



Report to Planning Committee – 4 June 2026

Business Manager Lead: Oliver Scott – Planning Development

Lead Officer: Jared Pailing, Planner

Report Summary			
Application No.	26/00005/FUL		
Proposal	Installation of dropped kerb and driveway.		
Location	93 Mickledale Lane Bilsthorpe NG22 8RF		
Applicant	Mr John Robinson, Newark and Sherwood District Council	Agent	Mr Lee Powell
Web Link	26/00005/FUL Installation of dropped kerb and driveway. 93 Mickledale Lane Bilsthorpe NG22 8RF		
Registered	08.01.2026	Target Date/ Extension of Time	05.03.2026/ EOT – 8.5.26
Recommendation	Permission be granted subject to permissions outlined in section 10.0		

This application has been referred to Planning Committee by officers in line with the Council’s adopted constitution due to the site being a Council owned property and Newark and Sherwood District Council are the applicant.

1.0 The Site

1.1 The application site relates to a semi-detached two storey property located within the settlement of Bilsthorpe. The site is located within a built up suburban residential area surrounded by several other dwellings. The site itself is sectioned into separate ground floor and first floor flats with number 93 being the ground floor accommodation. Currently next to the site is a dropped kerb and a driveway which at first glance appears to serve the site, however, this serves the upper floor flat only and is not a shared vehicle access and driveway.

1.2 A hedgerow exists along the site's southern boundary, which is shared with the highway, Mickledale Lane. A large tree is located to the front of the adjoining dwelling to the east, close to the shared boundary with the application site.

1.3 The site has the following constraints:

- Mickledale Lane is a Classified C Road

2.0 Relevant Planning History

2.1. Nothing Relevant on file.

3.0 The Proposal

3.1 The application put forward affects a Newark and Sherwood District Council owned property. The proposal is to install a new dropped kerb and driveway to the front of the property. This would provide a separate driveway and dropped kerb vehicle access for the ground floor flat, number 93.

3.2 The dropped kerb would abut the carriageway and measure 4m in width. The driveway would be set back 2.7m from the new dropped kerb access behind the existing footway. The proposed driveway entrance would measure 3.8m in width and to allow visibility, the remaining hedgerow within the visibility splays would be maintained to a height of 0.6m to allow visibility. Outside of the visibility splays there are no restrictions on the height of the hedge required and aside from general trimming and maintenance, would remain broadly untouched

3.3 The driveway would be constructed using a no dig solution with a Gridforce Park 30 mesh bedding filled with aggregate to avoid unnecessary digging into the ground which could impact the adjacent hedge or a nearby tree.

3.4 Documents assessed in this appraisal:

- Application form – Submitted 5th January 2026;
- Site Location Plan – Submitted 8th January 2026;
- Various Photographs – Submitted 5th January 2026.
- Block Paving Details – Submitted 5th January 2026;
- Boundary Information – Submitted 23rd April 2026;
- Gridforce Datasheet – Submitted 23rd April 2026;
- Gravel installation Update – Submitted 23rd April (3a) – Submitted 23rd April 2026;
- Revised Existing Layout (3A) – Submitted 15th May 2026;
- Revised Proposed Layout (4C) – Submitted 15th May 2026.

4.0 Departure/Public Advertisement Procedure

4.1 Occupiers of eight property have been individually notified by letter.

4.2 Site visit undertaken on 18th March 2026.

5.0 **Planning Policy Framework**

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

Spatial Policy 7 – Sustainable Transport
 Core Policy 9 – Sustainable Design
 Core Policy 12 – Biodiversity and Green Infrastructure

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

DM5 – Design
 DM7 – Biodiversity and Ecology
 DM12 – Presumption in Favour of Sustainable Development

5.3. The Draft Amended Allocations & Development Management DPD was submitted to the Secretary of State on the 18th January 2024. Following the close of the hearing sessions as part of the Examination in Public the Inspector has agreed a schedule of ‘main modifications’ to the submission DPD. The purpose of these main modifications is to resolve soundness and legal compliance issues which the Inspector has identified. Alongside this the Council has separately identified a range of minor modifications and points of clarification it wishes to make to the submission DPD. Consultation on the main modifications and minor modifications / points of clarification took place between Tuesday 16 September and Tuesday 28 October 2025. The next stage in the Examination process will be the Inspector issuing their draft report.

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

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

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

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

Relevant Policies that have substantial weight from the above referenced emerging plan:

- Policy DM5(B) Design

5.5. **Other Material Planning Considerations**

National Planning Policy Framework 2024

Planning Practice Guidance (online resource)

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

N/A

Town/Parish Council

- 6.1. Bilsthorpe Parish Council - no comments submitted

Representations/Non-Statutory Consultation

- 6.2. NCC Highways – Would prefer to see a fence within the visibility splay instead of hedgerows due to maintenance requirements.
- 6.3. No comments have been received from any third party/local residents.

7.0 **Appraisal**

- 7.1. The key issues are:

- Principle of development
- Impact on the Visual Amenities of the Area
- Impact upon Residential Amenity
- Impact on Highways
- Impact on Ecology

- 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.

Principle of Development

- 7.3. Spatial Policy 7 of the Core Strategy (2019) sets out the Local Planning Authority's (LPA's) approach to sustainable transport and seeks to (but is not limited to) the provision of safe, convenient and attractive access for all; avoiding highway improvements which harm the environment and character of the area; and providing appropriate and effective parking provision in line with the Highways Authority best practice.
- 7.4. 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.
- 7.5. The proposal is for a dropped kerb within an existing residential area to serve a residential dwelling which currently has no vehicle access. It would therefore be considered acceptable in principle subject to an assessment of material planning considerations, including highway safety.

Impact on the Visual Amenities of the Area

- 7.6. Policy DM5 (b) of the Emerging Allocations and Development Management DPD, expects proposals to reflect the landscape and built form of the District's landscape to be reflected in (but not limited to) the scale, form, mass and design of new proposals. The proposed dropped kerb would be located to the front of the site in proximity to the neighbours dropped kerb.
- 7.7. Visually, the dropped kerb is small scale development. The area has a suburban character where drop kerb vehicle access and hardstanding driveways are common. The proposed hard standing within the highway boundary would be tarmac to match the existing highway running along the front of the property. The proposed driveway, located within the property boundary, would be finished in 10mm aggregate infill (gravel) and is not an uncommon design for a domestic driveway.
- 7.8. The degree of hardstanding is limited and would not be overly dominant to the character of the site. In terms of the boundary, the majority of the hedgerow is to be retained with the minimum width removed to provide a vehicle access.
- 7.9. Visually therefore, the proposal would clearly be read as a residential driveway in terms of its material and scale. As such, the visual character of the site will only slightly be impacted and overall is considered acceptable.
- 7.10. With the above in mind, it is not considered that proposal would have a harmful impact on the visual character of the site and the surrounding area. Therefore, it can be considered that the proposal accords with Core Policy 9 of the Core Strategy and policies DM5 of the Allocations and Development Management DPD as well as the NPPF and DM5(b) of the Emerging DPD.

Impact upon Residential Amenity

- 7.11. DM5(b) of the Emerging Allocations and Development Management DPD, seeks to

ensure development does not result in any loss of amenity to neighbouring properties in terms of overbearing, loss of privacy or light.

- 7.12. The proposal is limited in scale and relates solely to a drop kerb vehicle access and hardstanding driveway. Due to its nature, it would not therefore, result in any detrimental harm to neighbouring amenities such as loss of privacy, light or overbearing impacts.
- 7.13. Driveways are a typical feature associated with residential properties within residential built-up areas. Whilst the proposal would be located between the west and eastern neighbours which, may give rise to some limited noise from a vehicle entering and exiting the site, these noises are characteristic of a suburban residential environment and are not considered to be unduly harmful overall.
- 7.14. Given the small scale of the development, it is not considered to result in a detrimental impact on the residential amenities of neighbouring occupiers. The proposal would therefore be in accordance with Policy DM5 and the NPPF and DM5(b) of the Emerging DPD.

Impact upon Highway

- 7.15. SP7 states new development should provide appropriate and effective parking provision, this is reflected in Policy DM5 and Paragraph 116 of the NPPF which states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.
- 7.16. The proposed drop kerb and hardstanding driveway would create a separate vehicle access into the site and provide off-street parking for a single vehicle. This would allow the occupier to park within their own residential curtilage rather than relying solely on on-street parking. No evidence has been supplied suggesting that the existing on street parking results in highway safety issues and NCC have not commented on this matter. As such, limited weight can be given as to whether the proposal would broadly improve highway safety or not. Instead, the acceptability of the proposal relies on whether a safe and suitable access to the site can be achieved, in line with the Highway Authority's guidance.
- 7.17. The proposal has undergone several revisions to address highway considerations and whilst the latest revision has not been subject to formal consultation responses, the proposal has been guided throughout by discussions between the planning department and NCC Highways with amendments made to reflect their guidance.
- 7.18. The property is a two-bedroom flat as confirmed by Housing Officers. The adopted Residential Parking Standards SPD recommends that 2-bedroom dwellings are served by a minimum of two parking spaces. Although the proposal would not fully meet this requirement, the proposal would result in a new parking space for the flat where one currently does not exist, therefore it provides a positive contribution towards parking provision. As such, the proposal would contribute towards meeting the sustainable transport objectives outlined within Spatial Policy 7.

- 7.19. In terms of the dimensions of the proposed driveway, it would measure 3m in width by 6m in length which complies with the SPD requirement of 3m x 5.5m.
- 7.20. The proposal would see the vehicle access measure 3.8m width with the existing hedge maintained within the visibility splays at 0.6m. This would allow the required visibility along the highway for vehicles entering and exiting the site, as well as pedestrians. Highways have commented on this plan and stated they would prefer a low fence within the visibility splays to avoid the need for regular maintenance. However, the responsibility of maintenance falls upon the local authority who have agreed to the inclusion of a condition requiring the visibility splays to be kept clear of obstructions above 0.6m in height. It is also noted that the removal of the hedge does not constitute development and, if the hedgerow were to be removed at any point in the future, this condition would ensure any structure replacing it could also not exceed 0.6m in total height.
- 7.21. As such, the proposal would not result in any harmful impact on the highway network nor on highway safety. The proposal is therefore considered to comply with Spatial Policy 7 of the Adopted Core Strategy and DM5 in terms of highway safety.

Impact upon Ecology

- 7.22. Approximately 3.8m of the boundary hedgerow would be removed as part of this application, which is the minimum required to provide a vehicle access. The remainder of the hedgerow would be retained. It is acknowledged that there are no restrictions applied to the hedge which would prevent its removal and so this work would not constitute development. Nonetheless, as the hedgerow removal is required to facilitate the proposed development the loss of the hedgerow must be considered as part of this application.
- 7.23. The application is not exempt from BNG as it is not a householder application. Any hedgerow removal within a development site exceeding 5m in total would trigger the BNG threshold. As such, the applicant proposes removing only what is necessary to enable the development to be compliant with highway standards which comes in at less than 5m in length.
- 7.24. The authority as the applicant would carry out any hedge removal between September and February, outside of bird nesting season, to avoid harmful impacted on ecology and protected species in line with the relevant national legal requirements.
- 7.25. There is a mature tree located in the front agreed on the dwelling house to the east, close to the shared boundary. The potential tree root area has not been surveyed as part of this application, but a non-dig solution for the hardstanding driveway is proposed to mitigate the impact of the proposed development on any potential root protection area. This method of construction would be secured via a condition.
- 7.26. Overall, the proposal has sought to address ecology issues in a proactive manner. The proposal, as amended, would remove of less than 5 linear meters of hedgerow and so would not trigger BNG. The proposal is therefore acceptable and complies with policies CP12 of the Core Strategy and DM7 of the Allocations & Development Management DPD.

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 - LEG2627/6994

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 principle, the development of a driveway and dropped kerb in a residential suburban setting has been considered an acceptable form of development. There are no highway safety concerns subject to a condition relating to visibility splays. The proposal would result in no harm to the established character of the site and surrounding area. No harm has been identified in terms of visual impact or on the amenity of neighbouring occupiers. Potential harm to ecology and trees could be adequately mitigated through the use of planning conditions.

9.2. As such, on balance, the proposal is considered acceptable, and is in accordance with the policies in the Amended Core Strategy, the Allocations and development Management DPD, the Emerging ADM DPD (where these policies can be afforded weight), and the NPPF.

9.3. With the above in mind, the proposal is recommended for approval subject to the conditions set out in section 10.

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 approved proposed plans reference.

- Site Location Plan – Submitted 8th January 2026;

- Block Paving Details – Submitted 5th January 2026;
- Gridforce Datasheet – Submitted 23rd April 2026;
- Gravel installation Update – Submitted 23rd April (3a) – Submitted 23rd April 2026;
- Revised Proposed Layout (4C) – Submitted 15th May 2026.

Reason: So as to define this permission.

03

The development hereby permitted shall be constructed entirely of the material details submitted as part of the planning application.

Reason: In the interests of visual amenity.

04

No part of the development hereby permitted shall be brought into use until pedestrian visibility splays of 2mx2m are provided as shown on Plan reference 4C. The area within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions, structures or erections exceeding 0.6m in height above carriageway level to the satisfaction of the Local Planning Authority.

Reason: To ensure the required visibility splays are implemented in the interests of highway safety.

05

The driveway hereby approved shall be completed only with a no dig solution as submitted as part of this application to avoid damaging the root protection area of the nearby tree.

Reason: In the interests of biodiversity and ecology.

Informatives

01

The application as submitted is acceptable. In granting permission without unnecessary delay the District Planning Authority is implicitly working positively and proactively with the applicant. This is fully in accordance with Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

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/

The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as there is no new footprint created.

03

The development makes it necessary to alter a vehicular crossing over a footway/verge of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. The applicant should ensure that the necessary licenses and permissions are in place. You are, therefore, required to contact the County Council's Agent, Via East Midlands to arrange for these works to be carried out. Email: licences@viaem.co.uk or telephone 0300 500 8080 or for further advice please visit: please visit <https://www.nottinghamshire.gov.uk/transport/roads/request-a-dropped-kerb>.

04

Biodiversity Net Gain

From the information provided as part of the application, the development granted by this notice is considered exempt from the biodiversity gain condition.

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

- a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - b) the planning authority has approved the plan;
- OR
- c) the development is exempt from the biodiversity gain condition.

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

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

Based on the information available, this permission is considered by NSDC not to require the approval of a biodiversity gain plan before development is begun, because the following reason or exemption is considered to apply – The proposal does not exceed 5m of hedgerow to be removed and therefore, does not exceed the threshold for Biodiversity Net Gain.

05

No hedge or tree that is to be removed as part of the development hereby permitted shall be lopped, topped, felled or otherwise removed during the bird nesting period (beginning of March to end of August inclusive) unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that adequate provision is made for the protection of nesting birds on site.

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.

Committee Plan - 26/00005/FUL

