the Local Planning Authority 23.04.2026

Reason: So as to define this permission.

Pre-commencement Conditions

03

A. The Biodiversity Gain Plan shall be prepared in accordance with the principles set out within the approved 'Biodiversity Net Gain Strategy' and Statutory Biodiversity Metric both dated 23/10/2025 and produced by JM Ecology.

B. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP) in the form of an annotated plan(s), prepared in accordance with the approved Biodiversity Gain Plan has been submitted to, and been approved in writing by, the local planning authority and including:

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

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

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

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

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

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

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

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

04

The development hereby approved shall not commence until details of a Construction Management Plan have been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The plan/statement shall include but not be restricted to:

- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction),
- Locations for loading/unloading and storage of plant, waste and construction materials,
- Method of preventing mud and dust being carried onto the highway,
- Arrangements for turning vehicles,
- Arrangements to receive large vehicles,
- Highway Condition survey,
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents.
- Methods for maintaining safe public access along Public Footpath Cauntton No.7

Reason: In the interests of safe operation of the adopted highway during the construction phase of the development.

05

The development hereby approved shall not commence until details of the existing and proposed ground levels, including finished floor levels of all buildings, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out strictly in accordance with the approved levels.

Reason: To ensure the development respects the character and appearance of the surrounding area and protects residential amenity.

06

The development hereby approved shall not be constructed above damp-proof course level until drawings of the upgraded dropped crossing works at Mill Lane have been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied until those works have been constructed in accordance with the approved details.

Reason: To provide safe and suitable access arrangements.

07

The development hereby approved shall not be constructed above damp-proof course level until a Faunal Enhancement Plan has been submitted to, and been approved by, the local planning authority. The plan is to show the type, location of, and details for fixing into place of:

- (i) Three integrated bird boxes on new dwellings;
- (ii) An integrated bat tube/box on a new dwelling; and
- (iii) Details of gaps in fences or walls of a minimum 13 x 13cm to create wildlife access.

The approved bat and bird boxes, and wildlife boundary gaps shall be installed prior to first use of the approved dwellings and prior to removal of the site construction compound. Photographic evidence of the installed boxes and gaps shall be submitted to, and be approved in writing by, the local planning authority to fully discharge the condition. The installed boxes and gaps shall thereafter be retained.

Reason: To provide a measurable gain for biodiversity and maximise opportunities to enhance biodiversity.

08

The development hereby approved shall not be constructed above damp-proof course level until full details and manufacturer's specifications of all external facing materials to be used in the construction of the extension have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:

- the name of the manufacturer and product reference for all facing materials
- full technical data sheets for fixing methods, jointing details, coursing, profiles and edge treatment
- All new windows must be flush fitted and cannot feature visible trickle vents
- If uPVC or any other synthetic material for new windows are proposed, they must be timber effect with an imitation timber grain
- There must be no cloaking of the eaves or verges
- The roof cannot feature a dry ridge system
- All new Rainwater Goods must be cast metal or cast-metal effect and half round

Reason: To ensure the development preserves the character and appearance of the Caunton Conservation Area.

09

The development hereby shall take place in strict accordance with the Precautionary Methods of Working detailed within Section 6 of the Preliminary Ecological Appraisal Report, October 2025, produced by JM Ecology, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard protected species.

Pre-Occupation Conditions

10

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

- a) full details of all soft landscaping to be provided on site, to include every tree, shrub, hedge to be planted (including its proposed location, species and size). The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species;
- b) Details of all existing trees, hedgerows and other vegetation to be retained, together with measures for their protection during construction in accordance with BS 5837;
- c) Proposed finished ground levels and any associated earthworks;
- d) Details of all boundary treatments;
- e) full details of all hard surfacing materials to be provided to car parking, pedestrian access and circulation areas on site.
- f) means of enclosure.
- g) A timetable for implementation of the approved works

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

11

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

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

12

Prior to first occupation of the development hereby approved the driveway from Mill Lane shall be surfaced in a bound material (not loose gravel) for a minimum distance of 8m from the highway boundary and shall be drained to prevent the unregulated discharge of surface water onto the public highway.

Reason: To ensure appropriate access arrangements are available, to reduce the possibility of deleterious material being deposited on the public highway.

Compliance Conditions

13

The soft landscaping scheme approved under condition 10 shall be completed during the first planting season following the occupation of the first dwelling, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees/shrubs which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The approved hard landscaping scheme shall be completed prior to first occupation.

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

Informatives

01

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

02

The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved as there is an increase in net floor area. Full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision

notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website: www.newark-sherwooddc.gov.uk/cil/ or from the Planning Portal:

www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

03

For Part B c) of Condition 03 completion of the development, and therefore the start of the 30-year period is considered to be nine months after the removal of the site construction compound. This nine-month period is considered necessary to provide flexibility if this point in the development is reached at a time of the year that is incompatible for seasonal reasons to undertake habitat creation and enhancement works.

04

There is a Public Right of Way running to and adjacent the site, the applicant will be required to contact the PROW team to arrange for an official diversion, if the applicant cannot guarantee the safety of the path users during the construction phase then they must apply to the PROW department to arrange a temporary closure of the right of way for the duration of any works.

05

The development hereby approved includes the carrying out of work to the highway to improve a vehicular access/dropped crossing. The applicant is advised that before undertaking work on the adopted highway that it will require a Section 184 Licence from the Highway Authority which is available at Licences@viaem.co.uk The works shall be constructed to the satisfaction of the Highway Authority.

06

It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particularly reference is made to “respecting the community” this says:

Constructors should give utmost consideration to their impact on neighbours and the public

- Informing, respecting and showing courtesy to those affected by the work,
- Minimising the impact of deliveries, parking and work on the public highway,
- Contributing to and supporting the local community and economy; and
- Working to create a positive and enduring impression and promoting the Code.

The CMP should clearly identify how the principal contractor will engage with the local community; this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues.

Contractors should ensure that courtesy boards are provided, and information shared with the local community relating to the timing of operations and contact details for the site coordinator in the event of any difficulties.

This does not offer any relief to obligations under existing Legislation.

07

Please note that the District Council no longer provides wheeled bins for residential developments free of charge. Bins can be purchased from us or any other source provided they conform to appropriate standards and requirements of the Council. Our 'Guidance for new developments - Waste storage and Collection' sets out these standards and requirements and is available on our website at www.newark-sherwooddc.gov.uk/spds/

If you wish to purchase wheeled bins or discuss this matter further please contact a member of our Environmental Services Team (tel: 01636 655398 or email: waste.management@newark-sherwooddc.gov.uk).

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 - 25/01952/FUL

