



Development Plan Document (DPD) Second Publication Stage Representation Form

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

The District Council have produced a guidance note 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 Second Publication Amended Allocations & Development Management DPD ('Second 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 5pm on Monday 6th November 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.

If you previously made a representation to the first Publication Allocations & Development Management DPD (November 2022) Regulation 19 stage, we would like to know how you want this to be treated. All representations made at that stage will be forwarded on to the Inspector unless you wish to supersede it with a new representation to this Second Publication Allocations & Development Management. Please make this clear at the beginning of your Representation. If your previous representation is no longer required because of the proposed changes made to this Second Publication AADMDPD, please let us know that you are happy for your previous representation to be withdrawn.

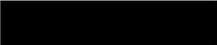
PART A- Personal / Agent Details

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 column two.*

Title	Mr	Miss
First Name	Keith	Megan
Last Name	Phillips-Moul	Askham
Job Title (where relevant)		Planner
Organisation (where relevant)		Planning & Design Practice
Address Line 1	C/o The Agent	3 Woburn House
Line 2		Vernon Gate
Line 3		
Line 4		Derby
Post Code		DE1 1UL
Telephone Number		
Email Address		

PART B- Representation(s)

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

Part of the Second Publication AADMDPD:	Mark if Relevant (X)	Specify number/part/document:
Second Amended AADMDPD Paragraph Number		Paragraph Number:
Second Amended AADMDPD Policy Number	X	Policy Number: NA/MOA
Second Amended AADMDPD Policies Map Amendments		Part of Policy Map:
Integrated Impact Assessment ¹		Paragraph Number:
Habitat Regulations Assessment		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 X

No

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

Yes X

No

6. Do you consider the DPD to be SOUND?

Yes

No X

*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 (NPPF) (2023).

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 X
- (3) Effective
- (4) Consistent with national policy X

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.

The DPD is not sound in regard to Policy NA/MOA because it is not justified or consistent with national policy.

Policy NA/MOA is not justified as, compared to the pre-ambule prior to the policy, it is very brief and should contain more detail. Additionally, the South Muskham designation does not meet the criteria listed in the pre-ambule, meaning the plan is not sound. The site does not play an important role in defining the settlement's form and structure as it is an overgrown, unused parcel of land. It is also not open to the public, viewable from public land or accessible via footpaths. The site would benefit from planning permission being granted, which isn't currently permitted under Policy NA/MOA, to open the site to pedestrians and residents of the village, whilst providing better quality public green space.

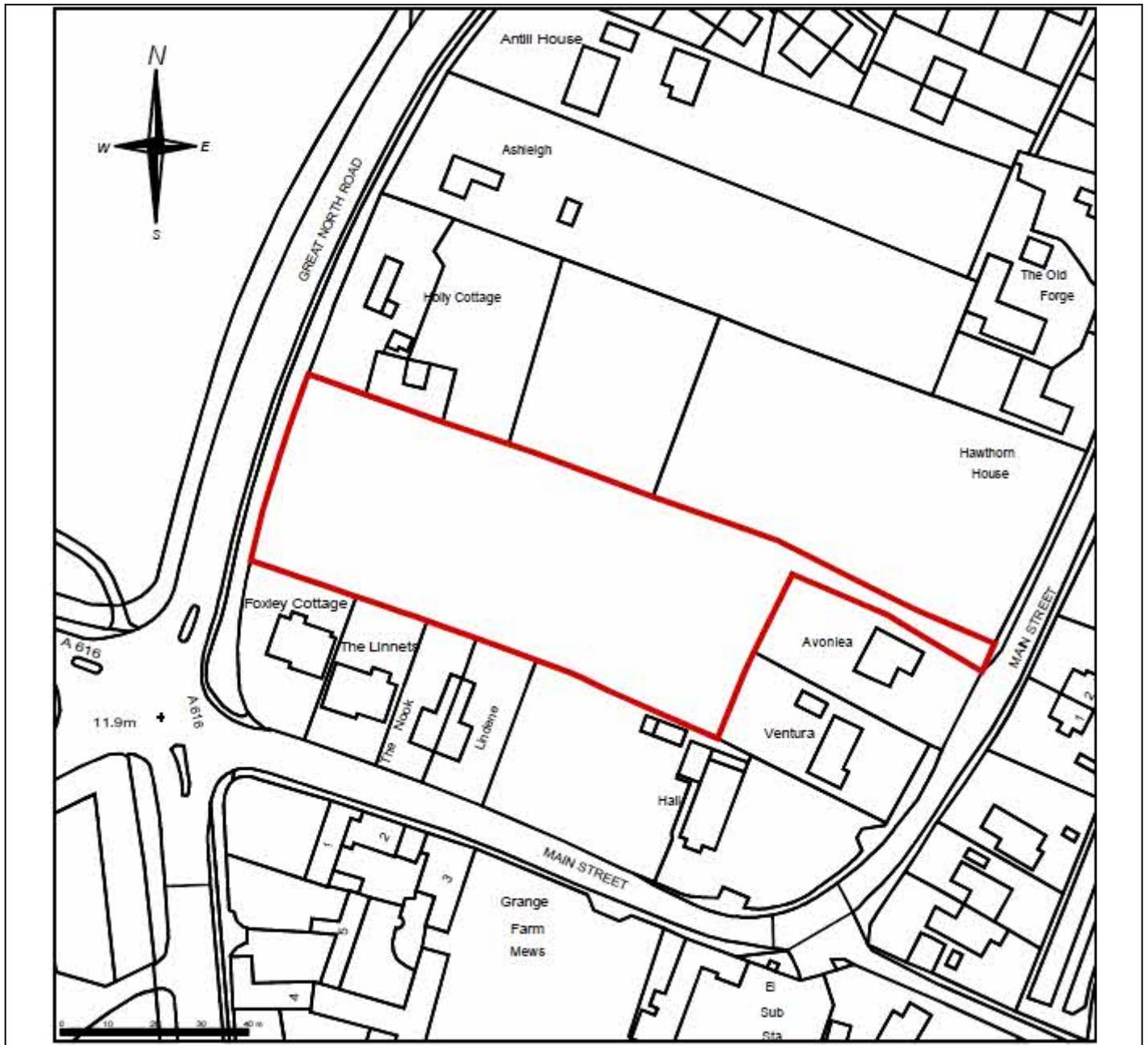
Additionally, Policy NA/MOA of the DPD is not consistent with national policy as it is not consistent with relevant paragraphs of the NPPF. Paragraph 102 of the NPPF, which most closely resembles the Main Open Area designation, defines Local Green Space as being demonstrably special to a local community and holding a particular local significance because of its beauty, historic significance, recreational value and tranquillity of richness of its wildlife. Therefore, as per the above, the South Muskham designation does not accord with the description of a Local Green Space in line with paragraph 102, which shows that the policy should be amended or the designation at South Muskham should be removed as part of the Second Amended DPD.

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.

The site at South Muskham should be removed from Policy NA/MOA, to make the plan more consistent with paragraph 102, as the area no longer plays an important role in defining the settlement form and structure. It is an overgrown, unused site which could be sustainably developed into an integral site in the centre of the village to provide open space and access for all residents. The policy designation on the site at South Muskham is not justified or consistent with national policy, therefore, is not sound and should be removed from the Second Amended DPD.







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.

10. If your Representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral Examination.	Yes, I wish to participate at the oral Examination.
X	

11. If you wish to participate at the oral part of the Examination, please outline why you consider this to be necessary.

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

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the Examination.

12. Please tick the relevant boxes below to receive notifications (via email) on the following events:

- | | |
|---|---|
| DPD submitted to the Secretary of State for Inspection | X |
| Examination in Public hearing sessions | X |
| Planning Inspector’s recommendations for the DPD have been published. | X |
| DPD has been formally adopted. | X |

Signature:



Date:

27/10/2023

Please return this form by 5pm on 6th November 2023 to one of the addresses below:

Email: planningpolicy@newark-sherwooddc.gov.uk

Post: Planning Policy & Infrastructure Business Unit
Newark & Sherwood District Council
Castle House
Great North Road
Newark
NG24 1BY

Information is available at:

<https://www.newark-sherwooddc.gov.uk/aadm-representation/>

Office Use Only

Date of Receipt:

Representation No: