



Addendum Report to: Meeting of the Full Council - 12 December 2023

Portfolio Holder: Councillor Matthew Spoons, Sustainable Economic Development

Director Lead: Matt Lamb, Director - Planning & Growth

Lead Officer: Matthew Norton, Business Manager - Planning Policy & Infrastructure, Ext 5852

Addendum Report Summary	
Report Title	Amended Allocations & Development Management Development Plan Document – Submission – Report Addendum
Revised Recommendations	<p>That:</p> <ul style="list-style-type: none"> (a) the contents of the report and the Addendum Report be noted; (b) the DPD as amended by the proposals contained within Appendix B of the main report is agreed by Council; (c) that following a period to allow the promoters of site NUA/GRT/12 to make representations on the latest evidence in relation to their site that the DPD with the proposed modifications in Appendix B of the main report and at 3.1 of the Addendum Report is submitted for examination. (d) when asked the District Council agree to accept a binding report from the Inspector; and (e) the Director - Planning & Growth be given delegated authority to propose amendments to the DPD following consultation with the Portfolio Holder for Sustainable Economic Growth and Planning Policy Board in accordance with paragraph 3.4 of the main report.
Reason for Recommendations	To seek approval for Submission of the Amended Allocations & Development Management Development Plan Document.

1.0 Background

1.1 This report is an additional element to Agenda Item No. 13. As noted at paragraph 2.31 of the main report, Officers are currently considering the results of a further noise assessment in relation to Old Stable Yard Winthorpe Road (site NUA/GRT/12). This addendum report addresses this issue. The revised report recommendations contained in this addendum report take account of the proposals within this additional paper and replace those in the main report.

2.0 Old Stable Yard Winthorpe Road – NUA/GRT/12

- 2.1 Old Stable Yard has been proposed for allocation as a Gypsy Roma Traveller (GRT) site in Second Publication Amended Allocations & Development Management DPD. The site has been the subject of an ongoing planning process which culminated in Planning Appeal at which the Inspector refused planning permission for a GRT Caravan site. The refusal rested on three main grounds. That the site did not meet the exceptions test with regards to flooding, that the site was contrary to the Open Break policy and that the level of noise pollution on the site meant it was not habitable.
- 2.2 The Council has been seeking to address these issues to enable the site to be allocated and a requirement for 14 pitches to be met on the current site. To that end the Council commissioned an update to the Open Break study undertaken by Via East Midlands which concluded that the nature of the development, given the particular circumstances was no inappropriate development. In producing the DPD the Council has undertaken an exceptions test in relation to flooding. The results of this are that the site is acceptable for development.
- 2.3 The outstanding issues therefore relate to noise. Following earlier work by the Council's consultants finding that caravans in this location did not meet World Health Organisation (WHO) guidelines the Council considered the potential for noise attenuation barrier alongside the A1 to be installed. It had already been concluded that onsite noise mitigation would be so significant that would not be acceptable - as the site is significantly lower than the road. The results of the study indicate that a 4-metre-high barrier alongside the A1 for around 500m should be constructed to be effective to any extent. Even with such a significant barrier being constructed it would still not be clear to Environmental Health Officers that it would lead to safe levels of noise for all of the caravan's proposed for habitation.
- 2.4 The Council does not judge it appropriate to seek to construct a noise barrier of the magnitude proposed on the side of the A1. This would be a significant engineering structure which would have a significant impact on the visual amenity in the open break and would have significant construction and maintenance costs. To that extent it is judged no longer appropriate to support allocation of the site.

Implications of Proposing Not to Support Allocation of the Site

- 2.5 Clearly such an approach has a number of implications. Firstly, it will be important to allow the promoters of the site to consider the situation and the new evidence and raise any challenges they may have through a representation, so that the Council and the inspector can consider them. To that end the noise report has been shared with the site promoter and an initial meeting has been held. The Council has given the site promoters until the 15 January 2024 to respond to the findings and the District Council's conclusions and submit any supplemental representations to us.
- 2.6 If the site is not to be treated as part of the supply, then this will alter the overall strategy contained within the Amended DPD. Below is a table which shows the level of supply with the allocation and without it:

	With NUA/GRT/12	With no NUA/GRT/12
Supply from sites identified in the plan	159 – 171	145-157
Windfall Pitches (3 completed 12 with planning permission)	15	15
Total Supply	174 – 186	160 – 172
Total Requirement	169	169

The table demonstrates that with the additional pitches granted consent that the overall supply is sufficient to meet our requirements. Most importantly for the purposes of plan making the Council is required to demonstrate a five-year supply and without NUA/GRT/12 this gives a supply of 5.35 years.

- 2.7 Given the evidence we have received and the implications we will need to propose to the Inspector that main modifications should be made to make the Plan, this would include proposals to amend the text of Policy GRT/4 and to the Policies Map. As set out in the main Council Agenda the Inspector will consider these main modifications, consult upon them and make recommendations in their report.

3.0 Publication Amended Allocations & Development Management DPD – Further Proposed Modifications

- 3.1 The following additional (to those in Appendix B) Main Modifications are proposed:

- Remove reference to Site NUA/GRT/12 from Policy GRT 4 Site Allocations including the table in page 180 and Site Specific Criteria in Part B of the Policy
- Remove the site allocation NUA/GRT/12 from the Policies Map

Background Papers and Published Documents

Proposed Residential Development - The Old Stable Yard, Winthorpe Road, Newark, Addendum Technical Review (Noise Assessment)

Proposed Residential Development - The Old Stable Yard, Winthorpe Road, Newark, Addendum Technical Review (Noise Assessment) Non - Technical Summary