



Report to Planning Committee – 4 June 2026

Business Manager Lead: Oliver Scott – Planning Development

Lead Officer: Dayo Adegbaaju, Planner

Report Summary			
<b>Application No.</b>	25/01982/OUT		
<b>Proposal</b>	Outline Planning Application for Residential Development (all matters reserved except access).		
<b>Location</b>	The Grange Kirklington Road Hockerton Newark On Trent NG25 0PJ		
<b>Applicant</b>	Mr and Mrs Christy	<b>Agent</b>	STAT Planning - Mrs Sarah Clark
<b>Registered</b>	25.11.2025	<b>Target Date</b>	20.01.2026
		<b>Extended Date</b>	11.06.2026
<b>Recommendation</b>	That Planning Permission is <u>APPROVED</u> subject to the condition(s) detailed at Section 10.0 and a Unilateral Undertaking		

**This application is being referred to the Planning Committee for determination because it is a departure from policy DM8 of the Development Plan.**

## 1.0 The Site

- 1.1 The application site is situated on the south-western edge of the settlement of Hockerton on the south side of the A617. The site includes land to the rear of The Grange, a single storey collection of buildings used by independent businesses including an interior designer and café, and to the rear of the 2 neighbouring properties to the east; notably Menhay and Highgreen. The land is partly rough grass, scrubland, agricultural land and hardstanding/parking area located within The Grange, and covers approximately 0.46 hectares. Access to the site is through the car park area serving The Grange.
- 1.2 An existing field access is located to the south of the car park and enters on to the southern part of the application site. The land slopes from north to south. A farm track runs through the site from north to east. To the south and west of the site is open countryside.



1.3

1.4 The site is not within a conservation area and is within Flood Zone 1. The application site is nearby to Grade II listed buildings - Pigeoncote and Attached Stable Blocks at Hockerton Grange Farm.

## 2.0 Relevant Planning History

2.1. **23/00640/OUT** - Outline planning application for residential development of up to 5 no. Dwellings, with means of access submitted for approval – refused for the following reason:

- *The application site is undeveloped land located to the rear of The Grange, on the edge of the village of Hockerton, surrounded by open fields to the south and west. In the opinion of the Local Planning Authority, the site falls outside of the village, in the open countryside, therefore in accordance with Spatial Policy 3 of the Amended Core Strategy, the development proposal falls to be assessed against Policy DM8 (Development within the Open Countryside) which strictly controls development in the open countryside. The proposal for new residential development does not meet any of the criteria within DM8 to be supported, therefore is unacceptable in principle. Furthermore, the backland position would not be in keeping with the pattern of development of the village and would encroach into the landscape resulting in a detrimental impact to the rural and open character of the surrounding area, contrary to Core Policies 9 and 13 of the Amended Core Strategy, Policy DM5 of the Allocations and Development Management DPD, and Part 12 of the NPPF.*

2.2. The [23/00640/OUT] application was subsequently dismissed at appeal.

2.3. Following the dismissal at appeal, there was significant change in the Council's position on the 5-year housing land supply. On this basis, the applicant submitted a

preapplication enquiry for the same scheme.

### **3.0 The Proposal**

3.1 The application seeks outline planning permission for residential development of maximum of 5 dwellings, including means of access. Details of landscaping, appearance, layout and scale are reserved.

3.2 Although the submitted drawings are illustrative, it is proposed that Plots 1 and 5 would be bungalows and Plots 2, 3 and 4 would be larger family homes. The illustrative site layout portrays a courtyard arrangement centred around the retained mature tree.

3.3 Plots 1 and 5 could be single storey bungalows, connected through the respective garages to Plots 2,3 and 4 which would be 2-storey dwellings.

3.4 Access to the site would utilise the existing access serving Grange Farm Units (onto Kirklington Road). Meanwhile, access to the farmland south and east would be retained and formalised via a connecting farm access track along the outer edge of the site.

3.5 Documents assessed in this appraisal:

- Drwg. No. 25.4621.01A – Proposed Block Plan (received 24.11.2025)
- Drwg No. 25.4621.02B – Proposed Site Plan (received 24.11.2025)
- Location Plan (received 24.11.2025)
- Biodiversity Net Gain Assessment (received 24.11.2025)
- Planning, Design, Access and Heritage Statement (received 24.11.2025)
- Preliminary Ecological Appraisal (received 24.11.2025)
- Tree Survey (received 24.11.2025)
- BNG Metric Calculations (received 02.12.2025)
- Revised BNG Assessment (received 12.05.2026)
- Revised BNG Metric Calculations (received 22.04.2026)
- Revised Site Location Plan (received 22.04.2026)
- Bat & Bird Box Locations (received 12.05.2026)

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

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

4.2 Site visit undertaken on 26.01.2026

### **5.0 Planning Policy Framework**

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

Spatial Policy 1 - Settlement Hierarchy

Spatial Policy 2 - Spatial Distribution of Growth

Spatial Policy 3 – Rural Areas

Spatial Policy 7 - Sustainable Transport  
 Core Policy 3 – Housing Mix, Type and Density  
 Core Policy 6 – Shaping our Employment Profile  
 Core Policy 9 -Sustainable Design  
 Core Policy 10 – Climate Change  
 Core Policy 12 – Biodiversity and Green Infrastructure  
 Core Policy 13 – Landscape Character  
 Core Policy 14 – Historic Environment

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

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.

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

## 5.6. **Other Material Planning Considerations**

National Planning Policy Framework 2024  
 Planning Practice Guidance (online resource)

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

District Wide Housing Needs Survey carried out by Arc 2020

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

## **6.0 Consultations and Representations**

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

### **Statutory Consultations**

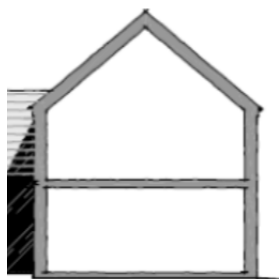
- 6.1. **Nottinghamshire County Council (Highways)** – No objections to the principle of the proposal subject to conditions.

### **Town/Parish Council**

- 6.2. **Hockerton Parish Council** – No comment but aware that residents have raised their objections directly with the LPA.

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

- 6.3. **NSDC Conservation** – *“The proposed application site would be located within the wider setting of a number of Non-Designated Heritage Asset’s (NDHA’s), within closer proximity is the First House North of Blackwood (HER ref: M15104) and Hockerton Grange (HER ref: M14627). The site is also within the setting of the Grade II Listed Building known as Pigeoncote and Attached Stable Blocks at Hockerton Grange Farm (He ref: 1045488). The principle of the proposed dwellings would be considered acceptable, however, we would suggest that amendments are made.*
- 6.4. *We would suggest that the layout has a more linear form to more accurately reflect the layout of an historic farmstead, and that the number of proposed plots are reduced and set further back from the edge of the proposed site, so that they would be less impactful on the heritage assets and rural setting. We would also want to ensure that the proposed dwellings are designed sympathetically to the nearby heritage assets, using the same materials.*
- 6.5. *It is not clear from the illustrations provided, but it appears that the blank gables would be comprised of large openings (Figure below is an example). We would suggest that these are more proportionate to the proposed dwellings and that the size and scale is much smaller.”*



- 6.6. **NSDC Ecology** – Following continuous engagement between the agent and the Council’s ecologist, initial BNG related information has been amended to address all the concerns. Based on the most recent comments from the Council’s ecologist, the amended information is considered to resolve the previous concerns with regards to the BNG assessment and bat and bird box location plan. With the proposed compensation, mitigation and enhancement measures implemented, it is considered that the proposal would be compliant with matters relating to biodiversity within the NPPF and relevant local planning policies. Planning conditions have been recommended to ensure compliance with the policies. Further comments from the Council’s ecologist are included in the relevant sections of this report.
- 6.7. **NSDC Tree Consultants** – No objections subject to recommended planning conditions.
- 6.8. **NSDC Environmental Health (land contamination)** – Applicant/developer should have a contingency plan should construction phase reveal any contamination.
- 6.9. **Comments have been received from one (a couple) local resident that can be summarised as follows:**
- Inaccurate information on historical use of the site or its association with adjacent Grange Farm
  - Presumption in favour of sustainable development should not provide sufficient grounds for planning permission
  - Site is countryside, not previously developed land
  - Scale of the proposal could result in overbearing impact
  - Loss of privacy
  - Drainage and potential flooding
  - Potential loss of agricultural land
  - Incongruous with surrounding area

## 7.0 **Appraisal**

- 7.1. The key issues are:
- Principle of development

- Impact on the Open Countryside and the Visual Amenities of the Area (including heritage impact)
  - Impact on Amenity
  - Impact on the Highway
  - Impact on Ecology & Trees
- 7.2. The National Planning Policy Framework (NPPF) promotes the principle of a presumption in favour of sustainable development and recognises the duty under the Planning Acts for planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. The NPPF refers to the presumption in favour of sustainable development being at the heart of development and sees sustainable development as a golden thread running through both plan making and decision taking. This is confirmed at the development plan level under Policy DM12 'Presumption in Favour of Sustainable Development' of the Allocations and Development Management DPD.
- 7.3. Given the site's proximity to some listed buildings, section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Listed Buildings Act') are particularly relevant. Section 66 outlines the general duty in exercise of planning functions in respect to listed buildings stating that the decision maker "shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."
- 7.4. The duty in s.66 of the Listed Buildings Act does not allow a local planning authority to treat the desirability of preserving the settings of listed buildings as a mere material consideration to which it can simply attach such weight as it sees fit. When an authority finds that a proposed development would harm the setting of a listed building, it must give that harm considerable importance and weight.
- 7.5. These considerations are also reflected in Core Policy 14 and policy DM9.

#### Principle of Development

- 7.6. Spatial Policies 1 and 2 direct new development within the District first and foremost to the sub regional centre, then to service centres, and then principal villages. Hockerton is an 'other village' whereby new development will be assessed against the criteria within Spatial Policy 3. Where a site lies outside of the village, DM8 (Development within the Open Countryside) applies.
- 7.7. As the site is located at the edge of the settlement, it is considered to fall within the open countryside, outside of the village. Proposals within the open countryside are assessed against DM8, which strictly controls the types of development allowed in these locations. New dwellings are only allowed in specific circumstances – new and replacement rural workers dwellings, or new dwellings where they are of outstanding quality or innovative nature of design, reflecting the highest standards of architecture. Proposals will also need to significantly enhance their immediate setting and be sensitive to the defining characteristics of the local area.

- 7.8. Due to the location, the proposal would usually be refused as the principle of development is contrary to DM8 (see previous reason for refusal 23/00640/OUT).
- 7.9. Notwithstanding the above, paragraph 11 of the NPPF (2024) sets out that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:
- approving development proposals that accord with an up-to-date development plan without delay; or
  - where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date<sup>8</sup>, granting permission unless:
    - i. The application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
    - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination<sup>9</sup>.
- 7.10. 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.'
- 7.11. The Council's current position is that it can demonstrate a total housing land supply of 3.84 years which differs from the position when the previous application was refused. The Council cannot demonstrate a 5-year housing land supply, therefore, in line with paragraph 11 and footnote 8, the presumption in favour of sustainable development should be applied. The application should only be refused where there would be adverse impacts that would significantly and demonstrably outweigh the benefits.
- 7.12. As the previous reason for refusal was mainly regarding the principle of development as the site is not in the village, the principle of development now rests on whether the site (regardless of the edge of village location) can be considered sustainable and whether residential development on the site would be an effective use of land. In terms of securing well-designed homes and providing affordable homes, this would be subject to detail.
- 7.13. To determine if the application site is a sustainable location, its link to the wider Hockerton village has been considered. There is a footway along Hockerton Road that extends to the existing site access. Subject to adequate pedestrian access incorporated into the layout of the residential development, it is considered that future occupants could walk into Hockerton safely. Although there are limited services within Hockerton itself (a church and a pub), there is a bus service to Newark (the sub-regional centre) and Southwell (a service centre), both of which have a wide range of

services that would be accessible. It is however acknowledged that the bus service is not very regular. Southwell is located approximately 2 miles to the south of Hockerton therefore would be a short drive if future occupants did choose to use private vehicles. Given this closeness to Southwell, it is considered that future occupants could also rely on cycling to gain access to services.

- 7.14. Given the above, and the significant increase in housing target the Council now faces, the principle of development is considered acceptable, when applying the presumption in favour of development as explained above, subject to detail and site-specific impacts.
- 7.15. It is noted that there was only one reason for refusal on 23/00640/OUT which in addition to the principle issue, incorporated a 'detrimental impact on character'. The refusal was appealed and then dismissed. At the time of the Inspector's decision, the Council could demonstrate a 5-year housing land supply. The Inspector agreed that there would be harm to the character of the open, rural landscape, noting the development would 'introduce a setback, isolated and disjointed block of development extending in a limb out into the countryside rather than forming an integral part of the existing built form'. Although the Council's position at the time was in line with the Inspector's view, considering the current lack of housing supply and increased housing targets, the benefits of the proposal (also noted in the Inspector's decision – paragraphs 30 & 31) carry far more weight in the decision-making process at this time. See the Inspector's comments below.

*Planning balance*

30. There appears no dispute that the Council can demonstrate a 5-year housing land supply. Therefore, the Development Plan is up to date for the purpose of decision-making. The development would provide up to five dwellings which would contribute towards housing land supply. A boost to housing supply is an important Framework consideration in favour of the development. It would also add to the overall stock and choice of residential dwellings. The site would also be in a reasonably accessible location with some local facilities and services. The additional housing therefore carries a moderate degree of weight in favour of the scheme.
31. The development would support the vitality of the community, including supporting local services and facilities, and would provide some construction jobs. Future occupants would also help sustain local businesses. However, given the size of the development proposed, these benefits would be modest in scale, and I attribute them limited weight in support of the proposal.
- 7.16. Despite the Inspector's conclusion agreeing that development on the site would result in harm to the character of the landscape, it is not considered that this harm would be significant. Given the location adjacent to the existing built form, and the fact that the location is considered sustainable, the benefit of the contribution to the Council's housing supply would now outweigh the harm.
- 7.17. In summary, the Council's Development Plan cannot be considered up to date for the purposes of decision making, in relation to housing delivery. This is because the Council cannot demonstrate a 5-year housing land supply at this time. For this reason, a residential development on the site is considered acceptable (subject to final detail). Site specific impacts to consider are discussed below.

### Housing Mix and Affordable Housing

- 7.18. The District Wide Housing Needs Assessment carried out by Arc4 in 2020 is the most up to date Housing Need Survey for the District. Hockerton is within the Southwell sub area for the document, and the following table sets out the dwelling mix expected for new developments in the area.

<b>Dwelling type and number of bedrooms</b>	<b>Current stock profile (%)</b>	<b>Market need profile (%)</b>	<b>Affordable rented need profile (%)</b>	<b>Intermediate need profile (%)</b>
1 to 2-bedroom house	11.6	6.6	0.0	6.0
3-bedroom house	29.0	33.3	42.3	35.8
4 or more-bedroom house	42.8	24.0	0.0	35.8
1-bedroom flat	1.3	0.0	0.0	0.0
2 or more-bedroom flat	1.1	5.6	0.0	0.4
1-bedroom bungalow	0.5	0.0	0.0	2.4
2-bedroom bungalow	6.3	14.8	23.6	7.9
3 or more-bedroom bungalow	6.1	15.2	7.7	11.7
Other	1.4	0.5	26.4	0.0
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

- 7.19. Details of housing mix in relation to number of bedrooms have not been provided. However, this table should provide guidance at the reserved matters stage.

### Impact on the Open Countryside and the Visual Amenities of the Area (including heritage impact)

- 7.20. Core Policy 9 seeks to achieve a high standard of sustainable design which is appropriate in its form and scale to its context, complementing the existing built and landscape environment.
- 7.21. Policy DM5(b) 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. In terms of backland development, emerging policy DM5(b) states that 'proposals creating backland development will only be approved where they would be in-keeping with the general character and density of existing development in the area, and would not set a precedent for similar forms of development, the cumulative effect of which would be to harm the established character and appearance of the area. Inappropriate backland and other uncharacteristic forms of development will be resisted.'
- 7.22. In relation to landscape impacts, the site is identified within the Landscape Character Assessment as falling within the Mid Nottinghamshire Farmlands Policy Zone MN PZ 34: Hockerton Village Farmlands. The detailed landscape action for this policy Zone is to 'conserve and reinforce'. The landscape actions for this area include conserving existing hedgerows and seek opportunities to restore historic field patterns.

- 7.23. Paragraph 135 of the NPPF states that development should be visually attractive, sympathetic to local character and history, and should maintain or establish a strong sense of place. Paragraph 139 explains that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.
- 7.24. Only indicative drawings comprising the proposed block plan and illustrative street scenes have been provided at this stage. As noted within the principle section, there is concern that residential development on the site could have a harmful impact on the character of the open countryside and the landscape, particularly large-scale dwellings. Given the site's proximity to some heritage assets, the Council's Conservation Officer (CO) has been consulted for comments on the potential visual and heritage impact. The CO agreed with the principle of development, but they advised that the layout should be restricted to a U-shaped development devoid of the projecting gables and detached garages to the rear to better reflect a traditional farmstead layout. It was also advised that the number of plots are reduced and set further back from the edge of the proposed site, to reduce the impact on the heritage assets and rural setting. Furthermore, materials would have to reflect the nearby heritage assets, whilst the proposed gables should be reduced in size and scale.
- 7.25. It is noted that the Design and Access Statement states that the final scheme would reflect a traditional farmstead composition, with respect for the local distinctiveness and nearby listed buildings.
- 7.26. In terms of boundary treatment, existing boundary hedgerow would be retained.
- 7.27. Looking at the likely impact from the scheme representing a backland development, it is considered that harmony with the general character and density of existing developments in the area could be achieved through a relatively modest scale. Given Grange Farm's position as the last development on that southern part of the A617, in addition to the existing developments to the southeast of the site (i.e. Hunters Lodge, The Dovecote, Lakeside Barn), there is no concern that the proposal would create a precedent for similar forms of development.
- 7.28. Overall, subject to final design and detail at reserved matters stage, it is not considered that the scheme would result in a detrimental heritage, including the setting of nearby listed buildings, or visual impact provided it accords with the above recommendations of the Conservation Officer. Restricting the development to smaller scale dwellings would equally reduce the likely harm to the openness of the surrounding countryside.

#### Impact upon Residential Amenity

- 7.29. Policy DM5(b) explains that the layout of development within sites and separation distances from neighbouring development should be sufficient to ensure that neither suffers from an unacceptable reduction in amenity including overbearing impacts, loss of light and privacy.
- 7.30. Paragraph 135 of the NPPF seeks to ensure that developments have a high standard of amenity for existing and future users.

- 7.31. Although indicative layout and illustrative street scene drawings were only received at this time, it is considered that a scheme could be achieved that would be acceptable in terms of amenity for future occupiers. Likewise, the impact on occupiers of neighbouring dwellings should also be acceptable. This is however subject to final layout, separation distances, location of windows, and the scale of the dwellings proposed.
- 7.32. In terms of the potential impact on the amenity of neighbours, it is noted that a neighbour (occupiers of Menhay) has objected on the following grounds - likely overbearing and loss of privacy impact on their property, increased potential for flooding from excess surface water.
- 7.33. Based on information received at this stage, Plot 5 would be the closest to the neighbour's boundary, and it would be mostly single storey with over 10m separation distance from the eastern boundary. In addition, the neighbour's rear garden appears big enough such that a development of this scale (Plot 5) would not result in significant overbearing impact. Moreover, the neighbour's property is to the east of the application site, and since the sun rises from the east, it means there would be no loss of early morning sunlight.
- 7.34. Nevertheless, it is considered that these concerns could be addressed if the dwellings are restricted to single or 1.5 storey, and if the scale of the proposed development is reduced and restricted to the linear layout recommended by the Conservation Officer.
- 7.35. With this in mind, it is not considered that the likely impact on neighbours' amenities would be detrimental.

#### Impact upon Highway Safety

- 7.36. 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.
- 7.37. Paragraph 115 of the NPPF seeks to ensure that safe and suitable access to the site can be achieved for all users.
- 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. Access to the site would utilise the existing access serving Grange Farm Units (onto Kirklington Road). Meanwhile, access to the farmland south and east would be retained and formalised via a connecting farm access track along the outer edge of the site.
- 7.40. The scheme would make provision for garages and driveway parking, albeit the dimensions of the driveway parking are considered to fall short of the standard in the Council's Residential Cycle and Car Parking SPD 2021. Meanwhile, the dimensions of the proposed garages could not be ascertained at this stage.

- 7.41. Although it could not be determined at this time if there would be sufficient parking for each plot, given the number of bedrooms has not been provided, it is however considered that sufficient parking provision could be achieved if the scale of development is reduced to comply with the comments from the conservation team.
- 7.42. Furthermore, the following are the comments received from NCC Highways.
- 7.43. *“This is an outline application with only ‘means of access’ to be determined for up to 5 dwellings on land to the rear of The Grange in Hockerton.*
- 7.44. *Access would be via the existing site access into The Grange’s car park; it is sufficiently designed to serve the small quantity of additional residential development traffic as sought.*
- 7.45. *The car parking provision for the existing commercial element appears unaffected by the proposal which is welcomed. Parking provision for the dwellings will need to accord with the Local Planning Authority’s own parking standards in terms of car, cycle and electric vehicle charging facilities.*
- 7.46. *Based on the current Car Parking Standards – SPD for the proposed residential development, this would normally require a minimum of 3 spaces should the plots be 3+ bedroom dwellings. If this is the case the submitted indicative layout scheme therefore does not accord with the Car Parking Standards – SPD. A revised layout must be provided in this regard particularly at the reserved matters stage, should this application be approved.”*
- 7.47. NCC Highways concluded that there would be no objection to the principle of development subject to recommended planning conditions. However, the conditions will not be imposed at this stage as they would only be relevant at the reserved matters stage, other than the construction management plan which has been included.

#### Impact upon Ecology & Trees

- 7.48. Policy DM5 states that where it is apparent that a site may provide a habitat for protected species, development proposals should be supported by an up-to date ecological assessment.
- 7.49. A Preliminary Ecological Appraisal was submitted as part of the supporting information. The Council’s ecologist provided the following summary following their initial assessment of the ecological appraisal (paragraph 3.15 of NSDC ecologist’s comment dated 11.2.2026).
- 7.50. *“No significant impacts have been identified for badger or breeding birds. Precautionary mitigation measures have been recommended for these species and species groups and I would advise that these should be implemented and be secured through a Construction Environmental Management Plan for Biodiversity CEMP(B).”*
- 7.51. However, following provision of additional information and revised comments by the Council’s ecologist, the precautionary mitigation measures stated in the supporting

Ecological Appraisal will now be secured by a condition to ensure compliance. As such, there will be no need for a planning condition relating to the Construction Environmental Management Plan for Biodiversity CEMP(B).

- 7.52. Looking at impact on trees, the proposal was supported by a Tree Survey. The survey shows that a Category B tree (Birch) would be removed to facilitate the development, all other trees or hedges would be retained. The Council's tree consultants have no objection to the scheme subject to planning conditions (i.e. provision of Arboricultural Impact Assessment (AIA), Arboricultural Method Statement and Tree Protection Plan prior to commencement of development.
- 7.53. Flood Risk and Drainage
- 7.54. The site is within Flood Zone 1, as such, there would be low risk of flooding from rivers. According to EA maps the site has a very low risk of surface water flooding.
- 7.55. In terms of surface water, Core Policy 10, and Policy DM5 (and DM5(b) of the emerging DPD), set out that new development should positively manage its surface water run-off through the design and layout of development to ensure that there is no unacceptable impact in run-off into surrounding areas or the existing drainage regime. Development proposals should wherever possible include measures to pro-actively manage surface water including the use of appropriate surface treatments in highway design and Sustainable Drainage Systems. The PPG explains that sustainable drainage systems (or SuDS) are designed to control surface water run off close to where it falls, combining a mixture of built and nature-based techniques to mimic natural drainage as closely as possible, and accounting for the predicted impacts of climate change.
- 7.56. Based on supporting information, surface water from the site would be gravity fed into the existing surface water drainage network. Foul drainage from the scheme would connect to the public sewer system. The planning statement states that a detailed drainage strategy will be prepared in future. This can be secured by condition.
- 7.57. Bearing in mind that one of the grounds for the neighbour's objection was drainage and flooding concerns, it is considered that draining the site into existing drainage networks would ensure there is no harm.
- 7.58. Overall, it is not considered that the scheme would detrimentally impact the existing drainage regime in the area.

#### Other Matters

- 7.59. Objections raised by the neighbour relating to visual and residential amenity impacts have been addressed under the relevant sections above. Looking at their other reasons for the objection therefore, it is noted that the application has been appraised as a site in the open countryside and not as a previously developed land.
- 7.60. Their view that the presumption in favour of sustainable development should not provide sufficient grounds for permitting the same scheme that had earlier been refused up to appeal stage was also considered. It is, however, noted that this is an essential part of the appraisal which is strongly supported by national policy (i.e.

NPPF).

- 7.61. Looking at their other objection reasons such as inaccurate information on historical use of the site or its association with the adjacent Grange Farm, and the potential loss of agricultural land. It should be noted that the application has been appraised strictly on the merit of the supporting information provided.
- 7.62. **Community Infrastructure Levy (CIL)** - The proposed development would result in more than 100m<sup>2</sup> of net additional floorspace/Gross Internal Area and would be CIL liable. This would however be determined at the reserved matters stage.
- 7.63. **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.
- 7.64. Over the lifetime of the application, the applicant has provided revised information in relation to the BNG element of the proposal. This follows the initial comments by the Council's ecologist and subsequent meetings between them and the applicant's ecologist. In the last comments, the Council's ecologist noted inaccuracies in relation to the application site boundary within the Biodiversity Net Gain assessment.
- 7.65. Following submission of latest amended information (received 12<sup>th</sup> May 2026), the Council's ecologist has thereafter confirmed that the latest information has resolved previous concerns regarding BNG assessment and bat and bird box location plan. Based on the proposed compensation, mitigation and enhancement measures, it is concluded that the proposal would accord with matters relating to biodiversity within the NPPF and relevant local planning policies.
- 7.66. Furthermore, the General Biodiversity Gain Condition will be applicable. This requires the submission and subsequent approval by the local planning authority of a Biodiversity Gain Plan (BGP) prior to commencement of development. In addition, it was recommended to impose planning conditions which include provision of amended BNG Assessment Report and Statutory Biodiversity Metric, a Habitat Management and Monitoring Plan and biodiversity enhancements such as installation of bat and bird boxes. BNG monitoring will be secured by a Unilateral Undertaking.

## **8.0 Implications**

- 8.1. In writing this report and in putting forward recommendations officers have considered the following implications; Data Protection, Equality and Diversity, Financial, Human Rights, Legal, Safeguarding, Sustainability, and Crime and Disorder and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.
- 8.2. **Legal Implications - LEG2627/4493**

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

## **9.0 Conclusion**

- 9.1. In summary, the principle of residential development on the site is contrary to Policy DM8 due to the open countryside location, whereby new dwellings are not supported. However, the Council cannot currently demonstrate a 5-year housing land supply and therefore this is a significant material consideration in the planning balance. The site is located immediately adjacent to the village of Hockerton, which although does not have a range of services, is well connected to Southwell and Newark which are highly sustainable locations.
- 9.2. The proposal would represent backland development that would encroach on the open rural landscape, albeit it would not significantly impact the general character of the area. Meanwhile, noting the location adjacent to existing built form, and within reasonable distance of some heritage assets, potential heritage impact could be removed by amending the layout (in linear form) and using materials that are sympathetic to these assets. The final layout and appearance would be assessed at reserved matters stage.
- 9.3. Nevertheless, by applying the tilted balance set out in paragraph 11 of the NPPF, the contribution of additional housing would likely outweigh the visual harm and the likely encroachment into the open countryside (which otherwise would be contrary to Policy DM8). The visual impact would also be minimised by the set back position from the public highway and the lower ground levels. Hence, the proposed development will be acceptable in principle.
- 9.4. The impacts in relation to access and highways, drainage, and ecology are acceptable subject to conditions. Subject to compliance with the conditions recommended by Council's ecologist, the BNG element will accord with the relevant aims of the NPPF and the applicable local planning policies.
- 9.5. Impacts regarding appearance, layout, scale and landscaping would be reserved matters and it is considered a scheme can be achieved that would be acceptable.
- 9.6. The recommendation is to approve outline planning permission subject to conditions and a UU to secure monitoring for BNG.

## **10.0 Conditions**

01

Application for approval of reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission. The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

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

02

Details of the access, appearance, layout, landscaping and scale (hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: This is a planning permission in outline only and the information required is necessary for the consideration of the ultimate detailed proposal.

03

No development shall be commenced until details of the means of foul drainage and surface water disposal have been submitted to and approved in writing by the local planning authority. The development shall be carried out thereafter in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the provision of satisfactory means of foul sewage/surface water disposal.

04

Prior to commencement of development hereby approved details of a Construction Management Plan shall be 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.

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

05

Prior to commencement of development, an Arboricultural Impact Assessment (AIA) to BS5837:2012 shall be submitted to and be approved in writing by the local planning authority. This must conform to the standards set out in BS5837, section 5.4, which requires an AIA to include a scaled site plan that details to the Council: The position of all trees on and adjacent the site.

- The root protection areas (RPA) of the trees.
- The proposed design layout.
- Trees to be removed to facilitate the development and trees to be retained.
- Other activities potentially damaging to trees (i.e. level changes, removal/creation of hard surfacing, service runs, etc.).
- Areas that can be used for site accommodation, vehicle parking, material storage etc.
- Pruning to retained tree(s)
- Issues to be addressed by an arboricultural method statement, where necessary in conjunction with input from other specialists.
- Assessment of lost tree value because of the proposal and the proposed mitigation

Reason: To ensure that adequate protection is afforded to the existing vegetation and trees to remain on site, in the interests of visual amenity and biodiversity.

06

No development or site preparation works (including demolition, groundworks or drainage) shall commence until a Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS), in accordance with BS5837:2012, have been submitted to and approved in writing by the LPA. These documents shall include:

- Timing and phasing of all relevant works;
- Location and specification of tree protection fencing and ground protection;
- Construction Exclusion Zones;
- A schedule of tree works in accordance with BS3998;
- Details of access, storage areas, service routes, and proposed changes in ground levels;
- Specifications for works within Root Protection Areas (RPAs), including surfacing, foundation design and excavation methods;
- A supervision schedule, including the appointment of a qualified Arboriculturist at key inspection stages.

Reason: To ensure that adequate protection is afforded to the existing vegetation and trees to remain on site, in the interests of visual amenity and biodiversity.

07

Following LPA approval of the AMS and TPP, but prior to the commencement of any development or site works, all approved tree protection measures shall be installed. Written confirmation of their installation, supported by photographic evidence or a

site inspection report from the appointed Arboriculturist, shall be submitted to the LPA for approval. The approved tree protection measures shall be retained and maintained in full for the duration of the development. No fencing or ground protection shall be moved, removed or altered without the prior written agreement of the LPA.

Reason: To ensure that work is carried out in accordance with approved measures, in the interests of visual amenity and biodiversity.

08

The development hereby permitted shall not be carried out except in accordance with the following approved plans and documents:

- Location Plan (received 24.11.2025)

Reason: So as to define this consent and for the avoidance of doubt.

09

A. An amended version of the 'Biodiversity Net Gain Assessment Report' and Statutory Biodiversity Metric dated 06 May 2026 and 29 October 2025 respectively and produced by Liz Ecology (or other similar assessments undertaken by other ecologists), shall be submitted to, and be approved in writing by, the local planning authority. The Biodiversity Gain Plan shall be prepared in accordance with the principles set out in the approved documents.

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) a non-technical summary;

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

(c) 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

(d) 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.

(e) the monitoring methodology and frequency in respect of the created or enhanced habitat.

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 6 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 and to ensure compliance with the NPPF in relation to biodiversity matters and compliance with Amended Core Strategy Core Policy 12 Biodiversity and Green Infrastructure.

10

The approved development shall take place in strict accordance with the Precautionary Methods of Working detailed within Section 4.3 of the Preliminary Ecological Appraisal Report, May 2023, produced by RammSanderson.

Reason: To safeguard protected species as required by the National Planning Policy Framework, ADMDPD Policy DM5 and Core Strategy Policy 12.

11

Two groups of three swift boxes, and three integrated bat bricks as detailed on the Bat and Bird Box Locations plan, produced by Liz Ecology and received on 06 May 2026 shall be installed prior to first use of each approved new dwelling and photographic evidence of the installed boxes shall be submitted to, and be approved in writing by, the local planning authority to fully discharge the condition. Thereafter, the installed boxes shall be retained for compliance.

Reason: To provide a measurable gain for biodiversity as required by the NPPF, and maximise opportunities to enhance biodiversity as required by Core Strategy Policy 12.

## 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 applicant is advised that all planning permissions granted on or after the 1st December 2011 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at [www.newark-sherwooddc.gov.uk/cil/](http://www.newark-sherwooddc.gov.uk/cil/). The proposed development has been assessed based on the information submitted for this outline application. It would result in more than 100m<sup>2</sup> of net additional floorspace/Gross Internal Area. As such, it is CIL liable. This is however subject to another review of the proposed floorspace at the reserved matters stage.

03

You are advised that you may require building regulations approval in addition to the planning permission you have obtained. Any amendments to the permitted scheme that may be necessary to comply with the Building Regulations, must also be approved in writing by the Local Planning Authority in order that any planning implications arising from those amendments may be properly considered.

East Midlands Building Control operates as a local authority partnership that offers a building control service that you may wish to consider. Contact details are available on their website [www.eastmidlandsbc.com](http://www.eastmidlandsbc.com).

04

The submitted illustrative layout is not acceptable. The proposed scheme for reserved matters should be designed in line with the advice contained within this report, using a more linear form to reflect a traditional farmstead, an overall reduction in scale, and ensuring sufficient parking spaces are incorporated in line with the Council's adopted Parking SPD.

05

#### Biodiversity Net Gain Informative

The development granted by this notice must not begin unless:

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

Details about how to comply with the statutory condition are set out below.

#### Biodiversity Net Gain

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

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

OR

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

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

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

Based on the information available, this permission is considered by NSDC to require the approval of a biodiversity gain plan before development is begun, because none of the statutory exemptions or transitional arrangements are considered to apply.

The Biodiversity Gain Plan should be submitted via the Planning Portal, as an application for approval of details reserved by condition following grant of planning permission.

#### *Irreplaceable habitat*

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

06

For Part B d) of Condition 09 completion of the development, and therefore the start of the 30-year period is considered to be six months from removal of the site compound. This six-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.

#### 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 - 25/01982/OUT

