

Summary of the attached document titled "GNRSBP Reg. [REDACTED] Communication to PINS," authored by John Gray (PINS ID [REDACTED]), dated 10 December 2025.

I attach a full document in which I ask the Planning Inspectorate to examine two proposals affecting Bathley and North Muskham: the Community Orchard and Permissive Footpath 3.

I support the realisation of both proposals in principle but 1: seek clarification on some issues arising from the orchard proposal and 2: suggest realignment of part of the footpath.

#### 1. Community Orchard

- Clarification Requests: I ask if a detailed plan and design document for the orchard exists, and if not, when one will be available. I ask for clarity on the orchard's boundaries, access arrangements, ownership, and management responsibilities during and after construction.

- Community Involvement: I ask whether there is evidence that the claimed public support for the orchard will translate into active involvement, especially given the area's low population.

#### 2. Permissive Footpath 3 (PF3)

- Proposed Realignment: PF3 is intended to connect existing footpaths, enhancing the local walking network. However, a Bathley resident has raised concerns about the path's proximity to Bathley Trout Pond, a registered fishery and wildlife protection site and I attach

- Suggested Solution: I support the resident's wish to realign PF3 to provide greater separation from the pond, using an established field track and avoiding wet areas. I think this would better protect conservation activities and make a better all-weather route for walkers.

#### Supporting Evidence

- Maps and Figures: The document includes annotated maps showing the locations for both the orchard and proposed changes for the PF3 route.

- References: References to documents in the Examinations Library are provided to support the points raised.

- Annex: The full statement from the concerned resident about Bathley Trout Pond is included, detailing the ecological and safety concerns and formally requesting PF3 realignment.

From: John Gray, PINS ID number [REDACTED], PINS Case Reference: EN010162  
To: Planning Inspectorate  
Date: 10 December 2025  
Subject: Recreation Changes in Bathley and North Muskham  
(Community Orchard, Permissive Footpath 3)

I write to ask that ExA consideration is given to issues arising from the two proposals labelled in Figure 1 Annotated extract of map from Elements Green's [APP-190,p.8] below.

***I support both of the proposals in principle but wish to:-***

- ***Suggest the need for clarification of aspects of the Community Orchard proposal.***
- ***Request a small-scale realignment of the proposed route of Permissive Footpath 3.***

Both features are geographically situated wholly within Bathley civic parish though, reflecting the relative size of the communities (Census population 2022: Bathley 266, North Muskham 999), of substantial interest to residents of both parishes, and visitors, as part of the 'enhanced green infrastructure network' [APP-010,p.43] which is a significant feature of the applicant's proposals and promotional messaging. My comments are based on 42+ years using local paths in the area.

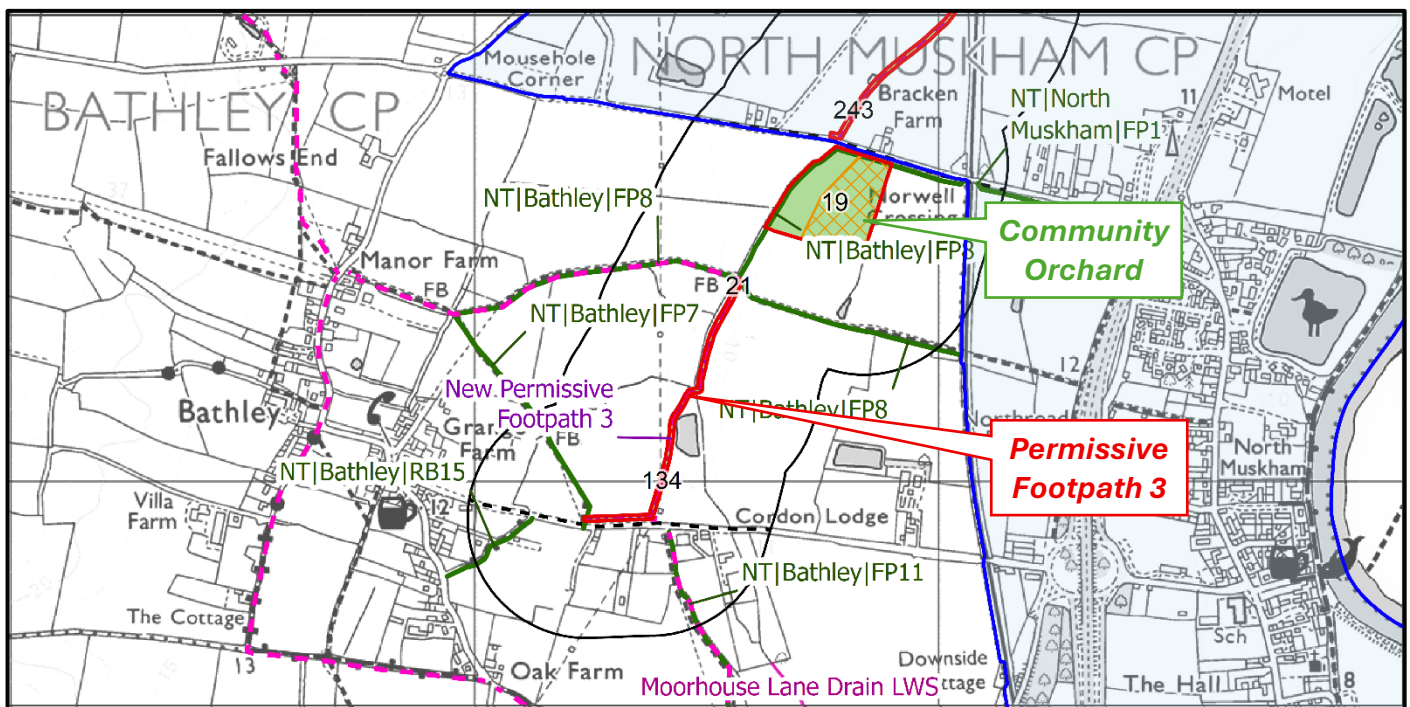


Figure 1 Annotated extract of map from Elements Green's [APP-190,p.8]

Throughout this paper square bracket citations, like [APP-190,p.8] for the map above, refer to references listed on p.4, almost all being documents from the Examinations [EN010162 Library].

## 1. Community Orchard

Following ExA's unaccompanied site inspection USI1 visit to the site of the proposed Community Orchard [EV-001,p.2], and the exchange of comments in the morning session of the enquiry on 27<sup>th</sup> November [ISH1 PT3,p.8], ExA have requested the applicant to ***"Provide a note with further details on management of the Community Orchard"*** [ISH1 Actions,p.2, Item 10].

Figure 2 below is the most detailed 'plan' of the orchard I have been able to find in the APP documents [this level of detail occurs in many maps, I've taken this from APP-040,p.8], and added to it internal subdivisions and areas in the OL boundary.

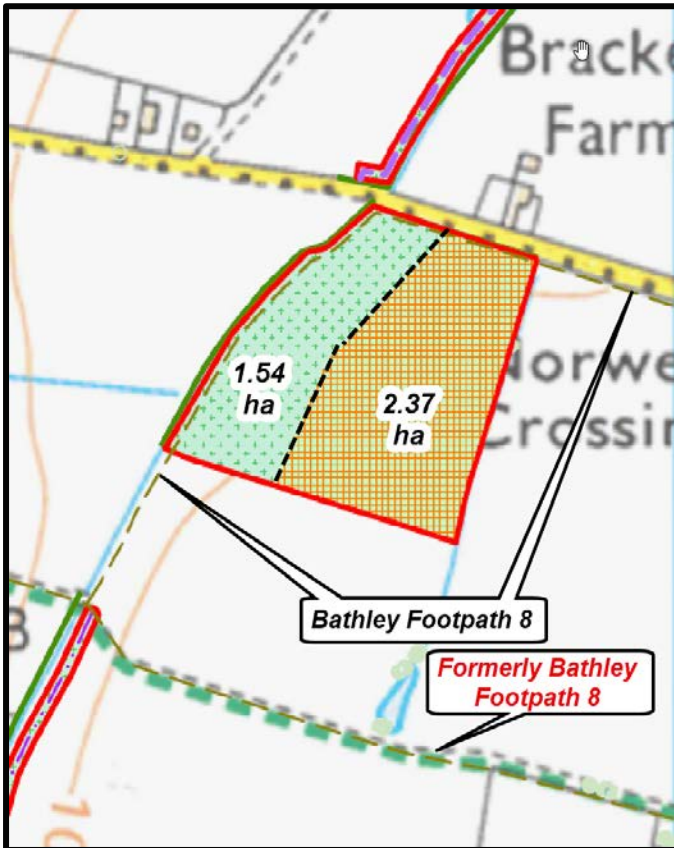


Figure 2 Best available 'plan' of the proposed orchard, from [APP-040,p.8] with annotations

### Clarification requests prompted by APPs:-

- i. Is there a full plan and design document, with detailed proposals, in existence? If not, when will there be one available?
- ii. The applicant says *"The orchard is accessible via PRow."* [APP-061,p.46]. Where do the actual boundaries of the Community Orchard lie? The current route of Bathley Footpath 8 [NCC Footpath Modification] is shown as within the Order Limit, but is it considered as within the Community Orchard boundary? If so, will there be fences/stiles controlling public access? Or even *"gated and closed at night"* as talked of in Maplebeck [APP-061,p.17]?
- iii. Who owns the Community Orchard and the land it is to be developed on? Which organisation/business is expected to manage the orchard on a day-to-day basis, during construction and thereafter?

- ii. One of the design objectives included in [APP-201,p.5] is *"Creation of Community Orchards to engage and promote community involvement"* and [APP-313,p.39] claims that during consultation *"Respondents support the creation of the proposed community orchard/picnic areas."* but I can find no specific reference in the Consultation Report [APP-296] to the community orchard. Is there data to indicate this support will translate into involvement?
- iii. Are there any other community orchards being planned? Given that this proposal is in a relatively unpopulated area, how realistic is it to expect
- iv. In [APP-269,p.21] a *"potential location for a community archaeological project [...] at the site of the proposed community orchard"* is mentioned. Is this project being developed?
- v. In the consultation booklet [APP-308,p.49] refers to *"NG+ Support for Community Initiatives"*, specifically mentioning the Community Orchard. Has any sum been decided on and, if so, who will be the recipient(s)?

## 2. Permissive Footpath 3

Permissive Footpath 3 (PF3) is a welcome connection between Bathley FP11 to the south and Bathley FP8 and Permissive Bridleway 1 to the north. As such, the proposed path is the enabler of a more connected walkers' network than currently exists. Soon after ISH1, I was contacted by a Bathley resident (who I know from many years using the Bathley footpaths, but with who I have no commercial or financial connections) expressing concerns about the impact of PF3 on his business.

I highlight the resident's concerns below and have provided his full statement in the Annex on p.5 at the end of this document:-

- PF 3 will pass very close to Bathley Trout Pond, which is a registered fishery (DEFRA and CEFAS). The pond is a site of active wildlife protection, including a baited mink raft licensed by the Water Life Recovery Trust, which targets American mink to protect water voles.
- Bird feeders support a variety of birds such as ducks, geese, swans, pheasants, partridge, songbirds, water hens, and coots. The pond is used by kingfishers, swallows, and house martins during breeding season, and these species could be disturbed by increased foot traffic.
- Fly-fishing (catch and release) occurs at the pond, and the activity could pose a safety risk to walkers due to the danger of back casts. The pond is deep (10–18 feet), presenting a safety hazard. There is concern that dogs could enter the pond, disturbing wildlife and risking their own safety.

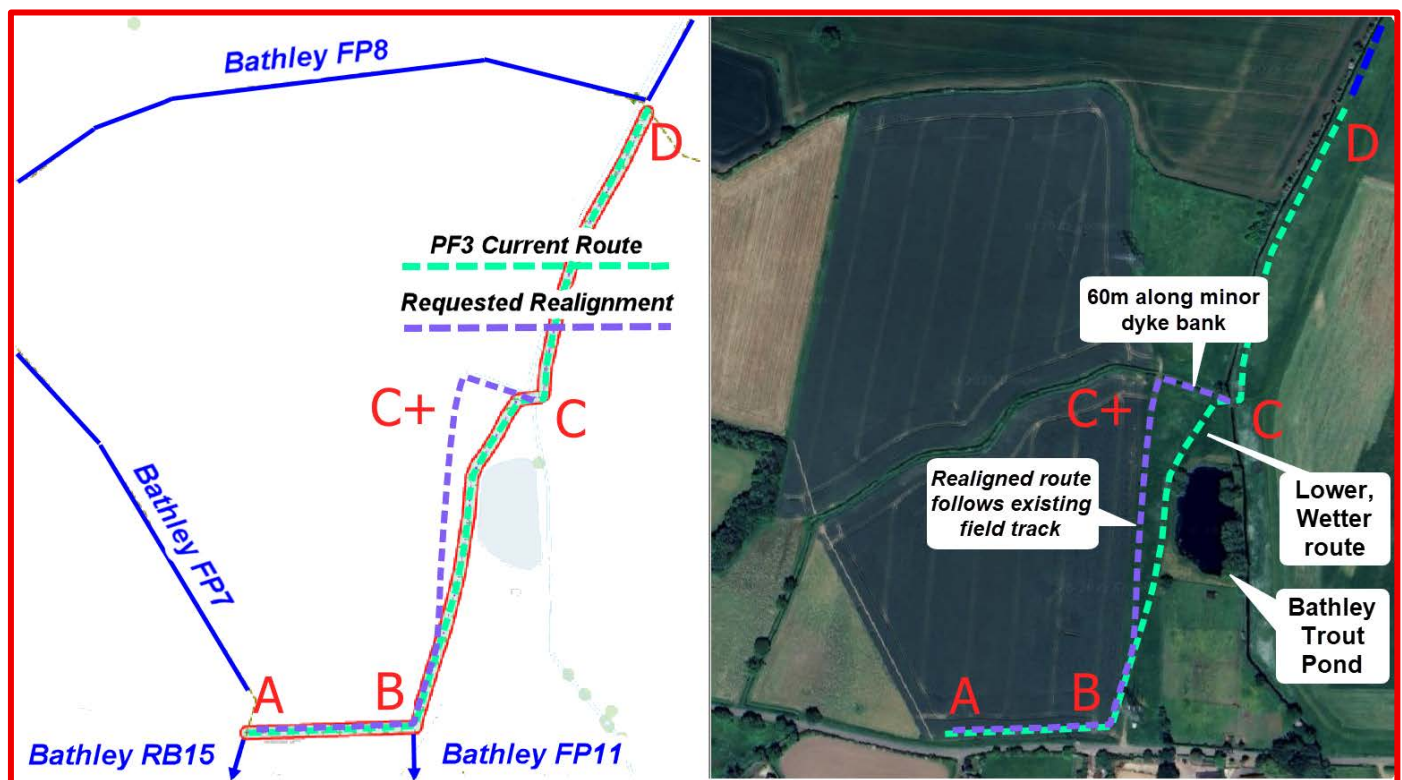


Figure 3 Map & Google Earth Photo of Suggested Realignment of PF3

Realigning the currently proposed PF3 route between B and C via point C+ would provide a minimum separation of 25m between PF3 and the pond; use an established (and dry) field track B-C+, and then follow a 60m new path along the southern edge of a minor dyke to rejoin the route at C.

***On the basis of several recent discussions with the resident I am persuaded that this realignment of Permissive Footpath 3 would protect the resident's conservation activities (and actually improve the route by avoiding the frequently very wet area immediately N of the pond).***

### **3. References**

1. EG. (2025). *APP-040 6.1.1 ES Non-Technical Summary Part 2 of 4*
2. EG. (2025). *APP-190 6.3.18.3 ES Figure 18.3 Proposed Recreation Changes*
3. EG. (2025). *APP-010 4.1 Statement of Reasons*
4. PINS. (2025). *EN010162 Examination Library*
5. PINS, *EV-001 Examining Authority's (ExA) note of unaccompanied site inspection one (USI1)*. 2025.
6. PINS. (2025). *ISH1 PT3 Transcript*
7. PINS. (2025). *ISH1 General and overarching matters Hearing Action Points*
8. EG. (2025). *APP-061 6.2.18 ES Ch 18 Recreation*
9. NCC, *Rail Crossing Diversion Order, Seal Register 50250*. 2023.
10. EG. (2025). *APP-201 6.4.5.1 ES TA A5.1 Outline Landscape and Ecological Management Plan*
11. EG. (2025). *APP-313 5.1.10 Section 47 Applicant Response Table*
12. EG. (2025). *APP-296 5.1 Consultation Report*
13. EG. (2025). *APP-269 6.4.11.8 ES TA A11.8 Outline Archaeological Mitigation Strategy*
14. EG. (2025). *APP-308 5.1.6 Phase Two Consultation Materials - Part 1 of 2*

**Annex: Resident's statement regarding Bathley Trout Pond**

***“With regard to the permissive footpath 3 at Bathley, proposed by Elements Green, which is shown to pass close to Bathley Trout Pond, which is a registered fishery no. EW058-L-927F, grid reference SK78455909 it is registered with DEFRA and CEFAS.***

***This pond is in an area where wildlife protection is carried out. It has a baited mink raft on it which is licensed by the Water Life Recovery Trust reg. charity no. 1198223. This organisation is recognised by Natural England and a number of other conservation organisations. The mink raft is designed to catch the American mink which predated on the water vole.***

***Bird feeders are placed around the pond for the benefit of ducks, geese, swans, pheasants and partridge and songbirds, water hens and coot.***

***Kingfishers, swallows and house martins use the pond in the breeding season and would suffer from disturbance. Fly-fishing takes place (catch and release). The back cast would be a danger to persons walking close to the pond. The pond is dangerous, having a depth of between 10 and 18 feet, and would therefore be a safety hazard. There is a strong possibility that it could be a habitat for newts as they have been found in the vicinity. There is also no doubt that dogs would be allowed to get into the pond causing disturbance to the wildlife and posing a risk to the dogs themselves.***

***With regard to all the above I suggest the permissive footpath 3 is moved to the position shown on the attached plan. I wish this submission to be sent by Dr. John Gray.”***

Complying with the Rule 8 conditions, the names and contact details of the landowner and the resident are not supplied in this document. I am assured by the resident that the landowner has been consulted about, and supports, the wish expressed above. I am sure that both would be happy to confirm any questions ExA might have.