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Inspector - Newark & Sherwood Amended Allocations
& Development Management DPD Examination
c/o Ms Kerry Trueman
Programme Officer

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Our ref: lttr/Inspector/31-03-25

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31 March 2025

Dear Sir

RE: Newark & Sherwood Amended Allocations & Development Management DPD Examination

Thankyou for your letter of the 12 March 2025, regarding the examination hearings and the remaining matters and your observations. Please find below the District Council response.

Affordable Housing

The Whole Plan Viability and CIL Assessment (May 2021) (WP1) indicates that the level of affordable housing necessary to meet needs is deliverable including through the provision of the allocated housing sites. There is a yearly net shortfall of 243 affordable units, which is significantly higher than previously assessed up to 2014. Given the date of the Viability Assessment, it would assist me to know whether there are any current factors that might now have an impact on the deliverability of affordable housing over the plan period.

The Whole Plan Viability and CIL Assessment (May 2021)([WP1](#)) has been reviewed, updated and submitted to the examination ([NS3](#) , [NS4](#), [NS5](#) and [NS6](#)). As set out in the Council's Matter Statement on this issue ([M11.1](#)), "the viability position, taking account of current policy impacts, remains positive and deliverability of the Plan's overall development strategy, which relies primarily on greenfield delivery, remains robust."

Delivery of affordable housing is a significant corporate priority for the Council. Recently, Registered Providers have been contending with pressures due to regulatory requirements and increased revenue costs, combined with loss of income due to capped rents. The Council have been trying to increase affordable housing delivery through a variety of measures:

- Successfully delivered over 350 affordable rented dwellings through their five-year Housing Revenue Account Development Programme with a further fifty under construction.

- The Rural Housing Exception Site Programme has delivered over 80 rented and shared ownership dwellings over the past eight years.
- The purchase of Section 106 housing where a Registered Provider has not been secured. This has provided 35 rented dwellings with a further eight secured for delivery next year.
- Supporting Registered Providers to purchase additionality on sites utilising Homes England grant. This has provided an additional 38 units at Bilsthorpe and a further 126 dwellings at Clipstone and 200 dwelling at Newark are currently being negotiated.
- Considering applications for 100% affordable housing schemes from Registered Providers utilising Homes England Grant.

Affordable Housing delivery is being pursued through all available avenues, not all of which are through the plan process.

Gypsy Roma Traveller Accommodation

It would assist me if the Council could provide an update for year 2024-2025 setting out any changes to the supply position.

Updated GRT Five Year Land Supply Position (31st March 2025)

This provides an update to the GRT land supply position within the District Council’s [Hearing Statement](#) on Matter 5, Question 5.5. The data used for that calculation took account of completions and commitments up to 11th October 2024, and identified a supply of 6.51 years.

Subsequently, on the 13th November 2024 permanent permission was granted (under reference 24/00548/FUL) for 6 pitches on the Old Stable Yard site, Winthorpe. This site was included within the submission Amended Allocations & Development Management DPD as a site allocation, but with an associated main modification proposed for its deletion ([Core Document CD05](#), MM15). The reasoning for the proposed deletion is outlined in Section 5 of the [GRT Background Paper](#) (January 2024, evidence base document GRT12). But in summary this was due to concerns over the impact of noise, the deliverability of mitigation measures and the impact of those measures on the openness of the Open Break designation. Notwithstanding this, in granting permanent permission a different view was reached by the Planning Committee over the suitability of the site.

In order to reflect the proposed main modification the Old Stable Yard site was not included as a potential source of supply within the Five-Year Land Supply calculated in October 2024. The site was unauthorised but occupied and so the permanent permission has regularised this position, providing an additional 6 completed pitches. A revised five-year statement is provided below, in order to respond to the implications of the ‘Smith Judgement’ the calculation is based on an amended five-year land supply requirement of 134 pitches over the plan period. This is consistent with the position set out through the District Councils response to Q5.1 in its [Hearing Statement for Matter 5](#). It is proposed that main modifications will be prepared for Policy GRT1 to provide clarity over the five-year land supply requirement.

Table 1 - Traveller Pitch Completions (as at 31st March 2025)

Ref	Site	Five Period	Year	Completed Pitches
18/02219/FUL	Land north of Crossways, off Main Street, Bathley	First		1

21/00027/FUL	Chestnut Lodge, Barnby	First	2
24/00548/FUL	Old Stable Yard, Winthorpe	Second	6
			9

Table 2 - Traveller Pitch Commitments (as at 31st March 2025)

Ref	Site	Permitted Pitches
21/02528/FUL	Shady Oaks, Eagle Road, Spalford	4
23/00963/FULM	Chestnut Lodge, Barnby	17*
23/00060/FUL	Appleby Lodge, Newark	8
22/01203/FULM	Oak Tree Stables, Besthorpe	8
		37

*Note permission provides for 19 overall, but only a net 17 in terms of additional supply as 2 of the 19 were those granted under 21/00027/FUL and relocated through this later permission

Table 3 – Delivery from Remaining Site Allocations within 2024-28

Ref	Site	Remaining Pitch Allocation	2024-28 Delivery
NUA/GRT/1	Park View, Tolney Lane, Newark	13	13
NUA/GRT/2	Sandhill Sconce, Tolney Lane, Newark	11	11
NUA/GRT/3	The Paddocks, Tolney Lane, Newark	3	2
NUA/GRT/4	Hirram's Paddock, Tolney Lane, Newark	7	4
NUA/GRT/5	Taylor's Paddock, Tolney Lane, Newark	1	0
NUA/GRT/6	Price's Paddock, Tolney Lane, Newark	1	0
NUA/GRT/7	Land at Shannon Falls, Tolney Lane, Newark	21	21
NUA/GRT/8	Church View, Tolney Lane, Newark	10	10
NUA/GRT/9	Riverside Park, Tolney Lane, Newark	9	0
NUA/GRT/10	Land at Chestnut Lodge, Barnby	2	2
NUA/GRT/11	Land at the Former Belvoir Ironworks, Newark	15-27	15
OB/GRT/1	Shannon Caravan Park, Wellow Road Ollerton	9	8
OB/GRT/2	The Paddock, Wellow Road, Ollerton	3	3
OB/GRT/3	The Stables, Wellow Road, Ollerton	4	2
OB/GRT/4	Dunromin, Wellow Road, Ollerton	4	4
OB/GRT/5	Greenwood, Wellow Road, Ollerton	1	0
OB/GRT/6	Land East of Newark Road, Ollerton	6	6
	Total	120-132	101

Table 4 - Five Year Land Supply Statement (31st March 2025)

First Five-Year Period (2019-23)	
Five Year Pitch Requirement	85
Completed Pitches within Period	3
Residual Requirement	82
Second Five-Year Period (2024-28)	
Five Year Pitch Requirement	24
Residual Requirement 2019-23	82
Completed Pitches within Period	6
Adjusted Requirement	100
Annualised Requirement	20
Supply	
Pitch Supply from Unimplemented Permissions	37

Pitch Supply from Allocated Sites	101
Total Supply	138
No. Years Supply	
Against Requirement	138/20= 6.9 years

I would therefore be grateful if the Council would set out the timeline for:

1. The envisaged flood alleviation works

As part of the development of a strategy to meet GRT accommodation needs the District Council has been advancing the design of the Tolney Lane Flood Alleviation Scheme (FAS)- with the intention to seek to reduce flood risk in the area and improve flood risk resiliency. This process has been outlined in more detail through the [GRT Background Paper](#) (GRT12). Key to this work has been the cooperation between the District Council and Environment Agency, as documented through the [Statement of Common Ground](#) (NS08) between the two parties. This has resulted in the preparation of high-level design for the FAS, supported by an appropriate level of flood risk and highways design work. This provides for a proportionate evidence base sufficient to support the proposals within the Development Plan, and is detailed through the evidence base document GRT5, 'Tolney Lane Flood Alleviation Study' ([Main Report](#), [Appendix 1](#), [Appendix 2A](#), [Appendix 2B](#), [Appendix 3](#), [Appendix 4](#), [Appendix 5](#) and [Appendix 6](#)). Further detailed work will however be necessary to take the FAS through its formal approval processes, something which the District Council is committed to doing. Notwithstanding this, the work carried out up to this point provides comfort over the likely effectiveness and deliverability of the scheme.

The Tolney Lane Flood Alleviation Study (GRT5) provides projected timescales for delivery of the project. This would equate to;

- Intrusive investigation, planning and design (9 month period)
- Planning (4 month determination period)
- Construction tender and award (4 month period)
- Lead in and permits (6 month period); and
- Construction (12 month period)

This remains an appropriate timetable, and would amount to a 3 year programme from the current position through to completion. Though there could be some shortening of this if some steps were completed concurrently (the planning and construction tender stages being an example).

2. How those works will be funded.

As identified in the Infrastructure Delivery Plan [[IDP](#)], the cost of the flood alleviation works at Tolney Lane is estimated to be £5.5m. This is to be funded through CIL monies and the Council is working in partnership with the Environment Agency on this project.

With regard to the CIL, the Council has collected c£11.5m to date. Average CIL receipts per annum equate to around £1.186m. This should continue to grow over the next five years (in line with housing delivery evidenced in the [Statement of Five Year Housing Land Supply April 2024](#)). CIL monies should rise to £17m following the same trajectory. However, the Council is expecting to collect more than in previous years moving forward due to the Governments agenda for housing growth (well in excess of the £17m expected). In addition to funding flood alleviation works, CIL monies are also required to fund bridge improvement works on the A1 at Fernwood.

Transport evidence supporting the allocation of land at Fernwood through the Amended Core Strategy, identified a need to deliver an additional traffic lane over the bridge to meet capacity needs of the development. The IDP has identified that the cost of the bridge improvement works would be approximately £5.4m, evidenced by a Feasibility Study undertaken by WYG. Consultants, Amey, are currently reviewing the options for the bridge and early results of this study indicate that a footbridge and the creation of a new lane over the existing bridge could potentially be achieved. This should keep costs to a minimum. CIL monies are also used to support the delivery of new secondary education facilities. However, according to Nottinghamshire County Council, there is currently no requirement for improvement works within at least the next five years.

In addition to this, the Council will continue to work proactively to bid for all available forms of infrastructure funding for the flood alleviation project.

3. Whether there could be any effects on the viability of other housing development, including those where affordable housing would be provided, if monies are to be collected through the Community Infrastructure Levy?

The Community Infrastructure Levy has operated in the District for 13 years, this means firstly that those involved in land transaction should be well aware of the costs and therefore the levy cost should be reflected in the value of the land at point of sale. Secondly CIL is levied across 4 zones calibrated to reflect differing viability across the District. Three wards in Newark Urban Area and the Sherwood Area and Mansfield Fringe Areas of the District have a zero CIL rate for residential development. Thirdly the Whole Plan Viability Assessment and the updated information (WP1, NS3, NS4, NS5 and NS6) continue to demonstrate that the plan can be delivered and meet the requirements for affordable housing and other appropriate developer contributions. As set out in answer to your question regarding affordable housing the Council is also working hard to deliver affordable housing across the district. In conclusion any effects on the viability of other housing development, including those where affordable housing would be provided, have already been factored in to plan making process.

4. The likely timeframe for permissions being granted for the Tolney Lane allocations.

Forecast delivery from Tolney Lane contributes to the demonstration of a five-year supply, with 61 pitches being identified from this source within the current five-year period. Without this contribution from Tolney Lane the strategy would not be able to identify the necessary level of land supply. As articulated through the Statement of Common Ground (NS08) there remains an area of disagreement between the District Council and Environment Agency over the phasing of pitch delivery at Tolney Lane and implementation of the Tolney Lane Flood Alleviation Scheme (FAS).

The Environment Agency would not wish to see the additional pitches identified at Tolney Lane being brought forward prior to completion of the FAS. Whereas the District Council's position is one where it would advocate for a greater level of pragmatism- allowing for pitch delivery in advance of the FAS and recognising that additional permanent pitches at Tolney Lane forms part of a wider comprehensive strategy.

As detailed through the GRT Background Paper (GRT12), the District Council has been through an exhaustive and robust site identification process. Where in seeking to fulfil the locational requirements of Core Policy 4 in the Amended Core Strategy the identification of suitable, available and deliverable land away from Tolney Lane has been prioritised. This reflects concerns around flood risk and has taken place via application of the Sequential Test. The Sequential Test

Statements have detailed this process, most recently through the [‘Submission Update’](#) (ENV19) prepared in January 2024. As demonstrated, it has not proven possible to identify sufficient land elsewhere. Therefore, there has been the need to identify additional permanent pitches on the most appropriate sites at Tolney Lane.

The Tolney Lane Flood Alleviation Scheme constitutes a key part of the GRT strategy and is necessary to reduce the flood risk to a number of reasonably available alternative options assessed through the Sequential Test, currently located within Flood Zone 3b. The practical effect of delivery of the scheme would be that the proposed strategy does not allocate additional pitches within the functional floodplain, where there is no ability for this risk to be reduced via delivery of the FAS.

There is also a reality which flows from the nature of Tolney Lane. As discussed within the Background Paper (GRT12) the area is the largest focus of GRT sites within the District, with the GTAA recording 317 pitches across 18 sites. Consequently, there is a deep and well-established tradition of GRT settlement, with the oldest sites pre-dating introduction of the planning system. Unsurprisingly, the accommodation needs identified through the [Gypsy and Traveller Accommodation Assessment](#) (GRT1) are largely driven by the requirements of existing and future households already in-situ at Tolney Lane. This arises through the presence of concealed households, those on doubled-up pitches and future household formation from children currently on-site. Given the history and scale of site concentration then Tolney Lane will continue to generate accommodation requirements moving forwards. The District Council remains of the position that this may necessitate making policy decisions over how best to meet these needs with a level of pragmatism, depending on the options available.

Whilst the Plan identifies 76 additional permanent pitches at Tolney Lane this forms part of a wider strategy, and does not entirely constitute additional provision on top of the current level of pitches, or an increase to the level of occupancy. Some of the pitches will go to address the needs of households already resident in the location as outlined above. The effect of the strategy would therefore be to regularise this situation and provide dedicated permanent pitch provision for these households on appropriate sites. These households are therefore at pre-existing risk and there would be no increase from meeting their accommodation needs in situ. Furthermore, the strategy also seeks to achieve the bringing back of two sites into Traveller use, at a level of density far below that at which they are currently occupied. More suitable alternative provision for the occupants of Green Park (on which temporary permission has now lapsed) and Maryland Paddocks (currently unauthorised) would also be made available through the strategy, allowing for these sites in the functional floodplain to be removed.

Cumulatively, the implementation of the strategy as a whole would result in a net -13 pitch position for the Tolney Lane area. Even if the removal of the pitches at Green Park and Maryland Paddocks were discounted from this calculation, on the basis they do not represent permanently consented sites, then the Strategy still only facilitates a modest net additional 14 pitch increase. This analysis is provided in more detail at Table 9 in the Background Paper (GRT12).

The final piece of this comprehensive strategy is provided through the proposed introduction of the Tolney Lane Policy Area, which would define an area with a reduced footprint to the present. This would also provide an appropriate and more robust means for the planned management of Tolney Lane moving forwards, including preventing its further outward expansion into areas at greatest flood risk. Taken as a whole the District Council considers that the strategy would provide significant betterment.

In terms of the likely timeframes for permissions being granted on Tolney Lane site allocations, the five-year land supply calculation anticipates this occurring for 61 pitches before 1st April 2028. This is considered realistic and deliverable, on the basis that the pitches are required to meet needs that have been identified on the sites themselves. Further proactive engagement from the District Council with site owners and occupants will take place, building on that previously undertaken through the Site Delivery Assessment work (Appendix B to the [GRT Background Paper September 2023](#), GRT2) prepared by the Council's consultants Opinion Research Services, with applications being invited on allocated sites. The Council is in the early stages of commissioning a new GTAA, and so this represents a good opportunity for that site-level engagement to take place over the next 6 months.

Yours Faithfully

A handwritten signature in black ink, appearing to be 'M. Norton', written over a faint, larger version of the same signature.

Matthew Norton MA(Hons) MPA MRTPI
Business Manager – Planning Policy & Infrastructure