

From:Jill Sanderson

Sent:16 Oct 2020 10:13:56 +0100

To:Laura Gardner;planning

Cc:Matthew Tubb

Subject:RE: 2020.10.09.NTT55224P. FW: 20/00873/FULM - Eakring Road, Bilsthorpe (Barrister Opinion)

I refer to the advice received from Zack Simons of Landmark Chambers:-

Housing Need

With regard to the evidence provided by Keepmoat Homes to support housing need. There is no argument that Keepmoat have considered the current conditions of the market, however I would have liked to have seen comments from Landmark around how robust this is and planning weight given. My view is that Keepmoat have not provided the robust evidence required around housing need in the form of a village survey or any evidence from the Council's District Wide Housing Needs Survey (2014). There is an emerging survey which continues the argument for smaller dwellings. Keepmoat have contested there is demand for 2 bed houses but have 'skewed' the document to focus on evidence for larger properties. If the Council does not give weight to its own housing need evidence then it should consider if it requires it in the first place.

I also refer to the consideration of 10% affordable housing being delivered as a discount for sale product. Reference to housing need indicates that the affordable sector in this location has need in the main part for a rented product. The offer should be more closely aligned to policy and evidenced housing need and I would be seeking 60% affordable rent and 40% intermediate to meet income levels and demand.

I note the reference to providing larger dwellings to accommodate working from home. However the issue of affordability often outweighs preferences in this respect (unless of course they intend to provide 3 bed houses at 2 bed values).

Housing Mix

With respect to the housing mix. I agree with Matthew that this is really a matter of whether we are convinced that the viability case holds water, and if it does then planning judgement. Core Policy 3 does allow for viability to be taken account of in determining an appropriate mix, though given the

importance of balanced communities as part of sustainable development I would expect the case to be robust.

The mix does not provide housing to meet the housing and affordability needs of a wide range of the community. It is the Council's judgement whether viability overrides this issue. Given that Keepmoat's target market is first time buyers and affordable family homes (sic) the current offer does not reflect this and in my view where a viability demonstration is made, but the mix significantly departs from local housing need information (and there are no site specific circumstances) then it is a matter of planning judgement whether this issue is sufficient to render the scheme unacceptable. I would prefer to see a scheme that fully reflects local need, demand and viability considerations.

Kind Regards

Jill Sanderson | Housing Development Officer | Housing Strategy and Development

Telephone: 01636 655624 | Email: jill.sanderson@nsdc.info

Newark and Sherwood District Council | Castle House | Great North Road | Newark | Notts | NG24 1BY

Working Hours Monday – Friday 9.00 a.m. – 5.30 p.m.

From: Laura Gardner <Laura.Gardner@newark-sherwooddc.gov.uk>

Sent: 12 October 2020 14:59

To: planning <planning@newark-sherwooddc.gov.uk>

Cc: Matthew Tubb <matthew.tubb@newark-sherwooddc.gov.uk>; Jill Sanderson <Jill.Sanderson@newark-sherwooddc.gov.uk>

Subject: FW: 2020.10.09.NTTS5224P. FW: 20/00873/FULM - Eakring Road, Bilsthorpe (Barrister Opinion)

Support – please save as sensitive to the above.

Matthew and Jill – I've discussed this scheme with you both in the past, the attached gives the update as to my latest position albeit as is disputed by them. Matt Lamb has agreed to a meeting which is scheduled for Friday. I'd welcome any comments on the attached before then if applicable?

From: Chris Dwan <chris.dwan@dlpconsultants.co.uk>

Sent: 09 October 2020 17:55

To: Matt Lamb <Matt.Lamb@newark-sherwooddc.gov.uk>; Lisa Hughes <Lisa.Hughes@newark-sherwooddc.gov.uk>; Laura Gardner <Laura.Gardner@newark-sherwooddc.gov.uk>

Cc: Shaun.Fielding@keepmoat.com; Elizabeth.Woodhouse@keepmoat.com; Alan.Staley@keepmoat.com; Nottingham Filing <nottinghamfiling@dlpconsultants.co.uk>

Subject: 2020.10.09.NTTS5224P. FW: 20/00873/FULM - Eakring Road, Bilsthorpe (Barrister Opinion)

Hi All

Ahead of next weeks meeting, my client has obtained a barrister opinion from Zack Simons at Landmark Chambers to help provide some clarification in relation to the policy considerations that will be underpinning our discussion.

Can you accordingly please find a copy of the advice note, for your information.

Kind regards

Chris

Chris Dwan

Director

DLP Planning Limited

1 East Circus Street

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NG1 5AF

t 0115 896 6622

m 07917 709343

e chris.dwan@dlpconsultants.co.uk

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From: Chris Dwan

Sent: 08 October 2020 17:01

To: Claire.Dunkley@newark-sherwooddc.gov.uk; Alan.Staley@keepmoat.com

Cc: Shaun.Fielding@keepmoat.com; Elizabeth.Woodhouse@keepmoat.com

Subject: RE: 2020.09.30.NTT55224P. FW: 20/00873/FULM - Eakring Road, Bilsthorpe

Hi Claire

That date works for us. Many thanks for sorting.

We look forward to receiving the teams invite.

Kind regards

Chris

Chris Dwan

Director

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From: Claire.Dunkley@newark-sherwooddc.gov.uk <Claire.Dunkley@newark-sherwooddc.gov.uk>
Sent: 08 October 2020 15:53
To: Chris Dwan <chris.dwan@dlpconsultants.co.uk>; Alan.Staley@keepmoat.com
Cc: Shaun.Fielding@keepmoat.com; Elizabeth.Woodhouse@keepmoat.com
Subject: RE: 2020.09.30.NTTS5224P. FW: 20/00873/FULM - Eakring Road, Bilsthorpe
Importance: High

Good Afternoon

I have checked diaries this end and the earliest availability for a meeting via Microsoft Teams is Friday 16 October at 4pm. I would be most grateful if you could please confirm whether this date and time would be convenient for yourself I can then send through a Microsoft Teams appointment.

Many thanks

Claire Dunkley

PA to Senior Leadership Team and Leader

Dedicated support to:

Karen White - Director of Governance & Organisational Development and Monitoring Officer

Matt Lamb - Director of Planning & Growth

Newark & Sherwood District Council, Castle House, Great North Road, Newark, Notts, NG24 1BY

Tel: 01636 655201 (Direct)



Website www.newark-sherwooddc.gov.uk



From: Matt Lamb <Matt.Lamb@newark-sherwooddc.gov.uk>

Sent: 08 October 2020 15:36

To: 'Chris Dwan' <chris.dwan@dlpconsultants.co.uk>; Laura Gardner <Laura.Gardner@newark-sherwooddc.gov.uk>; Alan.Staley@keepmoat.com; Claire Dunkley <Claire.Dunkley@newark-sherwooddc.gov.uk>

Cc: Lisa Hughes <Lisa.Hughes@newark-sherwooddc.gov.uk>; Shaun.Fielding@keepmoat.com; Elizabeth.Woodhouse@keepmoat.com

Subject: RE: 2020.09.30.NTTS5224P. FW: 20/00873/FULM - Eakring Road, Bilsthorpe

Thanks all.

Claire – can you try and find us all an hour asap please.

Kind regards

Matt

Matthew Lamb MRTPI MPA

Director – Planning and Growth

Newark and Sherwood District Council

01636 655842

matt.lamb@nsdc.info

From: Chris Dwan <chris.dwan@dlpconsultants.co.uk>

Sent: 08 October 2020 15:33

To: Laura Gardner <Laura.Gardner@newark-sherwooddc.gov.uk>; Alan.Staley@keepmoat.com

Cc: Lisa Hughes <Lisa.Hughes@newark-sherwooddc.gov.uk>; Shaun.Fielding@keepmoat.com;
Elizabeth.Woodhouse@keepmoat.com; Matt Lamb <Matt.Lamb@newark-sherwooddc.gov.uk>

Subject: RE: 2020.09.30.NTTS5224P. FW: 20/00873/FULM - Eakring Road, Bilsthorpe

Hi Laura

Our preference is to have Matt at the meeting, so can you confirm how quickly calendars can potentially align?

Kind regards

Chris

Chris Dwan

Director

DLP Planning Limited

1 East Circus Street

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From: Laura.Gardner@newark-sherwooddc.gov.uk <Laura.Gardner@newark-sherwooddc.gov.uk>
Sent: 08 October 2020 10:02
To: Chris Dwan <chris.dwan@dlpconsultants.co.uk>; Alan.Staley@keepmoat.com
Cc: Lisa.Hughes@newark-sherwooddc.gov.uk; Shaun.Fielding@keepmoat.com;
Elizabeth.Woodhouse@keepmoat.com
Subject: RE: 2020.09.30.NTTS5224P. FW: 20/00873/FULM - Eakring Road, Bilsthorpe

Hi Chris,

I think we're going to struggle to find time in Matts diary assuming you'd rather process the meeting asap and have it next week.

Lisa and I could do 2pm on Wednesday (14th) if that suits?

Kind regards,

Miss Laura Gardner BSc (Hons) MSc, MRTPI

Senior Planner

Planning Development

Newark and Sherwood District Council

Tel: 01636 655907

Fax: 01636 655899

E-mail: laura.gardner@newark-sherwooddc.gov.uk



From: Chris Dwan <chris.dwan@dlpconsultants.co.uk>

Sent: 08 October 2020 09:21

To: Laura Gardner <Laura.Gardner@newark-sherwooddc.gov.uk>; Alan.Staley@keepmoat.com

Cc: Lisa Hughes <Lisa.Hughes@newark-sherwooddc.gov.uk>; Shaun.Fielding@keepmoat.com; Elizabeth.Woodhouse@keepmoat.com

Subject: RE: 2020.09.30.NTTS5224P. FW: 20/00873/FULM - Eakring Road, Bilsthorpe

Hi Laura

Thanks for the confirmation. Matt has agreed to a round table meeting (virtual) for us to discuss the outstanding matters, so we would very grateful of the suggested dates for that meeting.

With respect to the mix issue, there is further justification we can look to provide, although as I understand we have not received any comments from the LPA following the submission of the additional marketing information by Liz back in August. This is something we can pick up at the meeting.

Great news on the viability.

Kind regards

Chris

Chris Dwan

Director

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From: Laura.Gardner@newark-sherwooddc.gov.uk <Laura.Gardner@newark-sherwooddc.gov.uk>
Sent: 08 October 2020 09:12
To: Alan.Staley@keepmoat.com
Cc: Lisa.Hughes@newark-sherwooddc.gov.uk; Shaun.Fielding@keepmoat.com; Chris Dwan <chris.dwan@dlpconsultants.co.uk>; Elizabeth.Woodhouse@keepmoat.com
Subject: RE: 2020.09.30.NTTS5224P. FW: 20/00873/FULM - Eakring Road, Bilsthorpe

Alan,

I can agree the extension of time and hold the decision for now but at this stage I cannot see that my recommendation will change.

I understand that Chris spoke to Matt Lamb yesterday and an additional note was going to be submitted on the mix?

The viability consultant has accepted that even the offer presented is not viable and therefore I do not dispute the viability of the scheme.

Kind regards,

Miss Laura Gardner BSc (Hons) MSc, MRTPI

Senior Planner

Planning Development

Newark and Sherwood District Council

Tel: 01636 655907

Fax: 01636 655899

E-mail: laura.gardner@newark-sherwooddc.gov.uk

From: Alan Staley <Alan.Staley@keepmoat.com>

Sent: 07 October 2020 17:30

To: Laura Gardner <Laura.Gardner@newark-sherwooddc.gov.uk>

Cc: Lisa Hughes <Lisa.Hughes@newark-sherwooddc.gov.uk>; Shaun Fielding <Shaun.Fielding@keepmoat.com>; chris.dwan@dlpconsultants.co.uk; Elizabeth Woodhouse <Elizabeth.Woodhouse@keepmoat.com>; Matt Lamb <Matt.Lamb@newark-sherwooddc.gov.uk>

Subject: RE: 2020.09.30.NTTS5224P. FW: 20/00873/FULM - Eakring Road, Bilsthorpe

Laura

There is much to discuss on the scheme and I would ask that you confirm the extension of time and your position in relation to the viability in the first instance

Alan

Alan Staley
Technical Director

t. 0115 8557951 | m. 07974234544 | keepmoat.com



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From: Laura.Gardner@newark-sherwooddc.gov.uk <Laura.Gardner@newark-sherwooddc.gov.uk>
Sent: 07 October 2020 15:29
To: Alan Staley <Alan.Staley@keepmoat.com>
Cc: Lisa.Hughes@newark-sherwooddc.gov.uk; Shaun Fielding <Shaun.Fielding@keepmoat.com>; chris.dwan@dlpconsultants.co.uk; Elizabeth Woodhouse <Elizabeth.Woodhouse@keepmoat.com>
Subject: RE: 2020.09.30.NTT55224P. FW: 20/00873/FULM - Eakring Road, Bilsthorpe

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Alan,

The difficulty is that I'm not convinced that there would be any benefit in a meeting at this stage.

The issues have been raised from an early stage and no fundamental changes have been made. Although the housing mix evidence has been considered, there is still a demonstrable demand for

smaller properties which would not be catered for in this proposal. No amendments have been made to the parking arrangements despite this being raised as a cause for concern.

The policy allocation may not be prescriptive in terms of an exact order of phasing but the rationale behind the policy is specifically related to an under-provision of retail in the settlement and therefore to allow all of the residential to come forward without any guarantee of the retail coming forward would completely undermine the policy. No justification has been provided that the retail use envisaged by the policy is no longer required (and indeed policy colleagues have confirmed the contrary).

I apologise that I cannot be more positive but I really feel like all avenues have been explored on this one with no agreeable solution.

Kind regards,

Miss Laura Gardner BSc (Hons) MSc, MRTPI

Senior Planner

Planning Development

Newark and Sherwood District Council

Tel: 01636 655907

Fax: 01636 655899

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From: Alan Staley <Alan.Staley@keepmoat.com>
Sent: 07 October 2020 14:45
To: Laura Gardner <Laura.Gardner@newark-sherwooddc.gov.uk>
Cc: Lisa Hughes <Lisa.Hughes@newark-sherwooddc.gov.uk>; Matt Lamb <Matt.Lamb@newark-sherwooddc.gov.uk>; Shaun Fielding <Shaun.Fielding@keepmoat.com>;
chris.dwan@dlpconsultants.co.uk; Elizabeth Woodhouse <Elizabeth.Woodhouse@keepmoat.com>
Subject: FW: 2020.09.30.NTTS5224P. FW: 20/00873/FULM - Eakring Road, Bilsthorpe

Laura

Can you please confirm receipt of the below email and acknowledge the extension of time to 4th November

Can you also please confirm your position in relation to the site viability I sent you last week, and for reference I re attach

Alan

Alan Staley
Technical Director

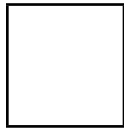
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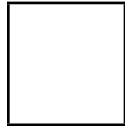
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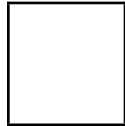
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