



Development Plan Document (DPD) Publication Stage Representation Form

Publication Amended Allocations & Development Management Development Plan Document (DPD)

A guidance note has been produced to assist in the completion of this form. Copies have been provided in correspondence and additional copies are available at: Castle House, Libraries in the District and <https://www.newark-sherwooddc.gov.uk/aadm-representation/>

Newark and Sherwood District Council is seeking your comments on the Publication Amended Allocations & Development Management DPD ('Publication AADMDPD'). Comments received at this stage should be about whether the Plan is legally compliant, sound and whether it has met the duty to cooperate. All representations must be received by the Council by 12 Noon on 9th January 2023.

This form has two parts- Part A- Personal / Agent Details and Part B- Your Representation(s) and further notification requests. (Please fill in a separate sheet (Part B) for each aspect or part of the Local Plan you wish to make representation on). Documents to support your representations (optional) should be referenced.

Privacy Notice

Apart from your comments below, the personal information you have provided will only be used by Newark & Sherwood District Council in accordance with the UK General Data Protection Regulation and the Data Protection Act 2018 and will not be shared with any third party.

The basis under which the Council uses personal data for this purpose is to undertake a public task.

The information that you have provided will be kept in accordance with the Council's retention schedule, which can be found at: <https://www.newark-sherwooddc.gov.uk/dataprotection/>

Please note the Council cannot accept anonymous responses. All representations received will be made available for public inspection and therefore cannot be treated as confidential. They will also be:

- Published in the public domain;
- Published on the Council's website;
- Shared with other organisations for the purpose of developing/adopting the Publication AADMDPD and forwarded to the Secretary of State for consideration;
- Made available to the Planning Inspector appointed by the Secretary of State to examine the Publication AADMDPD; and
- Used by the Inspector to contact you regarding the Examination of the Plan.

When making representations available on the Council's website the Council will remove all telephone numbers, email addresses and signatures.

By submitting your Response Form/representation, you agree to your personal details being processed in accordance with these Data Protection Terms.

PART A- Personal / Agent Details

In circumstances where individuals/groups share a similar view, it would be helpful to the Inspector to make a single representation, stating how many people the submission is representing and how the representation was authorised.

1. Personal Details

2. Agents Details

*If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.

Title	<input type="text" value="Mr"/>	<input type="text" value="Ms"/>
First Name	<input type="text" value="Mike"/>	<input type="text" value="Stephenie"/>
Last Name	<input type="text" value="van den Berg"/>	<input type="text" value="Hawkins"/>
Job Title (where relevant)	<input type="text" value="Project Director"/>	<input type="text" value="Planning Associate Director"/>
Organisation (where relevant)	<input type="text" value="Urban & Civic"/>	<input type="text" value="Barton Willmore, now Stantec"/>
Address Line 1	<input type="text"/>	<input type="text" value="9<sup>th</sup> Floor, Bank House"/>
Line 2	<input type="text"/>	<input type="text" value="8 Cherry Street"/>
Line 3	<input type="text"/>	<input type="text" value="Birmingham"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	<input type="text" value="B2 5AL"/>
Telephone Number	<input type="text"/>	<input type="text" value="REDACTED"/>
Email Address	<input type="text"/>	<input type="text" value="REDACTED"/>

Name or Organisation:	These representations are made on behalf of Urban & Civic the master developer leading the delivery of the Sustainable Urban Extension at Newark South (now called Middlebeck).
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PART B- Representation(s)

3. To which part of the DPD does this Representation relate?

Part of the Publication AADMDPD:	Mark if Relevant (X)	Specify number/part/document:
Amended AADMDPD Paragraph Number	X	Paragraph Number: 8.9
Amended AADMDPD Policy Number	X	Policy Number: Core Policy 1
Amended AADMDPD Policies Map Amendments		Part of Policy Map:
Integrated Impact Assessment ¹		Paragraph Number:
Statement of Consultation		Paragraph Number:
Supporting Evidence Base		Document Name: Page/Paragraph:

4. Do you consider the DPD to be LEGALLY COMPLIANT?

Yes

No

5. Do you consider the DPD to comply with the Duty-to-Cooperate?

Yes

No

6. Do you consider the DPD to be SOUND?

Yes

No

*The considerations in relation to the Legal Compliance, Duty to Cooperate and the DPD being 'Sound' are explained in the Newark & Sherwood Development Plan Document Representation Guidance Notes and in Paragraph 35 of National Planning Policy Framework 2021 (NPPF).

¹ The Integrated Impact Assessment (IIA) integrates Sustainability Appraisal (SA), Strategic Environmental Assessment (SEA), Equalities Impact Assessment (EqIA) and Health Impact Assessment (HIA). Sustainability Appraisals (SA) are a requirement of the Planning and Compulsory Purchase Act 2004 and Strategic Environmental Assessments (SEA) are required by European Directive EC/2001/42, which was transposed into UK law by the Environmental Assessment Regulations for Plans and Programmes (July 2004). The EqIA is a way of demonstrating the District Council is fulfilling the requirements of the Public Sector Equality Duty contained in section 149 of the Equality Act 2010. HIA is a recognised process for considering the health impacts of plans and undertaking this type of assessment is widely seen as best practice.

7. The DPD is not sound because it is not:

- (1) Positively Prepared
- (2) Justified
- (3) Effective
- (4) Consistent with national policy

8. Please provide precise details of why you believe the DPD is, or is not, legally compliant, sound or in compliance with the duty to cooperate in the box below.

If you wish to provide supplementary information to support your details, please ensure they are clearly referenced.

These representations are made on behalf of Urban & Civic the master developer leading the delivery of the Sustainable Urban Extension at Newark South (now called Middlebeck).

Middlebeck benefits from a strategic site allocation under Area Policy NAP 2A (Land South of Newark) of the Amended Core Strategy adopted March 2019 (ACS) and also benefits from outline planning permission reference 14/01978/OUTM for up to 3,150 dwellings, up to 50ha employment land, associated community facilities and infrastructure including the Southern Link Road (SLR).

Development has commenced and works continue on site. The first phase of the SLR is substantially complete and open to traffic, dwellings are being delivered and the first residents moved onto site in spring 2018, and Middlebeck Primary School opened September 2021.

Urban & Civic support the proposed amendment to Core Policy 1 to incorporate First Homes. However, the proposed approach to First Homes within Core Policy 1 is not consistent with national policy and would result in under delivery of First Homes.

The approach proposed in Core Policy 1 is for 25% of the "affordable home ownership product element" to be First Homes. This reflects the supporting text at paragraph 8.9 which, incorrectly, sets out national policy to require "whatever your local target for affordable home ownership product 25% must be First Homes."

Planning Practice Guidance (PPG) (Paragraph: 012 Reference ID: 70-012-20210524) states that (our emphasis): "A minimum of 25% of all affordable housing units secured through developer contributions should be First Homes."

In respect of plan-making, PPG goes on (Paragraph: 014 Reference ID: 70-014-20210524) to set out that (our emphasis): "Policies for First Homes should reflect the requirement that a minimum of 25% of all affordable housing units secured through developer contributions should be First Homes."

That is, national policy requires at least 25% of all affordable housing units to be First Homes, not 25% of the proportion that are to be delivered as affordable home ownership units.

PPG goes on to set out that the once the minimum of 25% of First Homes has been accounted for, social rent should be delivered in the same percentage as set out in the local plan with the remainder of the affordable housing tenures delivered in with the proportions set out in the local plan policy (Paragraph: 015 Reference ID: 70-015-20210524).

PPG also states that the First Homes contribution can make up or contribute to the 10% of the overall number of homes expected to be an affordable home ownership product on major developments as set out in the National Planning Policy Framework (Paragraph: 023 Reference ID: 70-023-20210524).

As set out above, the proposed approach to First Homes in Core Policy 1, and its supporting text at paragraph 8.9, is not consistent with national policy. As such the AADMDDP is not sound.

(Continue on a separate sheet/expand box if necessary)

9. Please set out what change(s) you consider necessary to make the DPD legally compliant or sound, having regard to the test you have identified at 6 above where this relates to soundness. You will need to say why this change will make the DPD legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Urban and Civic respectfully request that Core Policy 1, B Tenure Requirements is amended as follows (strikethrough/ underlined):

“On qualifying schemes the District Council will seek to secure 30% Affordable Housing. A minimum of 25% of all affordable housing units will be First Homes, which includes may make up or contribute to the national requirement to secure 10% of new dwellings as affordable home ownership product as set out in part D of this policy.

In respect of the remainder of the affordable housing units, the The District Council will seek to secure a tenure mix of Affordable Housing to reflect local housing need and viability on individual sites. Overall the tenure requirement in the District should reflect the following mix:

60X% social rented/affordable rented;
X% affordable rented;
40% affordable home ownership product.

The affordable home ownership product element of the contribution will comprise of 25% First Homes with the remainder made up of other affordable home ownership products will be based on an up-to-date assessment of local need. First Homes should secure a minimum discount of 30% against market value.”

In addition, the last bullet point within the supporting text at paragraph 8.9, should be amended as follows (strikethrough/ underlined):

“whatever your local target for affordable home ownership product housing units a minimum of 25% must be First Homes”

The proposed changes reflect the First Homes requirement within PPG, together with the guidance on its application. The proposed changes make Core Policy 1 and its supporting text consistent with national policy which is necessary for the AADMDPD to be sound.

(Continue on a separate sheet/expand box if necessary)

Please note your Representation should cover succinctly all the information, evidence and supporting Information necessary to support/justify the Representation and the suggested change, as there will not normally be a subsequent opportunity to make further Representations based on the original Representations at the Publication stage. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for Examination.

