



Department for Transport

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To:
The Applicant
Crown Estate Commissioners

21 July 2025

Dear Sir/Madam

Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010

Application by National Highways (“the Applicant”) seeking Development Consent for the Proposed A46 Newark Bypass (“the Application”)

Request for comments from the Applicant and the parties listed above

CROWN LAND

1. At the close of Examination, it remained unclear whether the Crown Estate continued to hold any interests in the land at plot 2/6a. **The Applicant** and the **Crown Estate Commissioners** are requested to provide an update regarding the status of the land at plot 2/6a. If a Crown interest exists, **the Applicant** is further requested to confirm when Crown consent for this land might be received, noting that section 135 of the Planning Act 2008 requires consent from the appropriate Crown authority before development consent can be granted.

LAND RIGHTS

2. It is noted that voluntary agreements for the permanent acquisition or temporary possession of land were being pursued by the Applicant with the following landowners:
 - Francis Michael Hare 6th Earl of Listowel - plots 3/2k and 3/15a;
 - Winthorpe Family Settlement 1990 (including Jacqueline Suzanna Caroline Spencer & Lachlan Alastair Stewart) - plots 5/7a, 5/7b, 5/7c, 5/7d, 6/1a, 6/1b and 6/1c;
 - James Miller (Kelham) Limited - plots 1/5n, 1/5o, 1/19a, 1/19b, 2/1a, 3/15a, 1/5l, 1/5p, 1/5m, 1/1r, 1/5n, 1/5o and 2/4a;
 - John James Miller - plots 1/5n, 1/5o, 1/19a, 1/19b, 2/1a, 3/15a, 1/5l, 1/5p, 1/5m, 1/1r, 1/5n, 1/5o and 2/4a; and

- Newark and Sherwood District Council - plots 3/1g, 3/1i, 3/1n, 3/14a, 3/14e, 3/14g, 3/14j, 7/3a, 7/3b, 3/14a1, 3/14b1, 3/14h, 4/11a, 3/14b, 3/14c, 3/14d, 3/14f, 3/14i, 3/14k and 4/11a.

The Applicant is requested to provide an update as to the status of these agreements.

ARTICLE 37 (modification of the Compulsory Purchase of Land (Vesting Declarations) (England) Regulations 2017)

3. The Applicant's description of article 37 of the draft Development Consent Order in its explanatory memorandum is noted, including the reference to article 30(2) of the Cornwall Council (A30 Temple to Higher Carblake Improvement) Order 2015, which identifies the land concerned and the persons in whose favour it was proposed the land be vested. **The Applicant** is invited to provide that information in respect of the current Application.

WATER ENVIRONMENT AND FLOOD RISK

4. On 19 June 2025, the Department for Environment, Food and Rural Affairs published new guidance on National Standards for Sustainable Drainage systems (SuDS). **The Applicant** is requested to set out what, if any, implications the new guidance may have for the Proposed Development, and to provide any updated documents it considers necessary.

Deadline for Response

The deadline for response is **4 August 2025**.

Submissions sent by post may be subject to delay therefore your response on the information requested above should be submitted to the Case Team, if possible, by email to A46NewarkBypass@planninginspectorate.gov.uk.

If you will have difficulty in submitting a response by the deadline, or difficulty in submitting a response by email, please inform the Case Team.

Responses will be published as soon as possible after the deadline on the project page of the National Infrastructure Planning website at: [A46 Newark Bypass - Project information](#)

This letter is without prejudice to the Secretary of State's decision on the Application, and nothing in this letter is to be taken to imply what that decision might be.

Yours faithfully,

Transport Infrastructure Planning Unit