

Committee Report – 2 July 2026

Business Manager Lead: Oliver Scott – Planning Development

Lead Officer: Ellie Sillah, Principal Planner (Development)

Report Summary			
Application Number	26/00643/FUL		
Proposal	Erection of 2No dwellings with attached garages		
Location	Land Adjacent Church View Farm Swinderby Road South Scarle NG23 7JW		
Applicant	Mr J Williams and Miss A Garner	Agent	John Halton Design Ltd
Registered	01.05.2026	Target Date	26.06.2026
Recommendation	Approve subject to conditions set out at Section 10.0 and a Unilateral Undertaking to secure self-build exemption for BNG.		

This application is being presented to the Planning Committee in line with the Council’s Scheme of Delegation as the site lies outside of the village and is contrary to DM8 – the proposal is therefore a departure from the development plan. The application was also called in by Cllr Dales due to the conflict with DM8 and impact on heritage assets.

1.0 The Site

- 1.1 The application site lies within the open countryside, next to the village of South Scarle. The site is currently agricultural land and is adjacent to a recently constructed new dwelling, and a bungalow which has extant permission to be demolished and a new two storey dwelling built in its place.
- 1.2 The village is within a conservation area, however the site is outside of the boundary. There are various listed buildings within the village, including St Helena’s Church which is Grade I listed and located to the south west of the site (a minimum of 60m away).
- 1.3 The site is approximately 0.31 hectares in size and is accessed from Swinderby Road which lies to the north. This access is an existing shared access for the bungalow and the recently constructed dwelling. To the south of the site is a large agricultural building, and to the east are open fields.

1.4 The site has the following constraints:

- Open Countryside
- Setting of Conservation Area
- Nearby Listed Buildings

2.0 **Relevant Planning History**

- 25/02049/FUL - 2 Dwellings with attached garages. Refused by Planning Committee for the following reason:

The site is located in the open countryside in an unsustainable location contrary to Policies SP1 and DM8. Notwithstanding the Council's lack of 5 year housing land supply, the large scale and form of the development would not reflect the character of the open countryside, the adjacent conservation area, nor the setting of the nearby listed buildings including the Grade I listed church, and the Grade II listed Vicarage and Church Farm, overall resulting in less than substantial harm, contrary to Core Policy 14, DM5(b), DM9, Parts 12 and 16 of the NPPF, and Section 66 of the Planning (listed Buildings and Conservation Areas) Act 1990. This harm is considered a strong reason for refusal when taking into account the titled balance, as 2 dwellings would not be a significant contribution that would outweigh the harm.

- PREAPP/00204/25 – Advice given.

3.0 **The Proposal**

3.1 This application seeks permission for 2 detached dwellings with attached garages. The proposal is a revised version of a scheme previously refused by the planning committee earlier this year. The current scheme has reduced the scale of the proposed dwellings, to reduce the visual impact. Plot 1 would have 3 bedrooms and Plot 2 would have 4 bedrooms (including one on the ground floor). The proposed elevations and indicative 3D visuals are shown below:



NORTH ELEVATION
Scale 1:100 @ A1



SOUTH ELEVATION
Scale 1:100 @ A1



WEST ELEVATION
Scale 1:100 @ A1



EAST ELEVATION
Scale 1:100 @ A1

All dimensions are approximate



No. 1: 100 @ 1:100 @ A1
No. 2: 100 @ 1:100 @ A1
No. 3: 100 @ 1:100 @ A1
No. 4: 100 @ 1:100 @ A1
No. 5: 100 @ 1:100 @ A1

PLOT 1

JOHN HALL DESIGN LTD
11, ST. PATRICK'S ROAD, DUBLIN 4, IRELAND
TEL: 01 454 4444 FAX: 01 454 4444

Project: 100 @ 1:100 @ A1
Drawing: 100 @ 1:100 @ A1
Date: 100 @ 1:100 @ A1

JH1443G - 21H

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SOUTH ELEVATION
Scale 1:100 @ A1



NORTH ELEVATION
Scale 1:100 @ A1



WEST ELEVATION
Scale 1:100 @ A1



EAST ELEVATION
Scale 1:100 @ A1

All dimensions are approximate



No. 1: 100 @ 1:100 @ A1
No. 2: 100 @ 1:100 @ A1
No. 3: 100 @ 1:100 @ A1
No. 4: 100 @ 1:100 @ A1
No. 5: 100 @ 1:100 @ A1

PLOT 2

JOHN HALL DESIGN LTD
11, ST. PATRICK'S ROAD, DUBLIN 4, IRELAND
TEL: 01 454 4444 FAX: 01 454 4444

Project: 100 @ 1:100 @ A1
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3.2 Documents assess in this appraisal:

- Site Location Plan received 30th April 2026
- Visual of Plot 1 received 30th April 2026
- Visual of Plot 2 received 30th April 2026
- Existing Block Plan 01A received 30th April 2026
- Revised Proposed Block Plan 20F received 3rd June 2026
- Plot 1 Proposed Floor Plans and Elevations 21H received 30th April 2026
- Plot 2 Proposed Floor Plans and Elevations 22H received 30th April 2026
- Site context plan and site selection 24 received 30th April 2026
- Swept Path Analysis received 30th April 2026
- Access Details JH1443G – 25 received 3rd June 2026
- Preliminary Ecology Appraisal received 20th May 2026
- Design and Access Statement including Heritage Statement received 7th May 2026

4.0 Departure/Public Advertisement Procedure

4.1 Occupiers of 29 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 on 29.05.2026.

5.0 Policy Planning 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

Core Policy 3 – Housing Mix, Type and Density

Core Policy 9 - Sustainable Design

Core Policy 10 – Climate Change

Core Policy 12 – Biodiversity and Green Infrastructure

Core Policy 13 – Landscape Character

Core Policy 14 – Historic Environment

5.2 Allocations and 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

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

5.5 [Submission Amended Allocations & Development Management DPD](#)

5.6 [Schedule of Main Modifications and Minor Modifications / Clarifications](#)

5.7 [Other Material Planning Considerations](#)

National Planning Policy Framework 2024 (amended Feb 2025)

Planning Practice Guidance (online resource)

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

Planning (Listed Buildings and Conservation Areas) Act 1990

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:

Nottinghamshire County Council (Highways) – Requested further information regarding access width and visibility splays, demonstration of how the proposed passing places would be achieved within the width of the existing driveway, and parking provision. (This has been provided and is discussed in the Impact on Highways section of the report)

South Scarle Parish object to the proposal (11 votes in support and 15 votes objecting).

Comments as submitted:

The Chair outlined the reason for refusal last time – Building on open countryside.
The applicant outlined his views, namely
The scale of the properties has been scaled back dramatically, also taken into consideration on the ridge height which has now been reduced significantly, over 50% of the property is single story.
One of the plots has been reduced to 3 bedrooms to scale back the house.
Screening the asbestos building on approach to the village.
Going out into the field has been reduced, now the two new dwellings only slightly fall on this (approximately 8 metres)
Seven Trent have confirmed there is no issues with the drainage.
The houses are for myself and for family it is not for a financial gain, there will be no further development at Church View Farm. The increase on traffic would be 1 vehicle.

Other comments from residents
Entry to village (from Swinderby) will be blighted by view of new houses.
Could there be financial gain in the future?
If planning consent is given will any changes to plans to the properties be sent back to the Parish (it hasn't been in the past).
No other comments a vote was taken. Results above.

Representations/Non-Statutory Consultation:

NSDC Conservation – The application has taken on board previous comments covering form, height, scale and materials. The use of stone, brick and pantiles, the traditional L-shaped plan forms, and reduced ridge heights mean there will be no harm to the conservation area and the setting will be preserved.

NSDC Ecology – With the proposed compensation, mitigation and enhancement measures implemented, I consider the proposal would be compliant with matters relating to biodiversity within the NPPF and relevant local planning policies. *Further detail on the comments is provided in the relevant section of this report.*

6.1. Comments have been received from 17 third parties/local residents (8 in support, and 9 objecting) that can be summarised as follows:

Support

- Development would have positive contribution on approach to South Scarle
- Buildings are low scale, only 2 so not substantial, and will hardly be noticeable, set back over 70m
- Buildings would be a positive enhancement and will hide the asbestos building
- This small part of field has not been used for agriculture for 20 years

- Design reflects agricultural style and will be in keeping with the village
- Applicants have taken on board reason for refusal from committee and have gone above and beyond to address the reason
- Often cycle through South Scarle on National Cycle Network Route 64 and think this is a suitable location for the development
- Development would have positive impact on house valuations in village

Objections

- Open countryside/edge of settlement location, conflict with DM8, need to protect the countryside
- This is the 2nd application for 2 dwellings on this site - the previous comments from villagers still stand, and having been refused at planning committee then, the decision should be no different.
- South Scarle is 'other village' and not for new dwellings
- Site is agricultural land
- Heritage concerns - Field contributes to the conservation area, development will have significant impact on conservation area and setting of listed buildings in village, including the church and Yew tree Cottage (opposite the access)
- Development will spoil view of the church
- Loss of amenity – noise and disruption due to construction
- Concerns regarding highway and pedestrian safety due to increased vehicular movements and construction traffic
- Concerns for wildlife including barn owls
- Likely to set precedent for further development
- Overdevelopment of Church View Farm, houses not needed
- All other recent development is within village
- No mention of BNG
- Concerns regarding sewer capacity

7.0 Appraisal

7.1 The key issues are:

- Principle of development
- Housing Mix
- Impact on Visual Amenity, Character of the Area, Heritage Assets (setting) and the Landscape
- Impact on Amenity
- Impact on the Highway
- Impact on Ecology
- Flood Risk and Drainage
- Planning Balance

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 The proposal seeks full planning permission for 2 dwellings and garages. The site is on the edge of South Scarle, a settlement identified in the Amended Core Strategy as an 'other village' whereby new development is considered against Spatial Policy 3. Development within other villages is not precluded, however there are criteria that must be met to be considered sustainable development. There is built form to the south and west of the site, however the site is on the edge of the village and is therefore within the open countryside. Policy DM8 strictly controls the type of development supported in the open countryside and only supports new dwellings where the design is exceptional. This is a very high bar and the proposal has not been put forward on this basis. The proposal would therefore conflict with Policy DM8. It is acknowledged that the Council cannot currently demonstrate a 5 year housing land supply and therefore this is a material consideration to be considered in the planning balance.

Housing Mix

7.4 The District Wide Housing Needs Assessment carried out by Arc4 in 2020 is the most up to date Housing Need Survey for the district. South Scarle is within the Collingham sub area of the document and the following table sets out the dwelling mix expected for new developments in the area.

Dwelling type and number of bedrooms	Current stock profile (%)	Market need profile (%)	Affordable rented need profile (%)	Intermediate need profile (%)
1 to 2-bedroom house	9.2	4.9	58.6	6.0
3-bedroom house	30.9	46.8	21.6	35.8
4 or more-bedroom house	31.5	17.9	16.6	35.8
1-bedroom flat	0.3	0.0	0.0	0.0
2 or more-bedroom flat	1.9	1.9	0.0	0.4
1-bedroom bungalow	0.9	2.0	0.0	2.4
2-bedroom bungalow	11.5	12.6	3.1	7.9
3 or more-bedroom bungalow	13.3	13.9	0.0	11.7
Other	0.5	0.0	0.0	0.0
Total	100.0	100.0	100.0	100.0

7.5

7.6 The above table sets out that the highest market need within the sub area is 3 bedroom dwellings, followed by 4 bedroom dwellings. The previous scheme proposed 2x 4 bed dwellings, however this scheme includes 1x 4 bed and 1x 3 bed, which better reflects the local need.

7.7 The dwellings would therefore contribute to the need within the sub area, as well as the overall district need for housing generally. The dwellings have been put forward as self builds therefore would meet the needs of the future occupants. This is considered an improvement upon the previous scheme, and is acceptable.

Impact on Visual Amenity, Character of the Area, Heritage Assets (setting) and the Landscape

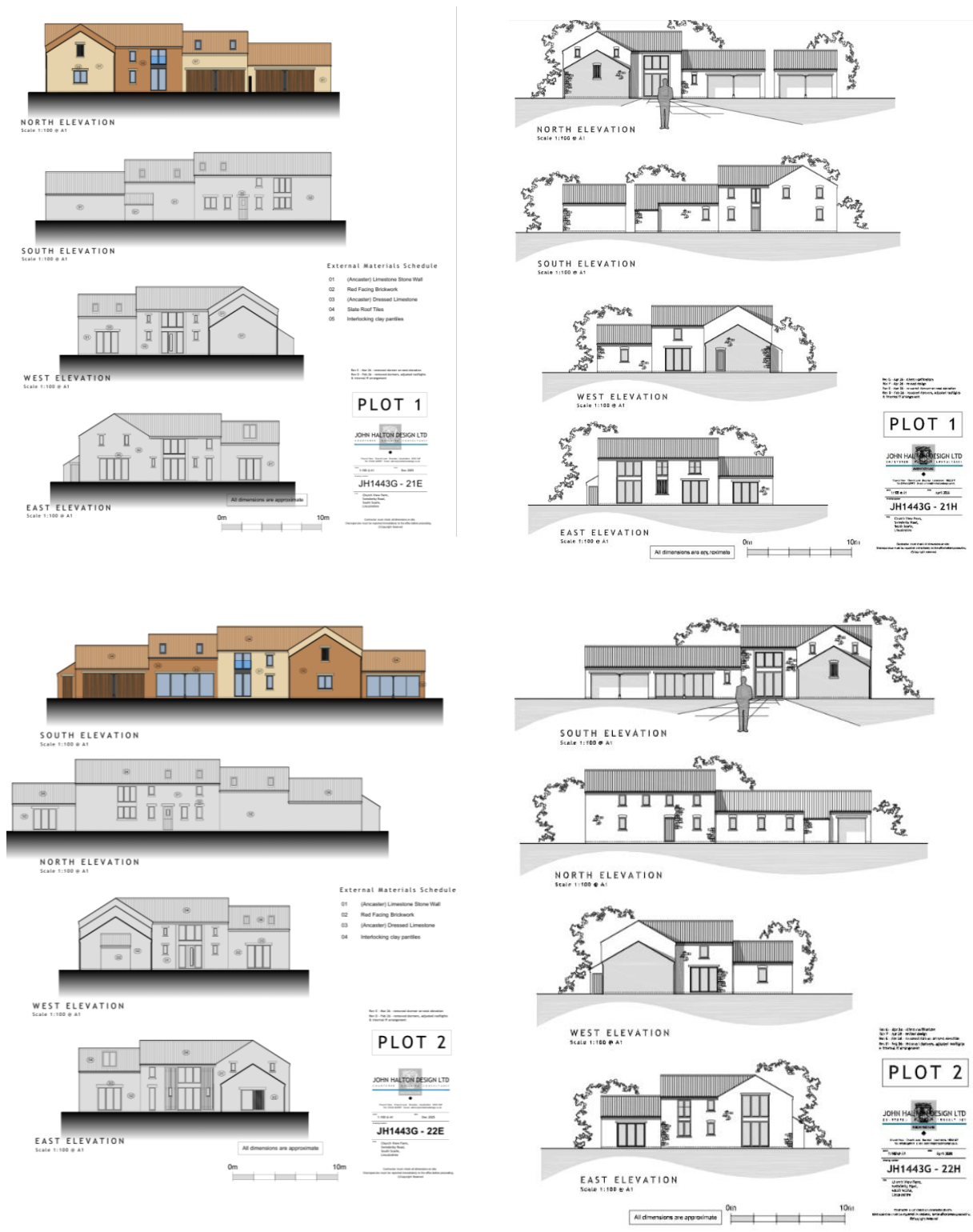
7.8 Core Policy 9 seeks to achieve a high standard of sustainable design which is appropriate in its form and scale to its context, complementing the existing built and landscape environment.

7.9 Policy DM5(b) of the emerging local plan requires the local distinctiveness of the District's landscape and character of built form to be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development.

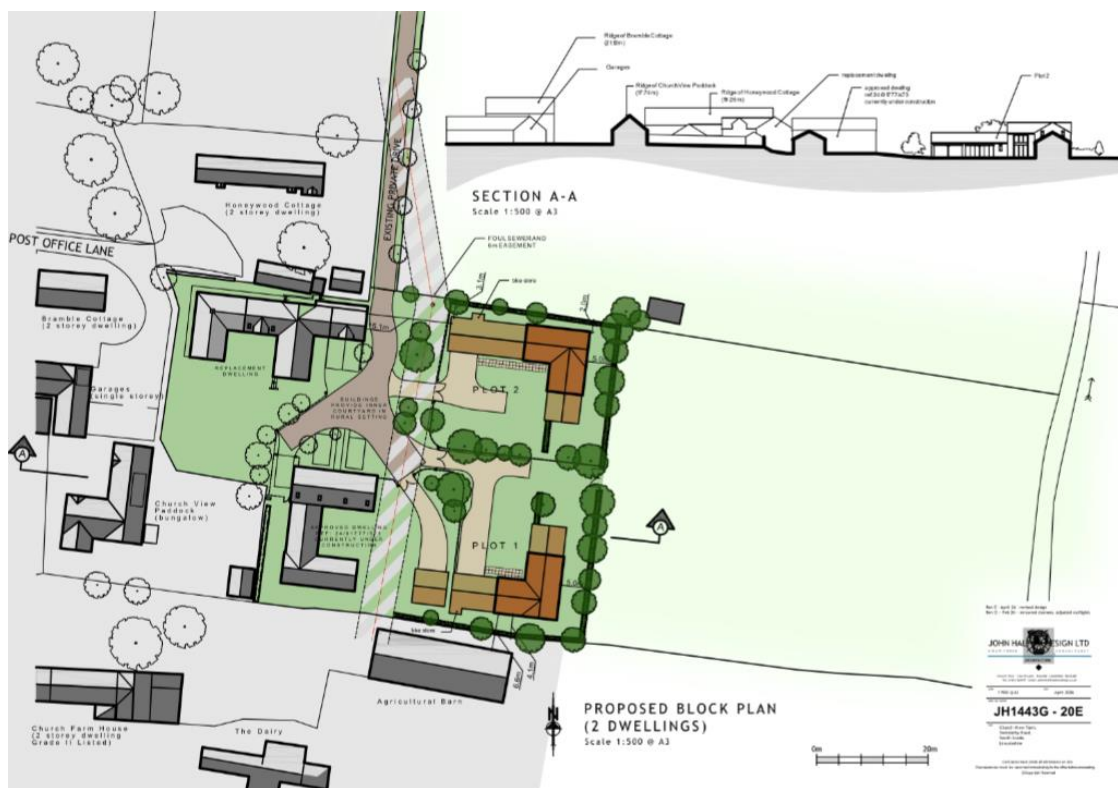
7.10 Paragraph 135 of the NPPF states that development should be visually attractive, sympathetic to local character and history, and should maintain or establish a strong sense of place.

7.11 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to pay special regard to the desirability of preserving listed buildings or their settings when considering planning applications which affect them. Core Policy 14, DM9, and Part 16 of the NPPF seek to ensure designated heritage assets are preserved and enhanced. Any harm to designated heritage assets should be given great weight in the planning balance. 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.

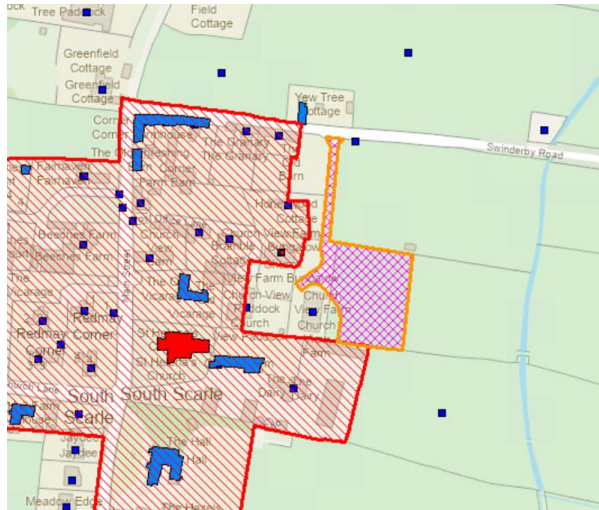
7.12 The design concept is similar to the previous scheme, taking reference from traditional agricultural buildings, albeit the scale of the dwellings has been reduced in response to the comments made at committee. The previous scheme is shown on the left with the revised scheme on the right for comparison. The east elevation would be visible upon the approach to South Scarle.



- 7.13 The dwellings each have a smaller section which is two storey, compared to the previous scheme, with the rest being single storey. The maximum height has been reduced to 6.6m. Both dwellings would now be L-shaped. The amendments have simplified the design and reduced the overall visual impact. The mix of stone and red brick is considered acceptable as there are examples of stone buildings within South Scarle, therefore reflecting the character of the conservation area.
- 7.14 It is accepted that the scheme would encroach slightly into the countryside, with the dwellings positioned slightly further east than the existing agricultural building which lies to the south (see extract of block plan). The dwellings would reflect the designs of the adjacent approved dwellings to the west and would be positioned to be broadly in line with them.



- 7.15
- 7.16 The conservation area boundary lies to the west (indicated in red on the map extract below) and includes the adjacent bungalow (which has permission for a replacement dwelling). The site is shown in orange. The blue highlighted buildings are Grade II listed and the red highlighted building is the Grade I church. As can be seen from the map extract, there are a number of buildings sited between the site and the listed buildings.



7.17

7.18 It is considered that the significance of the church is experienced mostly from Main Street, where the church is prominent, and within the immediate surroundings of the church. The proposal would not impact the church from Main Street, nor its immediate setting.



7.19 Above – St Helena's Church from Main Street.



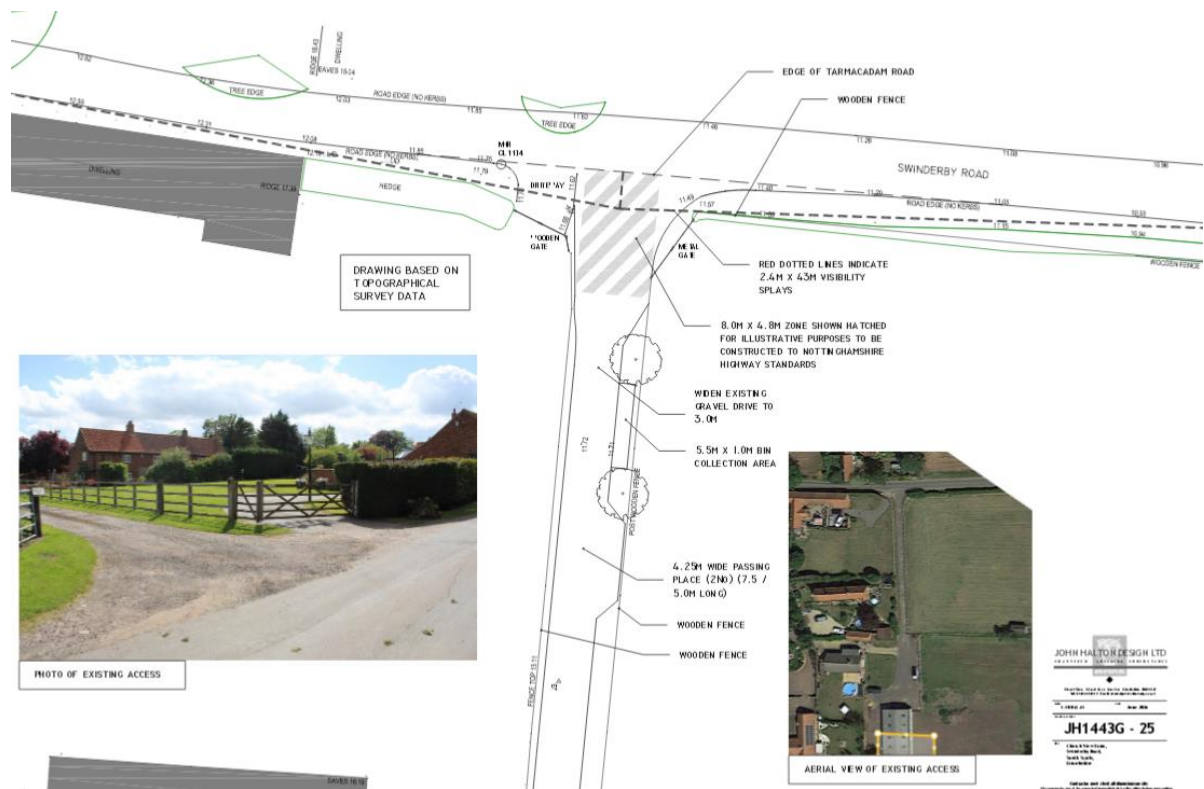
- 7.20 Above – View from Swinderby Road when approaching from the east.
- 7.21 The top of the church can be seen above the existing dwellings when approaching South Scarle from the east, and given the reduction scale from the previous scheme (maximum 6.6m) the development would not significantly alter this view. The proposed dwellings would be low enough in height that the scheme would not compete with the church, but would be viewed in context of the existing built form. In addition, the proposed layout of the scheme includes a gap between the 2 dwellings. The parts of the dwelling in closest proximity to this gap are single storey in height. This aspect of the scheme has been designed with the view of the church in mind to minimise any impact on views.
- 7.22 For the reasons above, it is not considered that the development would impact the setting of the Grade I Listed Church. It is also considered there would not be any impact to the setting of other listed buildings within the village due to the separation distances and intervening built form.
- 7.23 The Conservation Officer has concluded that this revised scheme would not result in harm to the setting of the conservation area and officers are in agreement with this view. The proposal therefore accords with Core Policy 14, DM9, part 16 of the NPPF.
- 7.24 The site lies within Character Zone ES PZ 4 as identified in the Landscape Character Assessment SPD. The landscape is characterised by mostly flat landform around villages. The landscape condition is described as moderate, as is the landscape sensitivity. The landscape actions are to conserve and create. In relation to built features, the policy seeks to conserve what remains of the rural landscape by concentrating new development around existing settlements and creating new development which reflects the local built vernacular.
- 7.25 The proposal would alter the character of the area and the landscape due to the slight encroachment of built form to the east of the village where there is currently no development, however the dwellings would be sited immediately adjacent to the village, and the boundary of the site would be set back from Swinderby Road by a minimum of 66m, with an open field being retained between. This would retain the rural character of the area either side of Swinderby Road and on balance, when considering the design of the scheme (which reflects local vernacular), the visual impact is considered to accord with the policy aims of the Landscape SPD and is acceptable.
- 7.26 To ensure boundary treatments are acceptable, the details of hard and soft landscaping can be secured by condition, and permitted development rights for fencing and boundary treatments can be removed. This will enable the Council to retain control over any boundary treatments that are erected that could be prominent within the landscape. The proposed block plan indicates hedgerow and trees to the boundaries – this and/or post and rail fencing would be acceptable to retain the rural character of the area.
- 7.27 In summary, the visual impact of the proposal including impact on the character of the area, impact on the setting of heritage assets, and impact on the wider landscape is considered acceptable.

Impact on Residential Amenity

- 7.28 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.
- 7.29 Paragraph 135 of the NPPF seeks to ensure that developments have a high standard of amenity for existing and future users.
- 7.30 The revised scheme has a reduced scale compared to the previous proposal. The dwellings would be positioned around a central courtyard and landscaped area, with sufficient separation distances from one another and to neighbouring dwellings that there would be no unacceptable impacts in relation to overlooking, overbearing impact or loss of light.
- 7.31 In terms of amenity space, each plot would have garden space to all sides, enclosed by hedgerow and trees. The garden space is considered acceptable and in proportion to the proposed dwellings.
- 7.32 Given the nature of the proposal (residential) there are no concerns in relation to noise generation. In respect of the adjacent agricultural land to the east, the area of land is not large, and it is not anticipated that intensive agricultural use would take place. As such, there would be limited impact to future occupants in relation to noise from agricultural vehicles or machinery. The land is also owned by the applicant therefore they would retain control over the intensity of the use.
- 7.33 It is noted that construction noise has been raised as a concern, however this would be temporary and therefore not a reason to refuse the application.
- 7.34 Overall, the impact on amenity for future occupiers and neighbouring occupiers would be acceptable.
- 7.35 Impact on Highways
- 7.36 Spatial Policy 7 states that new development should provide appropriate and effective parking provision and Policy DM5(b) 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 The existing access is private and has been approved for shared use between the new dwelling (in place of a previous barn) and the existing bungalow. Typically, private drives should serve no more than 5 dwellings. In this instance the access would serve a total of 4 dwellings which is considered acceptable. Concerns from local residents have been noted,

however the addition of 2 dwellings would be highly unlikely to generate a significant increase in traffic movements on Swinderby Road.

7.40 Comments from NCC Highways requested further drawings to demonstrate visibility splays, the width of the access and passing places. The following drawing has been submitted in response, which shows the access will have 2.4m x 43m visibility splays and will be constructed to NCC standards with a 4.8m wide access at Swinderby Road, and 2x 4.25m wide passing places. The improvements to the access can be secured by condition.



7.41

7.42 The scheme includes a detached double garage to serve the new adjacent dwelling (neighbouring the site), as well as a double garage for each of the proposed dwellings, albeit the dimensions are slightly below the required dimensions set out in the SPD to be formally counted as parking spaces. The Parking SPD requires 3 spaces for each dwelling. Following NCC Highways comments, a revised proposed site plan has been submitted including 2 additional parking spaces off the driveway for Plot 2, and 1 additional space next to the turning head for Plot 1, and 1 in front of the garage as shown below. Although a third space for each plot is not explicitly shown, there would be space within the site for additional parking if needed and therefore the parking provision proposed is considered to accord with the Parking SPD.



7.43

7.44 Because the access is private, refuse vehicles would not be able to enter the site and occupants would be required to move their wheelie bins over 25m on collection days. This is not ideal, however this is the same situation for the other 2 recently approved dwellings and is not a reason to refuse planning permission. A bin collection point has been shown on the proposed plan, close to the site access.

7.45 Overall, the impact on highway safety, the highway network, and parking provision is considered acceptable.

7.46 Impact on Trees and Ecology

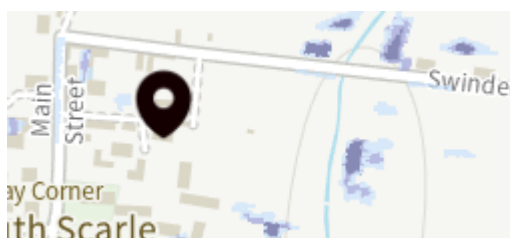
7.47 Policy DM5 and Core Policy 12 seek to protect and enhance natural features of importance within or adjacent to development sites. Paragraph 136 of the NPPF states trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change.

7.48 There are no trees which would require removal for the proposal and no mature trees on site – as such there would be no adverse impact on trees. There are new trees shown on the proposed block plan which is welcomed. Full details of the landscaping can be secured by condition.

7.49 A preliminary ecology appraisal (PEAR) was submitted during the lifetime of the application which has been reviewed by the Ecology Officer.

7.50 The site falls within an outer Impact Risk Zone (IRZ) for Besthorpe Meadows Site of Special Scientific Interest (SSSI); however, the proposed development does not fall within a category of development that Natural England would consider likely to pose a risk to the nature conservation status of this designation. The PEAR concludes that the proposed development would not have an adverse impact on any site designated for its nature conservation interest and the Council's Ecologist is in agreement.

- 7.51 In terms of habitats on site, these comprise of species-poor modified grassland, gravel, and small cherry and hawthorn standards along the northern boundary, as well as butterfly bush. None of the habitats have any significant nature conservation value therefore the impact of the proposal would be acceptable.
- 7.52 In relation to protected species, the PEAR confirms no potential roosting sites on the application site however the adjacent woodland provides potential foraging and commuting opportunities for the local bat population. However, the open and exposed character of the site and surrounding area meant that it was unlikely to represent a significant foraging resource for local bat populations. Ground nesting birds were highly unlikely to be present due to a lack of cover. There was no evidence of amphibians or reptiles. The habitats were considered to offer some suitability for badger and hedgehog and their presence could not be scoped out. Consequently, precautionary working methods are recommended at section 3.2 of the PEAR. These can be secured by condition.
- 7.53 Other recommendations include at least one bat tube on the western facing gable, and 2 bird boxes on the north eastern aspect such as swift nest boxes. This can also be secured by condition.
- 7.54 Concerns have been raised by local residents regarding barn owls. A barn owl box is located within a mature tree within the field boundary hedgerow located approximately 30m to the east of the proposed site. It is likely that barn owls use the surrounding arable landscape for hunting and may utilise the nest box; however, the Council's Ecology Officer considered that the proposals would not have a negative impact upon this species. No barn owl roosts would be lost and given the location on an active farm site, if the nearby nest box was used the additional noise and vibration levels associated with construction would be unlikely to affect this species.
- 7.55 It is considered that the proposed landscaping will maximise biodiversity enhancement within the proposed development. The provision of an integrated bat box and an integrated bird box as part of proposal would represent a proportionate level of provision to enhance biodiversity; therefore, if a bat box and a bird box were provided, the proposals would meet the requirements of Policy 12.
- 7.56 The Council's Ecology Officer comments conclude that with the proposed compensation, mitigation and enhancement measures implemented, the proposal would be compliant with matters relating to biodiversity within the NPPF and relevant local planning policies.
- 7.57 Flood Risk and Drainage
- 7.58 The site is within Flood Zone 1 therefore at very low risk of fluvial flooding. The site is also at very low risk of surface water flooding (see map extract below).



7.59

- 7.60 The application form states that surface water will be dealt with via soakaways. This is in line with the hierarchy within the PPG, and considering the very low level of surface water risk, is likely to be suitable.
- 7.61 The application form states that the site will be connected to the main sewer for foul sewage which is also considered acceptable. Comments from local residents have been noted in regard to pressure on existing infrastructure, however the addition of 2 dwellings is not significant and the connection to the public sewer is dealt with via a separate legal process. Adequate drainage is also covered by Building Regulations. The site is not located within a critical drainage area and it would not require a consultation to the Lead Local Flood Authority or the Environment Agency on this matter.
- 7.62 Overall, there are no concerns in relation to drainage, and it is not considered the proposal would increase flood risk within the area (from any source).

Other Matters

- 7.63 The concerns raised by local residents and the Parish which are planning matters have been addressed in the relevant sections of this report. Some comments submitted however are not material planning considerations such as house values, precedents, and possible financial gain.
- 7.64 The comments from the Parish query whether notification would take place if any changes are made following the grant of planning permission. This would depend on the application type – if a non-material amendment is submitted there is no requirement for the Council to consult, however more significant changes to the scheme would trigger a consultation.

Community Infrastructure Levy (CIL) –

- 7.65 The site is located within the 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. Details of the charge will be sent to the applicant separately.

Biodiversity Net Gain

- 7.66** 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. However, there are some developments that are exempt from the BNG such as self builds. The applicant has stated that both dwellings would be self builds – this will need to be secured by a legal agreement which the applicant has agreed to.

8.0 Implications

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

Legal Implications – LEG2627/8292

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

9.0 Planning Balance and Conclusion

- 9.1 The principle of residential development on this site is contrary to Policy DM8 due to the open countryside location. A similar, albeit larger scheme, was refused earlier this year by the Planning Committee for this reason, as well as harm to the setting of the conservation area and nearby listed buildings. The Planning Committee felt that this was a strong reason for refusal in the context of paragraph 11 of the NPPF and footnote 7.

- 9.2 The applicant has considered the comments made at committee and revised the scheme to simplify the design and reduce the scale of the proposal.

- 9.3 The location has not been revised and the application site is still within the open countryside, however it is immediately adjacent to the village. The Council cannot demonstrate a 5 year housing land supply, with a current supply of 3.84 years. As such, the presumption in favour of sustainable development set out in paragraph 11 of the NPPF is relevant.

- 9.4 For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance⁷ 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 combination⁹.

- 9.5 Due to the lack of 5-year housing supply, the relevant development plan policies are out of date. Therefore the proposal should only be refused if there is a strong reason for refusal relating to protected areas or assets of particular importance⁷, or if the any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. (Footnote 7 includes: habitats sites and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.)
- 9.6 The revised scheme is lower in height overall, with a much smaller portion of the dwellings at two storey height, and the remainder at single storey height. The revised design would not result in any harm to the setting of the nearby conservation area, or to the setting of any nearby listed buildings. The site is not within any of the protected areas and does not relate to assets of particular importance detailed in footnote 7. As such there would be no strong reason for refusal in relation to these areas/assets.
- 9.7 It must therefore be determined whether approving the scheme would result in any adverse impacts that 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 combination⁹.
- 9.8 The site is adjacent to an existing settlement which although does not have its own services, is close to Collingham (approximately 2.3 miles), a 'principal village', which has a range of services which would be easily accessible for future occupants. There would be a reliance on private vehicle, however the distance is reasonable for cyclists as a sustainable mode of transport. In addition, there is a nearby train station at Swinderby, 1.4 miles from the site. On balance, the site can be considered sustainable for this small scale proposal of 2 new dwellings. Given that the site is no longer used for agricultural purposes and is immediately adjacent to the village, it is considered the scheme would make effective use of the land. The design is also considered to reflect the former agricultural use of the site, and would be in keeping with the adjacent new dwelling, the approved replacement dwelling (yet to be constructed), as well as the vernacular within the village and conservation area.
- 9.9 The site specific impacts have been assessed within this report and no significant adverse impacts have been identified. Therefore, despite the conflict with DM8, the site is considered on balance to be in a sustainable location, and the proposal would make effective use of land and is considered good design. The recommendation is to approve the proposal in line with paragraph 11 of the NPPF. This is subject to conditions and a unilateral undertaking to secure the dwellings as self-builds.

10.0 Conditions

1. 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.

2. The development hereby permitted shall not be carried out except in complete accordance with the following approved plans/submitted documents:

- Site Location Plan received 30th April 2026
- Revised Proposed Block Plan 20F received 3rd June 2026
- Plot 1 Proposed Floor Plans and Elevations 21H received 30th April 2026
- Plot 2 Proposed Floor Plans and Elevations 22H received 30th April 2026
- Access Details JH1443G – 25 received 3rd June 2026

Reason: So as to define this permission.

3. The precautionary construction methodology detailed in Section 3.2 of the submitted Preliminary Ecological Appraisal carried out by ACIEEM dated 19 May 2026 shall be adhered to fully throughout construction of the development hereby approved.

Reason: In the interests of protected species.

4. No development in relation to the following details shall be commenced until manufacturer details (samples upon request) have been submitted to and approved in writing by the Local Planning Authority:

- Bricks/Stone
- Roofing materials
- Windows
- Doors
- Garage doors

The development shall then be carried out in accordance with the approved details.

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

5. 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) full details of all hard surfacing materials to be provided to car parking, pedestrian access and circulation areas on site.
- c) means of enclosure.

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

6. Prior to first occupation of each dwelling, the hard landscaping approved for that dwelling shall have been completed in accordance with the approved details.

Reason: In the interests of visual amenity and highways safety.

7. Within 3 months of completion of the dwellings hereby approved, the access improvements detailed on drawing JH1443G-25 shall have been completed. The access shall then be retained as approved for the lifetime of the development .

Reason: In the interests of highways safety.

8. The approved soft landscaping shall be completed during the first planting season following the first occupation of the second 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 or use.

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

9. No development above damp proof course shall commence until a Bat and Bird Box Plan has been submitted to, and been approved by, the local planning authority. The plan is to show the type, location of the proposed boxes, and details for fixing them into place. The approved boxes shall be installed prior to first occupation of each associated dwelling and retained for the life of the development 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.

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.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), no walls or fencing, other than post and rail fencing no greater 1m in height, shall be erected within the site without written approval from the Local Planning Authority.

Reason: In the interest of visual amenity and to ensure the openness of the site is retained.

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/

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

All bat species are protected by the Wildlife and Countryside Act 1981 (as amended) and the Conservation (Natural Habitats, &c.) Regulations 1994. This legislation makes it illegal to intentionally or recklessly kill, injure or disturb any bat, or destroy their breeding places. If bats are disturbed during the proposed works, the legislation requires that work must be suspended and English Nature notified so that appropriate advice can be given to prevent the bats being harmed. English Nature can be contacted at the following address: The Maltings, Wharf Road, Grantham, Lincolnshire, NG31 6BH - (tel: 01476 584800).

04

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.

05

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: Self-build.

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.

