



Newark & Sherwood Local Development Framework

Plan Review

Publication Amended Allocations & Development Management DPD

Statement of Consultation

September 2023

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1.0 Introduction

1.1 The District Council are currently in the process of reviewing its Development Plan, made up of the Amended Core Strategy (ACS) and the Allocations and Development Management Development Plan Document (DPD). This document forms the Statement of Consultation to be submitted alongside the Development Plan. It outlines the public consultation undertaken during the preparation of the Development Plan, who was consulted at each stage and how they were able to make comments. This Statement of Consultation has been prepared in accordance to meet the requirements of Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Purpose of the Consultation Statement

1.2 This Statement of Consultation has been prepared to support the submission of the Amended Allocations and Development Management DPD in accordance with Regulation 22 (1) (c) of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Statement is a statutory requirement for a Local Planning Authority in the process of submitting a Local Plan to the Secretary of State. It outlines how the Council has complied with Government requirements, in line with Regulations 18 and 19.

1.3 This Statement meets Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 which requires that for the submission of documents and information to the Secretary of State, a statement setting out the following (listed below) must be prepared:

- (i) which bodies and persons the local planning authority invited to make representations under regulation 18,*
- (ii) how those bodies and persons were invited to make representations under regulation 18,*
- (iii) a summary of the main issues raised by the representations made pursuant to regulation 18,*
- (iv) how any representations made pursuant to regulation 18 have been taken into account;*
- (v) if representations were made pursuant to regulation 20, the number of representations made and a summary of the main issues raised in those representations; and*
- (vi) if no representations were made in regulation 20, that no such representations were made;*

1.4 The Statement sets out how the Council has involved the community and stakeholders in preparing the Submission Version of the Amended Allocations and Development Management DPD and how this meets the requirements of the Council's Statement of Community Involvement and national regulations.

1.5 This document should be read in conjunction with the previous consultation statements as in combination these Statements address the requirements of Regulation 22 (detailed above).

Background

- 1.6 Newark & Sherwood District Council consulted on the first draft Regulation 19 Local Plan from 14th November 2022 to 9th January 2023 and received 63 individual responses containing 164 comments.
- 1.7 Following the close to the representation period the District Council considered the representations received. Of significance was a representation from the Environment Agency. The District Council has been in detailed and productive discussions with the Agency for a significant period of time. The Agency have been supportive of an overall approach which lessens flood risk for residents and provides a proper framework for making planning decisions in the Tolney Lane area. They have met with the Council's flood risk consultants who have explained the scheme and the results of the detailed flood modelling analysis to them. Our understanding had been that the work published alongside the DPD would be sufficient to progress to submission. However, the Agency in making their representation the Agency stated until such time as they were happy with the model and its outcomes, they could not support the Tolney Lane flood alleviation scheme.
- 1.8 In addition, since the publication last year of the Draft DPD, the situation regarding a number of the proposals in the Plan both in relation to our Gypsy & Traveller Pitch delivery strategy and with other elements of the DPD have changed. The status of a number of sites has changed to the extent to which are considering recommending to the Council that we change our approach to them. Furthermore, in relation to the Pitch Delivery Strategy a small number of pitches have been granted planning permission in the interim and the Planning Inspectorate have changed their approach to the implementation of planning policy as set out in Planning Policy for Travellers Sites following legal decisions, which we will need to be reflected in the DPD.
- 1.9 All those who submitted representations to the previous Regulation 19 stage have been given the opportunity to either carry their representation or submit a new representation.

Consultation Stages

- 1.10 The table below shows the different stages of plan preparation leading up to the publication of the Submission Amended Allocations and Development Management DPD. This is to enable early and ongoing engagement with the local community, key stakeholders and statutory consultees.

Date	Consultation Stage
Summer 2019	Issues Paper
Summer 2021	Regulation 18 Options Report
Winter 2022/23	Regulation 19 Publication AADMDPD
Autumn 2023	Second Regulation 19 Publication AADMDPD

- 1.11 This report summarises the consultation process and sets out the feedback received for the Publication Amended Allocations & Development Management DPD consultation which took place in Winter 2022/23.

2.0 Consultation Methodology

- 2.1 The Council has used a range of methods to engage and consult with stakeholders and the local community in accordance with the Statement of Community Involvement and the Addendum published in light of the Coronavirus (Covid-19) pandemic.
- 2.2 The Planning Policy Consultation Database is a comprehensive database comprising of specific and general consultation bodies as well as residents, businesses, housebuilders etc. An indicative list of groups is set out below and full details of the statutory consultees are included at Appendix 1. Cross boundary consultation has been carried out with adjoining local authorities and parish councils.

Specific Consultees	General / Other Consultation bodies
Members of Parliament County Council Neighbouring Authorities Town & Parish Councils / Meetings Environmental Bodies Highways England Network Rail	Housing Associations Developers incl. House Builders Planning Agents Members of the Public Council Members Council Officers

- 2.3 Persons or organisations wishing to be included on the Council's Local Plan consultation database can sign up by sending an email to the Planning Policy inbox.
- 2.4 All persons and organisations on the Planning Policy database received an email or letter by post setting out the period of consultation, where the documents could be viewed and the deadline for submitting comments (see Appendix 2 & 3.) Notices were also placed in the Local Press inviting representations and information about the consultation was posted on the Council's social media platforms.

3.0 Summary of Main Issues

- 3.1 164 representations were made to the Publication AADMDPD consultation during the advertised consultation period submitted by 63 consultees. 12 consultees were either in support, made no comment or raised no issue with the AADMDPD. A list of Representors and their comments are included at Appendix 4 & 5.
- 3.2 The table below provides a summary of the responses received by topic / policy area.

Policy Topic	Policy Name / Paragraph Topic	Number
<i>Development Management Policies</i>		
DM1	Development within Settlements central to Delivering the Spatial Strategy	1
DM2	Development on Allocated Sites	5
DM3	Developer Contributions and Planning Obligations	3
DM4	Renewable and Low Carbon Energy Generation	3
DM5a	The Design Process	5
DM5b	Design	4
DM5c	Sequential Test	1
DM5d	Water Efficiency Measures in New Dwellings	0
DM6	Householder Development	0
DM7	Biodiversity and Green Infrastructure	2
DM8	Development in the Open Countryside	6
DM9	Protecting and Enhancing the Historic Environment	4
DM10	Pollution and Hazardous Materials	1
DM11	Retail and Main Town Centre Uses	1
DM12	Presumption in Favour of Sustainable Development	1
DM13	Regeneration Programmes and Schemes	1
<i>Settlement Specific Policies</i>		
Lo/HN/1	Lowdham Housing Need	1
SO/HN/1	Southwell Housing Need	1
NUA/AR/1	Archaeology – Farndon and River Devon Ice Age Landscape	3
NUA/AR/2	Archaeology – Newark Civil War	1
SO/AR/1	Archaeology – Southwell Roman Villa	2
SO/WH	Thurgarton Hundred Workhouse	1
NUA/OB/1	Newark Urban Area – Open Breaks	2
ST/MOA	Sutton on Trent – Main Open Areas	1
ShA/L/1	Policy ShA/L/1 – Laxton	2
ST/LC/1	Sutton on Trent – Local Centre	1
<i>Site Allocations</i>		
Cl/Mu/1	Former Clipstone Colliery	2
Lo/Ho/1	Land adjacent to 28 Epperstone Road, Lowdham	1
NUA/E/3	Land off Telford Drive, Newark	1
NUA/Ho/10	Land north of Lowfield Lane, Newark	2

NUA/Ho/7	Land between Bowbridge Road and Hawton Lane	1
NUA/Mu/3	Land at NSK, Newark	1
Ra/E/1	Land west of Colliery Lane, Rainworth	1
Ra/Ho/2	Land east of Warsop Lane, Rainworth	2
So/E/1	Crew Lane Industrial Estate Policy Area	2
So/E/2	Land to the east of Crew Lane, Southwell	3
So/E/3	Land to the south of Crew Lane, Southwell	2
So/Ho/1	Land east of Allenby Road, Southwell	2
So/Ho/2	Land south of Halloughton Road, Southwell	1
So/Ho/3	Land at Nottingham Road, Southwell	2
So/Ho/4	Land east of Kirklington Road, Southwell	1
So/Ho/5	Land off Lower Kirklington Road, Southwell	1
So/Ho/6	Land at the Burgage (Rainbows), Southwell	2
So/Ho/7	Southwell Depot, Southwell	1
So/RL/1	Land to the south of Crew Lane, Southwell	3
So/MU/1	Land at former Minster School, Southwell	2
ST/Mu/1	Land to the east of Hemplands Lane, Sutton on Trent	1
Homes for All		
CP1	Affordable Housing Provision	9
CP2a	Entry-Level Exception Housing	1
CP3	Housing Mix, Type and Density	2
GRT1	Pitch Requirements	0
GRT2	Additional Provision on Existing Sites	1
GRT3	Sites to be Brought back into Gypsy Roma Traveller Use	0
GRT4	Site Allocations	2
GRT5	Tolney Lane Policy Area	0
NUA/GRT/13	Former Belvoir Iron Works, Newark	2
NUA/OS	Opportunity Sites	2
Evidence Base		
Playing Pitch Strategy		7
Open Space Strategy & Assessment		7
Infrastructure Delivery Plan		1
Habitat Regulations Assessment		1
SHELAA Site Submissions		3
GTAA		1
Other		
Sutton on Trent Village Envelope		1
Edwinstowe Village Envelope		1
Southwell Urban Boundary		1
Employment Need / Strategy		6
Housing Need / Strategy		4
GRT Strategy		4
Waste Management		1
Green Belt Boundary		1
NAP2B – Land east of Newark		2

Appendix 1: List of Statutory Consultees

Organisation	
All parish councils within the District	All Council Members
Age UK	Anglian Water
Ashfield District Council	Bassetlaw District Council
British Gas	BT
The Coal Authority	Central Lincolnshire Joint Planning Unit (Lincoln, North Kesteven & West Lindsey)
East Midlands Chamber	EE Customer Services
Environment Agency	Campaign to Protect Rural England
Gedling Borough Council	Historic England
Highways England	Homes England
Home Builders Federation	Lincolnshire County Council
Leicestershire County Council	Melton Borough Council
Mansfield District Council	Members of Parliament
National Trust	National Grid
Natural England	Newark & Sherwood Clinical Commissioning Group
Network Rail	Newark & Sherwood District Council Planning Development
Newark & Sherwood Community & Voluntary Service	Nottinghamshire County Council
Nottinghamshire Coalition for Disabled Persons	Nottinghamshire Police
Nottinghamshire Fire & Rescue	Nottinghamshire Wildlife Trust
O2	Rushcliffe Borough Council
Severn Trent Water	South Kesteven District Council
Three Customer Services	Trent Valley Internal Drainage Board
Vodafone	Western Power Distribution

Appendix 2: Email to Statutory Consultees and Consultees on the Local Plan Database

16th November 2022

Dear Consultee,

The District Council is currently in the process of reviewing its Development Plan, made up of the Amended Core Strategy (ACS) and the Allocations & Development Management Development Plan Document (ADMDDP). Following the adoption of the ACS in March 2019, work has been progressing on preparing to review the ADMDDP.

Accordingly, approval was gained at the meeting of Full Council on 9th November 2022 to publish the Publication Amended Allocations & Development Management DPD and seek representations, in line with Regulations 17, 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Amended Allocations & Development Management DPD (AADMDDP) will set out:

- Allocations of land for new housing, employment and other development for the District up to 2033;
- Housing Policies, including affordable housing targets and Gypsy, Roma, Traveller policy and allocations; and
- Development Management Policies.

As a result of information received through previous consultation and other detailed investigations, changes have been made and the DPD is now in the format that the Council wishes to submit to the Secretary of State for Examination and to subsequently adopt.

The Publication Amended Allocations & Development Management DPD, along with its proposed submission documents, is now subject to a period of Representation from 14th November to 30th December 2022. This provides the opportunity to read the Publication AADMDDP and consider whether you wish to submit Representations. Please note however that this stage is more formal than the open consultations which has preceded it, and any Representations on the Plan will need to be made on the grounds of whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements or alternatively its soundness in planning terms (as prescribed by Paragraph 35 of the National Planning Policy Framework [2021]). To aid the making of Representations a guidance note has been produced and this is available to view online (see web address below), at libraries around the District and the District Councils offices at Castle House.

The document and its supporting information are available to view on our website at Website: <https://www.newark-sherwooddc.gov.uk/aadm-representation/>. Attached to this email is the Statement of Representations Procedure which formally sets out the purpose, content and availability of the DPD. Copies of the Representation Form are available on the Council's website, and a limited supply is also available at Castle House and the District's Libraries. Representations can be emailed to:

planningpolicy@nsdc.info or via post to:

Planning Policy & Infrastructure Business Unit
Newark & Sherwood District Council
Castle House

Great North Road
Newark
NG24 1BY

Please note however that any Representation must be submitted to the District Council by 5:00pm on 30th December 2022.

Following the Representation period, the Council will consider the Representations received and determine whether or not to submit the DPD. If Full Council approves the submission of the DPD, then any Representations received will be submitted to the Secretary of State along with the Amended Allocations & Development Management DPD for independent Examination. This Examination will be led by an independent Planning Inspector whose role it is to assess whether the document complies with legislation, and whether it is a sound plan, under the terms of planning guidance.

If you have any questions please contact Planning Policy at planningpolicy@nsdc.info or by phone on (01636) 655000.

Yours Sincerely,

Appendix 3: Follow Up Email sent to Statutory Consultees and Consultees on the Local Plan Database

7th December 2022

Dear Consultee

As you will be aware, the District Council wrote to you recently regarding the Publication Amended Allocations & Development Management DPD, setting out that representations were being sought in line with Regulations 17, 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Amended Allocations & Development Management DPD (AADMDPD) will set out:

- Allocations of land for new housing, employment and other development for the District up to 2033;
- Housing Policies, including affordable housing targets and Gypsy, Roma, Traveller policy and allocations; and
- Development Management Policies.

As a result of information received through previous consultation and other detailed investigations, changes have been made and the DPD is now in the format that the Council wishes to submit to the Secretary of State for Examination and to subsequently adopt.

Additional information in relation to flooding has now been added to the website and is available to view at <https://www.newark-sherwooddc.gov.uk/aadm-representation/>. Consequently, the District Council have decided to extend the Representation period for a further week. The Publication Amended Allocations & Development Management DPD, along with its proposed submission documents, is now subject to a period of Representation from **14th November to 12 Noon on 9th January 2023**.

As set out previously, this stage is more formal than the open consultations which have preceded it, and any Representations on the Plan will need to be made on the grounds of whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements or alternatively its soundness in planning terms (as prescribed by Paragraph 35 of the National Planning Policy Framework [2021]). To aid the making of Representations a guidance note has been produced and this is available to view online (see web address below), at libraries around the District and the District Councils offices at Castle House, Newark and the Ollerton Advice Office at Sycamore Road, New Ollerton.

Attached to this letter is the Statement of Representations Procedure which formally sets out the purpose, content and availability of the DPD. Copies of the Representation Form are available on the Council's website, and a limited supply is also available at Castle House, Ollerton Advice Office and the District's Libraries. In addition, Representations can also be posted to:

Planning Policy & Infrastructure Business Unit
Newark & Sherwood District Council
Castle House
Great North Road

Newark
Nottinghamshire
NG24 1BY
or emailed to: planningpolicy@nsdc.info

Please note that any Representation must be submitted to the District Council by 12 Noon on 9th January 2023.

Following the Representation period, the Council will consider the Representations received and determine whether or not to submit the DPD. If Full Council approves the submission of the DPD, then any Representations received will be submitted to the Secretary of State along with the Amended Allocations & Development Management DPD for independent Examination. This Examination will be led by an independent Planning Inspector whose role it is to assess whether the document complies with legislation, and whether it is a sound plan, under the terms of planning guidance.

If you have any questions, please contact Planning Policy by 'phone on (01636) 650000 or alternatively by email to the address above.

Yours faithfully

Appendix 4: Responses to Question 8

(Please provide 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.)

ID	Respondent	Comment
001	CB Collier NK (SSC) c/o Harris Lamb	<p>Subject to successfully deleting the designation/protection of the former SSC site for sports and recreational use, CB Collier also seek the allocation of the site as a potential residential development site. The grant of outline planning permission on the former Flowserve site confirms that the location is one that is sustainable and is suitable for the delivery of new housing to meet the needs of Newark. The proximity of the SSC site to the site that has been granted outline planning permission would indicate that the same could be concluded for it as well. The site has the capacity to deliver approximately 115 dwellings which could be brought forward as a further phase of the wider Flowserve development. We, therefore, object to the omission of the site on the basis that it is considered suitable and deliverable and could contribute to meeting the housing needs of Newark if there was a requirement to identify additional housing sites for the district.</p> <p>We are instructed by CB Collier NK (SSC) Limited (“CB Collier”) to submit representations to the Publication Amended Allocations and Development Management DPD (“PAADMDPD”) and welcome the opportunity to comment at this time. CB Collier’s interests in the plan is focused on its land interests at the former Flowserve Sports and Social Club, Hawton Lane, Newark (‘the Site’). The site is currently designated as public open space/school playing fields on the draft Proposals Map. The nature of our representations is to seek to have this designation removed and to seek the reallocation of the site for alternative use. Our comments, therefore, focus on matters relating to the provision and protection of sports facilities and recreation/open space.</p> <p>Background CB Collier purchased the site from Flowserve in 2019. The purchase was comprised of two parcels: the surplus land for the factory and the Sports and Social Club (“SSC”) site. The surplus land for the factory now has the benefit of outline planning permission following a successful appeal and the Council are currently considering reserved matters applications under the outline permission. The SSC and associated pitches/facilities are currently vacant, with vacant possession being secured in May 2021. The site was originally used by, and was run, for the employees of Flowserve. However, over time, use by employees of the business dwindled. The running of the club and the facilities was not properly managed, and the club was largely paid for by Flowserve but was no longer run for the benefit of its employees and Flowserve subsequently ceased their financial support. When the business downsized it also decided to off load the SSC site as they no longer had any association with it and were largely subsidizing a private entity/business. Following the acquisition of the site by CB Collier, attempts were made to resolve the lease arrangements of the SSC as there were significant levels of unpaid rent (over £200k) on the property with no obvious method for the occupier to pay these back or to pay an agreed rent going forward. As such, acceptable terms could not be agreed upon and the lease was terminated. CB Collier then discussed with the Council and Sport England on a number of occasions whether they would take on the site and act as a guarantor to Newark Football Club. Both the Council and Sport England decided against such an intervention and the football club subsequently declined to enter into a commercial lease with CB Collier and relocated to another facility elsewhere within the District. The SSC ceased trading in March 2020 and has now been vacant for over 2 years despite repeated and concerted efforts to market the site, both locally and nationally, for continued sport use. It is in this context that the site is vacant, and despite a concerted period of marketing, there has been little or no demand for reuse for sport or recreational purposes such that CB Collier now wants to explore options for its redevelopment for non-sporting uses. The nature of our representations should be read in this context.</p> <p>Proposals Map The land and premises at the former SSC are identified on the draft Proposals Map as public open space/school playing fields and covered by SP8 of the adopted Core Strategy. We object to the designation and are seeking its removal. Paragraph 2.23 of the Publication Plan states that a number of open space sites require protection under policy SP8 and are shown on the Proposals Map, the necessity for which is explained in the Supporting Open Space Assessment and Strategy Document. The document does not cover outdoor sports facilities, which were present at the former SSC. Paragraph 2.26 confirms that: <i>“Outdoor sports facilities are not analysed as part of the Open Space Strategy and Assessment as a different methodology in line with national guidance (Sport England) is prescribed and is contained in a separate standalone Playing Pitch Strategy (PPS). This document will be updated in due course.”</i> In light of the fact that the Council does not have an up-to-date PPS we consider that the continued protection of the former SSC is not justified in that there is not up to date evidence of the need for the facilities. Clearly, if the site was needed, evidence should have been provided that confirms that the facilities are required and worthy of protection from development/non-sporting use. Stating that evidence will be updated in due course is not satisfactory as paragraph 31 of the Framework states that: <i>“The preparation and review of all policies should be underpinned by relevant and up to date evidence.”</i> As the evidence underpinning the designation/protection of the former SSC is not up to date, we consider that the designation/protection of the site is unsound in that it is not justified as the Council does not have the requisite evidence to substantiate its intention to retain/protect the SSC from alternative non-sporting use. Our own marketing activities of the site for continued sport and recreation use have drawn a blank despite over 24 months of continued marketing, which includes over 18 months of marketing by an agent active in the sports and leisure market, who have had no credible interest in anyone wanting to use the site in its current form. As such, we conclude that there is no demand for the facility. Furthermore, we are aware of the provision of new sports facilities within Newark that have come on stream in the recent past. Equally, we are aware of the provision of future sports facilities within the adjacent Middlebeck Urban Extension Masterplan. All of which provide a much higher standard of facility than is available at the former SSC site. It is our view, therefore, that the loss of the former SSC site would not undermine the provision of sports and recreation facility uses across Newark. We, therefore, seek the deletion of the POS/school playing designation afforded by the Core Strategy policy SP8 from the site to address our concerns about the plan.</p>
002	National Highways	<p>National Highways (formally Highways England) has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. In relation to the Newark & Sherwood Development Plan, our principal interest is in safeguarding the A46 and the A1 trunk roads which route through the Plan area.</p> <p>Consultation History and Approach We have had significant previous engagement with the Council in the preparation of its Development Plan, most recently in August 2021 when we provided a response to the Allocations and Development Management Options Report & Open Space Strategy Consultation. Throughout our engagement with the Council, it has been understood that the DPD supports the delivery of the Amended Core Strategy adopted in 2019. In a slightly unusual situation, the earlier 2011 Core Strategy had higher development targets and therefore rolling the plan period forward to 2033 has not required additional housing and employment allocations to be made. As such, the review of the DPD, which allocates land and policies for growth, has been to consider if the previously allocated land is still available and deliverable. In light of the above, the transport evidence base underpinning this Local Plan review has consisted of a ‘light touch’ update to the 2010 Transport Study in order to ensure that the Infrastructure Delivery Plan (IDP) remains appropriate. National Highways is accepting of this approach and has not requested to see any new highway capacity assessments for this review. Notwithstanding this, throughout our engagement we have maintained our position that development in Newark and Sherwood has the potential to impact significantly upon the operation of the A46 and A1. As such, our position has been that any large strategic sites with the potential to impact upon the operation of the SRN shall be subject to Transport Assessments for their impacts to be appropriately assessed. We are happy that this requirement has been outlined in the allocation policies of the DPD. In light of this, National Highways is content that the ADMDPD has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements as set out the NPPF.</p>
003	Newark Town	Newark Town Council supports generally, the revised Allocations and Development Plan, however, as locally connected Councillors and community advocates, there are concerns regarding the Gypsy & Traveller allocations and its impact on

	Council	community cohesion, especially for pre-existing Gypsy and Traveller populations. The current provision being reviewed repeatedly every 5-10 years suggest an exponentiality in this provision which itself causes concern in respect of that community cohesion.
004	Jake Whittaker	<p>I'd like to request that the boundary of Edwinstowe is adjusted to include my land, which if it were to be developed could be considered 38 Mill Lane as it borders properties 34 and 36 Mill Lane. The land was until recently a roadside garden, part of the estate of 30 Mill Lane, but is now a separate entity in my ownership. I am a long-time resident of Edwinstowe, and I would like the opportunity to apply to build a home for myself. I have a few reasons that I think could support my request, as the land:</p> <ul style="list-style-type: none"> • borders an existing domestic property • is within the 30mph limit • has 2 drop curbs • has a building with existing planning approval
005	TOWN-PLANNING.CO.UK	<p>The development of the entire housing on site ST/MU/1 by Charles Church is complete as was completed over 2 years ago. Some 50 dwellings were constructed rather than 37 so the policy is highly misleading. The planning permission granted was only for housing and not a mixed use so again the policy is misleading. The space for a potential retail store is reserved in the planning obligation and cannot currently be developed for anything else. It is secured by other means and the allocation is not necessary to bring it forward. In any event the space for the retail store will never come forward and be delivered as it is too small for the needs of the Lincolnshire Co-op; it is smaller than their existing site which they have consistently said is far too small for their current needs anyway. The Lincolnshire Co-op would like to relocate but they need a site significantly larger than their existing site. Due to the presence of the Lincolnshire Co-op no other retailers have expressed any interest in the village and Charles Church have not marketed the retail. Land reserved for the village hall is outside of the allocated site in the Main Open Area. It is also secured in the planning obligation, although it is unlikely to be delivered at this time due to the overall cost being some three times the financial contribution obtained from Charles Church through the planning obligation. The Doctors surgery car park was delivered many years ago. The allocation also covers land at the western end that the planning obligation requires to remain undeveloped open space in perpetuity, so there is no land available for further development, the entire site has been developed out. As such site ST/MU/1 is no longer required and its retention is misleading.</p> <p>The area covered by ST/LC/1 for a future local centre cannot be delivered as this is open space prevented from being developed by the planning obligation that accompanied the housing development which was completed over two years ago. Accordingly, the proposed Local Centre allocation is not achievable, or deliverable and the retention of the Policy is highly misleading. The development of the entire housing on site ST/MU/1 by Charles Church is complete as was completed over 2 years ago. The space for a potential retail store which is in fact within the area of ST/MU/1 and not in the area of land shown under ST/LC/1 is reserved in the planning obligation and cannot currently be developed for anything else. The small possible site for retail use is secured by other means and the Local Centre allocation is not necessary to bring it forward. In any event the space for the retail store will never come forward and be delivered as it is too small for the needs of the Lincolnshire Co-op; it is smaller than their existing site which they have consistently said is far too small for their current needs anyway. The Lincolnshire Co-op would like to relocate but they need a site significantly larger than their existing site. Due to the presence of the Lincolnshire Co-op no other retailers have expressed any interest in the village and Charles Church have not marketed the retail. The Local Centre allocation directly conflicts with a planning permission already implemented and the accompanying planning obligation that now requires the land shown for the Local Centre allocation to remain undeveloped open space in perpetuity, so there is no land available for further development, the entire site has been developed out. As such site ST/LC/1 is no longer deliverable and its retention is misleading.</p> <p>The Main Open Area designation has been amended at the eastern end to reflect the housing built by Charles Church which included land identified as MOA in the current DPD. This was allowed supposedly because of the delivery of community benefits, which have not yet been delivered due to ongoing planning enforcement issues relating to land levels, flood risk compensation and due to additional open space at the western end being provided as well. The MOA designation should be amended as indicated on the accompanying plan to include the open space that has been provided in lieu of the eastern open space that was developed. The western area is open space prevented from being developed by the planning obligation that accompanied the housing development which was completed over two years ago. However, whilst this is protected under that planning obligation, inclusion in the DPD as Main Open Area will secure the retention of this open space within the Conservation Area in the long term.</p>
006	Lindens Farm Ltd c/o TOWN-PLANNING.CO.UK	<p><u>Sutton on Trent - Village Envelope</u></p> <p>Sutton on Trent is a village of unusual character in that it is a settlement made up of numerous but distinct parts. Whilst it has a main core that has been defined for many years, that core is punctuated by a number of large open areas. Although the recent development by Charles Church on ST/MU/1 has removed one of the largest open areas. The main core is surrounded by a large number of open areas, including traditional orchards beyond which there are then large areas of village which are currently considered part of the open countryside. These areas are home to large parts of the village community and their exclusion from the village boundary potentially prevents their redevelopment or consolidation through appropriate infill. Approximately 100 dwellings and commercial premises form the part of the village outside of the defined village envelope; this accounts for just under a fifth of the number of premises in the overall village. It is considered that the character, form and layout of Sutton on Trent as a village is unique within the District and as such it requires a modified approach to the designation of a village boundary. These more outlying parts of the village include residential, industrial, recreation, tourism and agricultural uses. These are integral land uses to the future success of the settlement as a defined Principal Village. The current village envelope means that in fact parts of Sutton on Trent are deemed unsuitable for development; where in fact if the village was otherwise classed as an 'other settlement' under Spatial Policy 3 of the Core Strategy then such areas would be likely to be deemed suitable for development. This is an inconsistent approach which should be addressed. At present the outlying parts of Sutton on Trent as a Principal Village but outside of the settlement boundary are treated more harshly in policy terms in relation to new development to outlying parts of villages and hamlets covered by Spatial Policy 3 in the Amended Core Strategy. This is resulting in perverse planning decision making as in sustainability terms the outlying parts of Sutton on Trent which are more sustainable for example in relation to infill housing are less favourably considered than a similar infill proposal would be considered in a village without any services or facilities.</p> <p>The perverse planning position is amplified by the LPA choosing to continue with a separate Core Strategy and Allocations & Development Management Policies DPD. The LPA has sought to argue that as this is a local plan review it is inappropriate to review the settlement boundary. This is illogical as the purpose of a local plan review is to amend and review appropriate parts of the DPD. Settlement boundaries for other settlements have been amended. The village boundary should include the areas shown in the attached document in order to properly reflect the actual defined settlement of Sutton on Trent. Whilst the village has a main core that has been defined for many years, that core is punctuated by a number of large open areas that form an integral part of the overall form, structure, character and appearance of this Principal Village. To the north of the main core is an area of recently enhanced and expanded employment, beyond which is the village Sports facilities. Sutton on Trent as an overall village does not have a nucleated form, it is an expansive settlement measuring around 1.8km from the southern extent along Great North Road to the northern extent around the Sports Ground. It measures some 1.5km from the western extent around Mercia Garden Products to the Holmes to the east. A footprint of some 2.7 square km is a large footprint for a settlement of the population that Sutton on Trent has. The area of Sutton on Trent focussed around Main Street, Great North Road, Shires Way, Floral Villas and Carlton Lane forms the southern 'gateway' into the village. This area contains Roy Walker Furniture, the Lindens Farm Caravan Site, the Lindens Fishing Lake, Hadleys Fine Meats, the Petrol Filling Station and MOT Garage along with some 50+ dwellings. The number of dwellings in the village excluded from the current settlement boundary at around 100 in total is the scale of a settlement in itself. That southern gateway to the village contains historic parts of the village as identified by the Conservation Area. Areas of the village outside of flood zones 2 and 3 are extremely limited.</p> <p>It is considered that the character, form and layout of Sutton on Trent as a village is unique within the District and as such it requires a modified approach to the designation of a village boundary and to the choice of any site(s) for future development. The more outlying parts of the village include residential, industrial, recreation, tourism and agricultural uses. These are integral land uses to the future success of the settlement as a defined Principal Village. The village boundary should include these areas in order to properly reflect the actual defined settlement of Sutton on Trent. Sutton on Trent has a low density of development due to its spread out nature, that density has been increased in some parts through infill development and</p>

		through development in rear gardens. This windfall infill nature of development has been a typical feature of the village and this is what accounts for the relatively high level of commitment over the years. The DPD has no published settlement boundary methodology against which the settlement boundary can be tested. Consequently, the settlement boundary is not justified or effective in delivering the role of Sutton on Trent as a Principal Village. As such the DPD is inconsistent with the Amended Core Strategy and conflicts with the NPPF and in particular paragraph 79 as it fails to promote sustainable development in rural areas by allowing housing to be located where it will enhance or maintain the vitality of the rural community of Sutton on Trent as a Principal Village. The NPPF requires planning policies to identify opportunities for villages to grow and thrive, especially where this will support local services. The settlement boundary conflicts with the NPPF in this regard.
007	Mr & Mrs CL & JD Smith c/o TOWN-PLANNING.CO.UK	<p>Policy NUA/OB/1 Newark Urban Area - Open Breaks (Coddington)</p> <p>The southernmost part of the residential curtilage of Blacks Farm is currently overlaid by the Newark and Coddington Open Break. Policy NUA/OB/1 in the Allocations and Development Management Policies DPD states:</p> <p><i>“Newark Urban Area - Open Breaks</i> <i>In order to ensure that existing settlements retain their separate identities and characteristics, the District Council has identified certain areas that are under pressure for development which provide an open break between settlements.</i></p> <p><i>i. Newark and Farndon;</i> <i>ii. Newark and Winthorpe; and</i> <i>iii. Newark and Coddington.</i></p> <p><i>Within land allocated on the Policies Map as Open Breaks in Newark Urban Area, planning permission will not normally be granted for built development.”</i></p> <p>The part of the Blacks Farm site within the Open Break already contains a large outbuilding and two smaller outbuildings. These three outbuildings collectively cover more than 50m2 so already represent a sizeable built footprint within the Open Break. The Open Break boundary at present is illogical and we are submitting this representation to the review of the Allocations and Development Management Policies DPD to object to the overlap of the Open Break on the garden of Blacks Farm 27 Newark Road. The Open Break as presently defined actually includes not just open and undeveloped land but it overlays existing built development including Greenfields Care Home; Greenways; Bramble Bank 29 Newark Road; Blacks Farm 27 Newark Road; Mill Dene 11 Newark Road and 27a Newark Road. The emerging review of the Allocations and Development Management Policies DPD proposes to remove Greenfields Care Home from the Open Break. It doesn't propose as of yet to address the anomaly of approach along our stretch of Newark Road to the approach taken elsewhere to the east on Newark Road and to the south on Balderton Lane.</p> <p>In most areas along Newark Road the Open Break boundary follows the edge of the residential curtilage, as can be seen by the wavy line boundary. Also, along Balderton Lane the Open Break boundary follows the edge of the residential curtilage, as can be seen by the wavy line boundary. For reasons which the Allocations and Development Management Policies DPD does not explain along this part of Newark Road the open break boundary is drawn in a straight line, rather than following the varied edge of the residential curtilage. As such it cuts straight through the gardens of Bramble Bank 29 Newark Road; Blacks Farm 27 Newark Road; and 27a Newark Road. This is in direct contrast to the approach elsewhere as described above where the Open Break boundary goes in and out strictly following the varied edge of the residential curtilages. The review of the DPD assesses the land within the Open Break and buffer area around it to determine if it still functions to retain the separate identities and characteristics of Newark and the neighbouring settlements. The assessment of Open Break functionality was split into three areas: Physical; Perceptual; and Landscape value. However, the assessment was undertaken using a 1:25,000 OS base map which is out-of-date and does not correctly reflect the actual property curtilage boundaries along the southern side of Newark Road. The 1:25,000 OS Map base used by the LPA is at least 20 years out-of-date because it fails to represent buildings that were present on the 2001 OS Map as shown on the extract below from Nottinghamshire Insight Mapping. The inconsistency of policy approach in the DPD is a matter we must legitimately raise in objection to the review of the DPD.</p> <p>The garden and outbuildings of Blacks Farm does not contribute to the physical separation of Newark and Coddington due to its geographic position. It is not part of the open or undeveloped farmland which forms the main proportion of the Open Break. As such it would score 'Low' on the physical assessment criteria. In perceptual terms the garden and outbuildings of Blacks Farm already contains built form and is distinct from the land to the south and east. It is already perceived as being part of the established village built footprint. Accordingly, it does not contribute to the sense of separation of Newark and Coddington. As such it would also score 'Low' on the perceptual assessment criteria. In landscape terms the character of the garden and outbuildings of Blacks Farm is weak, with little landscape identity. The characteristic features are of a domestic residential curtilage with poor quality outbuildings which detract from any feeling of openness. It does not have the landscape character of countryside and there are no areas of conservation interest within the garden. Consequently, it would also score 'Low' on the landscape value assessment criteria. On the basis of the above analysis, the garden and outbuildings of Blacks Farm does not share the characteristics of the Open Break. In the review of the DPD the boundary along Newark Road should be amended to reflect the actual varied boundary curtilages of the residential properties including Blacks Farm. This is what we are requesting. The current position is clearly an anomaly and inconsistent with the approach taken elsewhere on the same Open Break. This inconsistency and the inability of the LPA to explain a rationale for the inconsistency is material to the review of the DPD.</p> <p>The evidence document fails to make any reference the Coddington Open Break overlapping any existing gardens. This calls into question whether the author has ever actually visited the village to see the position on the ground. Elsewhere as detailed in paragraph 5.1.3 of the evidence document the removal of plot to the edge of unit 6 in proposed in the Farndon area because 'This residential property relates to adjacent properties rather than the wider agricultural landscape. It ties into the existing linear development along Fosse Road.' As such the evidence document is being inconsistent in approach and should also recommend that the boundary along Newark Road in Coddington should be amended to exclude the existing residential gardens from the Open Break. The Open Break boundary should be amended as follows:</p> <p>The DPD Open Break boundary is not justified by evidence and is not justified or effective in delivering the role of Coddington as a rural settlement that benefits from excellent accessibility to the services and facilities of the Newark Urban Area. As such the DPD is inconsistent with the Amended Core Strategy and conflicts with the NPPF and in particular paragraph 79 as it fails to promote sustainable development in rural areas by allowing housing to be located where it will enhance or maintain the vitality of the rural community of Coddington. The NPPF requires planning policies to identify opportunities for villages to grow and thrive, especially where this will support local services. The settlement boundary conflicts with the NPPF in this regard.</p>
008	Harby Parish Council	The Parish Council were disappointed to be unable to provide positive comments of support for the approach which has been taken in the Amended Policy Documents. The District Council has previously had a clear strategy in place for allocations and employment which is on/ahead of target for the current plan period. This amendment principally deals with the allocation for gypsy roma/travellers, which has previously been less robust in strategy terms and has resulted in some less than ideal permissions being granted as a result, this is a welcome alteration especially as this approach appears to be deliverable by the District Council. Further clarification: Parish Council are in support.
009	Collingham Parish Council	The Parish Council have discussed the Amended DPD document, which they believe is robust, legally compliant and sound. The Parish Council support the approach taken by the District Council in this amended policy document as the existing policies have resulted in the District Council being ahead of target for both housing and employment targets within the current plan period and as such require no updates. The revised policies and allocations which pertains to new pitch allocations for Gypsy Roma and travellers are fully supported as this evidently is where the previous DPD was in need of additional work to enable the District Council to meet its targets as they have in all other areas.
010	Heine Planning	PLEASE NOTE: MY COMMENTS ARE MADE WITH REFERENCE TO SITES I AM FAMILIAR WITH. I CAN NOT COMMENT ON THE ACCURACY OF MANY OF THE PROPOSED ALLOCATIONS SO ABSENCE OF COMMENT SHOULD NOT BE TAKEN AS ACCEPTANCE OF WHAT IS PROPOSED. HAVING DISCUSSED THE PROPOSALS WITH CONTACTS IN THE TRAVELLING COMMUNITY IN NEWARK I AM CONCERNED THAT THIS IS TOO COMPLEX FOR THEM TO UNDERSTAND. THE POLICIES AS PROPOSED APPEAR TO RELY VERY HEAVILY ON PRIVATE INDIVIDUALS TO FUND/ DELIVER AND THIS CREATES UNCERTAINTY IN THE PLANNING PROCESS WITHIN A COMMUNITY THAT FOR SO LONG HAVE BEEN DISENFRANCHISED BY THE PLANNING PROCESS AND COST OF PARTICIPATING IN IT.

Para 1.25

It is unclear how the Council can claim it has a 7 years worth of housing supply when it has failed to deliver sites to meet non PPTS Gypsy Traveller need.

Lisa Smith judgment Oct 2022

Unfortunately, Gypsy Traveller policy was drafted in advance of the Lisa Smith judgment (Lisa Smith v SSLUHC & Ors [2022] EWCA Civ. 1391) in which the Court of Appeal determined that Annex 1 of Planning Policy for Traveller Sites 2015 (PPTS) enabled:

1. Indirect discrimination against Gypsy / Travellers – this was admitted by the Secretary of State.
2. Racial discrimination against Gypsy / Travellers;
3. Enabled / caused unfair planning decisions in planning cases involving Gypsy / Travellers to be made;
4. The 2015 change in definition of Gypsy / Traveller for planning purposes did not serve a legitimate aim.

The Court of Appeal determined that the Government had failed to justify the discrimination involved in the decision to change the definition in 2015 in PPTS. PPTS sought to differentiate and discriminate against Gypsy Travellers who had permanently ceased to travel. It is to be noted that the Planning system does not seek or justify similar discrimination based on age and health in respect of other housing policies e.g. rural homes for essential workers.

What is especially apparent from the judgment is

- a) the extent to which this discrimination impacted in a very negative manner on those Gypsies and Travellers who had permanently ceased to travel due to old age or illness, but who lived or wanted to live in a caravan often as part of an extended family group. This discrimination was inextricably linked to their ethnic identity, and
- b) the absence of any legitimate aim of, or proper justification for this policy.

It is no longer appropriate to distinguish between the needs of Travellers based on the PPTS definition and only allocate land to meet the PPTS need. Policy should seek to meet the needs of all Gypsy Travellers. Windfall applications should be accepted from all Gypsy Travellers. Para 8.30 states that provision is made for at least 143 pitches. The 2019 GTAA identified a need for at least 169 pitches from all Travellers.

Matters in Support

It is welcomed that the Council is proposing allocations to meet the historic need. It is welcomed that the Council is proposing a new public/ socially provided site as many will be unable to self-provide and there no certainty or security of tenure for those who have to rent off a private owner. But there does not appear to be any commitment to deliver this at an early stage of the Local Plan and it is not clear how it is to be funded. Given the huge and historic need for more pitches the Council does not have to wait for the outcome of the Local Plan examination to pursue a planning application for a socially provided site and confirm that funding is available.

GTAA-evidence base

There are issues with the methodology used by ORS. It is not clear on what basis the Council can claim this is a robust and credible evidence base (para 8.23) other than what the report says. Para 2.16 of the GTAA confirms ORS only apply the planning definition to those who travel for work purposes and do not include trips to fairs or any other trips which can have an economic purpose in accordance with the judgments relied on. This is not how the Planning Inspectorate and others have interpreted the definition. Others include trips to the traditional horse fairs as counting towards meeting the planning definition and it is unclear why ORS persist in refusing to do so despite the fact this has been pointed out at numerous appeals. The interview rate is low. Fig 5 confirms that only 123 interviews were completed from 379 pitches. Whilst the study found high numbers of non-Travellers on sites (i.e., around 102 of the 379 pitches), if all other pitches are occupied by Travellers this would give 277 Traveller pitches, less than half of whom were interviewed. How can the Council accept this study is credible and robust when so few households were interviewed? Para 8.27 of the GTAA claims that ORS found no firm evidence of households wishing to move into the district. As there is no socially provided site in the district and no waiting list, it is far from clear what evidence was relied on to support this statement. As I have submitted applications/ appeals for families who have relocated to the district (e.g. Websters from Nottingham at Edingley and families at Winthorpe Rd), and given the historic shortfall in pitches in this district which will have prevented some from living here, I think it is unrealistic to assume zero immigration. There is evidence to suggest otherwise if you look for it amongst applications and appeals. The high number of undetermined households is of concern. The study found that 78 households met the ORS definition, 74 were undetermined and 45 did not meet the restrictive definition. It is difficult to understand how any study can claim to be robust when it failed to identify the Status of this number of households.

Transit sites: ORS routinely conclude there is no need. There is a national shortage of stopping places for those who are travelling. The Government has adopted a Police Bill to address unauthorised encampments. The failure to create culturally pertinent accommodation has never been more apparent. This legislation and the chronic lack of stopping places do plenty to tell people where they can't go but offer no alternatives for where they can go. There is now a pressing need to reinstate the duty on local authorities to offer suitable stopping places – as sites or negotiated stopping arrangements. ORS seem unwilling and unable to address this matter in their accommodation studies. Councils should assess and address this matter separately. It is acknowledged that these studies are difficult to complete but it is often only at Planning Appeals, after these studies have been examined at EIP process, that the robustness of these studies is often challenged as it becomes apparent the need is greater and different to that identified-often because of the assessment of Status and failure to anticipate in migration. ORS do not attend all of the many planning appeals for Gypsy Traveller sites and seem unaware of these concerns. They appear to focus on the cases where they have convinced Inspectors that their studies are robust and ignore the rest. Their methodology was successfully challenged at the Havering EIP after the EIP Inspector listened to the concerns of myself and others and required them to do a more robust assessment. When they carried out more interviews and secured a better compliance rate this yielded a far higher need than had originally been submitted as a robust and credible study. I have yet to come across a study by ORS which has over estimated need.

Broad locations for future provision

Para 8.30 states that the Policies Map defines two broad locations for future pitch provision. Is this the same broad location referred to at the end of GRT2 i.e. down Tolney Lane. If so, it would have been helpful for para 8.30 to name these locations.

Pitch Delivery Strategy

Para 8.31 and 8.32 refers to a separate Pitch Delivery Strategy. I cannot find this in the Evidence Base. I can find no plans to demonstrate that the pitch numbers listed are achievable or what pitch standards the Council is working to. The 2022 Land Availability Assessment report 2022 lists details of the size of sites and pitch numbers in Appendix 1. It is generally accepted that pitches should be no smaller than 600 sqm (i.e., room for a twin unit mobile home, small utility building, touring caravans, parking for two vehicles including a works vehicle, and some amenity space). For larger sites additional space is also needed for internal roads suitable for fire engines and communal refuse stores/ foul treatment plants/ landscaping/ biodiversity schemes and even SUD schemes. It should be possible to deliver 16-20 pitches per hectare. Yet Appendix 1 indicates rates far higher than this on some sites. The Nov 2022 Background Paper provides plans for some sites. For some down Tolney Lane the site layouts suggest that pitches are very small (i.e., single caravans). For several sites no internal layout is indicated. It is not known how the so called 'locally identified needs of planning definition households to be met' can be achieved on identified sites without indicative layouts to show that these sites have full and proper capacity to deliver the number of pitches indicated with a layout fit for modern standards and compliant with site licensing. If GRT/14 Old Stable Yard Winthorpe Road is intended to the same site as that dismissed in 2022 at appeal (which appears to be the case from the plan and details attached with the 2022 Land Availability Assessment), this site with 0.32ha does not have capacity for 14 pitches as stated. The site is laid out at present with just 6 pitches. If the allocation shown for the one site, I am familiar with is questionable I am left doubting how realistic other allocations are in the absence of plans to show how the number of pitches proposed will be delivered within the space available. This is of concern because other Councils (e.g., Havering, Swale and Dover) have assumed space for a single caravan can count as a pitch, just to make up the need in their districts.

Need for further studies

		<p>It is troubling that policy is so dependent on further studies being carried out (e.g., FRA/ contaminated land/ noise) to show that sites will be safe and will not add to problems elsewhere. These studies should have been done by the Council prior to allocations and mitigation agreed to ensure the Council is satisfied the proposals are deliverable. The fact further studies are required for so many sites introduces uncertainty into the planning process, the deliverability of sites, and the ability of policy to meet the need identified. For instance, a robust FRA and acoustic survey were prepared for the appeal for land at Winthorpe Road with appropriate mitigation and were not found acceptable to the Council. The November 2022 Background Paper now accepts at Para 5.5 that the sequential test is met and the Level 2 SFRA is addressing the Exception Test requirements-so why a need for a further robust FRA? The Background Paper accepts at par 5.6 that the noise issue cannot be fully mitigated so I am unclear why policy as drafted requires further studies and appropriate mitigation measures and what the Council are realistically expecting. It should be noted that touring caravans are not subject to the same BS specification as Park Homes.</p> <p>Tolney Lane</p> <p>It is troubling to see continued reliance on so many sites down Tolney Lane to meet the immediate need and future need (i.e. broad locations). There would also appear to be reliance on pitches coming forward on Tolney Lane in advance of the required flood/ road improvements to ensure that a five-year supply can be maintained. I find it very hard to believe land at lesser risk for flooding could not be found elsewhere in the district in accordance with the sequential test-especially for future need. Land has after all been found to meet the needs of bricks and mortar housing on land that it not at risk from flooding. Why are so many Traveller pitches to be left down Tolney Lane? Why is future need also reliant on Tolney Lane? Policy as drafted will result in an undue concentration of pitches in one location which remains at serious risk of flooding and has a recent history of flooding. I am not convinced of this strategy. PPTS talks of promoting integrated co-existence with the local community. I do not believe this is achieved by concentrating Travellers in one location-especially a location that is physically and functionally separate from the rest of the town. It is far from clear how or when the necessary flood alleviation / highway works will be funded, completed, by whom and when. This is key to the inclusion and delivery of so many sites in this location and reliance on the retention of existing sites the access to which is within a flood zone.</p> <p>Lack of choice</p> <p>The planned approach offers little choice by location and type of site. It is overly reliant on existing sites and the concentration of pitches down Tolney Lane. Travellers are being denied the choice available to those in bricks and mortar. Most pitches appear to be on sites where occupiers will end up renting off private owners with no security of tenure and sometimes no say on the cost of utility connections. I consider there is a need for more, smaller private sites and most definitely for some social provision. Private site owners cannot be made to make applications and the council cannot be certain new pitches will then be made available to meet the need identified as the council has no control over who they are offered to.</p> <p>Transit Provision</p> <p>It is wholly unrealistic to assume or expect there is no need for transit provision. There is a national and regional shortage of transit sites. There is no national network. Legislation now seeks to criminalise roadside encampments. Because this is a very difficult matter to address and is really a very separate issue to accommodation needs, the need assessments by ORS conclude the same for just about every study completed-resulting in no new transit provision anywhere. ORS fail to acknowledge or recognise the use of private family sites for this purpose. Newark is at the crossroads of North –South and East –West transport corridors. It is ideally located for transit provision. Additional provision is essential. Most Travellers will stop with families and friends on privately owned and managed sites as there is no proper transit provision. This practice is recognised at para 28 (c) PPTS which advises that planning conditions could indicate the scope for transit provision as part of private sites. Policy should be worded to indicate that the Council will encourage and promote transit provision as part of allocated sites if it is not prepared to allocate land specifically for a transit site and some land should be set aside for this within the allocations.</p>
011	Taylor Lindsey Limited	<p>These representations are made on behalf of the landowner, Taylor Lindsey Limited, by Knights and relate to a parcel of land to the west of Telford Drive in Newark-on-Trent (the Site). The Site occupies a parcel of land of approximately 0.49 hectares and is centred on Grid Reference SK811553. A Site Location Plan confirming the location and extent of the Site is shown below at Figure 1. Taylor Lindsey Limited wish to object to the Site’s removal from draft Employment Allocation NUA/E/3 which has been reduced in size from 1.54 hectares to 0.5 hectares. Specifically, these representations should be read as an objection to Policy NUA/E/3 and Map 1 - Newark North Proposals. It is considered that the Publication Amended Allocations & Development Management Development Plan Document (DPD) is not sound as the proposed amendments to Policy NUA/E/3 and Map 1 - Newark North Proposals are not justified.</p> <p>The Publication Amended Allocations & Development Management DPD Policies Map consultation document specifically refers to the proposed amendments to the spatial extent of the NUA/E/3 stating that: “Originally the allocation was made up of three parcels of land. One parcel has been developed and parts of the other two are now protected by a Tree Preservation Order. The site area has been reduced accordingly” (Change Ref: 21). Tree Preservation Order (TPO) No. N367 (Land to the rear of Nos. 38 to 120 Middleton Road, Newark) was confirmed on 13 May 2019. An extract from TPO No. N367 is shown below on a not-to-scale basis at Figure 2. The Council are correct in that the area covered by TPO No. N367 did form part of the parcel of land included as an Employment Allocation within the adopted Allocations & Development Management Development Plan Document (2013) under Policy NUA/E/3 and removal of the land covered by TPO No. N367 from the emerging allocation is considered to be justified. However, there appears to be little justification to remove (essentially ‘de-allocating’) the Site from draft Employment Allocation NUA/E/3. Change Ref: 21 is not correct in stating that the Site is “now protected by a Tree Preservation Order”. Furthermore, TPO No. N367 does not landlock the Site nor does it prevent it being accessed from Telford Drive. The Site is under the control of a willing landowner and is available for development. It is therefore considered deliverable and has obvious potential to deliver employment generating floorspace which will assist in meeting the wider strategic objective of strengthening Newark’s role as a Sub-Regional Centre. In summary, the Site’s removal from draft Employment Allocation NUA/E/3 based on a conflict with TPO No. N367 is not justified and there appears no reasonable planning basis for de-allocating the Site.</p>
012	Ian Lawrence	<p>I refer to The Amended Allocations & Development Management DPD (AADMDPD) recently circulated for consultation. I have no objection to the thrust of the text in the amended document. However:</p> <ul style="list-style-type: none"> • It makes specific reference to areas Land South of Newark (NAP 2A), Land East of Newark (NAP 2B), and Land around Fernwood (NAP 2C). The associated maps show these hatched in purple but there is little detail on the proposed development within these areas. • I note that the maps do not include housing development and the new Petrol Filling Station already underway around Fernwood. • There appears to be no mention of the proposed country park on the land being reclaimed following the gypsum extraction area to the south of Newark. • I also note that the detail of the approved dualling of the A46 north of Newark, especially the branch north of the Brownhills roundabout and the bridge over the A1 are not shown. <p>Clearly these are serious omissions and give little confidence that the DPD is up to date. I must therefore object to the Amended DPD until these issues are clarified.</p>
013	Natural England	<p>Policy DM7 Biodiversity and Green Infrastructure - Natural England welcomes the amendments to this policy, in particular the requirement for new residential development (including allocations) to provide Suitable Alternative Natural Green Space (SANGS) within an extended radius of 8.9km of Birklands & Billhaugh Special Area of Conservation (SAC). We note the recommendation for this extended radius was identified within the Habitats Regulations Assessment. We also welcome the requirement for a risk-based approach to the possible potential Sherwood SPA; protection of ancient, veteran, protected or significant trees; details on enhancing biodiversity including biodiversity net gain; and reference to Natural England’s Green Infrastructure Framework. It is also noted and welcomed that the provisions set out in Policy DM7 are cross referenced in other relevant policies in the Plan.</p> <p>Habitat Regulations Assessment (HRA) - Natural England is satisfied that the HRA Report follows accepted methodology and is in line with appropriate legislation and guidance. We also acknowledge that policies that may have a Likely Significant Effect on a European Site have been identified and considered further through an Appropriate Assessment. We note that the HRA has made a series of recommendations aimed at strengthening the Plan’s wording to ensure adequate policy protection is provided and that this additional wording has now been incorporated into the policies. With these recommendations now included Natural England agrees with the conclusion of the HRA that the Plan would have no adverse impact on site integrity at any Habitats site, or upon the Sherwood ppSPA either alone or in-combination.</p>

014	Nottinghamshire County Council (Policy)	Thank you for consulting NCC on the above document, NCC have no issues with the soundness of the proposed changes and have no further comments to make.
015	Sport England	Thank you for consulting Sport England on the above, our comments follow from those made on the 2021 version copied below. Please see our website which provides guidance on planning for sport and active recreation www.sportengland.org/facilities-and-planning/planning-for-sport/ . We referenced the need to keep the evidence base up to date. It is pleasing to note that a full review of the Playing Pitch Strategy will shortly commence. However, the updated PPS will not be available to inform the preparation of this document. Is the opportunity available through this document to align spatial policy SP8 to NPPF para 99 as the use of marketing as an assessment tool for understanding the supply and demand for open space and playing fields in particular is not in our opinion relevant. Paragraphs such as Para 6.10 is supported. 6.10 Outdoor sport facilities are not analysed as part of the Open Space Assessment & Strategy as a different methodology in line with national guidance (Sport England) is prescribed and is contained in a separate standalone Playing Pitch Strategy (PPS). This document will be updated in due course. In the new section on design commencing para 7.13 welcomes the reference to active design at Para 7.48. Active design is currently being updated and Active Design 3 should be launched early next year. Housing Allocations – no issues to raise.
016	British Sugar Plc c/o Rapleys	<p>Policy DM4 - Renewable and Low Carbon Energy Generation - We support Policy DM4 being carried forward to encourage and support renewable and low carbon energy generation development as both standalone projects and part of other development, its associated infrastructure. However, we object to Policy DM4 and its justification paragraph 7.10 which places a blanket ban on wind energy generation developments unless areas suitable for wind energy generation development are identified in a neighbourhood plan. This approach has the potential to rule out wind energy generation development by existing businesses wishing to reduce carbon emissions from their operations where there is no certainty of a neighbourhood plan for an area in which the business is located being prepared. As such, we consider that this approach is not justified and request that this Review process assesses the suitability of wind turbines on a site specific basis where existing businesses are seeking to reduce carbon emissions from their existing operations. In the context of the significant industrial development within the Newark Sugar Factory area, it is considered that wind turbine proposals of appropriate scale and siting could be accommodated without causing significant harm to amenity, landscape and views. Indeed, Newark and Sherwood Landscape Capacity Study for Wind Energy Development (March 2014) identifies that the landscape character area, in which the Newark Sugar Factory site is located, has low sensitivity to small turbines (15 to 30m) and low to medium sensitivity to small to medium turbines (31-80m) and medium sensitivity to large turbines (81-110m). We consider that that an opportunity to reduce carbon emissions should not be overlooked by a blanket ban in the District's Local Plan, particularly where the area is identified as having low to medium landscape sensitivity to wind turbines of up to 110m.</p> <p>Policy DM8 – Development in the Open Countryside - The Newark Sugar Factory is located outside the defined Newark Urban Area. Notwithstanding that the site includes factory buildings and structures of significant scale and located adjacent to the built-up area of Newark, the factory site falls in the Open Countryside where development is strictly controlled under Policy DM8. Proposals to expand existing businesses are supported in the Open Countryside, provided that they are proportionate and that an ongoing contribution to local employment can be demonstrated under Part 8 of Policy DM8. The NPPF requires planning policy to place significant weight on the need to support economic growth and enable the sustainable growth and expansion of all types of businesses in rural areas (Paragraphs 81 and 84). As such, it is considered unnecessary to require justification for expansion of existing businesses by way of demonstrating an ongoing contribution to local employment regardless of where the business is located. In addition, development needs of British Sugar are not limited to expansion of the factory and operations. British Sugar's future development needs include potential on-site renewable energy development to reduce carbon emissions from the operation. British Sugar is considering opportunities for solar and wind energy development in order to ensure that its operations become more efficient and sustainable and contribute towards low-zero carbon future. As such, permissible development proposals in connection with existing businesses in the Open Countryside should be amended to include development proposals to improve and enhance the ongoing operations including renewable energy development. Part 8, as amended, makes an assumption that proposals to expand existing businesses or construct new businesses in the open countryside are more likely to be appropriate in areas such as industrial estates where the principle of such development is established. Given longstanding industrial operations at the Newark Sugar Factory site, it should also be acknowledged that proposals to expand or improve the Newark Sugar Factory and construct new facilities in connection with British Sugar are appropriate in the Newark Sugar Factory site. Therefore, we object to Policy DM8, on the basis that:</p> <p>it is not positively prepared particularly there is no other allocation or development management policies which recognise the significance of the Newark Sugar Factory to the local and regional economies and support its ongoing operation and growth, and it is not consistent with the NPPF Paragraphs 81, 82 and 84, which require planning policies to:</p> <ul style="list-style-type: none"> • help create the conditions in which businesses can invest, expand and adapt, placing significant weight on the need to support economic growth; • set out a clear economic vision and strategy to positively and proactively encourage sustainable economic growth, and • enable the sustainable growth and expansion of all types of business in rural areas. <p>Policy DM10 – Pollution and Hazardous Materials</p> <p>The Newark Factory Site is identified as a 'Hazardous Installation' in the adopted Policies Map to which Policy DM10 applies. There appears to be an error in the Amended Policies Map published for consultation that there are no Hazardous Installations identified, notwithstanding clarification provided in the consultation documents that no change is proposed to the Hazardous Installation designations. Our representations to Policy DM10 are made on the basis that Newark Sugar Factory's designation as a Hazardous installation is intended to be carried forward in the Amended Allocations and Development Management DPD. Policy DM10 seeks to ensure that development proposals near hazardous substance installations as defined on Policies Map take account of and the potential risk arising from them and resists development which would be put at an unacceptable risk from its proximity to such installation. This is in line with the 'agent of change' principle set out in the NPPF Paragraph 187, which states that "existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the application (or 'agent of change') should be required to provide suitable mitigation before the development has been completed." Therefore, we do not object to the aim of Policy DM10, as Newark Sugar Factory as a nationally important sugar beet processing factory and a significant contributor to the regional and local economy should be protected by the Development Plan to ensure its ongoing operations are not prejudiced by development proposals. However, we object to the continued designation of Newark Sugar Factory as a hazardous installation. Newark Sugar Factory is an established factory operating under the environmental permitting regime. The site is not designated as a Control of Major Accident Hazards (COMAH) site and indeed British Sugar's operations do not require Hazardous Substances Consent. The identification of Newark Sugar Factory as a hazardous installation is therefore inappropriate and misleading. While Newark Sugar Factory should be afforded protection, its designation as a hazardous installation is unjustified given its role in the economy. We therefore request that Newark Sugar Factory should be recognised and identified as a major employment site for protection and support for ongoing operations and growth. British Sugar operates three other sugar beet processing factories in the UK – in Wisington, Cantley and Bury St Edmunds. These sites are on the edge or outside the settlement boundaries and benefit from a site specific designation or allocation supporting existing operations and growth in the adopted and/or emerging Local Plans, as follows:</p> <ul style="list-style-type: none"> • Wisington Sugar Factory is designated as a Major Employment Site under Policy LP10 in the emerging Local Plan for King's Lynn and West Norfolk Borough (currently at the examination stage), supporting the factory's ongoing operation and growth. • Cantley Sugar Factory is a site specific allocation under Policy CAN1 in the adopted Broads Local Plan, supporting the factory's ongoing operation and growth. • Bury St Edmunds Sugar Factory is designated as a General Employment Area and allocated as British Sugar under Policy BV16 of the adopted Bury St Edmunds Vision 2031 document, which supports British Sugar's continued operation and growth and protects areas intrinsic to British Sugar's operations for uses in connection with the congoing operation and continues growth of the factory.
017	Mansfield District Council (Policy)	<u>General comments</u> - MDC notes the AADMDPD contains no new housing, employment or retail allocations or significant revisions to existing allocations that have already been adopted in previous versions of the AADMDPD. It is noted that a number of the allocations have been revised to reflect purely the updated position in respect of delivery or to ensure consistency with the adopted Amended Core Strategy 2019. Accordingly, it is not considered that there are concerns with

		<p>regard to the DPD in respect of the allocations made within it. MDC notes the AADMDPD recognises that those settlements in the Mansfield fringe sub area and the Sherwood sub area at paragraph 5.1 and 6.1 have an interrelationship with Mansfield. These acknowledgements in the document are welcome. The recognition in the supporting text at paragraph 6.2 that the settlements in the Mansfield Fringe sub area have also gone through recent industrial change and are in need of regeneration initiatives is also welcome.</p> <p><u>Infrastructure considerations</u> - MDC notes the AADMDPD includes requirements on development to provide for infrastructure requirements. Newark & Sherwood also operates a Community Infrastructure Levy. The wording of policy Infrastructure requirements policy DM3 and Infrastructure paragraphs 5.8, 5.20, 5.30, 6.6, 6.15 and 6.24 related to specific allocations is noted and the reference to Newark & Sherwood working with neighbouring authorities to ensure that development is supported by the timely, and where appropriate phased, provision of necessary physical, social and green/blue infrastructure and where appropriate its maintenance is welcomed. For consistency, it is considered that paragraph 7.4 of the supporting text to Policy DM3 should be amended to state “The money raised will be used to pay for strategic infrastructure required to support development within the District and where justified in Neighbouring Districts”, Where it is then identified that planning application proposals will result in some service and infrastructure needs being met within MDC due to their proximity to the services Mansfield District provides, MDC would request close cooperation with N&SDC to address these needs and that where justified contributions are sought from the development proposals to meet the infrastructure need in MDC. This would also ensure consistency with adopted Amended Core Strategy Policy MFAP1. Without this consistency in wording the plan is less effective than it should otherwise be in delivering infrastructure that meet the statutory tests in regulation 122 (CIL regulations 2010 as amended by the 2011 and 2019 Regulations) and as policy tests in the National Planning Policy Framework 2021.</p>
		<p><u>Comments in relation to Paragraph 7.61 and Policy DM7</u> - In relation to the Birkland and Billhaugh Special Area of Conservation (SAC) study update in the supporting evidence and prepared for Bassetlaw & Newark & Sherwood, MDC notes its recommendation and conclusions which include a potential mix of Suitable Alternative Natural Green Spaces (SANGS) and Strategic Access Management & Monitoring plans (SAMMs), and that a Recreational Disturbance Avoidance Mitigation Strategy (RAMS) is developed as a precursor. MDC notes the study recommends this will require input from all the local authorities detailed in Paragraph 6.32 of the study including MDC, Bolsover, Bassetlaw and Newark & Sherwood in addition to Natural England, the National Trust, RSPB, and Nottinghamshire County Council. This approach is supported. It is noted that Newark & Sherwood’s approach in dealing with this evidence is to propose in the AADMDPD via policy Ed/Ho/2 Edwinstowe and policy DM7 Biodiversity & Green Infrastructure that residential development proposals which are required to provide public open space within the 8.9km zone should seek to provide Suitable Alternative Natural Green Spaces (SANGS) onsite to relieve recreational pressure on the SAC. Where it is not possible to develop SANGS on site, applicants should work with the Local Planning Authority and Natural England to identify appropriate offsite proposals to relieve recreational pressure on the SAC within the surrounding area. This approach has been reflected in the allocations in this DPD and should also apply to any other proposals which come forward in the zone of influence which is illustrated on the Policies Map. The HRA also recommends that within 400m of habitat which support populations of woodlark and nightjar and have the potential to be identified in the future as a Special Protection Area – known as the possible potential 137 Special Protection Area - that a risk based approach in line with Natural England advice should be followed. Paragraph 7.61 of the supporting text to policy DM7 provides amplification of the proposed approach in the policy. MDC is content with the proposed approaches outlined in DM7 and paragraph 7.61 of the supporting text. However, the increase in the Zone of Influence (ZOI) from 5km to 8.9Km means that over 50% of the district of MDC now lies within the ZOI and is a significant change from the existing evidence base position. As a consequence of this updated evidential position, it will be incumbent upon all the competent authorities within the ZOI in the longer term to consider the recommendations in the Birklands & Bilhaugh SAC recreational impact assessment at paragraphs 8.11 and 8.12 and to address the updated visitor impacts identified. It is suggested that the AADMDPD recognises the need for potential partnership working in this regard. In the shorter term MDC will need to take into consideration the implications of the widening of the updated study including the ZOI in respect of planning applications for residential development within its district. MDC is obtaining legal advice in this regard and will potentially need to update its response to the AADMDPD once this advice is obtained.</p>
		<p><u>General comments</u> - MDC notes the AADMDPD contains no new housing, employment or retail allocations or significant revisions to existing allocations that have already been adopted in previous versions of the AADMDPD. It is noted that a number of the allocations have been revised to reflect purely the updated position in respect of delivery or to ensure consistency with the adopted Amended Core Strategy 2019. Accordingly, it is not considered that there are concerns with regard to the DPD in respect of the allocations made within it. MDC notes the AADMDPD recognises that those settlements in the Mansfield fringe sub area and the Sherwood sub area at paragraph 5.1 and 6.1 have an interrelationship with Mansfield. These acknowledgements in the document are welcome. The recognition in the supporting text at paragraph 6.2 that the settlements in the Mansfield Fringe sub area have also gone through recent industrial change and are in need of regeneration initiatives is also welcome.</p>
		<p><u>Comments in relation to paragraph 7.105 to policy DM13 Regeneration initiatives / programmes</u> - MDC note Policy DM13 and the supporting text 7.103 to 7.105 as part of the levelling up agenda. Given the recognition in paragraph 6.2 that the Mansfield Fringe Area has some of the highest deprivation unemployment levels in the N&S District, MDC support the reference in policy DM13 to deliver regeneration programmes and schemes across the district. However, it is considered the supporting text should include an additional brief commentary that recognises the need to help regenerate deprived communities in the Mansfield Fringe Area and that MDC and N&S DC should work collaboratively accordingly when opportunities are presented. At present whilst the Newark and Sherwood sub areas in terms of initiatives and schemes are referenced, there is no reference to the needs of the Mansfield Fringe being addressed in the supporting text to policy DM13 for consistency and clarity across the AADMDPD and with adopted amended Core Strategy Policy MFAP1.</p>
		<p><u>General comments</u> - MDC notes the AADMDPD contains no new housing, employment or retail allocations or significant revisions to existing allocations that have already been adopted in previous versions of the AADMDPD. It is noted that a number of the allocations have been revised to reflect purely the updated position in respect of delivery or to ensure consistency with the adopted Amended Core Strategy 2019. Accordingly, it is not considered that there are concerns with regard to the DPD in respect of the allocations made within it. MDC notes the AADMDPD recognises that those settlements in the Mansfield fringe sub area and the Sherwood sub area at paragraph 5.1 and 6.1 have an interrelationship with Mansfield. These acknowledgements in the document are welcome. The recognition in the supporting text at paragraph 6.2 that the settlements in the Mansfield Fringe sub area have also gone through recent industrial change and are in need of regeneration initiatives is also welcome.</p>
		<p><u>Comments in relation to Gypsies & Travellers paragraphs 8.21 – 8.37</u> - In respect of the Gypsy & Traveller provision, it is noted that the GTAA 2020 included discussions from neighbouring authorities and their respective positions at that time. MDC welcomes this cooperation and dialogue. It should be noted the MDC local plan was adopted in 2020 and the latest MDC GTAA has identified the need for provision for 3 pitches within its district. MDC supports the AADMPD in paragraphs 8.21 to 8.37 of the AADMDPD in seeking to provide for its G& T need within N&SDC. It considers the methodology used in the GTAA and in the subsequent GTLAA study as outlined in the supporting evidence robust and provides a sensible approach to site selection. MDC recognises the challenges of site selection particularly related to flood risk but that the approach in the AADMDPD is considered to set out a pragmatic approach to site delivery. The approach of using bespoke solutions for specific allocations to meet the flood risk exceptions tests and the use of external funding and CIL as potential gap funding for flood alleviation improvements in order to assist site delivery is supported.</p>
018	Upper Witham Internal Drainage Board	<p>Thank you for the opportunity to comment on the above. Upper Witham Internal Drainage Board’s district covers areas to the Southeast of Newark. Generally, Newark & Sherwood DC have the appropriate policies with regard to flood risk and land drainage. Large areas of the allocation ‘Land around Fernwood (NAP 2C)’ is at flood risk and in Zones 2/3 on the Environment Agency Flood Maps. The Board has a standing objection to development in flood plain and consideration should be given to whether development should be permitted here and if it is appropriate mitigation should be implemented. Through the planning process the Board will continue to comment on the individual planning applications, as and when they are submitted. Please send consultations to planning@witham3idb.gov.uk</p>
019	National Trust	<p>National Trust supports policy So/Wh which protects the immediate surroundings of the Thurgarton Hundred Workhouse from negative impacts. However, the first bullet point in the policy is currently a little inflexible (having regard to paragraphs 201 and 202 of the NPPF) and does not appear to allow public benefits (including potential heritage enhancements) to be weighed against harm.</p> <p>National Trust is concerned that the approach to Sherwood Forest ppSPA, insofar as it relates to Clumber Park SSSI, is not ‘effective’ in that it is not ‘based on effective joint working on cross-boundary strategic matters’. This is because, on the basis of evidence including a Recreational Impact Assessment (RIA) for Clumber Park, it was found that development both within Bassetlaw and within Newark and Sherwood would jointly result in significant impacts on the SSSI, which in turn forms part</p>

		of the ppSPA. The RIA report states that 17% of new housing within Newark and Sherwood Local Plan (1,487 new homes) would be located within 7.5km of the SSSI boundary. Through joint working between Bassetlaw District Council, Natural England and the National Trust, new policy wording was proposed by the Council during the Examination process (see below).
020	Neil Fletcher c/o TOWN-PLANNING.CO.UK	Site Lo/HN/1 - The deletion of this policy is supported and this responds to our previous request to delete this policy on the basis of lack of evidence. Site Lo/Ho/1 - Lowdham Housing Site 1 - The plan review proposes to de-allocate this site for housing. As the landowner this approach is supported and this responds to our previous request to de-allocate site Lo/Ho/1. As we explained at a previous stage site Lo/Ho/1 is no longer deliverable or available.
021	001 Hardy Ltd	<p>Archaeology - Farndon and River Devon Ice Age Landscape - This proposed policy is not supported by evidence that has been published for consultation alongside the Options Report; thereby making it very difficult for parties such as the landowners to meaningfully engage on aspects including the suggested geographical area covered and the two tier approach. In particular the rationale for Area B being where the geological conditions are conducive to material surviving at depth is not fully explained or evidenced. Area B appears to include parts of residential curtilages; extensive areas of agricultural land; land within the strategic allocation south of Newark; and land required for the Newark Southern Relief Road. It has the potential to frustrate development, including that fundamental to the delivery of strategic development and infrastructure. The overall notation covers around 100 hectares of land. We do not support the policy approach. Agricultural activity means that ground across both Areas A and B have been extensively disturbed by intensive modern agricultural activities, the most interaction with any archaeological resource being sub soiling to depths of 400 – 450mm. Agricultural activity including ploughing has led to many of the finds within Area A; this is accepted to have demonstrated some evidence to underpin the identification of Area A. Similar agricultural activity including ploughing has taken place over many decades in Area B but has not led to finds within Area B. Therefore, the evidence to underpin the identification of Area B lacks justification. In their evidence document the LPA and Historic England suggest that refusal of siting for agricultural buildings under Part 6 would take place on the basis of this policy. Alternatively Historic England suggests that archaeological investigations could be sought. Unfortunately, the LPA has chosen to ignore our advice regarding the legal parameters of the prior approval process. The position suggested would be unlawful and would render both the LPA and Historic England as a statutory consultee liable to an award of costs in any appeal for unreasonable behaviour as Bolsover found in Appeal APP/R1010/W/20/3265080. The area covered by the designation is agricultural land that is likely to require new agricultural development either through a planning application or through the permitted development prior notification process. The LPA appears to have indicated that it would apply this policy to all proposals for development including applications for prior notification or prior approval. As the LPA is aware excavations and engineering operations reasonably necessary for agriculture are permitted development under Class A of Part 6 of Schedule 2 of the GPDO 2015. Some of these can be undertaken without even the need for prior notification to the LPA. The erection of buildings reasonably necessary for agriculture are also permitted development. As confirmed in Appeal Decision APP/R1010/W/20/3265080 there is no ability to impose conditions on a prior approval even as in that case there was archaeology involved. There is also no ability through the prior approval process to request information such as archaeological investigations. The land is important agricultural land and we are concerned that the LPA will seek to resist agricultural development in this area on the basis of this notation. This would be inappropriate given that agricultural development constitutes permitted development under Part 6 even within scheduled monuments; and the prior approval process is not intended to undermine or revisit the principle of acceptability set out in the GPDO.</p> <p>The Prior Approval Process - The prior approval process for agricultural buildings has been around since 1992. It is important to understand that planning permission for our agricultural building is already granted by development order by virtue of s59 of TCPA 1990. Under s60 TCPA 1990 planning permission granted by development order can be subject to limitations as set out in the relevant order. Therefore Class A of Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) as amended. Planning permission granted by Parliament by virtue of development order then limits the scope of considerations available to LPAs. Importantly LPAs cannot dispute the principle of development nor seek to circumvent the planning permission already granted by development order. By Article 3(2) of the GPDO, planning permission that is granted by Article 3(1) GPDO is subject to any relevant exception, limitation or condition specified in Schedule 2 of the GPDO. It was held in Murrell v SSCLG [2010] EWCA Civ 1367 that the prior approval procedure is attended by the minimum of formalities. It is not mandatory to use a standard form or provide any information beyond that specified in the Order – in that case, Part 6, paragraph A.2(2)(ii) of the GPDO 1995. Part 6 of the 1995 Order was not materially different to what is now found in Part 6 of the GPDO 2015; therefore, Murrell remains relevant law. The assessment of the prior approval matters has to be made in a context where the principle of the development is not, itself, an issue. Where the application complies with the statutory requirements and is valid, the statutory period for consideration of the need for prior approval runs from that date. In Murrell, handling mistakes by the LPA and the fact that the applicant submitted a new form and further plans (as requested) did not stop the clock running. On the expiry of the statutory period, permission had been deemed to be granted. R (oao Marshall) v East Dorset DC & Pitman [2018] EWHC 226 (Admin) established that there are limits to LPA powers to decide whether development would be Permitted Development when determining Part 6 prior approval applications. In such cases, as held in Marshall, in a Part 6 case neither the LPA or an Inspector on appeal has no power under the relevant prior approval provisions to determine whether or not the proposed development comes within the description of the relevant class, or would comply with the conditions, limitations or restrictions applicable to development permitted.</p> <p>Planning Practice Guidance (Reference ID: 13-026-20140306) advises: “What is prior approval? Prior approval means that a developer has to seek approval from the local planning authority that specified elements of the development are acceptable before work can proceed. The matters for prior approval vary depending on the type of development and these are set out in full in the relevant Parts in Schedule 2 to the General Permitted Development Order. A local planning authority cannot consider any other matters when determining a prior approval application.” Planning Practice Guidance (Reference ID: 13-028-20140306) goes on to advise: “Is a prior approval application like a planning application? The statutory requirements relating to prior approval are much less prescriptive than those relating to planning applications. This is deliberate, as prior approval is a light-touch process which applies where the principle of the development has already been established.” Planning Practice Guidance also states: “It is important that a local planning authority does not impose unnecessarily onerous requirements on developers, and does not seek to replicate the planning application system.” Accordingly, under Murrell the court reminded parties that the prior approval process is a light touch process that is subject to the strict controls in the Order. In effect prior approval is a pre-commencement condition of the grant of planning permission given by the GPDO 2015. Article 27 of the DMPO 2015 is explicit that the DMPO does not apply to any application for prior approval under Schedule 2 of the GPDO 2015. As such the GPDO contains all of the procedural matters, including the scope of considerations and any need for consultations. Article 3 of the DMPO 2015 subject to the provisions of this Order grants planning permission for the classes of development described as permitted development in Schedule 2. Any permission granted by Article 3 is subject to any relevant exception, limitation or condition specified in Schedule 2. Therefore, the ‘standard’ conditions in the relevant Part and Class of Schedule 2 are thereby applied already.</p> <p>Part 6, paragraph A.2(2)(i) indicates in relation to a building that it is permitted by Class A subject to the following conditions— (i) the developer must, before beginning the development, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting, design and external appearance of the building. Part 6, paragraph A.2(2)(ii) is clear that the only information required is: “(ii) the application must be accompanied by a written description of the proposed development and of the materials to be used and a plan indicating the site together with any fee required to be paid;” There is no legal obligation for an applicant to submit any additional information beyond that specified. The GPDO 2015 in Part 6, paragraph A.2(2) sets out the procedural requirements where the LPA concludes that prior approval is required. The only procedural obligation on the applicant is the obligation to publish a site notice. We explained in our appeal submission how this was complied with. Nowhere does this give the LPA any legal powers to request additional details once they conclude that prior approval is required. Neither does it in anyway change the matters available to the LPA for consideration; which remain ‘the siting, design and external appearance of the building.’</p> <p>The Development Plan - A prior approval appeal should not be determined, expressly or otherwise, on the basis of s38(6) of the Planning and Compulsory Purchase Act 2004, or as though the development plan must be applied; the principle of development is established through the grant of permission by the GPDO. It was held in R (oao Patel) v SSCLG & Johal & Wandsworth BC [2016] EWHC 3354 (Admin), paragraph 52, that: “<i>there is no statutory obligation to decide...[a prior approval] application on the basis of the approach in s38(6)...s70 of the [TCPA 1990] does not apply to an application for prior approval, and there is no other provision to like effect for applications for prior approval. So there is no means whereby s38(6) can supply the hook for the application of its decision-making duty. It only applies ‘If regard is to be had to the development plan...’ [and] there is no such statutory requirement in relation to prior approvals</i>”. Consequently, in making a determination on any agricultural prior approval the LPA if it were to cite this policy of the Local Plan then they would err in law.</p> <p>The National Planning Policy Framework - Reference should be made to the Framework only as far as it is relevant to the development and prior approval matters. It was held in East Hertfordshire DC v SSCLG [2017] EWHC 465 (Admin) that the</p>

Framework needs to be applied as specified by the Order and in the context of what the particular Class seeks to achieve. It is also pertinent to consider the approach across the whole portfolio of prior approval matters in the GPDO. Applications for prior approval under Part 3 are subject to a requirement that LPAs shall: 'have regard to the National Planning Policy Framework...so far as relevant to the subject matter of the prior approval, as if the application were a planning application.' Part 6 of the GPDO contains no similar requirement to have regard to the Framework. Taking into account the judgement in East Hertfordshire there would appear to be no legal basis to have regard to the Framework in a prior approval determination under Part 6 of the GPDO; because Part 6 does not specify that you should do so.

Other Duties - Other statutory duties may apply including in relation to European Protected Habitats; European Protected Species; UK Protected Habitats and Species; Listed Buildings; and Conservation Areas. The s66(1) duty in the Planning (Listed Buildings and Conservation Areas) Act 1990 does not generally apply to GPDO casework and would not be directly relevant for prior approval applications, because planning permission is granted by Article 3(1) of the GPDO. However, where the prior approval matters include amenity, siting or location, or design and external appearance, the impact of a development on the setting of a listed building will need to be taken into account. S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides that: in the exercise, with respect to any buildings or other land in a conservation area, of any [functions under the Planning Acts]...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. The impact of development on a conservation area must be considered only in prior approval cases where the matters are amenity, siting or location, or design and external appearance. The statutory duties under s66(1) and s72 may be relevant considerations; albeit in the context only of the prior approval matters. Neither of these statutory duties include archaeology.

Consultation - Different requirements for publicity pertain to different Parts and Classes of the GPDO. For example, in Part 3 prior approval cases, paragraph W.3(8) requires LPAs to display a site notice and consult specified bodies in relation to certain prior approval matters. For Part 6, Class A, paragraph A.2(2)(iv) requires the applicant to display a site notice in the event that they are informed by the LPA that prior approval is required. However, there is no obligation under Part 6 for the LPA to undertake any publicity or consultation. There is no requirement to consult consultees or neighbours, nor take into account any comments received. Accordingly, Parliament intended that under Part 6, the LPA would make its determination without any input from consultees. As such the prior approval matters of 'the siting, design and external appearance of the building' must be considered to be within the normal scope of planning judgement of the LPA without any requirement for specialist input.

Archaeological Areas & Archaeology as a Prior Approval Matter - The GPDO in Article 2 defines: "site of archaeological interest means land which— (a) is included in the schedule of monuments compiled by the Secretary of State under section 1 of the Ancient Monuments and Archaeological Areas Act 1979 (schedule of monuments); (b) is within an area of land which is designated as an area of archaeological importance under section 33 of that Act (designation of areas of archaeological importance)(a), or (c) is within a site registered in any record adopted by resolution by a county council and known as the County Sites and Monuments Record." It is important in our view to recognise that having defined 'site of archaeological interest' in the GPDO; Parliament did not see fit to restrict any of the permitted development rights in Part 6 in a 'site of archaeological interest'. Parliament has allowed this definition to be a reason for withdrawing mineral permitted development rights under a Direction under Article 5 of the GPDO. However, it is pertinent to understand that this power does not apply to the mineral extraction allowed for under Part 6. The only permitted development right that doesn't apply because it is in a 'site of archaeological interest' is Class J of Part 17 in the GPDO on mineral extraction. Some permitted development rights are not applicable within a Scheduled Monument, for example Class ZA of Part 20; no such limitation was seen fit by Parliament to be included in Part 6. Thereby looking at the GPDO as a whole, the only area of permitted development where archaeology is mentioned as a relevant consideration is Part 17 on mineral extraction; and in Part 20, Class ZA as a specific prior approval matter. It is in our view highly relevant that archaeology is listed specifically as a prior approval matter for consideration in the GPDO in Part 20, Class ZA. This clearly demonstrates that where Parliament intended it to be considered as a prior approval matter then it has been clearly stated as such as a specific matter. It is therefore reasonable to have expected it to have been clearly stated in Part 6 as a specific matter; if Parliament had intended it to be a relevant consideration as a prior approval matter. Other specific topics such as contamination; noise; transport & highways; light impact; and flooding as examples are listed as individual prior approval topics where this is relevant, for example under Part 3 of the GPDO. The only area restriction in Class A of Part 6 is in relation to excavations or engineering operations connected with fish farming where it involves article 2(4) land; i.e. National Parks and adjoining land and the Broads.

Definition of 'Siting' - The GPDO does not in Article 2 define what is meant by 'siting'; neither is it defined in s336 TCPA 1990. As a prior approval matter it is always actually specified as 'the siting, design and external appearance of the development' in the following:

- Part 3, Class C (changes of use - retail to restaurants/cafes);
- Part 6, Class A & Class B (agricultural buildings);
- Part 6, Class E (forestry buildings);
- Part 7, Class C (click and collection facilities);
- Part 9, Class D (toll road facilities);
- Part 17, Class B (other developments ancillary to mining operations);
- Part 17, Class C (developments for maintenance or safety);
- Part 17, Class F (coal-mining development on an authorised site);
- Part 17, Class G (coal-mining development by the Coal Authority for maintenance or safety);
- Part 19, Class T (electronic communication apparatus etc for national security purposes).

As a prior approval matter it is actually specified as 'the siting and appearance of the development' in the following:

- Part 16, Class A (electronic communications code operators);

This suggests that in fact siting is not a matter on its own per se but is instead one element within 'siting, design and external appearance'. This implies that the intention is that as an element it part of an overall visual assessment. Neither the Framework or Planning Practice Guidance sets out any definition of either 'siting' or 'the siting, design and external appearance of the development'. In the absence of any legislative definition and no advice published by the Government; it can be relevant to look at any practitioner advice. Although practitioner advice does not represent Government policy and is an interpretation of law and practice at a point in time. In particular a degree of caution has to be taken in relation to Development Control Practice as there can be quite a long time-lag between case law or legislative changes and updates to the practice. There is no practitioner advice in the Planning Inspectorate's Inspector Training Manual. In Development Control Practice section 4.3425, that gives practitioner advice that in *Murrell v SSCLG* [2010] EWCA Civ 1367 the consideration of 'siting, design and external appearance' is an assessment of visual amenity where the principle of development is not at issue. In section 22.1112 Development Control Practice suggests that in relation to prior notification "the effect of the development upon the landscape in terms of visual amenity, and the desirability of preserving the setting of ancient monuments, listed buildings and sites of nature conservation value." Practitioner advice supports the position that the correct consideration for the LPA is to consider 'siting, design and external appearance' as a visual assessment. We have also done a search to see if any LPAs have produced advice on the prior approval process for agricultural buildings. There are various guides available but all of those we can find are dated and pre-date the GPDO 2015 and relevant case law. For example, Bromsgrove Agricultural Buildings Design Guide is dated 1994; and Agricultural Developments in the Peak District National Park is dated 2003. Bolsover has produced no guidance on how to interpret 'siting, design and external appearance' for agricultural buildings. Although only relevant in Daventry District; that Council has a 'Design and Location of Agricultural Buildings SPG'; unfortunately, it is undated so we cannot be certain when it was published. However, it provides a simple list of the considerations they consider fall within the headings of 'siting' followed by 'design and appearance'. Whilst that guidance in a different LPA area is in no way determinative; it does give an indication as to how that LPA has sought to interpret 'siting'. Their criteria all relate to an assessment of visual and landscape impact. In looking at a snapshot of appeals under Part 6 of the GPDO; it would seem clear that Inspectors interpret 'siting, design and external appearance' as a visual assessment on character and appearance. Example appeals include:

		<ul style="list-style-type: none"> • Appeal Ref: APP/L3245/W/20/3248989 (Sutton Farm, Sutton, Market Drayton, Shropshire TF9 2HZ) • Appeal Ref: APP/F9498/W/17/3173435 (Higher Court Farm, Court Lane, Treborough TA23 0QW) <p>As planning permission is granted by the GPDO then in terms of siting the LPA can only reasonably seek the building to be sited in the reasonably best possible location. In a Part 6 agricultural development case the LPA have provided no cogent reasoning or substantive evidence to justify their position that it is appropriate to include archaeology in the definition of siting. From our work across Newark & Sherwood, we are aware of a prior notification for a farm building under Part 6 of the GPDO that was actually within a Scheduled Monument. That proposal was under reference 10/00957/AGR. In that case the proposed new store building was 28.1m in length by 16.5 in width; with a height of 6.4m. The proposed siting was within the designated Scheduled Monument (Iron Age Settlement 1003494); yet in that case the LPA did not consider archaeology and in fact determined that prior approval was not required notwithstanding the fact it lay in the Scheduled Monument. It is material that the Coal Authority as a Government body actually exempts Prior notifications of any type from the need for consultation and from the need to consider land instability from historic coal mining. Their Exemptions List is divided into 2 parts: Type of Application and Nature of Development. The relevant extract from their website is reproduced below:</p> <p><i>“Part A – Type of application Types of application:</i></p> <ul style="list-style-type: none"> • <i>Householder Development</i> • <i>Heritage Consents, including listed building or conservation areas</i> • <i>Advertisement consent</i> • <i>Lawful development certificates</i> • <i>Prior notification, of any type</i> • <i>Hazardous substances consent</i> • <i>Tree or hedgerow works, TPO or in conservation area</i> • <i>EIA scoping opinions</i> • <i>Variations of conditions – which do not relate to development layouts or conditions imposed to address coal mining legacy”</i> <p>This illustrates how a Government body has recognised that the prior notification process does not allow the LPA or other decision maker to have regard to sub-surface ground conditions. Whilst this is a slightly different topic it is in our view material.</p> <p>Activities Allowed by Part 6 - The LPA position appears to be that prior approval exists to prevent any and all potential impact. This is an incorrect starting point as in granting permitted development rights, Parliament has already concluded that some matters can occur irrespective of whether some harm is perceived to or actually arises. Prior approval is a light touch system to only address a narrow range of specific planning impacts for the different classes of development. Whilst care should be exercised in reading across the GPDO, it is relevant for example that under permitted development in Part 1 rights any dwellings whose garden is overlain by the designation could erect an outbuilding incidental to the enjoyment to the dwellinghouse. In such circumstances there is no prior approval. Another example across the GPDO would be that under Class A of Part 2 the appellant could erect means of enclosure. This could include fence posts that would be sunk into the ground to the same depth as the proposed steel portal frame; or could for example involve metal cattle crush fencing for veterinary purposes. Such cattle crush fencing would require deep concrete foundations to withstand the weight. Under Class A of Part 6 we could undertake excavation or engineering works that were reasonably necessary for agriculture without even the need for prior approval provided the area is not greater than 0.5Ha. As an example, therefore our client could construct an excavation such as a small reservoir in the same position as the building is proposed under permitted development without any planning permission or prior approval. As there is no limit on the depth of excavation this could impact significantly on any potential archaeology. Another example would be that the land slope could be lowered or levelled for example to provide a flat surface for the storage of silage bales again under Class A up to 0.5Ha without any controls. Under Class C of Part 6 it would be possible to undertake the winning and working on land held or occupied with land used for the purposes of agriculture of any minerals reasonably necessary for agricultural purposes within the agricultural unit of which it forms part. This permitted development right has no prior approval requirement and has no limits on scale or depth. The only limitations are that it cannot be within 25 metres of a metalled part of a trunk road or classified road; and that no mineral extracted during the course of the operation is moved to any place outside the land from which it was extracted, except to land which is held or occupied with that land and is used for the purposes of agriculture. There are over 40 minerals used in agriculture, such as potash and calcium. In addition, mineral extraction of building stone or slates to repair traditional stone walls; build new stone walls or to repair stone farm buildings would be permissible under Class C of Part 6. As such our client could for example undertake mineral extraction on the site of the proposed building for stone to repair the existing stone boundary walls on the farm without any controls. Had Parliament intended that archaeology should be protected then surely it would have not allowed for developments that could be potentially more harmful to any items in the ground under Class A and Class C of Part 6 without any requirement even for prior approval. The correct mechanism through which the LPA should seek to protect archaeology if they desire is through the use of an Article 4 Direction under the GPDO. The LPA would have no powers to impose conditions on a Part 6 prior notification, for the reasoning we have set out. The general provisions under s72 TCPA 1990 to impose conditions cannot apply as the GPDO has already granted planning permission by development order. The GPDO also imposes prior approval as a pre-commencement condition. The LPA would have no legal ability to request additional information in terms of studies, assessments or investigations as the documentation required for a prior approval is limited to that specified in Part 6, paragraph A.2(2) of the GPDO. Archaeology can only be definitely discounted by undertaking actual excavations, there is no legal mechanism through which the LPA could require such excavations to be undertaken. Where Parliament has intended information on archaeology to be submitted, for example under Class ZA of Part 20, the GPDO includes a specific requirement to submit “a written statement in respect of heritage and archaeological considerations of the development.” The consideration should also be made without regard to the development plan or the Framework as detailed earlier. In effect if the LPA considered the siting to be unacceptable then it has only two options available to it either to refuse prior approval; or to seek to negotiate an alternative siting that would be acceptable given that the principle of development cannot be disputed. In relation to agricultural buildings LPAs should always have full regard to the operational needs of the agricultural enterprise; to the need to avoid imposing any unnecessary or excessively costly requirements; and to the normal considerations of reasonableness. The area covered is so extensive that it would prohibit alternatives for siting having regard to the operational needs.</p>
021	001 Hardy Ltd	<p>Policy NUA/OB/1 Newark Urban Area - Open Breaks (Farndon)</p> <p>Please see the attached document which contains plans so cannot be included in this box.</p> <p>The proposed extension to the Newark - Farndon Open Break is not supported. The Newark - Farndon Open Break is somewhat odd in that it actually separates part of Newark from the remainder of Newark as well as from Farndon. The evidence appears to lack clarity on what is the purpose of the open break. The current open break is based on the existing built-form rather than the planned form. The evidence base document is that produced in 2019 for the preferred approach stage. The publication version of the DPD does not specifically refer to extending the Open Break nor does it set out any justification. As such we have to revert back to the documents published at the preferred approach stage for the rationale being advanced. The preferred approach document in paragraph 6.1.12 discounted consideration of an open-break between Newark and Hawton because 'development pressure does not yet exist at this location and no detailed landscape analysis was undertaken due to planned changes in the area.' The same position applies between Farndon and the future Newark South urban extension; but nonetheless the evidence tries to justify extension by referring to the future development of Middlebeck. The LPA is being inconsistent on this matter.</p>

		<p>The methodology is mixing up two elements, it is looking at the juxtaposition between Newark and Farndon; along with the setting of the River Devon. The setting of the River Devon has no role to play in the concept of coalescence which the open breaks are principally trying to prevent. In fact probably the most appropriate notation for the northern part of the open break separating the Farndon Road part of Newark from the rest of Newark would be 'Main Open Area' designation rather than 'Open Break'. Historically the Farndon Road part of Newark up to the River Devon was still part of the Parish of Farndon; we are unclear as to when the Farndon Road area transferred to the Parish of Newark. The policy seeks to resist all forms of development within the Open Breaks save for some exceptions. Any proposal to increase the area covered therefore has serious consequences for any additional land included. A significant amount of land included in the existing open break is important agricultural land and the proposed extension would cover substantial areas of additional important agricultural land upon which appropriate agricultural built development may need to be undertaken. As the LPA is aware excavations and engineering operations reasonably necessary for agriculture are permitted development under Class A of Part 6 of Schedule 2 of the GPDO 2015. Some of these can be undertaken without even the need for prior notification to the LPA. The erection of buildings reasonably necessary for agriculture are also permitted development. As confirmed in Appeal Decision APP/R1010/W/20/3265080 there is no ability to impose conditions on a prior approval nor to request information beyond what the GPDO states. The land is important agricultural land and we are concerned that the LPA will seek to resist agricultural development in this area on the basis of this notation. This would be inappropriate given that agricultural development constitutes permitted development under Part 6 even within open breaks or similar; and the prior approval process is not intended to undermine or revisit the principle of acceptability set out in the GPDO. The policy seeks to be more restrictive than Green Belt policy which is inappropriate for large tracts of land. A restrictive policy seeking to resist all development should cover the absolute minimum land, for example a single field.</p> <p>The Open Break between Newark - Farndon and Newark - Winthorpe are to undergo significant structural change through the proposed dualling of the A46. The alignment that this will take is still to be decided through an NSIP application and subsequent examination. However, this will fundamentally change the nature of the land use and the relationship between the settlements. As such no review of the open breaks should be undertaken until the final implications of the A46 dualling is known and consented. The policy as currently written seeks to resist development; in literal terms therefore it could be used to resist the provision of the important infrastructure of the A46 dualling and the provision of the southern relief road. The Newark - Farndon open break is also to undergo further change at a point that is unknown in relation to the provision of the Southern Relief Road and the western end of the Land South of Newark urban extension. The proposed extension of the open break in the evidence document overlaps land allocated for housing development in the Land South of Newark which already has outline planning permission; together with land allocated for the Southern Relief Road. This approach is wholly inconsistent within the DPD and the preferred approach would not be in conformity with policies NAP 1 and NAP 2A of the Amended Core Strategy. The yellow line on the is very thick and it is unclear whether the boundary is meant to be the inside or the outside of the line. The methodology for the open breaks refers to having considered three headings: physical separation; perceptual separation; and landscape value. Policy NUA/OB/1 in the existing DPD does not set out what factors were considered and there is no evidence document shown in the evidence base for the 2012 public examination. The DPD only refers to separate identities which implies it relates to coalescence; this would only relate to physical or visual separation. There is no suggestion that the existing policy in any way was based on landscape value; as such this appears to be an entirely new factor. Table 4.1 in the methodology includes four categories of assessment; there is no explanation as to what 'Contribution to open break' means'; and as identified earlier in our view it also incorrectly assesses 'landscape value'. The key factors are in our view 'physical separation' and 'perceptual separation'. These factors have as referred to above incorrectly included the setting of the River Devon. The preferred approach is to include part of unit 10 and all of units 11 and 12; the evidence document assesses these as follows:</p> <ul style="list-style-type: none"> • Unit 10 - physical - High; perceptual – Medium • Unit 11 - physical - Medium; perceptual - Low; • Unit 12 - physical - High; perceptual – Low <p>The LPA evidence does not support the suggested extension, 'Low perceptual' is defined in the evidence methodology as 'Land unit does not contribute or only makes a weak contribution to the sense of separation of Newark and Farndon'. Accordingly, this does not support the inclusion of units 11 and 12 in the proposed extended open break. Even 'Medium perceptual' or 'Medium physical' is defined as 'Land unit partially contributes to the sense of separation of the two settlements'. This again does not support the inclusion of part of units 10 and 11 in the open break. Units 10, 11 & 12 do not sit between the existing settlement of Farndon and Newark. The units are also in parts a very significant distance from the urban areas. The southern end of unit 12 is at the maximum 1.25km away from the edge of Newark and 0.62km from the edge of Farndon. The southern end of unit 11 is 1.34km from the edge of Newark. These units do not even fall within the space between Farndon and the planned edge of the Land South of Newark. Given these distances the assessment of units 10 and 12 are incorrectly assessed as being high in relation to physical separation. The conclusions in the methodology in paragraph 5.12 refer to the justification being that Middlebeck will extend towards Hawton. There is no mention of Farndon and the evidence overall does not support any extension to the open break between Newark - Farndon. The reserved matters for the western end of Middlebeck is yet to be submitted and approved; therefore the amount of new green infrastructure to be provided to the east of the River Devon is unknown. However, in parts flood zones 2 and 3 extend over 100m to the east of the River Devon; as such the actual built housing development will have to stop some distance east of the River Devon. The open break should either be retained in its current arrangement (save for excluding the parcel of land associated with no.77 Fosse Road, Farndon and the southern extent being amended to follow defined features on the ground); or the open break should only relate to the existing part actually between Newark and Farndon with the northern bit separating the main part of Newark from Farndon Road in Newark replaced with Main Open Area designation. We have submitted an annotated diagram to indicate what we mean.</p> <p>The Open Break boundary should be amended as follows:</p> <ol style="list-style-type: none"> 1. The DPD Open Break boundary is not justified by evidence and is not justified or effective in delivering the role of Farndon as a rural settlement that benefits from excellent accessibility to the services and facilities of the Newark Urban Area.
022	NDC Group / Ashover Estates Ltd	Although sufficient general employment allocation has been made there is little or none equivalent in the next 5 years for 'Big Box' Distribution. The recent appeal 22/00011 Dec <u>allowed</u> confirmed this in the Council's own representation and the decision of the Appeal Inspector.
023	Coal Authority	<p>Allocations - We are pleased to see that the Amended Allocations & Development Management DPD makes reference to the requirement for investigations into the risks posed by shallow coal workings within the criteria set out in the housing site allocations. Policy Ra/Ho/2 is an example of this, with reference made to "<i>The investigation of the potential impact arising from the legacy of former coal mining activities within Rainworth and the implementation of any necessary mitigation measures.</i>" We also note the Clipstone Colliery site allocation and reference to suitable measures being required to address the legacy left by its former use as a colliery.</p> <p>Policy DM5(b) Design - We are pleased to see that Policy DM5(b) Design includes at criteria 9 reference to land stability and the need for developments to take account of the ground conditions and implemented mitigation measures to ensure their safety. We support the inclusion of this policy.</p>
024	Welbeck Estates Company c/o Cerda Planning Ltd	The response to Question 8 of the Public Stage Representation Form below is submitted to constructively comment on the emerging position, with reference to policies DM2 and CI/MU/1. The comments below set out why The Welbeck Estates Company Ltd consider the strategy of the DPD to be 'justified' and thus sound. The Welbeck Estates Company Ltd has an interest in land the at former Clipstone Colliery which is allocated under Policy CI/MU/1 for mixed use development in the adopted Allocations & Development Management DPD (ADM DPD). The Regulation 19 consultation version of the Amended ADM DPD carries forward this allocation under the same policy. The Welbeck Estates Company Ltd supports the continuation of Policy CI/MU/1 in the emerging Amended ADM DPD. The allocation of the former Clipstone Colliery includes around 120 dwellings, 12 hectares of employment provision, retail and enhanced public open space. The wording of the adopted and emerging Policy CI/MU/1 states that development of the former Clipstone Colliery will be subject to Policy DM2, which relates to development on allocated sites. Policy DM2 of the Amended ADM DPD is carried forward from the adopted ADM DPD. The wording of adopted Policy DM2 is as follows:

		<p><i>“Within sites allocated in the Allocations & Development Management Development Plan Document (A&DM DPD), proposals will be supported for the intended use that comply with the relevant Core and Development Management Policies, the site specific issues set out in the A&DM DPD and make appropriate contributions to infrastructure provision in accordance with the Developer Contributions SPD. In addition to national and local submission requirements, proposals on allocated sites should be accompanied by transport, flood risk and other appropriate assessments sufficient to address the site specific issues identified in the A&DM DPD. Development proposals within the Newark Strategic Sites will be assessed against Area Policies NAP 2A, 2B & 2C, and the other considerations set out above.”</i></p> <p>Policy DM2 in the Amended ADM DPD has been amended to include the following wording:</p> <p><i>“It is anticipated that allocated sites will be developed comprehensively with an accompanying site masterplan to reflect phasing and infrastructure provision. Where comprehensive development proposals cannot be prepared, proposals should be developed to ensure that they do not prejudice the proper overall delivery of the whole allocation. Development proposals which prejudice proper overall delivery will be refused.”</i></p> <p>The Welbeck Estates Company Ltd, owner of the allocated site, has a development partner on board with an interest in bringing forward the residential element of the allocation. No development partner(s) is yet to come forward in relation to the delivery of other uses allocated across the site. The additional wording in Policy DM2 of the Amended ADM DPD provides flexibility in terms of how development of an allocated site is delivered. The Welbeck Estates Company Ltd supports the amended wording of Policy DM2, which has been prepared to allow development of allocated sites to come forward in part, if it can be demonstrated that the overall delivery of the wider allocation would not be prejudiced. The wording demonstrates a more flexible approach to the delivery of allocations, to ensure that they would not be stifled if not brought forward comprehensively. Notwithstanding, clarification of how the council would determine whether a development proposal demonstrates that it would not prejudice the proper overall delivery of the whole allocation is not provided in the wording or supporting text of Policy DM2. It is considered that the following requirement carried forward in Policy CI/MU/1 of the amended ADM DPD is sufficient in the context of the Clipstone Colliery allocation to demonstrate that delivery of the allocation in part would not prejudice the overall delivery of the allocation at a later date.</p> <p><i>“A Masterplan, forming part of any planning applications(s) setting out the broad locations for the different types of development and their phasing, taking account of infrastructure provision, constraints and the need to ensure that the delivery of the range of uses is not prejudiced;”</i></p> <p>It is therefore suggested that the amendment to Policy DM2 be revised to clarify that a proportionate and case-by-case approach would be taken by the council to determine whether development proposals which deliver allocations in part have ensured that the delivery of the entire allocation would not be prejudiced. Suggested revised wording is as follows:</p> <p><i>‘It is anticipated that allocated sites will be developed comprehensively with an accompanying site masterplan to reflect phasing and infrastructure provision. Where comprehensive development proposals cannot be prepared, proposals should be developed to ensure that they do not prejudice the proper overall delivery of the whole allocation. Development proposals which prejudice proper overall delivery will be refused. An assessment as to whether proposals which deliver allocations in part would prejudice proper overall delivery will be done so on a case-by-case basis, and in such a way that is commensurate to the scale and context of the wider allocation’.</i></p> <p>It is understood from Map 14 of the Regulation 19 Amended ADM DPD version (and as shown in Figure 1 below) that allocation CI/MU/1 is the only planned location for growth in the village. Having reviewed the evidence bases supporting this consultation which set out the likely implications of planned growth upon infrastructure within the district, their conclusions do not suggest that infrastructure capacity improvements within Clipstone are reliant upon the CI/MU/1 allocation coming forward as a comprehensive development. The 2022 Infrastructure Capacity Study 2022 update states that site allocation policies in the Amended ADM DPD set out the infrastructure requirements for each site. There are no infrastructure requirements in Policy CI/MU/1 which suggest that the allocation must come forward as a comprehensive development. The 2022 Transport Update Study does not identify any transport link affecting Clipstone that would require improved infrastructure works in the context of planned growth. Neither evidence base specifically identifies the allocated site as triggering infrastructure requirements that are reliant upon the allocation coming forward as a comprehensive development.</p> <p>For the reasons set out above, it is considered justified in the case of Policy DM2 and Policy CI/MU/1 that development on the allocation can come forward in part. The wording and thus strategy of both policies is justified. However, the wording of Policy DM2 should be amended to provide greater clarity as to how the council will determine whether a development proposal would ensure the delivery of an entire allocation is not prejudiced. In the view of The Welbeck Estates Company Ltd, the residential use on site allocation CI/MU/1 could come forward in accordance with policies DM2 and CI/MU/1 and demonstrate that the overall delivery of the allocation would not be prejudiced. In the context of Policy DM2 and CI/MU/1, the Amended ADM DPD is considered to be sound.</p>
025	Canal & River Trust	<p>We previously provided comments on the Options report version of the DPD, generally supporting proposed text or approaches relating to three policies, as summarised below:</p> <p>The revised pre-submission version has addressed these comments. It is noted that further guidance has also been provided in relation to Policy DM9, giving further advice on specific approaches to the various components of the Ecological network within the district, ranging from Special Areas of Conservation and Special Protection Areas to local sites. Amongst other things text changes in the Pre-submission version now give further clarity that local sites include Local Wildlife Sites (LWS), which are mapped in the proposed changes policy maps. This is welcomed as parts of the River Trent Navigation are LWS and therefore the text changes will assist in the application of the policy in these areas. The Trust has no other comments to make regarding the legal compliance, or soundness, of the DPD, or on any other matter.</p>
026	Oxalis Planning	<p>The Amended AADMDDP as worded is not currently sound as the policies within it are not justified as they do not support the evidence as presented within The Newark & Sherwood Housing Needs Assessment (2020) and they are not consistent with national policy. The Council’s draft policies are right to recognise that there is a significant requirement for additional affordable housing across the District however it fails to recognise the evidence within the Housing Needs Assessment in relation to the distribution of the shortfall of affordable housing across the District and its sub-areas. The Housing Needs Assessment not only identifies the amount of shortfall of affordable housing in the District but it also sets out the tenure split of affordable housing in each of the District’s sub-areas at Table 2.8 (copied below in full) and what this shows is there are particular sub-areas (Collingham, Nottingham Fringe, Southwell and Sutton on Trent) that have notably lower amounts of affordable housing in comparison with the other sub-areas. The ‘Homes for All’ policy and ‘Core Policy 1 – Affordable Housing Provision’ in the Amended AADMDDP which addresses the issue of the shortfall in affordable housing does not reflect this disparity in the amount of affordable provision across the sub-areas. In addition to this, the evidence within the Housing Needs Assessment points towards a deficiency of affordable housing at a local level and neither is this reflected in either the ‘Homes for All’ Policy or ‘Core Policy 1 – Affordable Housing Provision’ in the Amended AADMDDP. These two points are significant as the Amended AADMDDP as written does not adequately address the issue of the shortfall in affordable housing within the District and the policies as currently worded are too generic which will perpetuate this discrepancy in the affordable housing provision within the District across the sub-areas. The Amended AADMDDP is not consistent with national policy on the basis that paragraph 78 (copied in full below) of the National Planning Policy Framework (NPPF) encourages planning policies to be responsive to local circumstances and support housing developments that reflect local needs and states that local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs whereby allowing some market housing as a potential way to facilitate these sites. Unlike the Amended Core Strategy, the Amended AADMDDP does not contain any policy or text to state that the Council will consider allowing any form of market housing to facilitate affordable housing on a rural exception site. Paragraph 78 of the NPPF:</p> <p><i>78. In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.</i></p> <p>In addition to the above, the Government are currently seeking views on their proposed approach to updating the National Planning Policy Framework through the ‘Levelling-up and Regeneration Bill: reforms to national planning policy’ and part of this approach is proposed changes to Chapter 5 ‘Delivering a sufficient supply of homes’ of the Framework to provide a greater emphasis on supporting the provision of affordable houses in rural areas, including on exception sites. Although this</p>

		proposed change is only at the consultation stage it indicates the direction of the travel the Government intends on taking in relation to the provision of affordable housing in rural areas and it is a clear sign that Government are seeking to address the need of affordable housing in rural areas.
027	Thorney Parish Council	Following an extraordinary meeting of Thorney Parish Council just before Christmas, the response of Councillors to this new policy document is as follows: The document was examined & discussed in some depth. Councillors would like to thank the Department for all their hard work on this & on the production of a good, thoughtful & proactive document which responds to the needs & interests of all groups. Thorney Parish Council, therefore, unanimously supports the document.
028	Charterhouse Strategic Land	Submission of 2 x SHELAA sites (Southwell Road, Farnsfield and Brickyard Lane, Farnsfield)
029	Emma Oldham	The DPD is not sound because it is not compliant with National Policy -Open space and recreation paragraph 98 and 99. The changes on page 29 Open Spaces and Green Infrastructure paragraph 2.24 - Table 1 - Newark Urban Area Open Space Requirements in the Amended DPD is reliant on the calculations and designations in the Open Space Strategy (OSS) document adopted in January 2022. The change to applying open space standards at settlement level rather than ward level is really misleading. All references to their wards have been removed. This creates the misapprehension that that there is sufficient provision of Amenity Green Space (AGS) in Newark. This is incorrect, misleading and could lead to challenge by developers. It fails the test of soundness because the Amended DPD is not robust and up to date and so therefore not compliant with NPPF paragraph 98 and 99. Objection 2: Lincoln Road Playing Fields (7.7ha) in the Bridge Ward have been designated as AGS when it should be designated as Parks and Gardens in line with other similar sites such as Coronation Street Playing Field in Balderton. If provision of AGS is recalculated for the Bridge, Castle and Devon Ward then the provision falls to 0.53, 0.32 and 0.54 ha respectively under the current standard of 0,60ha. It fails the test of soundness because the Amended DPD is not robust and up to date and so therefore not compliant with NPPF paragraph 98 and 99.
030	David Sparks c/o Tetlow King Planning	<p>Tetlow King Planning note that at paragraph 1.31 the draft Plan under the heading of 'future review' indicates that the National Planning Policy Framework (NPPF) will require that in 2024 the Council reviews the Amended Core Strategy and that at that point it is likely that the Council will begin the process of developing a new Local Plan. It is not entirely clear this is the case, but the use of the word 'Local Plan' in the text suggests that this would not only comprise the strategic policies of the Core Strategy, but also subsume site allocations and development management policies that are subject to the current Plan Review consultation. If that is the case, then the current Plan Review appears somewhat academic as it will be subject to another immediate review in 2024 which the Council's November 2022 Local Development Scheme indicates is the year in which adoption of the Plan currently under review is anticipated. A new Local Plan would be subject to the standard method. The most recent affordability ratios (March 2022) show an uplift in housing numbers for Newark and Sherwood District to 470 per annum, up from the previous outcome of 447 per annum. Assuming that the Council's approach to spatial strategy were to continue in the same manner, that would mean that additional residential development land would need to be found at the higher order settlements such as Southwell which is one of the most sustainable settlements in the district. Our clients land immediately adjoining the Reserved Land (So/RL/1) proposed in the Publication Plan would present an opportunity for continued sustainable growth of the settlement in an easterly direction, as has long been understood to be the preference of the Town Council.</p> <p>Southwell Area Policies</p> <p><u>Policy So/Ho/1: Southwell Housing Site 1</u> - The Council's deletion of Policy So/Ho/1 following the completion of development on this allocated site is supported and is a sensible and appropriate approach to this Plan Review process</p> <p><u>Policy So/Ho/3: Southwell Housing Site 3</u> - The Council's deletion of Policy So/Ho/3 following the completion of development on this allocated site is supported and is a sensible and appropriate approach to this Plan Review process</p> <p><u>Policy So/Ho/6: Southwell Housing Site 6</u> - The Council's deletion of Policy So/Ho/6 following the completion of development on this allocated site is supported and is a sensible and appropriate approach to this Plan Review process</p> <p><u>Policy So/MU/1: Mixed Use Site 1</u> - Tetlow King Planning client agrees with the Council's deletion of Policy So/MU/1 as it will no longer be developed given its status as Higgons Mead open space.</p> <p><u>Policy So/HN/1: Southwell Housing Need</u> - The Council's deletion of Policy So/HN/1 is supported given that this is required in order to reflect the fact that the housing need evidence base that underpins the emerging Plan no longer reflects the requirements of that policy to secure smaller housing units. It is considered important however to acknowledge that the Southwell Neighbourhood Plan is under review by the Town Council and any subsequent local housing needs assessment at Parish level undertaken to inform this or any subsequent Neighbourhood Plan Review will also be an important consideration with regard to identified local housing needs that future residential development in Southwell should seek to address as, dependent upon timings, the Neighbourhood Plan Review could take place after the adoption of the emerging Plan Review and could therefore result in being the most up-to-date Plan in Development Plan terms.</p> <p><u>Policy So/E/2: Land East of Crew Lane</u> - Tetlow King Planning support the Council's approach to reduce the size of the allocation in order to remove the element of the existing allocation adversely affected by flood risk.</p> <p><u>Policy So/E/3 – Land South of Crew Lane</u> - Tetlow King Planning support the Council's approach of de-allocating land south of Crew Lane as employment land and re-designating it but consider that the proposed land use should be identified now as residential development.</p> <p><u>Policy So/RL/1: Southwell – Reserved Land to the south of Crew Lane</u> - Tetlow King Planning broadly support the redesignation of this parcel of land and its removal from its previous employment use allocation, however it is unclear why the site is being restricted for the next stage of Plan review rather than dealt with in more detail during the current stage of Plan review. Although the reasoned justification at paragraph 3.7 states that it is not specified what development will occur on the site, it appears almost certain that it will be residential development given that its employment designation has been removed. It would be nonsensical to remove the employment use designation and then for it to be developed for employment uses, as such it is recommended that the reserved land is identified as 'Reserved Land for Residential Development'. It is not considered necessary, appropriate, or justifiable for the Policy to express that the 'Reserve Land' is for the next round of Plan making. The policy text is prohibitively worded and means that in any scenario where the Reserve Land were required to come forward within this Plan period – for example to help address a five year housing land supply shortfall – then the site would be adversely constrained by this policy wording as any application within the Plan period would not comply with the policy by virtue of the policy wording referring to the next round of Plan making. Furthermore, the Southwell Neighbourhood Plan is currently subject to review and if the timetable for this review extends beyond that of the emerging Site Allocations Plan Review then a scenario may arise whereby the Neighbourhood Plan becomes the most up-to-date Development Plan document. It may also be that the Neighbourhood Plan itself seeks to designate what So/RL/1 should be used for, though given the Town Council's previous representations - as show at figure 1 below – that is likely to be for residential development. There appears no logical or justifiable reason not to allocate this land for residential development now. It is proposed that the policy text therefore be amended as follows to ensure that the Plan policy is justified:</p> <p><i>"Policy So/RL/1: Southwell – Reserved Land to the south of Crew Lane</i></p> <p><i>Land to the South of Crew Lane has been identified on the Policies Map and this land will be reserved to ensure that at the next round of plan making it allows for a comprehensive approach to address residential development needs in this area. Development proposals which prejudice this approach will not normally be considered appropriate."</i></p> <p>The reasoned justification to the policy would need to be amended accordingly to reflect this change in emphasis.</p> <p>Southwell Allocations and Housing Need -</p> <p>Paragraph 3.4 states that "Southwell does however have a serious local housing need which is perpetuated by high local housing prices". Despite this paragraph 3.6 explains that just 3% of the Amended Core Strategy housing growth is directed to the Town which equates to a need for 264 dwellings between 2013 and 2033. It goes on to say that previous completions and committed developments will all contribute towards the achievement of this target. The use of the words 'contribute towards' suggest that there are not sufficient allocations made at Southwell to actually meet identified housing needs and resultantly additional allocations should be considered by the Council to address this unmet need. The deletion of Policies</p>

		<p>So/Ho/1, 2, 3 and 6 and So/MU/1 means that the allocations that remain - So/Ho/4, 5 and 7 – total 140 dwellings. This is 124 dwellings short of the residual housing need for Southwell identified at paragraph 3.4 of the emerging Plan and means that additional land for residential development is necessary to ensure that the housing needs of the Town are met. The Town is uniquely constrained to the north, north east, south and south west by a combination of the Southwell Protected Views (So/PV) and the Work house Immediate Surroundings (So/Wh) designations. To the north west Norwood Park and Norwood Park Gold Centre provide additional constraints to future expansion of the Town. The most logical and least constrained direction for future growth of the town is eastwards along Crew Lane. The Council already proposes the inclusion of So/RL/1 as Reserved Land and it is considered that this should be extended eastwards to include our clients land south of Crew Lane to ensure that there is sufficient land available to address the shortfall of 124 dwellings from the current allocations.</p> <p>Development Management Policies</p> <p><u>Policy DM2: Development on Allocated Sites</u> - There is a disconnect between DM2 and So/RL/1 in that the latter is effectively an allocation, albeit that its use is not determined (though its hard to see it as anything other than residential) and its implementation is unjustifiably restricted to the next Plan review stage despite it having a policy designation within this current Plan Review. If the ‘Reserved Land’ policy name and wording were to be amended in line with our proposed changes then that disconnection with DM2 would be resolved and the additional wording the Council now proposes within DM2 would ensure that a comprehensive approach was taken to the development of So/RL/1.</p> <p><u>Policy DM5(c): Sequential Test</u> - Tetlow King Planning consider it to be unreasonably onerous and unjustified to continue to require sequential tests to be undertaken on a district-wide basis. The Planning Practice Guidance (PPG) at Paragraph 033 of the Flood Risk and Coastal Change section under the heading of ‘how should the sequential test be applied to planning applications’ states that:</p> <p><i>“For individual planning applications...the area to apply the sequential test across will be defined by individual circumstances relating to the catchment area for the type of development proposed”</i></p> <p>And that:</p> <p><i>“When applying the sequential test, a pragmatic approach on the availability of alternative should be taken. For example in considering planning applications for extensions to existing business premises it might be impractical to suggest that there are more suitable alternative locations for the development elsewhere”</i></p> <p>The application of the sequential test on a district-wide basis as a starting point is neither a pragmatic approach and nor have the Council provided any evidence of what individual circumstances would warrant such an approach in Newark and Sherwood District. The requirement to apply this on a district-wide basis should be removed from the proposed amendments to Policy DM5(c) as it is neither justified nor has the Council presented any evidence demonstrating such an onerous approach is necessary to reflect local circumstances.</p> <p><u>Policy DM8: Development in the Open Countryside</u> - Tetlow King Planning broadly supports the Council’s approach to the amendments to Policy DM8(8), in particular the introduction of additional text related to employment uses which supports the construction of buildings for expanding existing or new businesses in the open countryside in areas such as industrial areas and, where necessary, expansion into adjacent areas where it can be demonstrated that the impacts are acceptable. The expanded text at DM8(8) is considered to be a sensible and pragmatic approach that reflects the fact that for many of the district’s settlements existing employment areas (such as industrial estates) are located on, or close to, settlement limits with limited scope for expansion of employment uses other than outside for settlement limits and into open countryside. The increased flexibility built into the policy will ensure that growth of existing and new businesses in such location is not unduly constrained and will help to support the economic growth of the district.</p> <p><u>Policy DM9: Protecting and Enhancing the Historic Environment</u> - Tetlow King Planning consider that the additional wording proposed to DM9(5) that provides further detail of the Council’s expectations in respect of planning applications that affect heritage assets provides helpful clarification for landowners where this would be a matter to address in preparing applications for the proposed development of their land interests.</p> <p><u>Core Policy 2A: Entry Level Exception Sites</u> - Tetlow King Planning are broadly supportive of this policy approach which has been translated from the NPPF and provides a local policy approach to delivering entry-level housing tenures outside of, but adjacent to, settlement boundaries in the higher tiers of the settlement hierarchy, including locations such as Southwell.</p>
031	Bourne Leisure Limited c/o Lichfields	<p>Bourne Leisure endorses the amendments to Policy DM4 which recognise that proposed wind energy schemes involving turbines will only be considered acceptable in areas where, inter alia, they would be set away from sensitive receptors and identified as suitable for wind energy development in the Development Plan.</p> <p>Bourne Leisure recognises the value that pre-application discussions and community engagement can bring to the design process (DM5a). Given, however, the recognition in PPG ‘Before submitting an application’ (paragraph 09) that this is to be encouraged only “where it will add value to the process and the outcome” we would question the robustness of draft Policy DM5(a) stating that this should be the case for all developments.</p> <p>Bourne Leisure endorses the overall approach of this policy on the basis that to policy is worded to incorporate flexibility in the approach. This allows schemes to be considered on a case-by-case basis, and consider site specific factors (DM5b)</p> <p>Bourne Leisure endorses the proposed amendments to draft Policy DM8 so that it is better aligned with Core Policy 7. In particular, Bourne Leisure welcomes the recognition that tourism development (both accommodation and associated facilities) often needs to be located within the countryside and that this is supported – in principle – by DM8.</p> <p>Bourne Leisure endorses the revised wording to Policy DM9 regarding listed buildings and consider this to now align with para 190 of the NPPF.</p>
032	Sainsbury’s Supermarkets Ltd c/o WSP	<p>As currently drawn, the Urban Boundary of Southwell does not properly reflect the existing built-up area to the south of the town. It excludes existing buildings and therefore development in this area is currently unnecessarily defined as being located within the countryside. Please refer to enclosed letter and previous representations (September 2021) for further detail. As you know, we submitted representations previously on behalf of SSL in September 2021 to the consultation on the Options Report (July 2021) in respect of draft Policy DM11 and the draft Policies Map. Our representations requested that the Urban Boundary of Southwell was amended to include the existing Southwell Leisure Centre, Moorfield Court (retirement homes) and The Minster School. Our suggested extension to the Urban Boundary is shown below in purple. We note that in the PAADMDPD, and on the associated Policies Map, the Council has not amended the boundary as suggested. However, there has been no explanation or response provided to our previous representations to explain why not. As such, SSL considers that the PAADMDPD is currently unsound contrary to the NPPF. These further representations to the current consultation are therefore submitted to request again that the Urban Boundary to Southwell is amended as suggested. To reiterate the points raised in our previous representations, the amended boundary would better reflect the current existing built-up area to the south of the town. This includes Southwell Leisure Centre, Moorfield Court, and The Minster School. Whilst these existing developments clearly form part of the existing built-up area and settlement, they are all located beyond the Urban Boundary as currently shown in adopted policy and, as such, they are located within the defined countryside. By amending the Urban Boundary on the Policies Map as suggested, to include these developments, it will better reflect the physical features on the ground. There will be no impact on the character of the surrounding area as a result of the suggested amendment, in particular the open countryside, given that they are already seen as, and function as, part of the settlement, and are visually well-related to the town. The suggested amendment would also result in the open countryside policies no longer applying to these sites, which is clearly appropriate given their urban character and context.</p>

033	Egdon Resources U.K. Limited c/o AECOM	<p>Policy DM4 (Renewable and Low Carbon Energy Generation) is proposed by the Council to be amended with minor changes to reflect changes in the NPPF with respect to wind energy schemes and a reference to battery storage with regard to associated infrastructure. Otherwise, the policy remains as it was originally set out in the DPD, adopted in July 2013. Policy DM4, as amended, does not go far enough in providing a sufficiently robust framework against which the appropriateness of proposals will be assessed, based on both the adopted Core Strategy and the NPPF. The purpose of the policy is to achieve the commitment to carbon reduction set out in Core Policy 10 (Climate Change) in the Amended Core Strategy adopted in March 2019. Core Policy 10 commits the Council to ensuring that “development proposals maximise, where appropriate and viable, the use of available opportunities for district heating and decentralised energy.” The Council has stated at para 5.43 of the Core Strategy that “climate change presents the biggest challenge to the delivery of sustainable development”. Para 5.44 goes on to say that key to meeting is challenge is “increasing the potential local opportunities for district heating systems and decentralised energy generation (energy generated from local renewable or low carbon sources).” The absence of any substantive change to the current Policy DM4, other than wind generation, must call into question how effective the policy will be in supporting other forms of renewable energy up to the end of the Plan Period in 2033. In addition, policy DM4 does not accord with paragraph 155 of the NPPF. This states that plans should:</p> <ul style="list-style-type: none"> a) Provide a positive strategy for energy from [renewable and low carbon energy and heat] sources, that maximises the potential for suitable development whilst ensuring that adverse impacts are addressed satisfactorily; b) Consider identifying suitable areas for renewable and low carbon energy sources and supporting infrastructure, where this would help secure their development; and c) Identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.” <p>Planning permission was granted by Nottinghamshire County Council to Egdon Resources in 2021 and 2022 for geothermal testing studies to be undertaken at two existing oil wellsites – Whip Ridding Farm near Eakring (also known as Dukes Wood) and at Hockerton Road, Kirklington – both located in Newark and Sherwood District. Geothermal resources have been used in the UK since Roman times. Today, modern drilling technology allows for heat to be extracted from much greater depths (more than 5km) and at greater temperatures. A considerable number of onshore UK oil and gas wells are coming to the end of their economic life. The conversion or repurposing of these wells to geothermal heat production should be supported where the conditions for extraction occur. Both these two wellsites are located in an area that has long been known as having a localised geothermal anomaly (that is, higher than average heat flow at shallower depth than expected). Both wells potentially could be repurposed and operate as low enthalpy single-well closed loop geothermal installations. If these tests prove to be successful, it is possible that Egdon Resources will seek permission for the production of geothermal heat recovery. However, this will only be commercially viable if there is a potential heat customer. Both wellsites lie in a rural, agricultural setting where the opportunities for using heat to supply district heating systems is not available. Nevertheless, there are other forms of development, potentially suitable in the countryside, which the DPD could provide support for as part of identifying opportunities to co-locate heat customers and suppliers. As an example, planning permission was granted by Lincolnshire County Council in May 2018 for a biomass combined heat and power plant, a vertical food growing facility and waste water treatment plant on a site at Crowland near Peterborough. The heat produced from the biomass CHP plant will provide the power to operate both the waste water treatment facility and the food growing facility which produces leafy salad and herb crops, cultivated under artificial light. This example demonstrates that there are potential sources for heat generated from renewable sources in the countryside and in a neighbouring authority to Newark and Sherwood. Deep geothermal heat falls within the definition of “renewable energy” in Annex 2 (Glossary) of the NPPF. Policy DM4, as proposed to be amended, should be made more supportive of supporting infrastructure which provides the commercial means for suppliers of decentralised, renewable and low carbon energy supply systems to potential heat customers.</p> <p>Policy DM8 (Development in the Open Countryside), as proposed to be amended by the Council, does not accord with Paragraph 155 of the NPPF or Core Policy 10 of the Amended Core Strategy. It makes no reference to the need to maximise the use of local opportunities for district heating and decentralised energy in the countryside. If the District Council is committed to delivering a reduction in the District’s carbon footprint, the policy needs to provide support for proposals for development in the countryside which draw upon low carbon and renewable energy supplies and the associated infrastructure. Core Policy 10 commits the Council to ensuring that “development proposals <u>maximise, where appropriate and viable, the use of available opportunities for district heating and decentralised energy.</u>” The Council has stated at para 5.43 of the Core Strategy that “climate change presents the biggest challenge to the delivery of sustainable development”. Para 5.44 goes on to say that key to meeting is challenge is “increasing the potential local opportunities for district heating systems and decentralised energy generation (energy generated from local renewable or low carbon sources).” The absence of any mention in Policy DM8, as proposed to be amended, to a strategy which supports development in the countryside associated with producing and distributing renewable or low carbon energy to heat customers, calls into question how effective the policy will be in supporting renewable energy outside the urban areas up to the end of the Plan Period in 2033. Policy DM8 also does not accord with paragraph 155 of the NPPF. This states that plans should:</p> <ul style="list-style-type: none"> a) “Provide a positive strategy for energy from [renewable and low carbon energy and heat] sources, that maximises the potential for suitable development whilst ensuring that adverse impacts are addressed satisfactorily; b) Consider identifying suitable areas for renewable and low carbon energy sources and supporting infrastructure, where this would help secure their development; and c) Identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.” <p>Planning permission was granted by Nottinghamshire County Council to Egdon Resources in 2021 and 2022 for geothermal testing studies to be undertaken at two existing oil wellsites – Whip Ridding Farm near Eakring (also known as Dukes Wood) and at Hockerton Road, Kirklington – both located in Newark and Sherwood District. Geothermal resources have been used in the UK since Roman times. Today, modern drilling technology allows for heat to be extracted from much greater depths (, that is, more than 5km) and at greater temperatures. A considerable number of onshore UK oil and gas wells are coming to the end of their economic life. The conversion or repurposing of these wells to geothermal heat production should be supported where the conditions for extraction occur. Both these two wellsites are located in an area that has long been known as having a localised geothermal anomaly (that is, higher than average heat flow at shallower depth than expected). Both wells potentially could be repurposed and operate as low enthalpy single-well closed loop geothermal installations. If these tests prove to be successful, it is possible that Egdon Resources will seek permission for the production of geothermal heat recovery. However, this will only be commercially viable if there is a potential heat customer in the vicinity. Both wellsites lie in a rural, agricultural setting where the opportunities for using heat to supply district heating systems is not available. Nevertheless, there are other forms of development, potentially suitable in the countryside, which Policy DM8 could support to help realise opportunities that exist to co-locate heat customers and suppliers. As an example, planning permission was granted by Lincolnshire County Council in May 2018 for a biomass combined heat and power plant, a vertical food growing facility and waste water treatment plant on a site at Crowland near Peterborough. The heat produced from the biomass CHP plant will provide the power to operate both the waste water treatment facility and the food growing facility which produces leafy salad and herb crops, cultivated under artificial light. This example demonstrates that there are potential sources for heat generated from low carbon and renewable sources in the countryside, and this example is in a neighbouring authority. Deep geothermal heat falls within the definition of “renewable energy” in Annex 2 (Glossary) of the NPPF. Policy DM8 should be made amended to be made more supportive of supporting infrastructure which provides the commercial means for suppliers of decentralised, renewable and low carbon energy supply systems to potential heat customers. Currently, the policy is not justified because it is not the most appropriate strategy when taking into account the alternative of positively and actively supporting renewable and low carbon in the countryside. It is also not consistent with national policy, namely paragraph 155 of the NPPF.</p>
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034	Vital Energi c/o Axis	<p><u>Waste Management</u> - Emerging Policy DM12 'Presumption in Favour of Sustainable Development' refers to the Nottinghamshire Minerals Local Plan but is silent on the adopted Nottinghamshire and Nottingham Waste Core Strategy (WCS). It is recommended that the emerging document / Policy DM12 is amended to reference the adopted WCS. Neither the Bilsthorpe sub-section of the emerging document (paragraphs 5.24 to 5.31) or Map 12 (which illustrates Bilsthorpe) identify / reference the extant planning permission for the development of a waste management facility on land within the Bilsthorpe Business Park. By way of background, following a public inquiry (ref: APP/L3055/V/14/3001886) planning permission for the development of the Bilsthorpe Energy Centre (BEC) was approved by the Secretary of State in 2016. Prior to expiry of the permission, the pre-commencement conditions have been formally discharged and material operations undertaken to implement the consent. In June 2021, Officer's at Nottinghamshire County Council confirmed that the permission was lawfully implemented. Therefore, the 2016 permission remains extant. Policy WCS10 of the Nottinghamshire and Nottingham WCS seeks to safeguard permitted waste management facilities and potential future sites from sterilisation from other development uses. It is recommended that Map 12 and the Bilsthorpe sub-section of the emerging document are amended to reference the extant waste management facility and the Bilsthorpe Business Park (which includes a range of employment uses).</p> <p><u>Local Wildlife Site</u> - Map 12 illustrates the Bilsthorpe Colliery Local Wildlife Site (LWS) designation (ref: 5/2161) covers part of the Bilsthorpe Business Park. The designation should either be removed as the Nottingham Biological and Geological Records Centre are known to work towards landowner consent in all cases; or the designation should be rationalised so that it does not conflict with the land that benefits from extant planning permission for the development of a waste management facility.</p>
035	Tritax Acquisition 39 Ltd c/o Delta Planning	<p>Our objections and concern relate to the employment land provision and allocations for Newark, and the omission of Land East of Newlink Business Park from the site allocations. Our comments below are supported by the following evidence lodged with these representations:</p> <ol style="list-style-type: none"> 1. Site Promotional Document for Land East of Newlink Business Park, Newark 2. Appeal decision relating to Phase 1 development at Land East of Newlink Business Park 3. JLL Logistics Need and Market Demand Statement 4. DfT The Future of Freight 2022 5. BPF – The Logic of Logistics 2022 <p>Paragraph 1.2 of the AADMDPD states that the intention of the Plan Review is to ensure that the DPD continues to allocate sufficient land for housing, employment and retail to meet the needs of Newark and Sherwood District to 2033. Paragraph 1.27 notes that the AADMDPD sets out the detail for how employment land will be provided across the District in line with Spatial Policy 2 of the Amended Core Strategy which identified a requirement of 83.1 ha for the period 2013 to 2033. Paragraph 1.27 then suggests that the District has a supply of 176.69ha of employment land (of which 123.71 is stated to be in Newark) and as such no additional employment allocations are included within the Plan, which is confirmed at Paragraph 1.31. The above position is not sound. Our case is based around the following key points:</p> <ol style="list-style-type: none"> 1. The existing employment land supply does not adequately cater for the requirements of the Big Box logistics market, and the Amended Core Strategy requirement figure is clearly stated as a minimum. The Strategy specifically provides for new allocations to be identified through Spatial Policy 9 where justified. The updated AADMDPD is the opportunity to do just that with regard to meeting the needs for logistics. 2. The evidence base has moved on considerably since the Amended Core Strategy was prepared and examined. There is now a clearly evidenced significant need and demand for additional strategic logistics sites in Nottinghamshire and that evidence base encourages additional provision in Newark which it notes is well placed to meet some of the requirement for new strategic sites. The DPD is therefore not correctly justified or effective in meeting needs. 3. A further Core Strategy Review has not commenced, and it could therefore be some years before a new strategic policy is in place. In the meantime, Newark will fail to meet and capitalise on the identified need and demand for strategic logistics in this area. As a result, the DPD is not being positively prepared and will not comply with the NPPF. The overall case and economic benefits of the Logistics Sector are set out in recent studies by the BPF and the DfT. 4. Land East of Newlink Business Park (SHELAA ref 16_0174) is ideally placed to meet the additional need for logistics sites, and already has outline planning permission for a first phase. The remainder of site should therefore be brought forward through the AADMDPD. <p>We further detail each of these points in turn below.</p> <p>Employment Land Requirements and Core Strategy Spatial Policy 9</p> <p>Spatial Policy 2 of the Amended Core Strategy (adopted in 2019) sets an employment land requirement of 83.1ha and specially states that this is a minimum. The word 'minimum' was introduced late in the preparation of the document as a Main Modification following the examination of the Amended Core Strategy. The Inspector did not take issue with the suggested employment land target at the time as it was considered justified by the evidence and in particular the 2015 Employment Land Forecasting Study for Nottingham Core & Outer Housing Market Areas. However, he considered it essential to express the employment land target as a minimum, noting that setting a limit would be contrary to national policy as it would not have provided a sufficiently flexible policy to enable investment and economic growth over the plan period. Whilst the employment land policies were found sound through the Amended Core Strategy, we do not agree that this provides sufficient justification to discount allocating any new sites for employment development. The employment land target in the Amended Core Strategy is set as a minimum in order to provide flexibility to enable the Council to respond to changing circumstances. It is therefore disappointing to note that the opportunity has not been taken to review the site allocations in light of the now very clear updated evidence base that demonstrates there is a significant need and demand for additional strategic logistics sites within the District which far outstrips the current supply including the allocated sites. This is explained further below. It is also important to note that Amended Core Strategy Spatial Policy 9 acknowledges that from time to time the Council will need to allocate additional sites to meet the development needs of the District. The policy sets out 10 guiding principles which will be used to make such allocations. All of these criteria are satisfied by the land East of Newlink Business Park as demonstrated through the Site Supporting Statement submitted alongside these representations.</p> <p>Significant need and demand for strategic logistics sites</p> <p>The employment land target of 83.1ha in the Amended Core Strategy is based on evidence that dates as far back as 2015 and does not recognise the specific needs of the logistics sector. The economic landscape, particularly in respect of logistics, has changed significantly since the evidence that informed the Core Strategy was prepared and it no longer provides a robust basis to guide economic development and the use of land in the district. A detailed review of the latest evidence on need and demand for strategic logistics is provided by the Logistics Need and Market Demand Statement prepared by JLL and submitted with these representations. Key points are summarised below. The evidence with regard to employment land has recently been updated with the publication of the Nottingham Core HMA and Nottingham Outer HMA Employment Land Needs Study (Lichfields, May 2021) and, more importantly, the Nottingham Core and Outer HMA Logistics Study (Iceni, August 2022) which specifically looks at the need for strategic logistics land. Neither of these two documents is listed at Paragraph 1.13 of the AADMDPD as part of the evidence that has informed the preparation of the DPD. This itself is an error that should be corrected. The Iceni Logistics Study has concluded that there is a need of 1,486,000 sq.m. of B8 floor space for the study area (i.e. the county of Nottinghamshire). The study has identified a maximum supply of 885,000 sq.m., resulting in a residual need of at least 600,000 sq.m. Newark is specifically identified as one of five Areas of Opportunity within the Logistics Study where new strategic logistics sites should be located. This is based on its historic suitability as a successful logistics location (as demonstrated through its past delivery of large units at Newlink Business Park), the suitability of the A1 route as an artery for strategic logistics providers and the proximity of a suitable local labour market. It should be noted that the overall employment land supply figure quoted in the AADMDPD includes 3 logistics sites in Newark as follows: Land south of Newark (50 hectares), Land west of Stephenson Way (6.85 hectares) and Land off Brunel Drive (15.61 hectares). None of the other supply is deemed by the Logistics Study as being potentially suitable for Big Box distribution. This is probably due to the size of the plots, their proposed use (e.g. NAP2C – allocated for just B1), their setting (i.e. as part of a mixed development – e.g. NUA/NU/1) or a combination of these elements. The 3 logistics sites are not however considered sufficient to meet market needs. Despite these recent studies, which should form part of the Council's evidence base to the AADMDPD, no new allocations are proposed. The AADMDPD continues to rely on existing sites. As acknowledged by the Logistics Study, Newark already lacks a suitable scale and range of sites to meet this demand. The evidence base not only</p>

		<p>supports the need for Development Plans to allocate additional logistics sites, but also provides criteria for the identification and selection of suitable sites. These criteria include scale (a minimum of 25 hectares), direct access to the motorway and strategic road network, and locations away from built settlements. It also prioritises extensions to existing industrial/distribution sites. Land East of Newlink Business Park meets all the criteria set by the Logistics Study. Its principal attributes include:</p> <ul style="list-style-type: none"> • Scale – at 47 hectares gross it easily exceeds the threshold set (i.e. 25 hectares); • Access – direct access to the A17, close to the junction of the A1, A17 and A46; • Amenity – a location away from built settlement; • Location – the site acts as a natural extension to Newlink Business Park, an established logistics location and sequentially, it is a preferred location to other less well-located sites. <p>Given the above there is clear justification for allocating additional land, and specifically allocating land East of Newlink Business Park.</p> <p>Loss of opportunity/non-compliance with national policy</p> <p>Given a Core Strategy Review has not yet commenced it will be some years before new strategic policies are in place in Newark. Indeed, as noted at Paragraph 1.31 of the AADMDPD, the Council is unlikely to commence a full review of the Local Plan until 2024. In light of the strong evidence for additional strategic logistics sites, we consider that the Council should not await the outcome of the Core Strategy Review, but act now to ensure that Newark can satisfy and capitalise on the opportunities presented by the strong logistics market and its status as a key area of opportunity for strategic logistics development. Evidence (confirming many of the points in favour of the proposed allocation in this case) is contained in a very recent report commissioned by the British Property Federation and other industry stakeholders including Tritax on the role of logistics in the Governments ‘Levelling Up’ policy agenda (copy provided with this submission). This is a very important piece of research which looks in detail at the critical value of logistics to the UK economy, its speed of growth and the quality and quantity of jobs it delivers. This also links to how the sector can play a significant role in the Government’s ‘Levelling Up’ policies. It includes a broad commentary on the failure of the planning system to allocate sufficient land for logistics as a result of development plans being prepared against the backdrop of an inadequate evidence base, as is precisely the case with this DPD at present. Section 6 of the NPPF (2021) notes at Paragraph 81 that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. It further requires that significant weight should be placed on the need to support economic growth and productivity, considering both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. Paragraph 83 further states that planning policies and decisions should recognise and address the specific locational requirements of different sectors, and that this includes making provision for storage and distribution operations. As currently drafted, we consider the AADMDPD does not comply with the NPPF.</p> <p>Allocation of Land East of Newlink Business Park</p> <p>As identified above, Land East of Newlink Business Park should be allocated to meet these identified needs. It satisfies all the site selection criteria of Core Strategy Spatial Policy 9 as well as the locational and site selection criteria in the Icen Logistics Study. This is expanded upon in the Site Supporting Statement submitted alongside these representations and under Question 9 below.</p>
036	Historic England	<p>Historic England welcomes the inclusion of policy DM9 and has no concerns with respect of the amendments proposed.</p> <p>Historic England welcomes the new policy (NUA/AR/1) which sets out a positive approach to the historic environment in NPPF terms, but also clearly sets out the Local Authorities expectations for potential development proposals within the areas indicated on the associated Policies Map based on the particular local context and associated potential sensitivities.</p> <p>Historic England welcomes the new policy (NUA/AR/2) which sets out a positive approach to the historic environment in NPPF terms, but also clearly sets out the Local Authorities expectations for potential development proposals within the area indicated on the associated Policies Map based on the significance of the particular local context of the Civil War and potential sensitivities associated with that.</p> <p>Historic England welcomes the new policy (ShA/L/1) which sets out a positive approach to the historic environment in NPPF terms, but also clearly sets out the Local Authorities expectations for potential development proposals within the area indicated on the associated Policies Map based on the significance of the particular local context of the rare historic open field system and potential sensitivities associated with that. However, it is noted that scheduled monuments at Laxton Castle, the bowl barrow 70m south of Church of St Michael’s and fishponds 220m south west of Church of St Michaels are not indicated on the proposals map (Map 9 – Laxton proposals) and are, therefore, inconsistent with other Maps included in the draft Plan.</p> <p>Historic England welcomes the new policy (SO/AR/1) which sets out a positive approach to the historic environment in NPPF terms, but also clearly sets out the Local Authorities expectations for potential development proposals within the area indicated on the associated Policies Map based on the significance of the particular local context of Southwell Roman Villa and potential sensitivities associated with that.</p>
037	TOWN-PLANNING.CO.UK	<p>Proposing to amend policies in the Core Strategy through a review of the DPD raises concerns. The Core Strategy contains strategic policies which are not found in the Allocations and DM DPD. The consultation on the plan review is clearly badged as relating to the DPD; as such parties interested only in strategic policies in the Core Strategy may reasonably have chosen not to look at this DPD consultation. The proposed review of Core Policies 1 and 3, together with creating a new Core Policy 2A should have been taken forward as a limited scope review of the Core Strategy in line with paragraph 33 of the NPPF. In broad terms the proposed amendments to Core Policy 1 reflect paragraphs 63 to 65 of the NPPF. However, there is one important omission relating to the reduction in affordable housing contribution as set out in paragraph 64 of the NPPF in relation to vacant buildings being reused or redeveloped. Text has been added to paragraph 8.13 of the supporting text in response to our previously expressed concern. However, Core Policy 1 itself should include a reference to a criterion: <i>“To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced in line with national planning policy by a proportionate amount which is equivalent to the existing gross floorspace of the existing buildings”</i>.</p> <p>Policies 5a & 5b – Design - Policy DM5a is too prescriptive and is seeking to amend the statutory provisions in the DMPO relating to design and access statements. This policy seeks proposers to apply these principles to development such as minor proposals that do not require a design and access statement. The Government has put a greater emphasis on design in the NPPF but has chosen not to amend the DMPO in relation to the scale/type of development that needs to be supported by a design and access statement. Paragraph 133 of the NPPF identifies for example that assessment frameworks such as Building for a Healthy Life are particularly important for significant projects such as large scale housing and mixed use developments. The policy should be amended to refer either only to major development or to development where a design and access statement is required. Reference in Policy DM5a to pre-application discussions with the LPA should be removed. Legislation sets out what forms of development require mandatory pre-application engagement. The Council would appear to be looking to generate additional income through greater numbers of pre-application submissions.</p> <p>Policies 5a & 5b – Design - In Policy DM5b criterion 3 refers to 'adequate external and internal space'. Whilst as a concept this is supported, the policy provides no indication as to what 'adequate' means. It would be more appropriate to refer to the nationally described space standards for internal space. Alternatively, the DPD should set out relevant external and internal space standards.</p> <p>Policy DM8 – Criterion 1 - The policy approach towards new agricultural development is unduly restrictive in requiring a need to be demonstrated. Agricultural development which is permitted development requires no justification and it is a form of development that is expected to be linked to the countryside. Proposals may fall not to be permitted development either through a simple criteria, such as being too close to a public highway or may not be permitted development because the holding is a small agricultural holding. Spatial Policy 3 on Rural Areas of the Amended Core Strategy states that: <i>“The rural economy will be supported by encouraging tourism, rural diversification, and by supporting appropriate agricultural and forestry development.”</i> Criterion 1 of Policy DM8 of the Allocations & Development Management DPD looks for <i>‘Proposals will need to explain the need for the development, it’s siting and scale in relation to the use it is intended to serve.’</i> The</p>

		<p>approach of Policy DM8 towards agricultural development is more restrictive than national and strategic policies. As such it is now inconsistent with the overarching positive approach of the NPPF and the Amended Core Strategy in Spatial Policy 3. Paragraph 84 of the NPPF states that: “Planning policies and decisions should enable:</p> <p>a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;</p> <p>b) the development and diversification of agricultural and other land-based rural businesses;”</p> <p>The NPPF recognises that to meet agricultural need that development should be permitted in the countryside. The NPPF does not require need to be demonstrated. The policy as written would unduly prejudice the operation of smaller agricultural holdings that do not benefit from as wide a range of permitted development rights.</p> <p>Policy DM11 – Retail and Main Town Centre Uses - Reference in criterion 3 to local centres should delete reference to ST/LC/1. The development of all of the housing on site ST/MU/1 by Charles Church is complete. The space for a potential retail store is reserved in the planning obligation; although it will never come forward as it is too small for the needs of the Lincolnshire Co-op and other retailers are not interested in the village. The area covered by ST/LC/1 for a future local centre cannot be delivered as this is open space prevented from being developed by the planning obligation that accompanied the housing development. Accordingly the proposed allocation cannot be delivered and should be deleted. The area identified as ST/LC/1 should in fact be identified as Main Open Area designation as this is now land that the planning obligation accompanying the completed Charles Church scheme requires to remain undeveloped as open space.</p> <p>Proposing to amend policies in the Core Strategy through a review of the DPD raises concerns. The Core Strategy contains strategic policies which are not found in the Allocations and DM DPD. The consultation on the plan review is clearly badged as relating to the DPD; as such parties interested only in strategic policies in the Core Strategy may reasonably have chosen not to look at this DPD consultation. The proposed review of Core Policies 1 and 3, together with creating a new Core Policy 2A should have been taken forward as a limited scope review of the Core Strategy in line with paragraph 33 of the NPPF. A Local Development Scheme is required under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended). This must specify (among other matters) the development plan documents (i.e., local plans) which, when prepared, will comprise part of the development plan for the area. The Local Development Scheme must be made available publicly and kept up-to-date. It is important that local communities and interested parties can keep track of progress. Local planning authorities should publish their Local Development Scheme on their website. The Local Development Scheme (November 2022) does not set out that in any way that the DPD Review will amend policies in the Amended Core Strategy. As such the DPD Review fails to comply with the provisions of the Local Development Scheme.</p>
038	Brian Morris c/o Richard Ling & Associates	<p>The Plan does not seek to make alterations to the boundaries of the Green Belt in the District. This is in accord with the NPPF (paragraph 140 et seq) where such alterations should be part of the Strategy Plan. If there are issues arising from objections to the current Plan which mean that there would be a shortfall of housing, new sites within the Green Belt should only be considered following a comprehensive review of potential sites throughout the Green Belt in the District. The representor owns land in Bulcote (map attached) which is shown on the Councils SHELAA list. He wishes to be assured that if Green Belt land needs to be released at this Plan making stage, it is done following a comprehensive review and in accord with the NPPF guidelines set out in paragraphs 140-144.</p>
039	Saving Wildlife and Nature (SWAN) Balderton Resident Group	<p>The DPD is not sound because it is not compliant with National Policy - Open space and recreation paragraph 98 and 99. The changes on page 29 Open Spaces and Green Infrastructure paragraph 2.24 - Table 1 - Newark Urban Area Open Space Requirements in the Amended DPD (See below) is reliant on the calculations and designations in the Open Space Strategy (OSS) document adopted in January 2022. The change to applying open space standards at settlement level rather than ward level is misleading. All references to wards have been removed. See below. In an email to the NSA on the 15th of December NSDC stated that the “the lowest geographical level of assessment that the new OSS has applied is settlement level – rather than Ward- and so the contents of the new tables reflect this.” This creates the misapprehension that that there is sufficient provision of Amenity Green Space (AGS) in Newark. This is incorrect, misleading and could lead to challenge by developers. A developer (MLN) responding to the consultation stated, “Newark is pretty much on standard for parks and gardens and over for amenity grassland (AGS).” There are two measures of AGS, a distance measure of 480m and a quantity measure of 0.6ha per 1000 people. AGS by definition is local and so the proposal to aggregate provision over larger settlement areas is deeply flawed and misleading. According to the OSS the settlement of Newark has 0.95 ha of AGS for every 1000 people against a standard of 0.60ha. However, Newark is a large settlement and 8.45ha of AGS (29%) is concentrated on the edge of the settlement in the Beacon Ward and so only accessible to the population living within 480m of the AGS. Lincoln Road Playing Fields (7.7ha) in the Bridge Ward have been designated as AGS when it should be designated as Parks and Gardens in line with other similar sites such as Coronation Street Playing Field in Balderton. If provision of AGS is recalculated for the Bridge, Castle and Devon Ward then provision falls to 0.53, 0.32 and 0.54 ha respectively under the current standard of 0.60ha. It fails the test of soundness because the Amended DPD is not robust and up to date and so therefore not compliant with NPPF paragraph 98 and 99.</p>
040	Nick Crouch	<p>I am objecting specifically to the allocation of NUA/Ho/10 – Newark Urban Area Housing Site 10, located on the north site of Lowfield Lane in Balderton. The site comprises an area of grassland (at least some of which is grazed by horses), bound by mature hedgerows with trees. The site has significant biodiversity value, which has not been recognised. More specifically, the plan is not sound for the following reasons:</p> <ul style="list-style-type: none"> • I understand that an ecological survey of the site has been carried out, which confirms that the site qualifies as a Local Wildlife Site based on botanical interest and as a Habitat of Principal Importance (Lowland Meadows). • This survey report does not appear to be available on the NSDC website, and it therefore appears that the plan has not been objectively assessed, and that a reliable evidence base has not been presented to the public. • No reference is made to the need to avoid, mitigate against or compensate for loss of the site in Policy NUA/Ho/10, and no reference is made to meeting 10% Biodiversity Net Gain requirements. • Allocation of this site is not consistent with the NPPF, specifically, policies 174 (a), (b) and (d) and 179 (a) and (b), and will not allow proper application of policy 180 (a) when a planning application is submitted. • The Integrated Impact Assessment for this site is highly misleading, having scored Biodiversity a zero (i.e. no impact); if the site does indeed qualify as an LWS an a Habitat of Principal Importance, as I understand that it does, then this conclusion is clearly erroneous and it should in fact be scored a triple negative (see page 59/60 of the IIA) due to the loss of a site that is of at least county-level importance for its wildlife. • Allocation and development of this site would mean that sustainable development is not achieved. • The site makes a minimal contribution to district housing targets, and the loss of this site will not be significant in that context.
041	Gordon Robertson	<p>I consider the DPD to be unsound as it is inconsistent with national policy.</p> <p>OBJECTION 1</p> <p>Paragraph 98, under the ‘Open Space and Recreation’ section of Part 8 ‘Promoting Healthy and Safe Communities’ of the Ministry of Housing, Communities & Local Government’s National Planning Policy Framework (NPPF) requires that, ‘Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.</p> <p>The DPD fails this criterion as:</p> <p>At Para 2.24 Table 1 the Amended DPD uses calculations and designations from the Jan 22 Open Space Strategy (OSS). The amended OSS considers open space standards at settlement level rather than at ward level. This has led to an over-estimation of Amenity Green Space (AGS) in Newark.</p> <p>AGS should be calculated locally and aggregation over the larger settlement areas is unsound and contrary to national policy. According to the OSS the settlement of Newark has 0.95ha of AGS for every 1000 people against a standard of 0.60ha. NSDC’s own Open Space Assessment and Strategy Consultation stated that the District Council had set a “target of 11.85 hectares per 1000 people. However: Newark has 2.84 hectares per 1000 residents.” The DPD estimation is clearly well short of the national standard and the Council’s own target, and is inconsistent with earlier assessments. The Amended DPD assessment has led to a developer (MLN) stating in their proposal for additional housing that “Newark is pretty much on standard for parks and gardens and over for amenity grassland (AGS),” which is incorrect.</p>

		<p>OBJECTION 2 The Amended DPD states on page 30, Paragraph 2.26: <i>“Outdoor sport facilities are not analysed as part of the Open Space Strategy & Assessment as a different methodology in line with national guidance (Sport England) is prescribed and is contained in a separate standalone Playing Pitch Strategy (PPS). This document will be updated in due course.”</i></p> <p>This statement appears throughout the document and is inconsistent with NPPF Paragraph 99 which states: <i>“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.”</i></p> <p>The failure of the Amended DPD to explicitly protect existing open space, sports and recreational buildings and land, including playing fields from being built on unless the NPPF criteria are met make the Amended DPD inconsistent with national policy.</p>
042	Jamie Moore	<p>The Former Belvoir Ironworks (North) site at Middlebeck is unsuitable for a number of reasons, many noted in prior consultations. Further to my letter to Cllr David Lloyd, The Rt Hon Robert Jenrick and Cllr John Lee on 3 April 2022, I again reiterate concerns regarding the suitability of this site, specifically services and facilities (in particular the lack of any public transport facilities, and provision available at the new primary school to cater to an already increasing number of new residents and pupils), access and highways (specifically concerns regarding trip generation), availability of more appropriate alternative sites, inherent flood risk, impacts on the visual amenity of Middlebeck, the potential destruction of trees and wildlife and pending comments from the local police. With regard to national policy, it should be noted that increasing capacity of traveller sites to the number quoted may simply increase demand overall creating an ever-growing cycle leading to ever-growing financial demand to supply. I refer you to extracts of comments made by Urban & Civic of their objections to this site within the Statement of Consultation document from October 2022:</p> <p><i>‘Belvoir Ironworks North lies to the south of Newark South and Urban & Civic have concerns about the potential implications of this on services and facilities at Newark South, and in terms of site access and impact on the highway network. Our response to Question 9 is supported by a Transport and Highways Technical Review prepared by SLR and provided as Appendix 1.</i></p> <ul style="list-style-type: none"> • Services & Facilities - <i>‘The site assessment, as set out at paragraph 3.16.11 of the Options Report, states that the site is considered reasonably located in respect of access to services and facilities, with specific reference to the Middlebeck development - that is, Newark South. The Transport and Highways Technical Review sets out that the Belvoir Ironworks North site cannot be considered as having sustainable access to facilities and services, including at Newark South, with, for example, Middlebeck Primary School being in excess of an 800-metre walk. Moreover, Urban & Civic are concerned about the pressure that around 30 pitches may have on services and facilities being provided as part of the Newark South development. For example, Middlebeck Primary School, which opened September 2021, provides additional school places to meet the demand from the Newark South development only, and Urban & Civic is, therefore, concerned that should children from the gypsy and traveller pitches take school spaces at Newark South then this will result in the needs of children at Newark South not being met. It should be noted that this additional pressure would be combined with pressure from new housing in the immediate locality, with the appeal for up to 322 dwellings on Land at Flowserve Pump Division being allowed in June 2021 (Ref: APP/B3030/W/20/326097), and also proposals within this Options Report if taken forward - in particular, the extension to Site NUA/HO/10 - Land North of Lowfield Lane, and Opportunity Sites, notably the Tarmac Site within Bowbridge Road Policy Area.</i> • Access & Highways - <i>The Transport and Highways Technical Review concludes that, based on the information available, it is unclear as to whether a safe and suitable access to the Belvoir Ironworks North site can be achieved for the proposed use in visibility terms. Furthermore, based on the potential level of trip generation associated with the use, there may be a requirement for the access to the site to include a central treatment on Bowbridge Lane (such as a ghost island right turn), but no information is available to demonstrate that such a junction arrangement would be deliverable within land controlled by the local highway authority and that associated with the site. In terms of trip generation, the Transport and Highways Technical Review sets out that daily movements to and from the site could be in the order of 300 vehicles, with potential peak hour trip generation in excess of 30 two-way movements, which is the typical threshold at which a local highway authority would require operational assessments to consider the highway impacts at off-site junctions. This level of traffic is of concern to Urban & Civic as it would be utilising highway capacity that has been designed and delivered to support the delivery of Newark South and other existing planned housing allocations in Newark. In this respect, the Newark South development is delivering the SLR, with triggers for delivery including that no more than 600 dwellings are to be occupied unless Phase 1 of the SLR is complete and that no more than 700 dwellings are to be occupied unless construction of Phase 2 of the SLR has commenced. Urban and Civic object to additional development coming forward and taking capacity on the highway network, that should first and foremost be used to facilitate the delivery of dwellings at Newark South, whilst development at Newark South is constrained. For the reasons given above, Urban & Civic respectfully request that Site 2 - Belvoir Ironworks North, Newark (Ref: 19_0004) is categorised as not suitable, with the site assessment amended accordingly to take account of the constraints in terms of access to, and capacity of, services and facilities, and site access and highways.’</i> <p>Within the same report, objections were noted by residents based on concern regarding the following, many of which have yet to be addressed:</p> <ul style="list-style-type: none"> • ‘Increase in Anti-Social Behaviour/crime • Undermine delivery of remaining Middlebeck phases • Area already seeing a lot of development • Environmental Concerns - waste and littering • Supporting infrastructure (schools, amenity facilities and roads etc.) unable to support development • Localised parking issues will be exacerbated (Flaxley Lane) • Flood risk • Poor public transport connections • Increased traffic • Tensions between settled and travelling communities • Out of keeping with character of the area • Existing sites should be expanded • Site too close to waste tips and sites with groundworks underway

		<ul style="list-style-type: none"> • Pitch numbers too high due to impact on properties directly adjacent • Thorough investigation of land contamination required • Impact on amenity of adjoining cottages' <p>I also refer you to the information contained within the Newark and Sherwood Local Development Framework Plan Review Integrated Impact Assessment. As the proposed site is located beyond the Urban Boundary of the Newark Urban Area and as there is a lack of public transport connectivity for the proposed site, there will be further reliance on making journeys using private motor vehicle which causes more traffic on the road potentially creating highway safety issues (especially in an area home to many children), noise and further pollution. Furthermore, due to the dependence upon using private motor vehicles this will limit the level of impact on climate change. I also refer you to comments made by Highway Engineers from the GTLAA report from 2022 with regard to physical constraints.</p> <p><i>'An independent report has been submitted objecting to this site. The cited trip generation is based on a single site which was counted in 2010 and the outputs are not included in the appendices so cannot be verified. The HA have not been able to locate the site on the TRICs data base but have located the site on Google maps. The trip rates may be high and linked to the poor sustainability of this site which has access only to the major road network with no footways/no community facilities within walking distance.</i></p> <p><i>It is also noted in the introduction to this note that trip rates may also be higher per unit due to Gypsy communities which often have extended families all living together. This of course is not in itself a reason to object to a site, and instead requires application of a lesser threshold for provision of a TA/TS. If the submitted report is correct, it would be appropriate to require one for this site.'</i></p> <p>I also refer you to additional comments present within the GTLAA report from 2022 with regard to flood risk concerns:</p> <p><i>'Flood Risk Comments: Section of Bowbridge Lane at the access to the site located within Flood Zone 2. As part of planning appeal in 2015 the flood depths were considered to be shallow (and acceptable) turning right when leaving site, but deep and unacceptable turning left. Was deemed acceptable if restricted to right turn only during times of flooding. Emergency access option onto the Sustrans route was also considered. There is the potential that appropriate emergency access arrangements could be put in place, subject to further detailed investigation. Caravans are a highly vulnerable use in flood risk terms, but following national Planning Practice Guidance can be compatible with Flood Zone 2 - subject to application of the Exception Test.'</i></p> <p>A portion of the site is within Flood Zone 2 as well as areas along Bowbridge Lane which would provide access to the site. As caravans are vulnerable to a flood risk, the land would have to be safe from a flood risk to be viable and I would assert there are alternative sites that would be safer and more suitable. From the documentation required, it appears the below has not yet been completed (or results of investigations not yet published):</p> <ul style="list-style-type: none"> • 'On-site SuDS required to address water quality • Conducting a check with EA with regards to it being former contaminated land to avoid risk of groundwater contamination and movement of contaminants to Middlebeck through any nearby/associated drainage of the site • Further investigations to ground contamination and issue of impact on the amenity of adjoining cottages • A follow up with Urban & Civic regarding access and highways comments with the Highways Authority' <p>I also believe it would be incredibly useful to see proposed design plans for the proposed site. I also refer you to the summary of site assessments below with respect to the 40 sites assessed and their viability with regard to suitability, availability and achievability. As can be clearly noted, many sites have far better assessments of all three areas than the proposed site at Former Belvoir Ironworks (North) with comparable pitch allocations.</p>
043	Laura Musson	<p>I am making representations regarding the Former Belvoir Ironworks (North) site at Middlebeck and argue that this site is unsuitable for a number of reasons, many noted in prior consultations. I wish to reiterate concerns and argue that regarding the suitability of this site, specifically services and facilities (in particular the lack of any public transport facilities, and provision available at the new primary school to cater to an already increasing number of new residents and pupils), access and highways (specifically concerns regarding trip generation), availability of more appropriate alternative sites, inherent flood risk, impacts on the visual amenity of Middlebeck, the potential destruction of trees and wildlife and pending comments from the local police. I refer you to extracts of comments made by Urban & Civic of their objections to this site within the Statement of Consultation document from October 2022:</p> <p><i>'Belvoir Ironworks North lies to the south of Newark South and Urban & Civic have concerns about the potential implications of this on services and facilities at Newark South, and in terms of site access and impact on the highway network. Our response to Question 9 is supported by a Transport and Highways Technical Review prepared by SLR and provided as Appendix 1.</i></p> <ul style="list-style-type: none"> • Services & Facilities - <i>'The site assessment, as set out at paragraph 3.16.11 of the Options Report, states that the site is considered reasonably located in respect of access to services and facilities, with specific reference to the Middlebeck development - that is, Newark South. The Transport and Highways Technical Review sets out that the Belvoir Ironworks North site cannot be considered as having sustainable access to facilities and services, including at Newark South, with, for example, Middlebeck Primary School being in excess of an 800-metre walk. Moreover, Urban & Civic are concerned about the pressure that around 30 pitches may have on services and facilities being provided as part of the Newark South development. For example, Middlebeck Primary School, which opened September 2021, provides additional school places to meet the demand from the Newark South development only, and Urban & Civic is, therefore, concerned that should children from the gypsy and traveller pitches take school spaces at Newark South then this will result in the needs of children at Newark South not being met. It should be noted that this additional pressure would be combined with pressure from new housing in the immediate locality, with the appeal for up to 322 dwellings on Land at Flowserve Pump Division being allowed in June 2021 (Ref: APP/B3030/W/20/326097), and also proposals within this Options Report if taken forward - in particular, the extension to Site NUA/HO/10 - Land North of Lowfield Lane, and Opportunity Sites, notably the Tarmac Site within Bowbridge Road Policy Area.</i> • Access & Highways - <i>The Transport and Highways Technical Review concludes that, based on the information available, it is unclear as to whether a safe and suitable access to the Belvoir Ironworks North site can be achieved for the proposed use in visibility terms. Furthermore, based on the potential level of trip generation associated with the use, there may be a requirement for the access to the site to include a central treatment on Bowbridge Lane (such as a ghost island right turn), but no information is available to demonstrate that such a junction arrangement would be deliverable within land controlled by the local highway authority and that associated with the site. In terms of trip generation, the Transport and Highways Technical Review sets out that daily movements to and from the site could be in the order of 300 vehicles, with potential peak hour trip generation in excess of 30 two-way movements, which is the typical threshold at which a local highway authority would require operational assessments to consider the highway impacts at off-site junctions. This level of traffic is of concern to Urban & Civic as it would be utilising highway capacity that has been designed and delivered to support the delivery of Newark South and other existing planned housing allocations in Newark. In this respect, the Newark South development is delivering the SLR, with triggers for delivery including that no more than 600 dwellings are to be occupied unless Phase 1 of the SLR is complete and that no more than 700 dwellings are to be occupied unless construction of Phase 2 of the SLR has commenced. Urban and Civic object to additional development coming forward and taking capacity on the highway network, that should first and foremost be used to facilitate the delivery of dwellings at Newark South, whilst development at Newark South is constrained. For the reasons given above, Urban & Civic respectfully request that Site 2 - Belvoir Ironworks North, Newark (Ref: 19_0004) is categorised as not suitable, with the site assessment amended accordingly to take account of the constraints in terms of access to, and capacity of, services and facilities, and site access and highways.'</i> <p>Within the same report, objections were noted by residents based on concern regarding the following, many of which have yet to be addressed:</p>

		<ul style="list-style-type: none"> • 'Increase in Anti-Social Behaviour/crime • Undermine delivery of remaining Middlebeck phases • Area already seeing a lot of development • Environmental Concerns - waste and littering • Supporting infrastructure (schools, amenity facilities and roads etc.) unable to support development • Localised parking issues will be exacerbated (Flaxley Lane) • Flood risk • Poor public transport connections • Increased traffic • Tensions between settled and travelling communities • Out of keeping with character of the area • Existing sites should be expanded • Site too close to waste tips and sites with groundworks underway • Pitch numbers too high due to impact on properties directly adjacent • Thorough investigation of land contamination required • Impact on amenity of adjoining cottages' <p>I also refer you to the information contained within the Newark and Sherwood Local Development Framework Plan Review Integrated Impact Assessment. As the proposed site is located beyond the Urban Boundary of the Newark Urban Area and as there is a lack of public transport connectivity for the proposed site, there will be further reliance on making journeys using private motor vehicle which causes more traffic on the road potentially creating highway safety issues (especially in an area home to many children), noise and further pollution. Furthermore, due to the dependence upon using private motor vehicles this will limit the level of impact on climate change. I also refer you to comments made by Highway Engineers from the GTLAA report from 2022 with regard to physical constraints.</p> <p><i>'An independent report has been submitted objecting to this site. The cited trip generation is based on a single site which was counted in 2010 and the outputs are not included in the appendices so cannot be verified. The HA have not been able to locate the site on the TRICs data base but have located the site on Google maps. The trip rates may be high and linked to the poor sustainability of this site which has access only to the major road network with no footways/no community facilities within walking distance.</i></p> <p><i>It is also noted in the introduction to this note that trip rates may also be higher per unit due to Gypsy communities which often have extended families all living together. This of course is not in itself a reason to object to a site, and instead requires application of a lesser threshold for provision of a TA/TS. If the submitted report is correct, it would be appropriate to require one for this site.'</i></p> <p>I also refer you to additional comments present within the GTLAA report from 2022 with regard to flood risk concerns:</p> <p><i>'Flood Risk Comments: Section of Bowbridge Lane at the access to the site located within Flood Zone 2. As part of planning appeal in 2015 the flood depths were considered to be shallow (and acceptable) turning right when leaving site, but deep and unacceptable turning left. Was deemed acceptable if restricted to right turn only during times of flooding. Emergency access option onto the Sustrans route was also considered. There is the potential that appropriate emergency access arrangements could be put in place, subject to further detailed investigation. Caravans are a highly vulnerable use in flood risk terms, but following national Planning Practice Guidance can be compatible with Flood Zone 2 - subject to application of the Exception Test.'</i></p> <p>A portion of the site is within Flood Zone 2 as well as areas along Bowbridge Lane which would provide access to the site. As caravans are vulnerable to a flood risk, the land would have to be safe from a flood risk to be viable and I would assert there are alternative sites that would be safer and more suitable. From the documentation required, it appears the below has not yet been completed (or results of investigations not yet published):</p> <ul style="list-style-type: none"> • 'On-site SuDS required to address water quality • Conducting a check with EA with regards to it being former contaminated land to avoid risk of groundwater contamination and movement of contaminants to Middlebeck through any nearby/associated drainage of the site • Further investigations to ground contamination and issue of impact on the amenity of adjoining cottages • A follow up with Urban & Civic regarding access and highways comments with the Highways Authority' <p>I also believe it would be incredibly useful to see proposed design plans for the proposed site. I also refer you to the summary of site assessments below with respect to the 40 sites assessed and their viability with regard to suitability, availability and achievability. As can be clearly noted, many sites have far better assessments of all three areas than the proposed site at Former Belvoir Ironworks (North) with comparable pitch allocations.</p>
044	Newark Sports Association	<p>The DPD is not sound because it is not compliant with National Policy - Open space and recreation paragraph 98 and 99. The changes on page 29 Open Spaces and Green Infrastructure paragraph 2.24 - Table 1 - Newark Urban Area Open Space Requirements in the Amended DPD (See below) is reliant on the calculations and designations in the Open Space Strategy (OSS) document adopted in January 2022. The change to applying open space standards at settlement level rather than ward level is misleading. All references to wards have been removed. See below. In an email to the NSA on the 15th of December NSDC stated that the <i>"the lowest geographical level of assessment that the new OSS has applied is settlement level – rather than Ward- and so the contents of the new tables reflect this."</i> This creates the misapprehension that that there is sufficient provision of Amenity Green Space (AGS) in Newark. This is incorrect, misleading and could lead to challenge by developers. A developer (MLN) responding to the consultation stated "Newark is pretty much on standard for parks and gardens and over for amenity grassland (AGS)." There are two measures of AGS, a distance measure of 480m and a quantity measure of 0.6ha per 1000 people. AGS by definition is local and so the proposal to aggregate provision over larger settlement areas is deeply flawed and misleading. According to the OSS the settlement of Newark has 0.95 ha of AGS for every 1000 people against a standard of 0.60ha. However Newark is a large settlement and 8.45ha of AGS (29%) is concentrated on the edge of the settlement in the Beacon Ward and so only accessible to the population living within 480m of the AGS. Lincoln Road Playing Fields (7.7ha) in the Bridge Ward have been designated as AGS when it should be designated as Parks and Gardens in line with other similar sites such as Coronation Street Playing Field in Balderton. If provision of AGS is recalculated for the Bridge, Castle and Devon Ward then provision falls to 0.53, 0.32 and 0.54 ha respectively under the current standard of 0.60ha. It fails the test of soundness because the Amended DPD is not robust and up to date and so therefore not compliant with NPPF paragraph 98 and 99.</p>

		<p>On page 30, 2.26 of the Amended DPD it states:</p> <p><i>“Outdoor sport facilities are not analysed as part of the Open Space Strategy & Assessment as a different methodology in line with national guidance (Sport England) is prescribed and is contained in a separate standalone Playing Pitch Strategy (PPS). This document will be updated in due course.”</i></p> <p>This statement appears ten times throughout the document and is inconsistent with NPPF Paragraph 98 and 99 which states. (NSDC Excerpt of NPPF not included). By stating that the document will be updated in due course the Amended DPD will neither be robust or up to date. There will be no calculation or assessment of what open space for sport and recreational provision is needed or should be provided in the future. The PPS also needs to be reviewed regularly or after significant changes to provision such as the loss of football pitches and bowling greens at Flowserve. Playing Pitch Strategy documents covers the sports of football, cricket, rugby, golf, hockey, tennis and bowls. For each of the sports covered, the assessment report aims to, summarise the current supply of facilities, outline current demand and evaluate likely future demand, evaluate the overall adequacy of provision to meet current and projected future demand and identify the key issues for the Playing Pitch Strategy to address. Without an up-to-date PPS planning decisions will be open to challenge. It fails the test of soundness because the Amended DPD is not robust and up to date and so therefore not compliant with NPPF paragraph 98 and 99.</p>
045	Gladman Developments Ltd	<p><u>Core Policy 1: Affordable housing provision – not justified</u> - Gladman note the inclusion of First Homes within the policy however the policy should be amended to reflect the latest viability evidence published by the Council which demonstrates that development on brownfield sites in low and medium value areas face challenging viability circumstances. The NPPF and Planning Practice Guidance are clear that sites should be deliverable at planning application stage without the need for additional viability assessments and the requirements of the policy should therefore reflect the conclusion of the Councils own evidence.</p> <p><u>Biodiversity Net Gain</u> - Additional work is required by the Council in order to test the impact of increased Biodiversity Net Gain Costs on Development in Newark and Sherwood. The question of whether BNG can be delivered onsite is dependent on what the baseline level of biodiversity. This baseline level varies substantially between sites and there are circumstances where sites could require increased levels of offsite provision than the Government’s central estimate. Newark and Sherwood should performs increased tests on the impact of higher BNG costs on development in Newark and Sherwood.</p> <p><u>Policy DM1 – Development within Settlements Central to Delivering the Spatial Strategy - Not justified</u> - Gladman consider that this policy should be amended so that it provides clarity on what forms of development would be considered acceptable beyond the urban boundaries of the sub-regional centre, service centres and the village envelopes of the principal villages. In this regard, Gladman are generally opposed to the use of settlement boundaries, as these are often used as an arbitrary tool to prevent otherwise sustainable proposals for development from coming forward. Gladman believe that this policy should be modified to a criteria-based policy which provides a more appropriate mechanism for assessing the merits of individual development proposals, based on their specific circumstances and ability to deliver sustainable development rather than being discounted simply due to a site’s location beyond an artificial boundary. To achieve this, Gladman would recommend a criteria-based approach would allow the AADMDDP to protect itself against unsustainable development, whilst at the same time, offering a flexible solution to the consideration of development opportunities outside these boundaries which are able to come forward to meet identified housing needs should the Council’s housing land supply start to fail. Gladman refer to the submission version of the Harborough Local Plan, Policy GD2, which states:</p> <p><i>“In addition to sites allocated by this Local Plan and neighbourhood plans, development within or contiguous with the existing or committed built up area of Market Harborough, Key Centres, the Leicestershire Principal Urban Area (PUA), Rural Centres and Selected Rural Villages will be permitted where...”</i></p> <p>A series of criteria follows. Clearly the policy here would need to reflect the local circumstances of Newark and Sherwood, however it does provide an example of a local planning authority taking a proactive approach to guiding development and ensuring that it can meet its housing target as well as planning for approaches if and when problems arise over the course of the plan period with regard to the delivery of allocated sites. Accordingly, Gladman recommend that a similar criteria-based policy should be included within the AADMDDP to ensure that housing needs are met in full.</p> <p><u>Site Allocations and Opportunity Sites</u> - The Council are not seeking to allocate any additional housing land for development. Gladman note that there are a number of allocations now being deallocated. This demonstrates that sites can ultimately not come forward for a multitude of reasons and therefore a level of flexibility should to be built into Local Plans to ensure the required level of housing land. Gladman note the Council is seeking to identify a number of ‘opportunity sites’. Gladman disagree with the Council’s decision that the identification of these Opportunity Sites to provide extra flexibility because there is no certainty that these sites will be available or deliverable during the plan period. Should any slippage occur on the proposed allocated sites then these sites do not provide the necessary contingency to ensure that housing needs can be met. Gladman consider that additional housing allocations are required across the settlement hierarchy and it is important that the Local Plan Review provides a sufficient amount and variety of suitable sites which are available and deliverable and are able to come forward where they are needed and to ensure that these respond to the housing needs of groups with specific housing requirements and land with permission is developed without unnecessary delay.</p> <p><u>DM2: Development on allocated sites. Not consistent with National Policy</u> - In Policy DM2, the reference to “in accordance with the Developer Contributions & Planning Obligations Supplementary Planning Document (SPD)” should not be interpreted by the Council’s Development Management Officers as conveying the weight of a DPD onto this SPD, which has not been subject to examination and does not form part of the Amended Allocations & Development Management DPD. The Town and Country Planning (Local Planning) (England) Regulations 2012 are clear that development management policies, which are intended to guide the determination of applications for planning permission should be set out in policy in the Local Plan. To ensure a policy is effective, it should be clearly written and unambiguous so it is evident how a decision maker should react to development proposals. The Council’s requirements should be set out in sufficient detail to determine a planning application without relying on, other criteria or guidelines set out in a separate SPD.</p> <p><u>DM3: Developer Contributions and Planning Obligations. Not consistent with national policy</u> - Policy DM3 refers to provision of appropriate contributions being guided by the Council’s Planning Obligations & Developer Contributions SPD. National policy clearly defines the scope and nature of an SPD in the planning process as providing more detailed advice and guidance on adopted Local Plan policies. The NPPG confirms that an SPD cannot introduce new planning policies nor add unnecessarily to the financial burdens on development (ID: 61-008-20190315). Policy DM2 should be modified to delete the reference “... in accordance with the Developer Contributions & Planning Obligations SPD”.</p> <p><u>Sustainability Appraisal</u> - In accordance with Section 19 of the 2004 Planning and Compulsory Purchase Act, policies set out in Local Plans must be subject to Sustainability Appraisal (SA). Incorporating the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004, the SA is a systematic process that should be undertaken at each stage of the Plan’s preparation, assessing the effects of the Local Plan’s proposals on sustainable development when judged against reasonable alternatives. The AADMDDP should ensure that the results of the SA process clearly justify its policy choices. In meeting the development needs of the district, it should be clear from the results of the assessment why some policy options have been progressed, and others have been rejected. Undertaking a comparative and equal assessment of each reasonable alternative, the Council’s decision-making and scoring should be robust, justified and transparent. Gladman is concerned that the SA, in its current form, does not appropriately consider reasonable alternatives. In this regard, the SA simply considers the preferred option for development of individual sites against an alternative of ‘no change’ or ‘deallocate the site’ etc. It does not assess reasonable alternatives for sites which are available for development and could be proven to be sustainably better than the preferred approach if tested through the SA process. Gladman consider there is a need to expand the SA process to test sites which the Council may not be aware of such as ‘Land at Mansfield Road, Rainworth’. Should the SA process determine that such sites score more positively than the preferred approach then these sites should also be included as potential allocations within the amended AADMDDP.</p> <p><u>Site Submission</u> - Gladman are promoting Land at Mansfield Road, Rainworth for residential development and associated community infrastructure. The site extends circa 58 acres and is able to accommodate up to 350 dwellings. Rainworth is identified as a Tier 2 Service Centre and is located within the Mansfield fringe area. It is identified as being a self-sufficient settlement for people’s daily needs. A key objective of the area is to encourage sustainable housing and economic growth in the settlements within the Mansfield fringe area to complement Mansfield’s role as a sub-regional centre and to increase the self-sufficiency of the settlements within the fringe area. The site is well placed to accommodate new residential development owing to its location outside of the Green Belt. The site’s southern boundary is contained by hedgerow beyond which is Mansfield Road which will provide both vehicular and pedestrian access. The site is bound by hedgerow and</p>

		<p>mature tree to the sites western boundary beyond which is existing residential development. The northern boundary is contained by existing hedgerows beyond which is open countryside and is also within the same ownership which can be included for a variety of development purposes. The site's eastern boundary is currently undefined, however new structural planting would be implemented as part of any proposals in order to delineate the boundary and provide a sympathetic link to the wider open countryside. The proposal represents a logical extension in a sustainable location with access to a wide range of local services and facilities. It is envisaged that the site can provide biodiversity net gains by retaining existing vegetation as much as possible and providing additional planning throughout the site in addition to public open space to the benefit of existing and future residents. The site will provide a policy compliant amount of affordable housing to contribute towards meeting identified affordable housing needs. Gladman are currently considering how to bring the site forward for residential development but it is considered that the Site is available and achievable for the delivery of up to 350 dwellings.</p>
046	Hericon Development Company Limited c/o Fisher German	<p>I am writing with reference to the land outlined in Figure 1 below which is within the ownership of my Client, Hericon Development Company Limited (Hericon). It forms part of the existing site allocation NAP 2B (Land east of Newark), as allocated within the Amended Core Strategy (Adopted March 2019). We note that the Council are currently consulting on the Publication Version of the Amended Allocations and Development Management DPD. Whilst this DPD does not contain site specific policies which relate to the land east of Newark, we are writing to the Council to express our client's intentions in respect of their land. As the Council will be aware, Amended Core Strategy Policy NAP 2B – Land east of Newark, allocates a sizable area of land to the north and south of Clay Lane as a strategic site for around 1,000 dwellings alongside other uses such as a local centre and green infrastructure. The allocation is longstanding, dating back to 2011 when the first Core Strategy was adopted. Notwithstanding this allocation been in place for over a decade, no planning applications have been brought forward on the wider site. Hericon remain committed to development coming forward on the land east of Newark. However, in the absence of proposals being progressed for the wider site, and in the interests of ensuring that the allocation can start delivering a contribution towards the Council's housing land supply in the short term, Hericon would like to independently progress development proposals on their land. The proposals are currently being worked up and will be subject to a formal Pre-Application Advice Request, when further progressed. At this stage, we believe that a scheme can come forward on the land south of Blatherwick Road which comprises:</p> <ul style="list-style-type: none"> • A mix of new homes; • New road infrastructure to serve both the proposed homes on the site and link to the wider development allocation; • The retention of existing trees and hedgerow where possible; • New public open space; • Sustainable urban drainage. <p>We are aware Policy NAP 2B – Land east of Newark, outlines development requirements for the allocation site. We will ensure the scheme on the Hericon owned land will meet these requirements where possible, but also recognise that certain infrastructure requirements cannot be fulfilled by a development on Hericon's land alone and we consider it would be unreasonable for the Council to expect this to be the case. Instead, the scheme on Hericon's land is proposed to provide contributions towards any relevant infrastructure needs, where this is directly related to the development, necessary to make it acceptable in planning terms and is fairly and reasonably related to the scale and residential nature of the development. Policy NAP 2B refers to a Masterplan at Figure 6 of the Plan, which indicatively illustrates the location of the proposed uses within the allocation. As the policy states that Figure 6 is only indicative, we believe that a scheme on the allocation can be developed which amends the principles of this Masterplan but still respects the development requirements outlined in Policy NAP 2B. Figure 6 shows the land south of Blatherwick Road as an area of green infrastructure as well as providing an access road to the land to the south. As Hericon's land comprises one of the potential access points for the wider allocation, we will ensure that an access to neighbouring land parcels is retained as part of the scheme. Enabling a connection through to land to the south and land to the west (to link to the other potential access from Beacon Way). This will ensure that the scheme on Hericon's land will not prejudice the delivery of the wider allocation. Consequently, a proposal on Hericon's land will not be inconsistent with the requirements of Policy NAP 2B. We anticipate that the planning policy team will formally comment on our proposals when we submit our Pre-Application Advice Request. Nevertheless, we would also welcome any initial comments which you may wish to make at this stage. In particular, we would be interested to know the Council's thoughts on the Hericon land coming forward as the first phase of the wider allocation and if the Council would require any application on the Hericon land to be accompanied by an amended Illustrative Masterplan for the wider site too.</p>
047	Richborough Estates	<p>Having regard for the significant justification for further residential allocations within Southwell, as discussed above, these representations seek the allocation of Land West of Allenby Road, Southwell. This site was a preferred residential site within the preparatory stages of the Allocations & Development Management DPD (Options Report October 2011). The supporting text for the site's inclusion as an allocation stated that <i>"the site is located on an important gateway into the Town and, as a result, any development would need to be sensitive to this, possibly incorporating landscape buffering to the North. Aside from this issue, no significant constraints were identified as part of the assessment and therefore the site is considered suitable for residential development."</i> Despite having been classed as suitable, it was removed prior to the submission of the DPD for Examination. The predominant reason for the site's deallocation was due to conclusions contained within the Southwell Gateway Sites Assessment 2012. However, the Southwell Gateway Site Assessment is considered very narrow in its focus and unbalanced in its reporting. It places considerable emphasis on the issue of 'existing' screening at the expense of other relevant landscape and visual matters. Each of the site-specific policies for the existing allocations on housing sites 1, 2, 3, 4, 5 and 7 for Southwell all required that "Appropriate design, density and layout which addresses the sites gateway location and manages the transition into the main built up area". Clearly the same wording and requirement could have been placed on Land West of Allenby Road in order to assimilate development sensitively. We remain of the view that the original deallocation of the site was not sound, and it can make a valuable contribution towards assisting meeting needs moving forward as well as the immediate shortfall of 56 dwellings in Southwell. The site remains suitable and available for development, being promoted by experienced and respected residential land promoters Richborough Estates. There are no constraints that would restrict its development, and unlike other allocations within the settlement, contains no ecological or landscape designations. In reality the site is well related to existing built form and serves as an entirely logical location for future growth.</p> <p>There is compelling justification to allocate additional land within Southwell as part of the review of the A&DM DPD; firstly, the undeliverability of allocations So/Ho/5, So/Ho/7 and So/MU/2. Whilst the Council have taken the view that housing needs for the settlement are still catered for by commitments and units delivered, it is considered that this approach would not be consistent with national policy which seeks to boost significantly the supply of housing. Furthermore, smaller windfall schemes do not deliver affordable housing or other vital contributions towards infrastructure, therefore not seeking to replace the loss of this allocation, would directly and unjustly reduce the delivery of affordable housing which is vitally needed in the settlement as discussed above. The land at Allenby Road would deliver a comparable quantum of units as So/Ho/5 and as such would replace the loss of this allocation neatly. Even if this allocation was to be delivered, the social benefits afforded by the allocation of our client's land would still be significant given issues with affordable housing need. Secondly, Richborough Estates have confirmed that they are prepared to deliver a scheme including a number of bungalows as per the wishes of the Town Council and Neighbourhood Plan. It is clear that the delivery of bungalows is very important to the people of Southwell and as such great weight should be applied to schemes which seek to deliver this housing type. The delivery of bungalows will also serve to free up market housing, by enabling those wishing to downsize to do so. Under occupancy within Southwell was recently evidenced as being over 50%, which is significant. It is noted that other schemes in the village have sought to deliver below policy compliant levels of bungalows or even no bungalows. The allocation of this site affords the Council an opportunity to deliver a significant proportion of the bungalow requirement. Thirdly, the Council have a requirement to maintain, throughout the plan period, a robust and sufficient supply of housing land to meet the needs for the next five years. The Council need to ensure sufficient land is available to meet such needs. Recent appeals, and new PPG guidance⁷ have outlined that previous delivery cannot be used to reduce future requirements and as such the Council must have a sufficient supply of sites moving forward. The potential loss of site So/Ho/5 means that there is a reduction in housing land supply which must be accounted for.</p> <p>Fourthly, it is considered there is an opportunity to deliver an attractive, landscape-led scheme which will be an appropriate gateway to the settlement of Southwell. This is particularly relevant when considering the proposed gateway delivered through the Miller scheme to the east of Allenby Road. Whilst this scheme does benefit from a reasonable level of existing boundary treatment, the built form delivered by this scheme as one enters Southwell from the west along Halam Road would be a very urban entrance to the settlement with an immediate row of dwellings and delivered at a high density adjacent to the settlement edge. The Masterplan for the development of land west of the Miller scheme would provide a more</p>

suitable gateway entrance to Southwell, including a large, landscaped area to the west (Figure 5 and Appendix A) delivered through the provision of public open space, landscaping and land suitable for biological net gains. Development here would also serve to round-off the settlement in this location and would not intrude unduly into the open countryside, particularly having regard for the development to the south and east of the site.

Initial survey work has been undertaken on various matters to support the sites promotion. This includes initial work on both highways and drainage. Specialist highways consultants have considered the site and do not believe there are any issues with regards to access. The site is proposed to be accessed from Allenby Road to the east of the site. Visibility splays achievable from this proposed site entrance are to the junction to the north (45m) and 59m south, both suitable for typical 85th percentile speeds on a 30mph road. This is demonstrated at Appendix B – Proposed Site Access Junction. With regards to flood and drainage matters, a Technical Note has been prepared by specialist drainage consultants, found at Appendix C. The Technical Note confirms that the site is located entirely in Flood Zone 1 and is a significant distance from the nearest major watercourses, The Dumbles, The River Greet and the Potwell Dyke. The Environment Agency surface water flood map shows there is a high surface water risk along Halam Road and along the northern boundary of the site, however no significant risks are noted extending into the site area or across the rest of the site, and appropriate standoffs will ensure no impact to the proposed development.

Southwell has been the subject of a detailed hydraulic modelling. The study was carried out by URS(AECOM) and completed in September 2015. The model shows the highway drainage along Halam Road is overwhelmed by short duration high intensity events and this has been reflected in surface water mapping. In order to ensure this risk is managed the following is proposed:

- Updated site-specific modelling using relevant updated modelling parameters and site-specific topographical survey data to determine site specific risks.
- Provision of appropriate standoff's from Hallam Road to ensure no development is located in high risk areas.
- Provision of suitable Finished Floor Levels.
- Surface water drainage system which will convey flows to an attenuation system designed for a 1 in 100-year return period, plus 40% climate change with discharge rates restricted to better than Greenfield runoff rates.
- Additional mitigation measures if deemed necessary

The British Geological Survey map shows the bedrock geology comprises mudstone and siltstone and the topography of the site is such that any emergence of groundwater would be expected to flow south to the ditch along Hallam Road. The Strategic Flood Risk Assessment for the area suggests that there is no history of groundwater flooding in the district. Consequently, the site is considered to be at a low risk of groundwater flooding however it is recommended a ground investigation is carried out on site in due course to confirm the flood risk from groundwater and any required mitigation. Whilst formal infiltration testing will be undertaken in due course, this is unlikely to be successful and infiltration has been discounted as a feasible method for surface water disposal. It is therefore envisaged surface water flows will discharge either to the existing ditch network along Halam Road or to the existing 675mm diameter surface water sewer to the east of the site. A connection to the surface water sewer would mimic the drainage strategy for the adjacent Miller Homes scheme. Both the ditch adjacent to the site and the surface water sewer outfall to the ditch network adjacent to the Norwood Park Balancing Pond and surface water flows from the site currently discharge into this area based on topography. The final connection point for the site will be subject to further discussions with the Lead Local Flood Authority and Severn Trent Water. A surface water drainage strategy for the site is being developed based on the QBAR discharge rate of 5l/s for all storm events. It is estimated 1,300 cubic metres of storage would be required allowing for the 1 in 100 year plus 40% climate change storm event. The Q100 greenfield run off rate for the site is 12.9l/s and so controlling flows to 5l/s in all storm events will result in a 61% betterment over existing greenfield runoff rates. Runoff from the development will be collected via a piped network running under the roads within the site. This shall then be conveyed to the north eastern corner and a new detention basin. A hydro-brake or similar flow control will limit the peak runoff from the site to 5l/s. The drainage strategy will take account of the SuDS Manual CIRIA document C753 which indicates the minimum treatment indices appropriate for contributing pollution hazards for different land use classifications. The Environment Agency's Flood Risk from Reservoirs mapping shows that the site is not at risk of being inundated due to failure of any reservoirs. There are no other artificial water bodies located close to the site. With regards to foul water drainage, the new development is served by a foul water network that will collect flows from the proposed buildings on-site and discharge to the existing Severn Trent Water sewer to the east of the site. It is envisaged a connection will be made to the new sewer network to be laid in Halam Road as part of the Miller Homes scheme, however if this is not available connections will be made further east at Hopkilm Lane. Final agreement of the discharge rate and arrangements shall be confirmed within a Section 106 agreement. Considering the above, we consider there is significant justification to justify the allocation of the land west of Allenby Road. There are no technical constraints which would prevent the delivery of this site.

- A detailed access drawing has been provided at Appendix B which takes the form of a priority T-junction and is in keeping with other access junctions in the immediate area. Existing traffic flows in the area are low, and as a result the site access junction will operate within acceptable levels of capacity.
- There is no known contamination.
- The site lies in Flood Zone 1 and surface water risk will be mitigated via a surface water drainage strategy with adequate onsite attenuation
- Ecologically at the site is not constrained. A number of enhancements will be provided to deliver a net biodiversity gain.
- Development would not impact on designated heritage assets.
- There are no utilities constraints.
- The site is in the single ownership, with no restrictions on the land or ransom strips.
- The site is immediately deliverable and there is significant interest from housebuilders wishing to acquire the site, there are no issues of viability and thus could deliver an affordable compliant provision of affordable housing.

The allocation could include appropriate criteria for the provision of landscaping and open space on the western edge of the site between the existing public footpath and the site boundary. For these reasons we consider the site to be suitable, deliverable and available and should be allocated for development.

So/Ho/1 – Land East of Allenby Road - As set out by the consultation document, this allocation has been fully built out and thus is deleted. This approach is sound and supported.

So/Ho/2 – Land south of Halloughton Road - This site is under construction and is largely built out. As per the Council's methodology until sites are delivered in their entirety, they are retained as allocations to ensure certainty of supply. We have no specific comments to make on the status of this allocation. Whilst the application being delivered is providing 50 units, 12 of these are supported living units and therefore may not qualify as full dwellings for the purposes of housing delivery. Therefore, delivery is assumed at 38 dwellings.

So/Ho/3 – Land at Nottingham Road - As set out by the consultation document, this allocation has been fully built out and thus is deleted. This approach is sound and supported.

So/Ho/4 – Land East of Kirklington Road - This site has a recent outline approval. This site is not anticipated to make a contribution to the Council's five-year housing land supply. We have no specific comments on this allocation.

So/Ho/5 – Lower Kirklington Road - The retention of So/Ho/5 is questioned. Similar to our comments on the Depot site (below), this site has had two recent planning applications refused, with the first application also having been dismissed at appeal. The site appears to have changed control since these refusals, with a new application submitted by Redrow Homes in June 2022 (22/01106/FULM), subsequently withdrawn in August 2022, with no new application forthcoming. There appears to be an impasse in delivering an acceptable access to the site. The applicant of the first two planning applications and appeal's preferred solution was a 4-armed mini roundabout, stating that traffic lights were incongruous with the overriding character of Southwell. The Highways Authority however would not accept a 4-armed mini roundabout, requiring a traffic light arrangement to enter the site. This meant the applicant had to apply with traffic light junction, despite having outlined the inappropriateness of such an approach. Whilst this was the requirement of the Highways Authority this was not accepted by the Council's Planning Committee who agreed that the proposed traffic lights would harm the character of the settlement and as such forms one of the reasons for refusal. Paragraph 108 of the NPPF confirms that when considering whether a site should be allocated for development, it should be ensured that safe and suitable access to the site can be

achieved for all users. Having regard for the severe doubts that must exist regarding the ability to successfully access the site, this allocation must now be regarded as undeliverable and should not be continued as an allocation, unless significant evidence can be provided outlining that an acceptable scheme is available on the site. Whilst another access solution was advanced as part of the most recent application, prior to its withdrawal there was a further highways objection to the proposals, on the grounds of highways safety. Given this represents another objection on highways grounds, there is no clear evidence at the time of writing that a suitable scheme can be advanced. Given the site's planning history, with 3 applications and an appeal in the past 4 years, the obvious conclusion is the site is likely to be non-deliverable and should be deleted. Alternatively a replacement site should be delivered to ensure housing needs are met if the site cannot be delivered, such as our client's land which would deliver a scheme of a similar size, without the issues associated with this allocation. There were further objections from parties such as Southwell Civic Society, who objected strongly against the proposals. The difficulties in delivering this allocation clearly demonstrate fundamental issues with the site, which should not be doggedly relied upon when there remains suitable alternatives which do not have the same fundamental issues. The Council's approach to continue to allocate the site is not effective or justified, nor consistent with national policy. This allocation should therefore be removed to meet the tests of soundness.

So/Ho/6 – Land at The Burgage (Rainbows) - As set out by the consultation document, this allocation has been fully built out and thus is deleted. This approach is sound and supported.

So/Ho/7 – Southwell Depot - As set out in the consultation document, a number of sites that were allocated in Southwell as part of the Allocations & Development Management DPD had to take into account the protected route of the proposed Southwell Bypass. This protected route has now been deleted from the County Council's road programme following the imposition of a weight limit and a declassification of the former A612 road between the A617 and Lowdham. This change affects So/Ho/7, So/E/2 and So/E3. The District Council has proposed that due to the bypass being removed, So/Ho/7 (Southwell Depot) should be increased in size from 15 to 18 dwellings, and that the boundary of So/E/2 (Land east of Crew Lane) and So/E/3 (Land south of Crew Lane) should be moved to the existing urban edge. As noted above, we consider that the whole strategy of development for Southwell should be considered afresh, not just the eastern edge of the town. It is not sound nor appropriate to continue a strategy developed on the basis of key infrastructure delivery, if that infrastructure is no longer to be delivered, as the benefits afforded in respect of linking housing and employment delivery with the new road now will not be realised.

Considering So/Ho/7 (Southwell Depot), it is first necessary to consider the site's planning history. In 2016 an application for 9 dwellings was refused on the basis of reasons related to housing mix, density, design, impact on trees, impact on privacy of existing dwellings, archaeology and highway safety. Some of the reasons for refusal seem to contradict each other. For example, the density reason for refusal sets out that the site does not make efficient use of land, thus suggesting that further dwellings should be located on the site. However, increasing the number of units would undoubtedly worsen issues relating to impacts on trees, highway safety and privacy. Whilst the officer has set out some forms of development which may be acceptable, there has been no masterplanning provided that we have seen which demonstrates how a comprehensive layout can be delivered on the site having regard for the site's constraints.

Following refusal of the 2016 planning application, the applicant sought to appeal the decision. However, the appeal was dismissed in September 2021 due to inappropriate housing mix, impacts on Southwell Conservation area, impacts on trees, impacts on privacy and highway safety. A second application was submitted in May 2021 for 13 dwellings but was withdrawn due to the Council recommending refusal of the application. Outstanding issues related to parking, design, impacts on conservation area, issues relating to trees, lack of ecology evidence and drainage.

On the above basis, it is clear that the site is proving difficult to deliver and as such the key question for this Plan is whether or not the site should continue to be allocated at all, let alone that the notional capacity of the site should be increased. If the Council are to persist with this allocation, then it will be incumbent on the Council or promoter to provide a layout which shows how a scheme can be delivered on the site having regard for the myriad of issues demonstrably present on site with no solution. This site has been allocated since 2013 and the fact that so many fundamental issues remain demonstrates that the site is likely non-deliverable. Many of the issues would logically lead to the conclusion at the very least the notional capacity of the site should be reduced. Despite this the Council are now attempting to increase delivery on the site. This approach, and the allocation more generally, is not sound, as it is not justified or effective. Having regard for the clear issues with the site it should be de-allocated. If the Council are to persist with an allocation, significant evidence will be needed to satisfactorily address all known issues. Given the site is brownfield, and thus could come forward under normal windfall rules, the need for an allocation is questioned, particularly given the known issues relating to the site. De-allocation would not preclude the site coming forward but would only require that any application satisfied all issues relating to the redevelopment of the site. As such, unless evidence is provided, the site should be removed as an allocation. It is noted that the Council's 5-year housing land supply evidence assumes 15 dwellings, albeit not within the five-year period.

So/MU/1 – Land at Former Minster School - As set out by the consultation document, the land at the Former Minister School is no longer available for development thus the continuation of the allocation would not have been sound, in that it would have been neither effective, justified or consistent with national policy. As such the proposed removal of this allocation for 13 dwellings is considered to be entirely sensible.

So/E/1 – Southwell - Crew Lane Industrial Estate Policy Area - We have no specific comments on this policy – save for those outlined in respect of So/E/2, So/E/3 and So/RL/1.

So/E/2 – Land East of Crew Lane - The approach in respect of So/E/2 is supported and it is considered that Crew Lane remains the most logical approach to future employment land delivery in the Southwell. As discussed below, Crew Lane is the only real area of employment land within Southwell, so for the continued economic self-sufficiency of the settlement, it is of vital importance that sufficient employment land is safeguarded, including beyond the next Plan period. It is however noted that the reduction of employment area will mean other employment sites should be retained to mitigate this loss.

So/E/3 – Land South of Crew Lane - The deletion of the So/E/3 designation is not supported. Whilst the Council's approach has been amended since the previous consultation, and the land is now safeguarded for all uses, rather than just housing, we consider this site to be the only logical longstanding potential employment site, beyond So/E/2 which will be delivered through the next plan period. The removal of this employment land in lieu of additional housing is something which we considered to be entirely inappropriate. When looking strategically at Southwell, particularly in the long term, the area at Crew Lane is the only area of significant employment in the town. As such, it represents the most appropriate location for future employment growth. We would object to any approach which would serve to sterilise this area for future employment growth. Future housing growth could be delivered, more sensitively, in other parts of the town, whereas we do not consider that future employment provision could. Whilst the landowner may have more immediate aspirations for the delivery of residential development, and the Town Council keen to ensure future residential development is out of sight of existing properties, these are not material planning considerations in the public interest or the holistic long term planning of Southwell. The need for land to be retained south of Crew Lane for employment uses is further demonstrated by the presence of areas of flood risk to the north of So/E/2 which reduces the size of the retained allocation. If the land to the south is lost to residential development, this could sterilise employment generating uses to the north of Crew Lane by adding new sensitive receptors immediately adjacent to retained allocated employment land. We provide more substantive comments on the updated approach in respect of So/RL/1 below.

Policy So/RL/1 - Southwell - Reserved Land to the south of Crew Lane - Whilst we are somewhat supportive of the change since the previous iteration of the Plan, that the land is safeguarded for 'development needs', rather than housing specifically, we still have significant concerns that the application of this policy essentially prejudices proper consideration of future development strategies in Southwell and could result in the inability to properly deliver So/E/2. It is not clear why any land needs to be safeguarded in Southwell. The locality does not contain Green Belt and thus there is no requirement to predetermine future Local Plan due process. This allocation in essence, seemingly pre-allocates this site for some use in some future Plan. It is not clear why this is required, particularly given it is not an approach adopted anywhere else in the Plan. Given the future use is not known, we do not see how this designation can be properly tested through the SA, given it is impossible to test reasonable alternatives. It is noticeable when our client's land interests were removed through the previous iteration of Plan making, the land was not arbitrarily safeguarded. If it is not required to meet the development needs of this Plan, then it should revert to Countryside to enable full future consideration again as part of a thorough Local Plan process.

The safeguarding of land for non-descript future uses is not sound, as it is not effective or justified. There is no planning reason why it requires safeguarding, as it is not clear what it is being safeguarded from. There is no reason why this land should be treated any different to any other omission site within the Plan. The above is particularly concerning given it forms a pattern of allocations which previously related to a piece of road infrastructure which is now not being delivered. The only use for which the safeguarding would make any sense would be specifically for employment uses, given it is likely the only location in Southwell capable of delivering this use that will likely be required at some point in the future. As mentioned earlier, having regard for the sensitive nature of Southwell, the delivery of employment in other locations would be very challenging. Residential development, however, can more sensitivity be located elsewhere in Southwell, in particular this has been

		<p>demonstrated through the planning approvals east of Allenby Lane (built by Miller Homes) and land east of Kirklington Road. Our client’s land west of Allenby Road would clearly constitute a suitable location for future residential growth. In this regard, unless significant evidence is provided regarding the long-term capacity for Southwell to deliver employment land post 2033, we would object to any policy which would seek to prevent the natural and obvious use of the site being realised, to prevent Southwell residents from becoming fully reliant on distance commuting.</p> <p>This designation is further problematic in how it will impact an allocated employment site So/E/2. The Policy states “development proposals which prejudice this approach will not normally be considered appropriate”. This could be inferred to mean that employment proposals coming forward on So/E/2 would be required to have no adverse impact on the reserve site, despite it having no formal planning use or function beyond agricultural uses. This is clearly not appropriate and not sound, and would be not be an issue if the designation was simply reverted back to countryside, enabling the full delivery of So/E/2 in that context. This is particularly pertinent given that growth to the north of So/E/2 is restricted by flood risk. Having regard for the above, we conclude that the proposed Policy So/RL/1 is not sound, in that is not justified or effective and the application of this policy is somewhat arbitrary, with no clear policy function. It predetermines future plan making without having gone through the appropriate process itself. As such, this designation should be deleted, or it should be made clear it is to be retained for employment uses, as this approach can actually be justified. Any reference to residential safeguarding should be explicit with in the Policy that this does not preclude the need to test the site against alternative options as part of any future Plan making.</p>
		<p>Housing Need - The loss of the Former Minister School, Southwell Depot and Lower Kirklington Road allocations would lead to a shortfall of housing delivery within Southwell – see Figure 1 below. This demonstrates that just 208 dwellings are likely to be delivered, despite being directed 264 dwellings to the town (and notional allocations equating to 298 dwellings). This equates to a shortfall of 56 dwellings in the town. Whilst this shortfall may not result in an overall shortfall across the District, it does result in a shortfall within the settlement, which does not accord with the spatial strategy, and as a consequence replacement allocations should be made to meet the shortfall. It is not sound to simply assume that there is no justification to replace these allocations. Similarly, whilst there may be some windfall development, this will not provide the vitally needed S106 funding for infrastructure, or most importantly, affordable housing, and thus would cause demonstrable harm if this was used to as justification to reduce major housing development in Southwell. The Council are also reminded that it is incumbent upon them to seek to boost significantly the supply of housing, in accordance with National Policy. The targets contained in the Core Strategy are minimums, not maximums and as part of future reviews of the strategic housing requirement, increases in housing requirement above local housing need may be adopted to help achieve economic growth for example. Given the low levels of growth directed towards Southwell generally, there are likely to be significant positives through increasing delivery levels within this key Service Centre settlement. This would support existing services and facilities. It is noted that there appears to be capacity at local schools also. The Council are also reminded that it is necessary to maintain housing delivery and a five-year supply of housing land and there must be a demonstrably robust land supply at the Examination or the Planning Inspector cannot find the Plan sound. As such, we consider there is significant merit in replacing any allocations lost to ensure a continued integrity of supply.</p> <p>It is further noted that the original Core Strategy outlined that Southwell ‘has a serious housing need which is perpetuated by high local house prices’. We have seen no evidence that this is an issue which has been resolved. Despite this, adopted planning policy has sought to continue to restrict housing growth in the town to only a very low level. We do not agree that the level of housing directed to Southwell is commensurate to either its sustainability or likely levels of housing need. The Amended Core Strategy directs only 3% of the housing requirement here (10% of the Service Centre growth). This will not sufficiently improve affordability within the settlement and the reality is that without sufficient growth affordability is likely to worsen. Post pandemic rates of home working are likely to increase significantly. The lack of a need to be close to the office will see many professionals seek to move from larger centres into the more attractive settlements such as Southwell. The Newark and Sherwood 2020 Housing Needs Assessment⁵ illustrates that in terms of median house prices, houses in the Southwell Sub-Area (which in terms of properties is predominantly Southwell) have increased by 39.3% since 2007. The Southwell Sub-Area also has the second highest house prices in the District at £348,226, narrowly below the Nottingham Fringe Sub-Area at £386,193, but significantly above both the next highest Sub-Area, Collingham at £279,437 and even more so above the Newark and Sherwood Median at £211,644. In terms of affordability, the Council’s Housing Needs assessment sets out that the median gross household income in the Southwell Sub-Area is £32,5006. As set out above, the Median house price in the Southwell Sub-Area is £348,226. This equates to a median house price to median gross annual income ratio of 10.7, i.e. a house is over 10 times the mean income. For context, this compares to only 7.99 for the district as a whole (ONS Ratio of median house price to median gross annual (where available) workplace-based earnings by local authority district, England and Wales, Year 2021 (published 2022)). This shows that Southwell is demonstrably more unaffordable than Newark and Sherwood as whole. It is important to note that this metric does not consider affordability by utilising house prices as the sole metric, but it looks at house prices in comparison with earnings, demonstrating the level of affordability. As previously mentioned, with increased freedoms in terms of working now afforded through a significant post pandemic growth in home working, there is likely to be somewhat of a migration from urban centres to attractive locations such as Southwell, further increasing demand and house prices and likely displacing current residents, particularly those who do not qualify for social housing but will be out competed for available stock by higher earning professionals.</p> <p>Notwithstanding the above, the Council’s own Housing Needs Assessment (Southwell Sub-area Summary) sets out that in the Southwell Sub-Area there is a there is an annual need for 54 affordable dwellings per annum, including 32 homes for annual rent. Having regard for the restrictive approach to new housing in the Sub-Area, particularly the sustainable settlement of Southwell itself, this figure will not be delivered as currently planned. Whilst provision may be made elsewhere in the District, this will increase commuting or result in issues of social isolation or exclusion with people being dispersed from the settlement. The availability of sites which have been previously assessed as acceptable indicate that there is little justification in restricting further growth here. Southwell is a highly sustainable settlement, the third largest in the District, and benefiting from the best retail offer outside of Newark. As such it is considered growth can be brought well above the 264 dwellings established in the Amended Core Strategy. Such housing targets contained within the Amended Core Strategy are minimums and not maximums, and it is entirely reasonable and consistent with national policy to seek to deliver levels of growth in excess of minimum targets as part of this Review. This is particularly pertinent in areas such as Southwell, which have well documented affordability and house-type composition issues. Whilst a larger than expected level of windfall growth has provided for housing growth in Southwell above what was likely expected, windfall sites do not deliver the same range of benefits as allocations, which can provide affordable housing and significant contributions towards local services and infrastructure. Windfall growth can therefore be very damaging, in that it increases the pressure of local services and facilities, but rarely are developer contributions secured to facilitate the subsequent population growth. As per the NPPF, growth should be Plan-led. The Council’s Housing Monitoring and 5 Year Land Supply Report, covering 2013/14 to 2019/20 (the most recent available), states that only 30 affordable homes have been delivered in Southwell, at a rate of only 4 per annum. Whilst this is likely to have improved in the years since, it will not have satisfied the acute affordable housing need in Southwell. Having regard for the likely issues relating to affordability as discussed above, it is considered this will significantly be outstripped by increasing affordable housing demand, not least in the coming years. Considering these points, we consider there to be compelling justification to allocate additional residential land within Southwell.</p>
048	Valerie Trevethick, Stuart Dove and Wendy Dove Resident c/o Grace Machin	<p>Introduction</p> <p>We have been instructed to make the following representations to the Newark and Sherwood Publication Amended Allocations & Development Management DPD Consultation, November 2023. These representations have been prepared having regard to the documents contained within the supporting Evidence Base Library and have assessed the compliance of the Publication Amended Allocations & Development Management DPD Consultation DPD against paragraph 35 of the National Planning Policy Framework (July 2021) (NPPF). Paragraph 35 states that for a plan to be "sound" it should be:</p> <ul style="list-style-type: none"> * Positively prepared * Justified * Effective * Consistent with national policy <p>Our client wishes to make representations regarding the overall strategy for the delivery of housing growth and specifically in respect of the lack of any proposed housing allocations being advanced within the most sustainable locations, including South Scarle. It is our belief that the land on the north side of Swinderby Road, South Scarle (please see Appendix A) is a realistic site, which should be allocated for residential development, in order to deliver the required housing numbers for Newark and Sherwood District within a sustainable location, immediately adjoining the main built up area of this sustainable settlement. It is proposed that the Site be allocated for a small-scale development of up to 15 no. dwellings, in order to achieve a low-density scheme, and in order to deliver strategic planting within the Site and to its boundaries. A development of this scale will also ensure that the landscape character of the area, and the interface between the built form of South Scarle and the surrounding open countryside can be protected and maintained. It is also envisaged that a development of this size and scale can be targeted towards those seeking self-build opportunities.</p>

Site Description

As highlighted above, the Site is located on the northern side of Swinderby Road, South Scarle which itself is situated directly to the east of Main Street (the principle road running through the village of South Scarle on a roughly north-south axis). The Site is located at the far northern 'tip' of the settlement, but immediately adjoining the built framework of South Scarle. The Site currently encompasses un-used greenfield grassland. A small number of trees are situated along the edges of the Site, which would be assessed through a tree survey in due course. In total, this discreet and well-enclosed landholding measures 1.19 hectares in area. As shown on the Google Earth extract below, the Site is clearly defined and is well enclosed, and is entirely contained by the existing built framework of South Scarle. The Site does not extend beyond this established built environment, with the proposed development Site 'infilling' a gap between existing properties to the west and south, and the watercourse to the east (along the Site boundary). According to the Environment Agencies Flood Map for Planning, the Site is located within Flood Zone 1 (as depicted on the image below). As such, the landholding currently has a low probability of flooding. As part of any future development of the Site, efforts would be made to ensure that the Site is safe for the lifetime of the development being proposed, whilst not increasing flood risk elsewhere. The Site is not subject to any other statutory designations or allocations, and does not fall within the South Scarle Conservation Area. Historically, the Site has been promoted as a residential land allocation. Formal submissions were made on behalf of the landowner as part of the Council's Strategic Housing Land Availability Assessment (SHLAA) 2008. However, this Site, Reference 08_0403, Land north of Swinderby Road, South Scarle was not included within the final assessment because it was not in a settlement that was prioritised for assessment as set out in the Nottingham Outer SHLAA Methodology (Page 11 refers). This was on the basis that the Council at the time were able to deliver a 15-year land supply without looking at sites in smaller villages such as South Scarle.

Suitability / Sustainability of Location

As described above, the Site immediately adjoins the main built up framework of South Scarle, which is identified as an 'Other Village' within the Amended Newark and Sherwood Core Strategy 2019. However, we would stress the highly sustainable nature of this settlement, which, in terms of its level of service and facility provision, is very good. The village has a shop and church and any future development of this Site would help support community facilities and local services. Regular bus services also link the village to the nearby Principal Village of Collingham and the Sub-Regional Centre of Newark on Trent, which offers a wider range of services and amenities. The Site itself is situated directly to the east of Main Street (the principle road running through the village) within easy walking distance of regular bus service stops.

Access

It is considered that the local highway network operates within a safe nature. Any future development would be presented with an access strategy including an access driveway designed in accordance with the requirements of Nottinghamshire County Council's Highway Design Guide. Based upon current highway guidance, the access driveway would be designed to include:

- Width of circa 5m carriageway
- 2m wide footways
- 2.4m x 43 m of visibility from Site onto Swinderby Road

It is our initial view that a new residential development can be safely accommodated on the local highway network and can be provided with a suitably designed point of access from Swinderby Road.

Flood Risk

In due course, a detailed FRA and drainage strategy will be produced to support a Planning Application in respect of the residential development of this Site; however, initial enquiries undertaken (as summarised above) indicate that the landholding has a low probability of flooding, and thus the Site should be safe for the lifetime of the development being proposed, whilst not increasing flood risk elsewhere.

Landscape Character

It is clear that the proposed residential allocation of this Site is contained within the existing, clearly defined field boundary and does not seek to extend the built form of the village beyond the natural boundary created by the field hedgerow to the north of the Site. The low density development envisaged (of up to 15 no. dwellings) can be delivered within this 1.19-hectare Site in a manner which retains the existing hedgerow boundaries, whilst also allowing for substantial new structural planting both within and on the boundaries to the landholding, whilst also providing for views across the Site to the surrounding area.

Self-Build

The Government has made clear that it wants to increase the capacity and diversity of the house building industry and build more quality new homes faster. The self-build and custom sector can play a key role in achieving this through the Government's new 'Right to Build' policy, which also offers greater opportunity for the use of sustainable construction techniques and more innovative eco-friendly design. The commitment by Central Government to the 'Right to Build' was given even greater weight, with (then) Housing Secretary Robert Jenrick announcing a review in October 2020, in order to make it easier for people to build their own home. In addition, the Housing Secretary wrote to councils to ensure that they consider the demand for these homes when providing land for building and making planning decisions in their area. (Then) Housing Secretary Rt Hon Robert Jenrick MP said:

"We are backing people who want to design and build their own home and today I have launched a review to ensure councils provide enough land and take proper consideration for these homes when making planning decisions in their area. This will help more people get a foot on the housing ladder and support our building industry as we deliver the homes that this country needs."

Andrew Baddeley-Chappell, CEO of the National Custom & Self Build Association (NaCSBA) said:

"England has the lowest known rate of self-commissioned homes in the developed world. Our new homes market is crying out for the greener and higher quality build that goes hand-in-hand with more consumer choice. Housing diversification is key to the government's housing strategy. This excellent announcement today by the government should help many more people achieve the dream of living in better and more beautiful homes."

Richard Bacon MP, Ambassador for the Right to Build Task Force said:

"For many years I have campaigned to increase real choices for the large number of people who want to build their own home or commission a home to their own design from a local SME builder. This led to my private member's bill becoming the Self-Build and Custom Housebuilding Act, which the government has subsequently strengthened. I warmly welcome the government's review of the current law. Some local councils are already doing an excellent job in providing more opportunities but some others are not yet supporting the spirit of the legislation and have some way to go if they are to grasp the huge opportunities for more and better housing which greater customer choice offers. We need to make sure every council is able to deliver on this important agenda which will help provide more high quality homes."

More recently, in April 2021, the Government re-confirmed its commitment to self-build development, with the new £150 million 'Help to Build' scheme, to make it easier and more affordable for people to build their own homes. This scheme allows new homes to be made to order or built from scratch, and will benefit small building firms as part of the government's 'Plan for Jobs'. Self and custom build could deliver 30-40,000 new homes a year: a significant contribution to the country's housebuilding ambitions. Housing Secretary Rt Hon Robert Jenrick MP said:

"Building your own home shouldn't be the preserve of a small number of people, but a mainstream, realistic and affordable option for people across the country. That's why we are making it easier and more affordable – backed by over £150 million new funding from the government. The scheme we have launched today will help the thousands of people who'd like to build their own home but who've not yet considered it or previously ruled it out. Our plans will help get more people on to the housing ladder, ensure homes suit people's needs like home working or caring for relatives, whilst providing an important boost to small builders and businesses too."

		<p>It is clear from the foregoing that the Government now places the delivery of land suitable to accommodate self-build homes high on its agenda and there is a strong requirement upon Local Planning Authorities to ensure that the needs of those wishing to build their own homes are addressed. The Site at South Scarle (see enclosed Plan) offers an excellent opportunity within Newark and Sherwood District to address this unfulfilled housing need, in a sustainable and accessible location.</p> <p>Conclusion</p> <p>This submission seeks to support the proposed residential allocation of this Site for a small-scale development of up to 15 no. dwellings. Our initial enquiries indicate that there are no fundamental constraints to the development of this Site and that a range of housing options, including a self-build scheme, could be delivered to meet local needs in the short term. Based upon the above points, we would encourage the allocation of the Site on the north side of Swinderby Road, South Scarle, for residential use, thereby allowing the delivery of much-needed housing in the short term. This Site is well-related to the existing settlement and is sustainably located, immediately adjoining this well-served and accessible village. The Site is well placed to deliver a range of housing options, including self-build plots, and it also offers the opportunity to provide wider infrastructure and community benefits.</p>
049	David Robinson c/o Grace Machin	<p>INTRODUCTION</p> <p>We have been instructed to make the following representations to the Newark and Sherwood Publication Amended Allocations & Development Management DPD Consultation, November 2023. These representations have been prepared having regard to the documents contained within the supporting Evidence Base Library and have assessed the compliance of the Publication Amended Allocations & Development Management DPD Consultation DPD against paragraph 35 of the National Planning Policy Framework (July 2021) (NPPF). Paragraph 35 states that for a plan to be "sound" it should be:</p> <ul style="list-style-type: none"> * Positively prepared * Justified * Effective * Consistent with national policy <p>Our client, Mr David Robinson, has genuine concerns regarding the overall strategy for the delivery of housing growth and specifically in respect of the lack of any proposed housing allocations being advanced within the most sustainable locations, including Bleasby. It is our belief that the land to the north of Manor Close, Bleasby (please see Appendix A) is a realistic site, which should be allocated for residential development, in order to deliver the required housing numbers for Newark and Sherwood District within a sustainable location, immediately adjoining the main built up area of this sustainable settlement. It is proposed that the Site be allocated for a small-scale development of up to 15 no. dwellings, in order to allow an adequate buffer to the adjacent railway line to the west, and in order to deliver strategic planting within the Site and to its boundaries. A development of this scale will also ensure that the landscape character of the area, and the interface between the built form of Bleasby and the surrounding open countryside can be protected and maintained. It is also envisaged that a development of this size and scale can be targeted towards those seeking self-build opportunities.</p> <p>SITE DESCRIPTION</p> <p>As highlighted above, the Site is located on the northern side of Manor Close, Bleasby, which itself is situated off the north-eastern side of Station Road (the principle road running through the village of Bleasby on a roughly east-west axis). The Site is located on the western side of the settlement, but immediately adjoining the built framework of Bleasby. The Site currently encompasses un-used greenfield grassland. A small number of trees are located along the boundaries of the Site, which have been assessed through the accompanying tree survey. In total, this discreet and well-enclosed landholding measures 2.95 hectares in area. Along its southern boundary, the Site adjoins existing properties along the northern side of Manor Close, which comprise single storey, detached bungalows. These properties enjoy long rear gardens, with a mixture of mature hedgerow and tree planting, along with some 1.8 metre close-boarded fencing separating these dwellings from the proposed development Site to the north. The northern and eastern boundaries to the landholding are similarly defined through mature hedgerow planting, interspersed with tree planting, whilst the western boundary is provided by the East Midlands Nottingham to Lincoln Railway Line, which again, is separated from the Site by a robust hedgerow. As shown on the Google Earth extract below, the Site is clearly defined and is well enclosed, and is entirely contained by the existing built framework of Bleasby. The Site does not extend beyond this established built environment, with the proposed development Site 'infilling' a gap between existing properties to the east and south, and the railway line to the west. According to the Environment Agencies Flood Map for Planning, the Site is located within Flood Zone 2 (as depicted on the image below). As such, the landholding currently has a medium probability of flooding. As detailed further below, investigations into flood risk have already been undertaken, to ensure that the Site is safe for the lifetime of the development being proposed, whilst not increasing flood risk elsewhere. The Site is not subject to any other statutory designations or allocations, and does not fall within or adjoining the Bleasby Conservation Area. Historically, the Site was promoted as a residential land allocation within the Newark and Sherwood Local Plan 1998. At that stage, the Council included this Site as a proposed residential allocation for ca. 35 no. dwellings; however, the Inspector, at Examination, recommended the removal of this Site, owing to concerns relating to traffic generation, and the potential impact of a development of this scale, upon the character of the village (both matters are addressed further below). Subsequently, the Site was again considered through the 2009 Strategic Housing Land Availability Assessment (under Reference 08_0159, land rear of Manor Close, Bleasby). Whilst the landowner proposed a yield of up to 45 no. dwellings, the Council's own assessment at that time envisaged a yield of 23 no. dwellings, owing to highway restrictions and the need to deliver structural landscaping. On this basis, the Council concluded that "the Site may be Suitable" for a development of up to 23 no. dwellings. This assessment also confirmed that the Site was suitable in respect of landscape / biodiversity considerations, had good access to services, and would be achievable within a 5-year period.</p> <p>SUITABILITY / SUSTAINABILITY OF LOCATION</p> <p>As described above, the Site immediately adjoins the main built up framework of Bleasby, which is identified as an 'Other Village' within the Amended Newark and Sherwood Core Strategy 2019. However, we would stress the highly sustainable nature of this settlement, which, in terms of its level of service and facility provision, and its accessibility and access to public transport provision, is actually 'on a par' with the Principal Village of Lowdham. The Site is within ready walking distance of the facilities and services provided, including:</p> <ul style="list-style-type: none"> • The Waggon & Horses public house – 800 metres • The Church – 880 metres • Bleasby Church of England Primary School – 200 metres • Bleasby Railway Station – 230 metres • Manor Farm Tea Shop – 410 metres • The Village Hall – 1.7km • Public open spaces at the Jubilee Ponds / Bleasby Lake – 850 metres <p>The Site is well situated to benefit from a good level of public transport provision. Bleasby train station is located approximately 230m from the site and is situated on the Nottingham to Lincoln line. Trains run frequently between both destinations. There are bus stops located on Station Road which are within 150m of the proposed development and provide access to bus services which link Bleasby to other nearby villages, including Lowdham and Hoveringham, as well as Newark itself.</p> <p>ACCESS</p> <p>This submission is accompanied by a Transport and Highways Technical Note and Access Appraisal, which describes the site context in relation to the local highway network, and which sets out the accident record / history of the immediate area. This confirms that, since 2016, only one 'slight' accident occurred on Station Road in 2017. This equates to an accident rate of 0.2 'slight' accidents per annum which is below the one a year threshold. It is therefore considered that the local highway network operates within a safe nature. The Highways Report goes on to consider the proposed residential development of this Site, and provides an access strategy to deliver such a scheme, which includes the demolition of no. 12 Manor Close</p>

(which is within the ownership of this same client, Mr David Robinson) and its replacement with an access driveway, which has been designed in accordance with the requirements of Nottinghamshire County Council's Highway Design Guide. As depicted on the Access Design drawing which accompanies the Highway Technical Note, the access driveway has been designed to include:

- Width of 5m carriageway
- 2m wide footways
- 6m radius
- 27m of visibility from proposed access point onto Manor Close
- 2.4m x 43 m of visibility from Manor Close onto Station Road.

On this basis, the Highways Report concludes that the proposed residential development of this Site (for up to 60 no. dwellings) can be safely accommodated on the local highway network, and can be provided with a suitably designed point of access from Manor Close.

FLOOD RISK

In respect of flood risk, it is acknowledged that the Site lies within Flood Zone 2, as identified on the Environment Agencies Flood Map for Planning. A full Flood Risk Assessment and Drainage Strategy has not yet been undertaken; however, a Flood Risk Consultant has undertaken preliminary work, which confirms that the Site does have a surface water flooding issue and is also shown to flood in all modelled events above the 1 in 100-year event. During the 1 in 100-year + 30% climate change event peak flood levels on-site are indicated to be 15.462m AOD across the majority of the Site. We understand that it would be sensible to raise any residential development 300mm above the peak flood level and to provide an evacuation plan. This would ensure the Site is safe during a flood, with site users evacuated prior to a flood event. In due course, it is proposed that a detailed FRA and drainage strategy will be produced to support a Planning Application in respect of the residential development of this Site; however, the initial work undertaken (as summarised above) indicates that a solution can be delivered to overcome flood risk within the Site, whilst ensuring that the risk of flooding is not increased elsewhere. As such, whilst this is a recognised constraint which must be properly addressed, it is not an impediment to the delivery of this Site.

LANDSCAPE CHARACTER

The previous promotion of this landholding as a residential allocation within the earlier 1998 Newark and Sherwood Local Plan highlighted concerns that a larger scale residential development (of ca. 35 no. dwellings) could create harmful impacts upon the character of Bleasby and upon its wider rural setting. In considering this matter in respect of these representations, the content of the Landscape Character Assessment 2020 has been carefully considered, alongside the scale and amount of development being proposed. In these respects, it is the case that the Site lies within the Trent Washlands Regional Character Area, and within Policy Zone TW52 – Thurgarton River Meadowlands. This Zone is identified as having a Moderate Condition and a Low Sensitivity and as such, has the Landscape Actions of 'Create and Reinforce'. With particular reference to built features, the Landscape Character Assessment for this Policy Zone encourages:

- Conserve the existing field pattern by locating new small scale development within the existing field boundaries.
- Promote sensitive design and siting of new agricultural buildings.
- Promote measures for reinforcing the traditional character of farm buildings using vernacular styles.

In considering the foregoing, it is clear that the proposed residential allocation of this Site is contained within the existing, clearly defined field boundary and does not seek to extend the built form of the village beyond the natural boundary created by the field hedgerow to the north of the Site. The character assessment for this area indicates a low sensitivity to change, such that a sensitively designed development could be accommodated within the proposed Site, without creating harmful or detrimental impacts to the wider landscape setting or rural backdrop to the village. The low density development envisaged (of up to 15 no. self-build dwellings) can be delivered within this 2.95-hectare Site in a manner which retains the existing hedgerow boundaries, whilst also allowing for substantial new structural planting both within and on the boundaries to the landholding, whilst also providing for views across the Site to the surrounding area.

SELF-BUILD

The Government has made clear that it wants to increase the capacity and diversity of the house building industry and build more quality new homes faster. The self-build and custom sector can play a key role in achieving this through the Government's new 'Right to Build' policy, which also offers greater opportunity for the use of sustainable construction techniques and more innovative eco-friendly design. The commitment by Central Government to the 'Right to Build' was given even greater weight, with (then) Housing Secretary Robert Jenrick announcing a review in October 2020, in order to make it easier for people to build their own home. In addition, the Housing Secretary wrote to councils to ensure that they consider the demand for these homes when providing land for building and making planning decisions in their area. (Then) Housing Secretary Rt Hon Robert Jenrick MP said:

"We are backing people who want to design and build their own home and today I have launched a review to ensure councils provide enough land and take proper consideration for these homes when making planning decisions in their area. This will help more people get a foot on the housing ladder and support our building industry as we deliver the homes that this country needs."

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More recently, in April 2021, the Government re-confirmed its commitment to self-build development, with the new £150 million 'Help to Build' scheme, to make it easier and more affordable for people to build their own homes. This scheme allows new homes to be made to order or built from scratch, and will benefit small building firms as part of the government's 'Plan for Jobs'. Self and custom build could deliver 30-40,000 new homes a year: a significant contribution to the country's housebuilding ambitions. Housing Secretary Rt Hon Robert Jenrick MP said:

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It is clear from the foregoing that the Government now places the delivery of land suitable to accommodate self-build homes high on its agenda and there is a strong requirement upon Local Planning Authorities to ensure that the needs of those wishing to build their own homes are addressed. The Site at Bleasby offers an excellent opportunity within Newark and Sherwood District to address this unfulfilled housing need, in a sustainable and accessible location.

		<p>CONCLUSION</p> <p>This submission is accompanied by a body of supporting work, which seeks to support the proposed residential allocation of this Site for a small-scale development of up to 15 no. self-build dwellings. This supporting work includes:</p> <ul style="list-style-type: none"> • Highways Technical Note and Access Appraisal; • Topographical Survey; and • Tree Survey <p>These initial assessments indicate that there are no fundamental constraints to the development of this Site and that a range of housing options, including a self-build scheme, could be delivered to meet local needs in the short term. Based upon the above points, we would encourage the allocation of the Site to the north of Manor Close, Bleasby, for residential use, thereby allowing the delivery of much-needed housing in the short term. This Site is well-related to the existing settlement and is sustainably located, immediately adjoining this well-served and accessible village. The Site is well placed to deliver a range of housing options, including self-build plots, and it also offers the opportunity to provide wider infrastructure and community benefits.</p>
050	Home Builders Federation	<p>Core Policy 1: Affordable housing Provision</p> <p><u>The policy is unsound as it has not been fully justified</u> - The Council are proposing to change Core Policy 1 from the Amended Core Strategy DPD. Whilst the HBF welcomes the amendments to ensure the inclusion of First Homes within the policy we would expect further amendments to reflect the latest viability evidence published by the Council which indicates at paragraph 5.4 that development on brownfield sites in low and medium value areas facing challenging viability. Given that the NPPF outlines at paragraph 58 of the NPPF and paragraph 10-007 of Planning Practice Guidance (PPG) outline that most sites should be deliverable at planning application stage without further viability assessment negotiations we would have expected the requirements of the policy to be reduced to reflect the Council's evidence. The HBF also has concerns regarding the robustness of some of the assumptions made in the viability assessment. As set out above it is important that the level of planning obligations required from development means that viability negotiations occur occasionally rather than routinely. Trade-offs between policy requirements, affordable housing and infrastructure provision should not be necessary. In order to ensure that viability negotiations are limited there must be a robust assessment. The HBF has concerns with the inputs relating to the higher energy efficiency standards in part L of the 2021 Building Regulations and the 10% Biodiversity Net Gain required by the Environment Act 2021.</p> <p><u>Part L of the Building Regulations</u> - Part L of the Building Regulations were amended in 2021 to require a higher level of energy efficiency in order to achieve a 31% improvement on the 2013 Building Regulations. The viability assessment considers sustainable construction standards at paragraph 4.18 stating that the cost rates reflect current building standard but makes no mention as to the latest amendments. The impact of these amendments on the cost of building a new should not be ignored with the Government estimating that these could add around £4,8501 to the cost of building a new detached home compared to current standards. However, the HBF consider that this may be too low with our members estimating that these could add between £5,335 to £5,580 to the cost of a new build home and must be added to the base build costs. Further cost are also likely to be felt by housebuilders and developers as a result of the changes in building regulations is the introduction of the heat metering regulation, as set out in a separate consultation by the Department for Business, Energy, and Industrial Strategy. These new regulations, which go in line with the new Part L regulations, could add an additional £400 - £800 per plot, meaning the total cost per new home for the package of changes to underpin the reformed Part L introduced this year amount to between £5,700 and £6,400 per new home. The viability study must take these into account in order to provide a robust assessment of the viability implications on development in future.</p> <p><u>Biodiversity Net Gain</u> - The cost of BNG used in the study is set at £500 per dwelling and is stated as being broadly in line with DEFRA estimates. However, as we noted in our response to the Options consultation table 16 of the DEFRA Biodiversity Net Gain & Local Nature Recovery Strategies: Impact Assessment: gives the costs per greenfield development (residential) East Midland at an estimate £1,011 per dwelling based on the central estimate that expects 75% of net gains to be delivered on site. However, it must also be remembered that the degree to which BNG can be delivered onsite is dependent on the baseline level of biodiversity. This can vary significantly between sites and could require far more offsite provision that is allowed for in the Government's central estimate. For example, a site delivering all of its mitigation offsite (scenario C in the impact assessment) would see costs rise to £3,562 and £943 per dwelling on greenfield and brownfield development respectively. Before the plan is submitted the Council will need to sensitivity test the impact of higher BNG costs on development in Newark and Sherwood.</p> <p><u>First Homes</u> - There does not appear to be any consideration as to the impact of First Homes on development viability. Whilst these are defined as being affordable homes they are built and sold by the developer and are a market home. As such the profit margin on these homes will need to reflect those for full cost market housing rather than the lower 6% return on an affordable housing unit. Conclusions on amendments to Core Policy 1. Viability negotiations at planning application stage cause uncertainty for both the Council and developers, which may result in significant delay to housing delivery or even non-delivery. Without a robust approach to viability assessment, the Amended Allocations & Development Management DPD will be unsound, land could potentially be withheld from the market by land owners and housing delivery targets will not be achieved. Before the Amended Allocations & Development Management DPD is submitted the viability assessment should be updated to reflect the higher development costs outlined above.</p> <p>DM2: Development on allocated sites</p> <p><u>The policy is unsound as it is not consistent with national policy</u> - In Policy DM2, the reference to "in accordance with the Developer Contributions & Planning Obligations Supplementary Planning Document (SPD)" should not be interpreted by the Council's Development Management Officers as conveying the weight of a DPD onto this SPD, which has not been subject to examination and does not form part of the Amended Allocations & Development Management DPD. The Town and Country Planning (Local Planning) (England) Regulations 2012 are clear that development management policies, which are intended to guide the determination of applications for planning permission should be set out in policy in the Local Plan. To ensure a policy is effective, it should be clearly written and unambiguous so it is evident how a decision maker should react to development proposals. The Council's requirements should be set out in sufficient detail to determine a planning application without relying on, other criteria or guidelines set out in a separate SPD.</p> <p>DM3: Developer Contributions and Planning Obligations</p> <p><u>The policy is unsound as it is not consistent with national policy</u> - Policy DM3 refers to provision of appropriate contributions being guided by the Council's Planning Obligations & Developer Contributions SPD. National policy clearly defines the scope and nature of an SPD in the planning process as providing more detailed advice and guidance on adopted Local Plan policies. The NPPG confirms that an SPD cannot introduce new planning policies nor add unnecessarily to the financial burdens on development (ID: 61-008-20190315). Policy DM2 should be modified to delete the reference "... in accordance with the Developer Contributions & Planning Obligations SPD".</p> <p>DM5a: The Design Process</p> <p><u>The policy is unsound as it is not consistent with national policy</u> - DM5(a) requires new residential development to perform positively against Building for a Healthy Life. The HBF is supportive of the use of Building for a Healthy Life as best practice guidance to assist the Council, local communities and developers assess new housing schemes. The HBF has played a fundamental role in establishing Building for a Healthy Life, but it was never intended to become enshrined as a mandatory policy requirement in Local Plans. The use of Building for a Healthy Life should remain voluntary rather than becoming a requirement of Policy DM5(a), which would oblige developers to use this tool. If the Council wishes to refer to Building for a Healthy Life, it should be in supporting text only. The Council should also clearly set out the definition of performing positively against Building for a Healthy Life. A positive performance should not require achievement of a prescribed number of greens under the Building for a Healthy Life traffic light system of assessment.</p>

		<p>Conclusions - At present we do not consider the plan to be sound, as measured against the tests of soundness set out in paragraph 35 of the NPPF, in the following key areas:</p> <ul style="list-style-type: none"> • Affordable housing policy has not been amended to reflect viability evidence in accordance with national policy; • Viability study does not reflect full impact of policies on the cost of development • Requirements to accord with Planning Obligations and Developer Contributions SPD are unsound • Reference to Building for Healthy Life should be voluntary and not a requirement.
051	Heath Fury c/o IBA Planning	<p>Further to the Council's recent consultation on the above, please find below our representations which are submitted on behalf of our client, [REDACTED] – a locally-operating traveller according with the definition of the same in Planning Policy for Traveller Sites. Our client generally welcomes the Council's commitment to addressing the existing and future needs of local travellers within the District via Policy GRT1 (Pitch Requirements) and Policy GRT2 (Additional provision on existing sites). However, he notes that the proposed allocations, as far as they relate to Ollerton and Boughton, <u>only partially</u> meet the need identified1 – with the residual (6) pitches being left to be delivered at some point in the future on adjoining land referred to in Policy GRT2 and identified on the draft Policies Map (OB/GRT/BL/1) as a broad location for the development of additional pitches towards meeting the residual need within the 10 and 15 year tranches. It is this aspect of the Publication Draft which Mr [REDACTED] objects to.</p> <p>More particularly, he owns <u>land to the east of Newark Road, Ollerton</u> - which he believes is ideally suited (and located) to be allocated as an additional traveller site to meet the residual 6 pitches identified in the current consultation document. The location and extent of Mr [REDACTED] site is shown edged red on the enclosed Location Plan. The site is logically located alongside existing traveller sites (indeed Mr [REDACTED] currently resides on one of those overcrowded sites) – and is extremely well contained as a consequence of mature and robust established tree and hedgerow planting on all sides. It is further separated (visually and physically) from the nearby Conservation Area via the redundant railway embankment – ensuring that the development of the site as a traveller site would have negligible impact on the wider landscape and/or setting of the Conservation Area. The site benefits from an existing vehicular (field gate) access with dropped kerb, is not at risk of flooding (Flood Zone 1) – and is of ample size to accommodate the residual 6 pitches identified and required. I am instructed that Mr [REDACTED] met with you recently in connection with the current consultation document – and was told that the reason his site was not considered for allocation at this stage was owing to early views expressed by the local Highway Authority that a safe access could not be provided to serve the development proposed.</p> <p>The inference he drew from his meeting with you was that if it could be demonstrated that a safe access could be achieved, then the site could well be suited to such a use to meet the residual need for 6 pitches identified in the current consultation document. In the above connection, highway consultants, ADC Infrastructure, have been commissioned to assess the suitability of the existing access – and their Access Appraisal is enclosed for completeness. As part of the above highway assessment, <u>a speed survey</u> was carried out to establish the 85th percentile speed of vehicles passing the entrance to the site in both directions – with a view to calculating the appropriate visibility splays relative to actual traffic speeds. An access design was then prepared (and appended to the back of the Access Appraisal) demonstrating that the appropriate visibility splays can be achieved in both directions within the extent of the highway boundary. The Access Appraisal concludes that there should be no highway-based reason why the site should not be allocated as a traveller site for 6 pitches. This all being the case, there would seem to be no good reason why our client's site should not be favourably considered for allocation to comprise part of the gypsy and traveller provision in Ollerton and Boughton.</p> <p>Our client's objection can easily be <u>remedied</u> by allocating his site as a traveller site for 6 pitches (e.g. OB/GRT/6 – Land east of Newark Road, Ollerton) alongside those others already allocated in the current consultation document. Allocation of the same would helpfully enable the Council's Plan to make appropriate provision to satisfy the identified pitch requirement <u>in full</u> during the Plan period and obviate the need for the partial development of part of a much larger (and more open and prominent) parcel of land currently identified as the broad location for future pitches to meet the needs in the 10 and 15 year tranches – thereby ensuring the ultimate Plan can be regarded as being positively prepared, justified, effective and consistent with national policy. In the above connection, the Council can be assured that my client's site is immediately available (as well as being <u>suitable</u>) – and my client is able and happy to deliver the site to meet his and other's needs at an early stage of the Plan period.</p>
052	Bellway Homes	<p>We consider that the emerging Newark and Sherwood Publication Amended Allocations Development Management Document (DPD) is not legally sound. We believe the DPD will not effectively deliver on the economic and residential objectives set out for in Rainworth. Rainworth is recognised as a 'Service Centre' and has a range of shops and a secondary school, which serves part of the Sherwood Area and the southern part of the Mansfield Fringe. Rainworth is well related to Mansfield Sub-Regional Centre with its jobs and facilities and is therefore considered to be a sustainable location for continued growth. The adopted A&D DPD identifies Land West of Colliery Lane for employment development (under Policy Ra/E/1 Rainworth), and this is retained in the emerging DPD. However, the site is the subject of an outline planning application (application ref:21/00996/OUTM) for 91 dwellings submitted in April 2021 and which is yet to be determined. Should planning permission be granted on this site, another employment site will be needed to meet needs within the plan period. Our client's site at Land north of the A617 provides both a short-and longer-term opportunities for a mix of employment uses and housing within Rainworth. Please refer to our supporting covering letter, which supports this representation and provides precise details as to why we believe the emerging DPD is not legally sound.</p> <p>Land north of the A617, Rainworth</p> <p>The site comprises circa 62 hectares of arable land located to the north of the Rainworth Bypass (A617). The site is bound by existing trees and hedgerows and has an undulating topography. The northern site boundary is defined by a public footpath and adjoins the wooded edge of the Rainworth Water Local Nature Reserve. The public footpath continues along the route of Rainworth Water to mark the western extent of the site with a sewage treatment works adjacent. The site is enclosed to the south by the A617 and the settlement edge of Rainworth. A cycleway runs along the eastern boundary following the line of a former mineral railway. The site sits on the southern edge of the Sherwood Forest which is designated as a Site of Interest in Nature Conservation (SINC), a local ecological designation which covers a wide area. The SINC extends along the western and northern edges of the site and forms part of the northernmost extent of the site. The Rainworth Heath Site of Special Scientific Interest (SSSI) is located further west, beyond the SINC. Both are designated for their heathland characteristics. A regionally important geology site follows the eastern boundary of the site. There is also a nature reserve to the north. All nearest facilities to the site are located to the south, beyond the Rainworth Bypass. The core of Rainworth village is located circa 500m to the south and includes convenience stores, restaurants, takeaways, public houses, a health centre, and a village hall. There are two primary schools nearby, the Python Hill Academy 300m to the south and the Lake View Primary School circa 900m to the south west. The Joseph Whitaker Secondary School is circa 1km to the south.</p> <p>At this early stage of promoting the site Bellway are exploring three different initial potential development options for the site:</p> <ul style="list-style-type: none"> • Option 1: Up to 500 new homes, 2FE primary school, local centre, outdoor sports facilities and open space • Option 2: Up to 700 new homes, employment land, 2FE primary school, local centre, outdoor sports facilities and open space • Option 3: Up to 1,000 new homes, 2FE primary school, local centre, outdoor sports facilities and open space <p>Any emerging proposed layout will be informed by technical assessment and survey work to be undertaken in due course. The site is generally well-contained by surrounding vegetation and built form so does not form a prominent feature within many views beyond public rights of way within the immediate vicinity. Overall, the site is not within any landscape designations and whilst containing some positive landscape features which any new development can preserve and enhance, it is not beyond the ordinary in landscape terms. The site in Rainworth has not previously been assessed in either the 2017 or 2021 Strategic Housing and Employment Land Availability Assessments (SHELAA) and is not otherwise covered by any specific policy designations, expect for Policy DM8 (Development in the Open Countryside). Rainworth is well positioned to accommodate SUE scale growth given its proximity to Mansfield, which elevates the level of service provision for residents of the village. Green Belt currently restricts growth to the south of Rainworth, therefore appropriate growth should be located to the north. In the adopted Amended Core Strategy Rainworth is recognised as a 'Service Centre' (tier 2 of the settlement hierarchy) and has a range of shops and a secondary school which serves part of the Sherwood Area, and is considered to sustainably accommodate growth. It is clear that Newark will be unable to take the majority of growth in the next plan period, and whilst the DPD allocates a large percentage of future development to the Newark Urban area, other locations will need appropriate allocations to meet local needs and aid regeneration. Development opportunities should therefore be presented in other key settlements, such as Rainworth within the District and these are concerns in the shorter term regarding this emerging plan, which is set out in more detail below.</p>

		<p>Representations - The Council's supporting Housing Needs Assessment (2020) emphasises that under the current demographic scenario, the strongest need is for 2 to 3-bedroom houses and 2-bedroom bungalows within the District. Larger greenfield sites, which the part 2 plan is not provided for, offer the opportunity for a greater proportion of family units with increased private amenity space, which has become of increased importance throughout and following the pandemic. Beyond this, there is a need to regularly review plans every five years to ensure they remain up to date, as required by National Planning Policy Framework paragraph 33. In just over a year the adopted Core Strategy will be five years old. Given the length of time it takes to review a plan, to meet this requirement Newark and Sherwood should now be commencing a review of its Core Strategy. Indeed, as much as acknowledged in the emerging AADMDPD at paragraph 1.31. As the adopted Core Strategy will be five years' old in just over a year, and given the adopted Core Strategy was a partial review of a previous plan, Bellway are of the view that the Part 2 Plan should include a policy specifically committing the Council to commencing a full review of the Core Strategy immediately following the Part 2 Plan's adoption.</p>
		<p>Section 1 Background Context – Employment - The emerging DPD sets out the detail for how employment land will be provided across the District. It explains that employment land provision established in Spatial Policy 2 of the Amended Core Strategy identifies a requirement of 83.1 hectares, distributed amongst the five areas for the period 2013 to 2033. Paragraph 1.27 states that in total the District has a supply of 176.69 hectares of employment land. However, under Paragraph 1.29 it announces that it is possible that the levels of employment delivery anticipated in the plan may not be achieved, "as with the housing situation". It is unclear where the 176.69ha employment supply figure has derived from, given that the evidence base for the plan includes no up-to-date report regarding employment supply provision, with the most recent study being the out of date 'Employment Land Forecasting Study' published in August 2015. Up-to-date evidence is therefore needed to identify the requirement of employment land provision.</p>
		<p>Section 6 Mansfield Fringe Area - The Mansfield Fringe Area covers the western part of the district and is closely related to the Mansfield Sub-Regional Centre, in terms of jobs, public transport and other facilities. Within the Mansfield Fringe Area, Rainworth is recognised as a Service Centre and has a range of shops and a secondary school which serves part of the Sherwood Area and the southern part of the Mansfield Fringe. Rainworth is well related to Mansfield Sub-Regional Centre with its jobs and facilities. Under paragraph 6.5 of the emerging AADMDPD it states that previous completions and committed development will all contribute towards delivering 264 homes at Rainworth between 2012 and 2033. However, it is clear that there is a residual requirement for the AADMDPD to identify sites that are capable of delivering new dwellings in Rainworth (which is emphasised in paragraph 6.5). In the Amended Core Strategy, Rainworth was allocated 10% of growth (circa 264 homes) between 2013 – 2033, and 187 of these units have already been completed or committed, leaving the plan to identify land for only 77 additional new homes. In contrast, 660 new homes were identified for Edwinstowe, 477 homes of which were still to be identified. The largest settlement is the Newark Urban Area, where 5,294 new homes are proposed, with 803 homes of which were still to be identified. The NPPF (paragraph 60) is clear that the standard methodology should be used to determine the 'minimum' number of homes needed, also taking into account housing needs that cannot be met within neighbouring areas. In the adopted A&D, DPD, the Council allocated 247 new dwellings in Rainworth, compared with 264 in the emerging AADMDPD (under paragraph 6.5). There's clearly an increase in housing need within Rainworth that will need to be addressed in the shorter term. It is important that adequate provision is also made for suitable sites around Rainworth in order to guarantee that a range of housing is provided to meet local needs. Indeed, the NPPF is clear that the supply of new homes should be provided for across a range of sites to meet identified needs and also emphasises the role sustainable urban extensions can have in existing towns – 'The supply of large numbers of new homes can often be best achieved through...significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities' (under paragraph 73). Paragraph 6.5 of the emerging DPD also identifies a guideline requirement for 10.4 hectares of new employment land in the Mansfield Fringe Area during the plan period. It states that sufficient land has been completed or has the benefit of planning permission to meet the employment requirements in the Mansfield Fringe Area. Whilst some of the allocations have the benefit of planning permission and may already be under construction, in any case the allocations are retained in the DPD unless the development of the site is complete. It is clear from the Council's public access register that employment allocation Ra/E/1 has a planning application awaiting determination for residential development. If approved, this would leave Rainworth without an employment allocation and thus a shortfall in supply. This is explored in further detail below.</p>
		<p>Policy Ra/E/1 Rainworth Employment Site 1 - The adopted A&D DPD identifies Land West of Colliery Lane for employment development (Policy Ra/E/1 Rainworth), whilst this is retained in the emerging DPD. Notwithstanding this, the site is the subject of an outline planning application (application ref:21/00996/OUTM) for 91 dwellings submitted in April 2021 and which is yet to be determined. In the submission, the Applicant argues that this site is not appropriate for employment use given its site constraints, including the severe topography of the site, overall scale of the site and requirements for an access off the A617 to serve an employment use. However, this site has been the subject of planning permissions granting commercial development of this site historically (under application ref: 06/01030/OUTM & 7/00474/RMAM). However, clearly, commercial development has not taken place and these permissions have now lapsed. Should this application be approved, this would leave Rainworth with no employment allocations. Land West of Colliery Lane is considered to be an important employment allocation and one of only two such allocations in this part of the District. Should this planning permission be granted, a replacement employment site would be required in Rainworth to accommodate the need that this site would have otherwise provided for.</p> <p>The Site to the north of the A617 is capable of accommodating employment uses and could provide an access off the A617 or potentially from the existing roundabout to the east. This site is a reasonable alternative and is available for a mixed-use residential and employment development in the short term, to accommodate the potential loss of the proposed employment allocation off Colliery Lane, and in the medium to long term, given the size of the site and opportunity it presents to meet future needs. There are no constraints that cannot be overcome and could be capable of providing a suitable vehicular access from the A617 Rainworth bypass. In addition, and a particular benefit of locating employment development to the north of Rainworth, the site would allow employment traffic to bypass the centre of Rainworth, given the proximity to the A617 bypass and potential for a direct access on to it. Whilst Land West of Colliery Lane has been allocated for employment uses for some time, a lack of demand due to the economic climate and viability has resulted in the site never coming forwards for a sole employment use. An Employment Land Statement prepared by JLL to support the application reference 21/00996/OUTM demonstrated that this site was marketed by JLL since 2019 with no offers and limited interest (in all cases not sustained beyond initial inquiry) for employment purposes. Therefore, if the application for residential development is approved on this site, this leaves Rainworth without an employment allocation. Therefore, it is clear that one of the key strengths of the mixed-use allocation for Bellway's site will support the delivery of employment land required to meet the ambitious economic objectives of Newark and Sherwood and can be brought forward in the medium-longer term.</p>
		<p>Summary - Overall, Rainworth is recognised as a 'Service Centre' and has a range of shops and a secondary school, which serves part of the Sherwood Area and the southern part of the Mansfield Fringe. Rainworth is well related to Mansfield Sub-Regional Centre with its jobs and facilities and is therefore considered to be a sustainable location for continued growth. It is clear that this growing housing need should be addressed, and we recommend that the Part 2 Plan should commit to an early, full review of the Core Strategy. This is referenced and supported under Paragraph 1.31 in the emerging AADMDPD, which states that the NPPF will require that in 2024 the Council reviews the Amended Core Strategy to see if it remains up-to-date, and at that point it is likely that the Council will begin the process of developing a new Local Plan. Finally, the adopted A&D DPD identifies Land West of Colliery Lane for employment development (Policy Ra/E/1 Rainworth), whilst this is retained in the emerging DPD. Notwithstanding this, the site is the subject of an outline planning application (application ref:21/00996/OUTM) for 91 dwellings submitted in April 2021 and which is yet to be determined. Should planning permission be granted on this site, another employment site will be needed to meet needs within the plan period, and Bellway's site at land north of the A617 provides both a short-and longer-term opportunities for a mix of employment uses and housing. We trust that these representations are in order but please do not hesitate to contact us should you require anything further. Bellway would welcome the opportunity to meet with officers to discuss the benefits of land north of the A617 and potential development options.</p>
053	IBA Planning	<p>Policy DM8 has supposedly been amended to be consistent with national policy. We can see this, amongst others, by the various references to para. 80 of the NPPF (when dealing with proposals for isolated new homes) and the <i>new</i> requirement for residential conversions to enhance their immediate setting – further reflecting the wording of para. 80 of the NPPF. However, despite the amendments made, Policy DM8 (insofar as it relates to the residential re-use of buildings in the open countryside) is still considered inconsistent with national policy – and therefore <u>not</u> justified. The NPPF (via para. 80.c) confirms that the residential <i>re-use of redundant or disused buildings</i> (where this would enhance its immediate setting) comprises one of the few circumstances where isolated homes in the countryside can be approved. There is no additional contingent requirement that such buildings should <i>only</i> be of historic or architect merit to benefit from that national policy support. Indeed, the residential conversion of such buildings (i.e. <i>heritage assets</i> – covering both designated and non-designated heritage assets) is clearly covered by an entirely <u>separate</u> arm of para. 80 – i.e. criterion (b). Para. 80 makes clear that proposals only have to satisfy <u>one</u> of the listed criteria to be policy compliant. Policy DM8 is proposed to be amended to specifically <i>remove</i> the reference to proposals "only" being "granted" for the residential conversion of buildings of architectural or historic merit – which on the face of it seems to acknowledge the previous version of Policy DM8 was more onerous than (and therefore inconsistent with) national policy. However, paragraph 7.74 would suggest otherwise. If I am wrong, then</p>

		<p>paragraph 7.74 is inconsistent with Policy DM8 - and obviously needs amending. If I am correct however, then I consider the Policy itself (and paragraph 7.74) remain inconsistent with national policy – and both therefore need further amending in order for the Plan to be considered <i>sound</i>. Allied to the above, the Policy as currently proposed to be amended is considered to be ambiguous and imprecise, insofar as it is not clear to the reader exactly what the Council’s policy position is with regard to the residential conversion of buildings in the countryside. We can see they will support the residential conversion of buildings of historic or architectural merit (i.e. heritage assets) – and this is considered to be in line with criterion b) of para. 80 of the NPPF. But the Policy is unhelpfully silent on the matter of the residential reuse of other <i>disused or redundant buildings</i> in the countryside – more specifically: whether Policy DM8 lends support for such proposals too? Such ambiguity raises serious soundness issues in terms of the Policy being positively prepared and effective.</p> <p>If the Council is intending to support the residential conversion of disused or redundant buildings in the countryside that are <i>not</i> heritage assets (in line with and so as to be consistent with national policy) – then the Policy (and paragraph 7.74) should be further amended to make this much clearer to all. I can only presume this is the intention? – as otherwise there would have been no need to remove the word ‘only’ amongst others from the wording of the original Policy DM8 as referred to above, or to have inserted the reference to proposals for residential development also needing to demonstrate that “the enhancement of their immediate setting has been provided for” – this being a requirement of the criterion c) of para.80 relating to the re-use of disused or redundant buildings, but not of criterion b) relating to developments representing the optimal viable use of a heritage asset. It is a Plan-led system – and stakeholders should be left in no doubt what is and isn’t acceptable in policy terms. It is a relatively straight forward type of development, and there is no reason why such clarity cannot and should not be provided. The Government’s support for the residential conversion of buildings in the countryside is clear via para.80.c) of the NPPF, and when extending permitted development rights by way of Class Q to more quickly and easily bring about the delivery of new rural dwellings via the conversion of all types of agricultural buildings – i.e. not just traditional, or those of architectural or historic merit.</p> <p>Housing site Ra/Ho/2 has obviously been part-developed (broadly half the site) by Taylor Wimpey since the original allocation was made. Whilst this is acknowledged on the amended Policies Map for Rainworth (where the layout of the completed development is clearly evident), the text and requirements of Policy Ra/Ho/2 – Housing Site 2 remains as originally drafted, and has not been updated. In order for the Plan to be considered sound (insofar as being justified, effective and having been positively prepared), the text of this policy should be updated as appropriate to reflect the same - and to more specifically guide the development of the balance of the land (which is currently the subject of pre-application discussions with the Council).</p>
054	Urban & Civic c/o Stantec	<p>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. In their response to the Options Report July 2021 consultation, Urban & Civic sought an amendment to the proposed changes to Core Policy 3 (Housing Mix, Type & Density) in order to allow flexibility for the housing mix to reflect the local circumstances of the site and the viability of the development, as under the adopted ACS Core Policy 3. The proposed changes to Core Policy 3 now include the following text which reflects the adopted ACS Core Policy 3 and is broadly consistent with the amendment sought by Urban & Civic:</p> <p><i>“On individual applications the mix will be dependent on the local circumstances of the site, the viability of the development and any localised housing need information including the sub area analysis in the most up to date Housing Needs Assessment.”</i></p> <p>This proposed change supports the delivery of sites, in particular larger sites, and as such makes the AADMDPD sound in respect of Core Policy 3.</p> <p>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. In their response to the Options Report July 2021 consultation Urban & Civic objected to the identification of Belvoir Ironworks North, Newark as a suitable site for provision of Gypsy, Roma and Traveller pitches. However, this site has been taken forward to the Publication AADMDPD and allocated under Policy GRT4 (Site Allocations) – that is, Site NUA/GRT/13 Former Belvoir Ironworks, Bowbridge Lane, Newark. The site is allocated for 15-27 pitches, which Policy GRT4 states is a minimum, and is identified on the Policies Map (Map 2 Newark South Proposals). The site lies to the south of Middlebeck and Urban & Civic maintain their objection. Our concerns, which are around services and facilities and access and highways, are detailed below and supported by the appended Transport and Highways Technical Review, which was prepared by SLR September 2021 in response to the Options Report July 2021. The appended Transport and Highways Technical Review includes survey data from the TRICS database as an appendix which was omitted in error from the that submitted in response to the Options Report July 2021 consultation. This data relates to a Gypsy, Roma and Traveller site in Kent, which the Highway Engineers comments within the GTLAA site assessment suggests may have high trip rates linked to the poor sustainability of the site. This indeed could be the case and, as set out below and in the supporting Transport and Highways Technical Review, the Former Belvoir Ironworks site also has poor sustainability.</p> <p>Services and facilities The GTLAA site assessment acknowledges the lack of accessible services but states that:</p> <p><i>“Access to services and facilities will be improved through delivery of the Land South of Newark Strategic Site. This will entail delivery of a Local Centre (incorporating convenience retail provision and other services and facilities) in the part of the strategic site closest to the Belvoir Ironworks site. This will also involve the bringing forward of 50ha of employment land, substantial Green Infrastructure and open space provision as well as integration of public transport services.”</i></p> <p>However, as set out in the appended Transport and Highways Technical Review, the Former Belvoir Ironworks site cannot be considered as having sustainable access to facilities and services, including at Middlebeck, with, for example, Middlebeck Primary School and the nearest future bus stop being in excess of an 800-metre walk. Moreover, Urban & Civic are concerned about the pressure that a minimum of 15-27 pitches may have on services and facilities being provided as part of the Middlebeck development. For example, Middlebeck Primary School, which opened in September 2021, provides additional school places to meet the demand from the Middlebeck development only, and Urban & Civic is, therefore, concerned that should children from the Gypsy, Roma and Traveller pitches take school spaces at Middlebeck then this will result in the needs of children at Middlebeck not being met. It should be noted that this additional pressure would be combined with pressure from new housing in the immediate locality, with reserved matters for Land at Flowserve Pump Division seeking approval for 309 dwellings following the grant of outline planning permission on appeal in June 2021 (Ref: APP/B3030/W/20/326097 & 22/01241/RMAM), and also proposals within this Publication AADMDPD if taken forward – in particular, the extension to Site NUA/Ho/10 (Land North of Lowfield Lane) and Opportunity Sites, notably Site NUA/OS/1 (the Tarmac Site within Bowbridge Road Policy Area).</p> <p>Access and highways The Transport and Highways Technical Review concludes that, based on the information available, it is unclear as to whether a safe and suitable access to the Former Belvoir Ironworks site can be achieved for the proposed use in visibility terms. Fundamentally, speeds need to be recorded by a survey to determine Stopping Sight Distances and in turn the visibility splay for the access. Furthermore, based on the potential level of trip generation associated with the use, there may be a requirement for the access to the site to include a central treatment on Bowbridge Lane (such as a ghost island right turn), but no information is available to demonstrate that such a junction arrangement would be deliverable within land controlled by the local highway authority and that associated with the site. Fundamentally, the deliverability of a ghost island arrangement to adoptable standards, if it was deemed to be required, could only be demonstrated through a design drawing showing all land ownership. In terms of trip generation, the Transport and Highways Technical Review sets out that daily movements to and from the site could be in the order of 300 vehicles, with potential peak hour trip generation in excess of 30 two-way movements, which is the typical threshold at which a local highway authority would require operational assessments to consider the highway impacts at off-site junctions. Whilst it is now proposed that the site is allocated for 15-27 pitches,</p>

rather than 30 pitches, the highest end of the range would generate daily movements to and from the site in the order of 270 vehicles. Moreover, the proposed allocation is a minimum and more than 27 pitches could therefore be provided. The potential level of traffic is of concern to Urban & Civic as it would be utilising highway capacity that has been designed and is being delivered to support the delivery of Middlebeck and other existing planned housing allocations in Newark.

In this respect, the Middlebeck development is delivering the SLR, with triggers for delivery including that no more than 600 dwellings are to be occupied unless Phase 1 of the SLR is complete and that no more than 700 dwellings are to be occupied unless construction of Phase 2 of the SLR has commenced. Urban and Civic object to additional development coming forward and taking capacity on the highway network, that should first and foremost be used to facilitate the delivery of dwellings at Middlebeck, whilst development at Middlebeck is constrained. For the reasons set out above, the proposed allocation of Site NUA/GRT/13 Former Belvoir Ironworks, Bowbridge Lane, Newark is not sound as it is not:

- Positively prepared – The site does not have sustainable access to facilities and services. As such the proposed allocation is not positively prepared as it is not consistent with achieving sustainable development.
- Justified – The site assessment in the GTLAA acknowledges the lack of accessible services, and the appended Transport and Highways Technical Review sets out that Middlebeck does not provide sustainable access to facilities and services. The Transport and Highways Technical Review also highlights constraints in respect of access and highways. As such the proposed allocation is not justified as it is not supported by the evidence.
- Effective – The proposed allocation has the potential to place undue pressure on facilities, services and infrastructure being delivered as part of the Middlebeck development. As such, the proposed allocation is not effective as it has the potential to undermine the delivery of the Middlebeck, a strategic allocation in the ACS (Area Policy NAP 2A).
- Consistent with national policy – The site does not have sustainable access to facilities and services. As such, it is not consistent with national policy as it will not enable the delivery of sustainable development.

NB: Further comments are made on the Policies Map (Map 2 Newark South Proposals) in our responses to Policies Map (Public Open Space – School Playing Fields), Policy NUA/Ho/10 and Policies Map (NUA/AR/1 - Area A).

The updates to the Policies Map (Map 2 Newark South Proposals) include the addition of an archaeological area. This includes the designation of land within the western part of Middlebeck. The designation of land within Middlebeck includes land within both NUA/AR/1 – Area A and NUA/AR/1 – Area B, both of which are subject to proposed Policy NUA/AR/1 (Archaeology – Fardon and River Devon Ice Age Landscape). Policy NUA/AR/1 defines Area A as containing ‘Nationally Important Archaeological Remains’ (demonstrable equivalence to a Scheduled Monument – National Planning Policy Framework, footnote 68). Footnote 68 states that “Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.” Area B is defined as having a ‘High Risk of Nationally Important Archaeological Remains’. This identifies land where the risk of nationally important archaeological remains is regarded as high and specialist approaches to archaeological assessment are required.

The outline planning permission for Middlebeck is subject to a condition which requires submission of an Archaeological Management Plan. As part of the discharge of this condition Oxford Archaeology were instructed, through the auspices of RPS, in the autumn of 2022, to prepare an iterative response to the known potential for nationally important archaeological remains to be present within the western extent of Middlebeck. This has involved undertaking extensive field investigations across Areas A and B (as they fall within Middlebeck) to respond to the increased understanding of the archaeological interest in this area. Written Schemes of Investigation (WSIs) for geophysical survey, LiDAR assessment, Ground Investigation monitoring and fieldwalking were submitted to and approved by Newark and Sherwood District Council’s planning archaeologist. The results of these surveys informed a deposit model, which was tested through a programme of targeted test pitting and trial trenching. The iterative approach employed by Oxford Archaeology and the specific team undertaking the work had previously, on other development sites incorporating wetland environments, successfully identified similar deposits and material to that anticipated across this site. This approach is consistent with that espoused by Historic England’s draft guidance document Managing Lithic Sites and Scatters: Archaeological Guidance for Planning Authorities and Developers.

The results of the combined surveys above are consistent. No evidence has been found for Late Upper Palaeolithic (LUP) material within the wider Middlebeck site and in particular no evidence for Palaeolithic activity has been found within Areas A or B within the site. This is at odds with the Historic England mapping that shows there to be known nationally important LUP remains present within the site. Whilst there are surviving pockets of a buried palaeo-landsurface, dated to the late glacial period (Windermere Interstadial 14,700–12,900 BP), which was sealed between cold climate laminated sands and overlying coversands and also alluvial sands overlying gravels and laminated sands – these did not produce any lithics or any other evidence for cultural activity of LUP date. This is consistent with the two previous evaluations by Cook and Mudd (2015), as part of the A46 construction, and Garton et al (2020), ice landscapes community project, which also did not produce any evidence of LUP finds from the palaeosoils within Middlebeck. The results of the recent fieldwork are clear, there are no known LUP features, deposits or artefacts within Middlebeck that would pose a constraint to the delivery of the outline planning permission. This contradicts the Historic England mapping that clearly identifies parts of the Middlebeck site as having known nationally important archaeological remains. The baseline data supporting the mapping is currently too broad and untested to justify designation of parts of Middlebeck as being known to contain nationally important archaeological remains. Not only does this designation potentially preclude further development, it could also preclude or complicate further assessment and evaluation. The archaeological sensitivity of land within Middlebeck is best expressed as a potential for discoveries rather than known/defined areas of activity. As set out above, the proposed designation of part of Middlebeck as NUA/AR/1 - Area A is not justified as it is not supported by the evidence. As such the Publication AADMDPD is not sound.

NB: Further comments are made on the Policies Map (Map 2 Newark South Proposals) in our responses to Policies Map (Public Open Space-Playing Fields), Policy NUA/Ho/10 and Policy GRT4 (Site NUA/GRT/13).

Urban & Civic object to the proposed wording for Policy NUA/Ho/7 in that it seeks to bring forward redevelopment of Opportunity Site 1 the Tarmac Site. This site, which has capacity for around 270 dwellings (see proposed Policy NUA/OS), is located at Hawton Lane/ Bowbridge Road in the immediate vicinity of Middlebeck, and Urban & Civic is concerned about pressure from additional housing in the locality on both the highway network and services and facilities provided as part of the Middlebeck development. The Middlebeck development is delivering significant infrastructure, not least the SLR which is to facilitate planned wider growth in Newark and not just Middlebeck. Moreover, delivery of dwellings at Middlebeck is dependent on delivery of the SLR with occupation of more than 600 dwellings being dependent on Phase 1 of the SLR being completed and occupation of more than 700 dwellings being dependent on commencement of construction of Phase 2 of the SLR. Urban and Civic object to an Opportunity Site coming forward in the immediate locality of Middlebeck that increases demand on and takes any available capacity in the highway network whilst development at Middlebeck is constrained. Furthermore, Middlebeck is delivering services and facilities including Middlebeck Primary School, which opened September 2021. This provides additional school places to meet the demand from the Middlebeck development only, and Urban & Civic is, therefore, concerned that should children from the Tarmac Site take school spaces at Middlebeck then this will result in the needs of children at Middlebeck not being met. It should be noted that this additional pressure would be combined with pressure from other new housing in the immediate locality, with reserved matters for Land at Flowserve Pump Division – a previously proposed Opportunity Site – seeking approval for 309 dwellings following the grant of outline planning permission on appeal in June 2021 (Ref: APP/B3030/W/20/326097 & 22/01241/RMAM), and also proposals within this Publication AADMDPD if taken forward – in particular, the proposed extension to Site NUA/Ho/10 – Housing Site 10 (Land North of Lowfield Lane) and the proposed Gypsy, Roma and Traveller pitches at the Former Belvoir Ironworks (Site NUA/GRT/13).

As noted in the Publication AADMDPD (paragraph 1.26), strategic sites allocated in the ACS, which include Middlebeck (Area Policy NAP 2A), are central to the delivery of the vision and strategy for the district and, in accordance with Spatial Policy 5 (Delivering the Strategy) of the ACS, Urban & Civic respectfully request that the emphasis is placed on the delivery of such allocations. Furthermore, to accord with Spatial Policy 5 of the ACS, and proposed Policy NUA/OS (Opportunity Sites) of the Publication AADMDPD, Opportunity Sites should only be brought forward where it is clear that delivery of allocated sites is not taking place at the rates required. In respect of Middlebeck, construction has commenced and housing delivery is underway. For the reasons set out above, the proposed wording of Policy NUA/Ho/7 is not effective as it may undermine the delivery of Middlebeck, a strategic allocation in the ACS. As such the AADMDPD is not sound.

NB: This representation should be read in alongside our representations to the proposed paragraph 2.10, which is supporting text to proposed Policy NUA/OS (Opportunity Sites).

Urban & Civic object to the extension to Site NUA/Ho/10 Land North of Lowfield Lane, which lies to the east of Middlebeck. The proposed extension increases the capacity of Land North of Lowfield Lane from 120 dwellings to 170 dwellings and Urban & Civic is concerned about pressure from additional housing in the locality on both the highway network and services and facilities provided as part of the Middlebeck development. The Middlebeck development is delivering significant infrastructure, not least the SLR which is to facilitate planned wider growth in Newark and not just Middlebeck. Moreover, delivery of dwellings at Middlebeck is dependent on delivery of the SLR, including occupation of more than 600 dwellings being dependent on Phase 1 of the SLR being completed and occupation of more than 700 dwellings being dependent on commencement of construction of Phase 2 of the SLR. Urban & Civic object to further housing being allocated in the immediate locality of Middlebeck that increases demand on and takes any available capacity in the highway network whilst development at Middlebeck is constrained. Furthermore, Middlebeck is delivering services and facilities including Middlebeck Primary School, which opened September 2021. This provides additional school places to meet the demand from the Middlebeck development only, and Urban & Civic is, therefore, concerned that should children from additional housing at Land North of Lowfield Lane take school spaces at Middlebeck then this will result in the needs of children at Middlebeck not being met. It should be noted that the additional pressure on the highway network and services and facilities from development of Land North of Lowfield Lane would be combined with pressure from other new housing in the immediate locality, with reserved matters for Land at Flowserve Pump Division seeking approval for 309 dwellings following the grant of outline planning permission on appeal in June 2021 (Ref: APP/B3030/W/20/326097 & 22/01241/RMAM), and also proposals within this Publication AADMDPD if taken forward – in particular, the proposed Gypsy, Roma and Traveller pitches at the Former Belvoir Ironworks (Policy GRT4, Site NUA/GRT/13) and Opportunity Site 1 the Tarmac Site (Policies NUA/Ho/7 & NUA/OS). For the reasons set out above, the proposed extension to Land North of Lowfield Lane under Policy NUA/Ho/10, and as shown on Policies Map (Map 2 Newark South Proposals), is not effective as it may undermine the delivery of Middlebeck, a strategic allocation in the ACS (Area Policy NAP 2A). As such, the AADMDPD is not sound.

The updates to the Policies Map (Map 2 Newark South Proposals) include the addition of an archaeological area. This includes the designation of land within the western part of Middlebeck. The designation of land within Middlebeck includes land within both NUA/AR/1 – Area A and NUA/AR/1 – Area B, both of which are subject to proposed Policy NUA/AR/1 (Archaeology – Fardon and River Devon Ice Age Landscape). Policy NUA/AR/1 defines Area A as containing ‘Nationally Important Archaeological Remains’ (demonstrable equivalence to a Scheduled Monument – National Planning Policy Framework, footnote 68). Footnote 68 states that “Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.” Area B is defined as having a ‘High Risk of Nationally Important Archaeological Remains’. This identifies land where the risk of nationally important archaeological remains is regarded as high and specialist approaches to archaeological assessment are required. The outline planning permission for Middlebeck is subject to a condition which requires submission of an Archaeological Management Plan. As part of the discharge of this condition Oxford Archaeology were instructed, through the auspices of RPS, in the autumn of 2022, to prepare an iterative response to the known potential for nationally important archaeological remains to be present within the western extent of Middlebeck. This has involved undertaking extensive field investigations across Areas A and B (as they fall within Middlebeck) to respond to the increased understanding of the archaeological interest in this area. Written Schemes of Investigation (WSIs) for geophysical survey, LiDAR assessment, Ground Investigation monitoring and fieldwalking were submitted to and approved by Newark and Sherwood District Council’s planning archaeologist. The results of these surveys informed a deposit model, which was tested through a programme of targeted test pitting and trial trenching. The iterative approach employed by Oxford Archaeology and the specific team undertaking the work had previously, on other development sites incorporating wetland environments, successfully identified similar deposits and material to that anticipated across this site. This approach is consistent with that espoused by Historic England’s draft guidance document Managing Lithic Sites and Scatters: Archaeological Guidance for Planning Authorities and Developers.

The results of the combined surveys above are consistent. No evidence has been found for Late Upper Palaeolithic (LUP) material within the wider Middlebeck site and in particular no evidence for Palaeolithic activity has been found within Areas A or B within the site. This is at odds with the Historic England mapping that shows there to be known nationally important LUP remains present within the site. Whilst there are surviving pockets of a buried palaeo-landsurface, dated to the late glacial period (Windermere Interstadial 14,700–12,900 BP), which was sealed between cold climate laminated sands and overlying coversands and also alluvial sands overlying gravels and laminated sands – these did not produce any lithics or any other evidence for cultural activity of LUP date. This is consistent with the two previous evaluations by Cook and Mudd (2015), as part of the A46 construction, and Garton et al (2020), ice landscapes community project, which also did not produce any evidence of LUP finds from the palaeosoils within Middlebeck. The results of the recent fieldwork are clear, there are no known LUP features, deposits or artefacts within Middlebeck that would pose a constraint to the delivery of the outline planning permission. This contradicts the Historic England mapping that clearly identifies parts of the Middlebeck site as having known nationally important archaeological remains. The baseline data supporting the mapping is currently too broad and untested to justify designation of parts of Middlebeck as being known to contain nationally important archaeological remains. Not only does this designation potentially preclude further development, it could also preclude or complicate further assessment and evaluation. The archaeological sensitivity of land within Middlebeck is best expressed as a potential for discoveries rather than known/defined areas of activity. As set out above, the proposed designation of part of Middlebeck as NUA/AR/1 - Area A is not justified as it is not supported by the evidence. As such the Publication AADMDPD is not sound.

NB: Further comments are made on the Policies Map (Map 2 Newark South Proposals) in our responses to Policies Map (Public Open Space-Playing Fields), Policy NUA/Ho/10 and Policy GRT4 (Site NUA/GRT/13).

Urban & Civic object to the proposed wording for Policy NUA/Ho/7 in that it seeks to bring forward redevelopment of Opportunity Site 1 the Tarmac Site. This site, which has capacity for around 270 dwellings (see proposed Policy NUA/OS), is located at Hawton Lane/ Bowbridge Road in the immediate vicinity of Middlebeck, and Urban & Civic is concerned about pressure from additional housing in the locality on both the highway network and services and facilities provided as part of the Middlebeck development. The Middlebeck development is delivering significant infrastructure, not least the SLR which is to facilitate planned wider growth in Newark and not just Middlebeck. Moreover, delivery of dwellings at Middlebeck is dependent on delivery of the SLR with occupation of more than 600 dwellings being dependent on Phase 1 of the SLR being completed and occupation of more than 700 dwellings being dependent on commencement of construction of Phase 2 of the SLR. Urban and Civic object to an Opportunity Site coming forward in the immediate locality of Middlebeck that increases demand on and takes any available capacity in the highway network whilst development at Middlebeck is constrained.

Furthermore, Middlebeck is delivering services and facilities including Middlebeck Primary School, which opened September 2021. This provides additional school places to meet the demand from the Middlebeck development only, and Urban & Civic is, therefore, concerned that should children from the Tarmac Site take school spaces at Middlebeck then this will result in the needs of children at Middlebeck not being met. It should be noted that this additional pressure would be combined with pressure from other new housing in the immediate locality, with reserved matters for Land at Flowserve Pump Division – a previously proposed Opportunity Site – seeking approval for 309 dwellings following the grant of outline planning permission on appeal in June 2021 (Ref: APP/B3030/W/20/326097 & 22/01241/RMAM), and also proposals within this Publication AADMDPD if taken forward – in particular, the proposed extension to Site NUA/Ho/10 – Housing Site 10 (Land North of Lowfield Lane) and the proposed Gypsy, Roma and Traveller pitches at the Former Belvoir Ironworks (Site NUA/GRT/13). As noted in the Publication AADMDPD (paragraph 1.26), strategic sites allocated in the ACS, which include Middlebeck (Area Policy NAP 2A), are central to the delivery of the vision and strategy for the district and, in accordance with Spatial Policy 5 (Delivering the Strategy) of the ACS, Urban & Civic respectfully request that the emphasis is placed on the delivery of such allocations. Furthermore, to accord with Spatial Policy 5 of the ACS, and proposed Policy NUA/OS (Opportunity Sites) of the Publication AADMDPD, Opportunity Sites should only be brought forward where it is clear that delivery of allocated sites is not taking place at the rates required. In respect of Middlebeck, construction has commenced and housing delivery is underway. For the reasons set out above, the proposed wording of Policy NUA/Ho/7 is not effective as it may undermine the delivery of Middlebeck, a strategic allocation in the ACS. As such the AADMDPD is not sound.

NB: This representation should be read in alongside our representations to the proposed paragraph 2.10, which is supporting text to proposed Policy NUA/OS (Opportunity Sites).

Urban & Civic object to the extension to Site NUA/Ho/10 Land North of Lowfield Lane, which lies to the east of Middlebeck. The proposed extension increases the capacity of Land North of Lowfield Lane from 120 dwellings to 170 dwellings and Urban & Civic is concerned about pressure from additional housing in the locality on both the highway network and services and facilities provided as part of the Middlebeck development. The Middlebeck development is delivering significant infrastructure, not least the SLR which is to facilitate planned wider growth in Newark and not just Middlebeck. Moreover, delivery of dwellings at Middlebeck is dependent on delivery of the SLR, including occupation of more than 600 dwellings being dependent on Phase 1 of the SLR being completed and occupation of more than 700 dwellings being dependent on commencement of construction of Phase 2 of the SLR. Urban & Civic object to further housing being allocated in the immediate locality of Middlebeck that increases demand on and takes any available capacity in the highway network whilst development at Middlebeck is constrained. Furthermore, Middlebeck is delivering services and facilities including Middlebeck Primary School, which opened September 2021. This provides additional school places to meet the demand from the Middlebeck development only, and Urban & Civic is, therefore, concerned that should children from additional housing at Land North of Lowfield Lane take school spaces at Middlebeck then this will result in the needs of children at Middlebeck not being met. It should be noted that the additional pressure on the highway network and services and facilities from development of Land

North of Lowfield Lane would be combined with pressure from other new housing in the immediate locality, with reserved matters for Land at Flowserve Pump Division seeking approval for 309 dwellings following the grant of outline planning permission on appeal in June 2021 (Ref: APP/B3030/W/20/326097 & 22/01241/RMAM), and also proposals within this Publication AADMDPD if taken forward – in particular, the proposed Gypsy, Roma and Traveller pitches at the Former Belvoir Ironworks (Policy GRT4, Site NUA/GRT/13) and Opportunity Site 1 the Tarmac Site (Policies NUA/Ho/7 & NUA/OS).

For the reasons set out above, the proposed extension to Land North of Lowfield Lane under Policy NUA/Ho/10, and as shown on Policies Map (Map 2 Newark South Proposals), is not effective as it may undermine the delivery of Middlebeck, a strategic allocation in the ACS (Area Policy NAP 2A). As such, the AADMDPD is not sound.

The Policies Map (Map 2 Newark South Proposals) includes proposed updates to the Public Open Space/ School Playing Fields designations, which are subject to ACS Spatial Policy 8 (Protecting & Promoting Leisure & Community Facilities). The supporting Policies Map document sets out that the updates are to include sites mapped in the Open Space Strategy prepared by KKP in 2021. The proposed updates to the Public Open Space/ School Playing Fields includes a designation of the School Playing Fields at Middlebeck Primary School. The supporting evidence base documents do not include the Open Space Strategy prepared by KKP in 2021 but do include an Open Space Assessment Strategy 2022 prepared by KKP. Figure 4.1 of this document shows open space provision mapped in Newark, which paragraph 4.1.9 states includes outdoor sports sites. The scale/ quality of Figure 4.1 is poor, but it does not appear to show any provision mapped within Middlebeck. Furthermore, the extent of the proposed designation of School Playing Fields at Middlebeck Primary School, as defined on the Policies Map (Map 2 Newark South Proposals), does not correspond with the reserved matters approval for the Primary School – reference 20/00502/RMAM. The proposed designation extends beyond the consented playing fields to include areas of general landscaping/ habitat zone and car parking. A copy of the ‘Site Wide Landscape General Arrangement Plan’ approved under 20/00502/RMAM is appended for information. As set out above, the proposed designation of the School Playing Fields at Middlebeck Primary School is not supported by the evidence and is not therefore justified. As such, the Publication AADMDPD is not sound.

NB: Further comments are made on the Policies Map (Map 2 Newark South Proposals) in our responses to Policy NUA/Ho/10, Policies Map (NUA/AR/1- Area A) and Policy GRT4 (Site NUA/GRT/13).

Proposed Policy NUA/OS (Opportunity Sites) identifies two Opportunity Sites of which one is a reallocation (NUA/OS/2 – NSK Factory) and one (NUA/OS/1 – Tarmac Site) is an additional site proposed as part of the Bowbridge Road Policy Area (Policy NUA/Ho/7). Between them, the two Opportunity Sites have capacity for around 420 dwellings, with capacity of around 270 dwellings at the Tarmac Site, which is located at Hawton Lane/ Bowbridge Road in the immediate vicinity of Middlebeck. Spatial Policy 5 (Delivering the Strategy) of the ACS provides the basis for the identification of Opportunity Sites, which are to be brought forward “Where it becomes clear through the monitoring process that delivery [of allocated sites] is not taking place at the rates required ...”. This is reiterated within proposed Policy NUA/OS. In respect of Middlebeck, construction has commenced and housing delivery is underway. At odds with the above, the proposed supporting text for Policy NUA/OS (Opportunity Sites) at paragraph 2.10 states that “... there is nothing to prevent these sites coming forward for housing development at any point in the Plan period ...”. Paragraph 2.11 goes on to set out measures that may be used to bring Opportunity Sites forward. Furthermore, proposed amendments to Policy NUA/Ho/7 (Newark Urban Area – Bowbridge Road Policy Area) sets out that the Council will work with stakeholders within the Bowbridge Road Policy Area including by bringing forward the redevelopment of Opportunity Site 1 the Tarmac site. As noted in the Publication AADMDPD (paragraph 1.26), strategic sites allocated in the ACS, which include Middlebeck (Area Policy NAP 2A), are central to the delivery of the vision and strategy for the district and, in accordance with Spatial Policy 5 of the ACS, Urban & Civic respectfully request that the emphasis is placed on the delivery of such allocations rather than Opportunity Sites that may put pressure on both the highway network and services and facilities provided as part of the Middlebeck development.

The Middlebeck development is delivering significant infrastructure, not least the SLR which is to facilitate planned wider growth in Newark and not just Middlebeck. Moreover, delivery of dwellings at Middlebeck is dependent on delivery of the SLR, including occupation of more than 600 dwellings being dependent on Phase 1 of the SLR being completed and occupation of more than 700 dwellings being dependent on commencement of construction of Phase 2 of the SLR. Urban and Civic object to any Opportunity Site coming forward that increases demand on and takes any available capacity in the highway network whilst development at Middlebeck is constrained. Furthermore, Middlebeck is delivering services and facilities including Middlebeck Primary School, which opened September 2021. This provides additional school places to meet the demand from the Middlebeck development only, and Urban & Civic is, therefore, concerned that should children from Opportunity Sites, notably the Tarmac Site, take school spaces at Middlebeck then this will result in the needs of children at Middlebeck not being met. It should be noted that this additional pressure would be combined with pressure from other new housing in the immediate locality, with reserved matters for Land at Flowserve Pump Division – a previously proposed Opportunity Site – seeking approval for 309 dwellings following the grant of outline planning permission on appeal in June 2021 (Ref: APP/B3030/W/20/326097 & 22/01241/RMAM), and also proposals within this Publication AADMDPD if taken forward – in particular, the proposed extension to Site NUA/Ho/10 – Housing Site 10 (Land North of Lowfield Lane) and the proposed Gypsy, Roma and Traveller pitches at the Former Belvoir Ironworks (Site NUA/GRT/13). For the reasons set out above, the proposed approach to Opportunity Sites is not effective as it may undermine the delivery of Middlebeck, a strategic allocation in the ACS. As such the AADMDPD is not sound.

NB: This representation should be read alongside our representations to proposed Policy NUA/Ho/7.

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 acknowledge the need to engage local communities and other stakeholders in the design process and do not object to inclusion of encouragement to engage at an early stage of the process under the proposed Policy DM5(a). However, the proposed supporting text at paragraph 7.24 encourages engagement with local communities and stakeholders at all four stages of the design process for major developments, which may result in consultation fatigue and, moreover, may be unduly onerous and hinder the delivery of development. As with the proposed approach to pre-application discussions with the Council, which is set out in the supporting text at paragraph 7.23, Urban & Civic consider a proportionate approach that takes account of factors such as the scale, form, type and sensitivity of the proposals would be more appropriate. As set out above, the proposed approach to engagement with local communities and other stakeholders may hinder the delivery of major developments, including strategic allocations, and is not therefore effective. It is also not justified as a proportionate approach would be more appropriate. As such, the AADMDPD is not sound.

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 AADMDPD is not sound.

055	Winthorpe with Langford Parish Council	<p>Reference – Policy GRT 4 – Site Allocations - Winthorpe with Langford Parish Council believe that overall, the DPD is a good step forward for the N&SDC Area and we are happy with the vast majority of the content/changes being proposed. We are particularly supportive of the work to address GRT provision in the area and we hope that this work will help to improve the situation regarding illegal land use/access which has been experienced in the area for far too long. We do however have concerns regarding one site allocation in particular – NUA GRT 14 – The Old Stable Yard North of Winthorpe Road. This site was illegally set up by travellers around 6 years ago. In that time, we have worked with the people using the site and it is fair to say that we are supportive of the residents and there has been no negative impact on the residents of the Parish that we are aware of. Indeed, those travellers using the site use facilities in Winthorpe including the Primary School. However, as you are aware this encampment was set up without planning permission and N&SDC have spent the last 6 years trying to remove the travellers on the site and return the location to its original agricultural use. This ultimately resulted in a High Court decision early in 2022 to turn down the traveller’s appeal and give notice for the travellers to leave site. We believe this site is unsuitable for human habitation for the following reasons:</p> <ul style="list-style-type: none"> • As expressed above this is an illegal encampment for which planning permission has not been approved • The High Court has turned down the traveller’s appeal and as such the requirement for the site to be cleared should be followed through by N&SDC • In the final decision by the High Court one of the major points made was that the location was unfit for human habitation due to the impact of noise and pollution from the site’s proximity to the A1 and A46 • This will be made worse with the proposed retention and expansion of the site especially with the work which will be undertaken from 2025 to construct the improvements to the A46 South of Winthorpe • The latest proposal for the new A46 allows for a slip road off the A46 and the construction of a new roundabout both of which will be very close to the Old Stable Yard making the current situation significantly worse. • We note that the intention is to expand the current number of pitches on the site from the current 6 to 14. If this was to take place it would mean expanding the physical size of the current site which may mean even closer proximity to the road network and further impact on the area. • The retention and expansion of the site would impact directly and negatively on the residents of the House and Dog Kennels next door • It is also worth pointing out that the design of the current A46 in this area has been designed to accommodate the existing traveller’s site which is of course an illegal site. We have confirmed with National Highways senior staff that if the Old Stable Yard site was not being lived on then the current proposed roundabout would not be necessary, simplifying the project significantly with considerable cost savings. <p>We would ask that our comments above are taken into account during consideration of finding these sites which we agree are necessary. Given the points made above we would suggest that this is currently an illegally occupied site and has been deemed as unsuitable for human habitation and therefore other options for sites should be considered well ahead of this one. We would also suggest that discussions are held with National Highways staff as expansion of this impact could have a direct and costly impact on the project.</p>
056	NSK Europe Ltd c/o Planning & Design Group	<p>NSK Europe Ltd recognise that the release of land from their site in Newark for alternative forms of development has always been subject to the operational needs of the business and the unpredictability of the global economy. As part a multinational business with significant involvement in automotive industries across Europe, business planning has been significantly exposed to the impacts of Brexit; Covid; supply chain issues; and local and global economic uncertainty. It is also accepted that the timescales for delivery on the site is subject to closure of unrequired parts of the site, and / or the successful relocation of the NSK operations to a new site within Newark. While there remains a clear and committed intent to make more efficient use of the site through is partial or wholesale redevelopment it is recognised that the operational needs of the business, and consequent timescales for relocation, are subject to external non-planning influences, and never more so than the last five years. The site remains undeniably suitable, highly sustainable and potentially available for redevelopment in the short to medium term. In fact, its regeneration is an imperative given the nature and constraints of the site. While NSK would like to be able to give greater certainty on the precise timescales for the site’s rebirth, the business is ultimately a manufacturer and significant local employer rather than a developer. It is essential that it focusses on its core business while still planning and preparing for an inevitable alternative future. It is for these reasons that an allocation within the plan provides both short term security for the existing employer and long term certainty and security for the local business going forward. We are reassured by the Council’s response to our submissions to the Issues Paper in 2019, that the change to the plan in respect of the NSK site are a re-designation that imparts flexibility and recognises the opportunity that the site presents. It is expressly not a de-allocation. We are heartened that the re-designation is a sensible and pragmatic response to a degree of uncertainty, which neither the Council nor NSK can change, but ensures confidence in business planning and supports the clear intent of both landowner and the Council. To that extent, we are content to accept the Council’s position on the site, provided that it does not limit the ‘opportunity’ afforded by this incredibly sustainable location. We note that Paras 92 and 120 of the Framework advocates that Policies should encourage the delivery of mixed use sites, with Chapter 9 focussing on the potential to maximise site with sustainable transport opportunities. For obvious reasons, the plan allocations focus on the delivery of housing, but that focus should not be at the exclusion of other appropriate uses, taking into account the highly sustainable location and the benefits of mutual supportive uses. Recognising the locational benefits of the site and in the context of the Framework guidance, a ‘sound’ plan would not inadvertently limit the ‘opportunity’ to residential development, but would actively encourage a range of appropriate uses, including employment, commercial, business, service, residential, leisure, community and educational uses. As it stands the policy is not positively prepared and is inconsistent with national policy.</p>
057	Avant Homes c/o Boyer	<p>Resubmitted comments from 2021 Consultation re. Land off Clipstone Drive, Clipstone (See below)</p> <p><u>Question 1 - Core Policy 1 - Affordable Housing Provision</u></p> <p>This representation supports the proposal to align the requirements of Core Policy 1 with the updated National Planning Policy Framework (NPPF). This approach will ensure that the housing mix for proposals can be developed to accord both with local and national planning policy. Therefore, the emerging policy will accord with Paragraph 16d of the updated NPPF. Nonetheless, the proposed wording of Core Policy 1 contains a repetition of the wording found in Paragraph 65 of the NPPF. The Council should avoid the unnecessary duplication of policies contained in the NPPF, as is required in Paragraph 16f, and as such, the wording should be amended accordingly. Further to this, the wording of Core Policy 1 should be updated to reflect the position stated in the 24th May 2021 Written Ministerial Statement in relation to First Homes, and specifically updated to contain the requirement for a minimum of 25% of all affordable housing units secured through developer contributions to be First Homes. Clarity should also be provided that where cash contributions for affordable housing are secured instead of on-site units, a minimum of 25% of these contributions should be used to secure First Homes. Where a mixture of cash contributions towards affordable housing and on-site units are secured, 25% of the overall value of affordable housing contributions should be applied to First Homes.</p> <p><u>Question 3 - Core Policy 3 - Housing Mix, Type and Density</u></p> <p>The wording of the amended Policy should be updated to reflect that the housing mix, type and density of schemes should vary at the local level across the District, to respond to localised needs and demands. The Integrated Impact Assessment which has been produced to inform the consultation states that “providing for a mix, type and density of new housing development which is able to respond to the housing needs of the District can help promote the creation of sustainable communities”. By this merit, it is imperative that the wording of the amended Policy be updated to allow for the identified variations in local housing needs, which have been informed by the Council’s own evidence base. For example, the ‘Mansfield Fringe Area’, which Clipstone is a part of, is shown in the ‘District Wide Housing Needs Assessment – Sub Area Summaries’ (December 2020) to have an overall housing mix demand (as a percentage) to be 34.3% requiring the ‘4 or more bedroom house’ category whereas for Newark & Sherwood District there was a demand of 10.4% for the same category. Simultaneously, it was found for the Mansfield Fringe Area there was a demand of 26.9% for the ‘3-bedroom house’ category whereas it was 39.9% for Newark & Sherwood District, which was the largest requirement of any category. Naturally, this has informed the proposed policy amendment, which seeks for an “emphasis on 2 and 3-bedroom family housing”. Whilst it may be that other areas in the District have a greater preference for these house types, it is unreasonable to over-emphasise or over rely on these house types in the Mansfield Fringe Area when there is a stated need for an increased provision of 4 or more bedroomed houses. Indeed, we consider that the wording of the Policy prior to the proposed amendment was more appropriate, as it stated that “the District Council will seek to secure an appropriate mix of housing types to reflect local housing need. Such a mix will be dependent on the local characteristics of the site, the viability of the development and any localised housing need information”. The NPPF is clear in Paragraphs 61 and 62 that strategic policies should be informed by a local housing needs assessment, such as the District Wide Housing Needs Assessment and its associated Sub Area Summaries document, and that the context, size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.</p> <p><u>Question 13 – Policy DM2 – Development on Allocated Sites</u></p>

		<p>This representation supports the wording contained in the 'preferred approach' amendment to Policy DM2. Further to this, we wish to emphasise the importance of the comprehensive delivery of allocated sites, and that where comprehensive development cannot be achieved that proposals for allocated sites ensure that they do not prejudice the overall deliverability of the whole allocation. As is considered in the draft Policy, development proposals which prejudice proper overall delivery should be refused. The NPPG guidance makes clear that plan-makers need to assess the suitability, availability and achievability of sites, including whether the site is economically viable. This provides information on which a judgement can be made as to whether a site can be considered deliverable within the plan period. A site can be considered available for development, when, on the best information available there is confidence that there are no legal or ownership impediments to development. For example, land controlled by a developer or landowner who has expressed an intention to develop may be considered available. A site can be considered achievable for development where there is a reasonable prospect that the particular type of development will be developed on the site at a particular point in time. This is essentially a judgement about the economic viability of a site, and the capacity of the developer to complete and sell the development over a certain period. Where constraints have been identified, the assessment will need to consider what action could be taken to overcome them. We consider it appropriate for an additional allocation to be made in Clipstone, to protect the housing land supply of the District and to support the Government's objective to significantly boost the supply of homes, as contained in Paragraph 60 of the NPPF. In response to this, and in response to other allocated sites which may not come forward as expected elsewhere in the District, we propose the allocation of 'Land off Clipstone Drive, Clipstone' which could be developed for residential purposes delivering in the order of approximately 800 dwellings. 'Land off Clipstone Drive, Clipstone' benefits from being sited in a highly sustainable location being located between the main body of the settlement and the recently developed land off Cavendish Way to the north east. It therefore has the potential to improve connectivity by bridging the gap between the core of the village and the new development for the benefit of all residents. The site benefits from having access to the south-west from Clipstone Drive with the possibility of pedestrian accessibility into the parcel of land to the north-east where Persimmon Homes obtained full planning permission for 107no. dwellings (app. ref: 17/00582/FULM). 2.17 Further to this, the site also benefits from being located entirely within Flood Zone 1 and does not contain any trees or groupings of trees which are protected by Tree Preservation Orders. There are also no listed buildings nor scheduled ancient monuments on or within proximity to the site. The site has no landscape value and its development would effectively infill existing development to the north-east and south-west, demonstrating that this is a logical location for development.</p> <p>The most recently published SHELAA assessment (2010) of the submitted site provided an overall conclusion that stated that "potential contamination issues at the site if necessary". It is considered that this element could be further investigated prior to the submission of an application with appropriate mitigation measures incorporated into the scheme, if needed. The SHELAA assessment also stated that there are "highway access constraints in this location". In response to this, an Access Technical Note has been produced by Ardent Consulting, which sought to establish an agreement with Nottinghamshire County Council for an 'in-principle' access strategy that was proposed to consist of two adopted accesses from Clipstone Drive and Cavendish Way. This would enable an 800-unit development of the site to have more than a single point of access, which had been noted as the primary highway constraint to the site. More recently, pre-application engagement was made with the Council in September 2020, with the response concluding that, at the current time, an application would not be supported due to the site being outside of the settlement boundary of Clipstone. The response advised that the site should be put forward for allocation during the Local Plan review.</p> <p>'Land off Clipstone Drive, Clipstone' is now controlled by Avant Homes, who have a proven and established track record of delivering housing in a timely manner in Clipstone, as well as elsewhere in the region. The allocation of the site will act to reinforce the five-year housing land supply of the District in the short to medium term, and the developer would be able to get on-site promptly due to the relative lack of pre-development preparatory works or infrastructure which is required. This site would make a material contribution towards not only meeting the housing requirements of the District, but could also support the economic and housing needs of Mansfield whose boundary is located within metres of the site and with Clipstone being referred to as a settlement in the 'Mansfield Fringe Area' in the Allocations and Development Management DPD (2013). Therefore, the allocation of land off Clipstone Drive, Clipstone is accordant with the general thrust of the NPPF and in particular the duty for local planning authorities to have regard to the specific needs of neighbouring authorities. In conclusion, there are no material reasons why land off Clipstone Drive, Clipstone could not be allocated for housing as part of this Local Plan Review process. As such, further allocations should be considered to ensure that the housing land needs of the District are met, being mindful of the Government's aspiration to deliver 300,000 dwellings a year.</p> <p>Question 16 – Policy DM5a & b - Design <u>Policy DM5a – The Design Process</u> The proposed preferred approach for Policy DM5a seeks to introduce a requirement for new residential development to "perform positively" against the Building for a Healthy Life guidance. Whilst we are supportive of its use as guidance, we consider it appropriate that conformity to Building for a Healthy Life be voluntary as opposed to a mandatory policy requirement, as meeting the requirements of the guidance can have potentially significant impacts upon the viability and the deliverability of sites. This should be reflected in the wording of the policy, or alternatively adherence to Building for a Healthy Life guidance should be kept in the policy subtext only. Further clarity should be provided regarding what the Council consider a "robust site and contextual appraisal" to include, in addition to the stated constraints and opportunities. This will ensure that there is as little ambiguity in the design process as possible, particularly in the early stages of the development of the design and in ensuring that these are translated through to the latter design stages and eventual submission design. We query the inclusion of the statement "the District Council expects applicants to ensure that their design teams are well skilled, creative and passionate about creating great places whilst also being well informed in best practice and innovation" as this is something of a throwaway comment that is not supported by corresponding paragraph/s in the NPPF.</p> <p><u>Policy DM5b - Design</u> It is acknowledged that Policy DM5b (1. Access) seeks to encourage the integration of sustainable and active modes of travel, however the wording of the Policy should be amended to include reference to the provisions of Paragraph 105 of the NPPF. This Paragraph also seeks to maximise sustainable transport solutions; however, it recognises that opportunities for this will differ between urban and rural areas. As is considered in the Paragraph, "this should be taken into account in both plan-making and decision-making". For Policy DM5b (2. Parking), reference is made to development proposals being "in accordance with the adopted Residential Cycle and Car Parking Design Guide SPD". In effect, this ordains the SPD with the same decision-making weight as an adopted DPD, which has not been subject to examination and does not itself form part of the emerging Amended Allocations & Development Management DPD. Per Paragraph 16d of the NPPF, Local Plan policies should be "clearly written and unambiguous". As such, the wording for Policy DM5b (2. Parking) should be updated to contain the cycle and car parking requirements, noting that further information is available in the associated SPD.</p>
058	Clarendon Land & Development c/o Marrons Planning	<p>This representation is made on behalf of our client, Clarendon Land & Development in respect of their interests at Land off Dykes End and Oaklands, Collingham. It responds specifically to the Amended Allocations & Development Management DPD (November 2022) (Regulation 19 Pre-Submission Draft Plan).</p> <p>THE AMENDED ALLOCATIONS AND DEVELOPMENT MANAGEMENT DPD (NOVEMBER 2022)</p> <p>The previous Allocations and Development Management DPD was written in accordance with the adopted Core Strategy that was adopted in March 2011 and its approach to settlement growth in identifying specific sites where new homes and employment sites should be built. The Council adopted an Amended Core Strategy in 2019 which forms the overarching document in the LDF and all other DPDs produced by the Council should be in general conformity with this plan. The Core Strategy sets out the spatial vision for Newark and Sherwood, contains a range of strategic and area-based objectives for the District and a number of strategic policies for achieving the vision. Adoption of the Amended Allocations and Development Management DPD (AADMDPD) by the District Council will complete the Plan Review process and replace the previous Allocations and Development Management DPD. The Council's latest Local Development Scheme (November 2022) identifies the following timeframes for the AADMDPD:</p> <ul style="list-style-type: none"> • Submission of DPD – March 2023 • Examination – September 2023 • Main Modifications – November/December 2023 • Adoption – May 2024

The Amended Core Strategy (ACS) was adopted in March 2019 and it might be noted it will have reached its 5th anniversary ahead of the expected timeframe for the adoption of the AADMDPD. National Planning Policy Framework (NPPF) paragraph 33 states:

“Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Reviews should be completed no later than five years from the adoption date of a plan, and should take into account changing circumstances affecting the area, or any relevant changes in national policy. Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future.”

This is significant not just for the ACS but also the AADMDPD as it relies on the strategic policies within the ACS. This is particularly relevant given the AADMDPD states:

“As the targets in the Amended Core Strategy are lower (albeit for a different time period) and overall, we had made enough allocations to meet the higher target the starting point for the review was that we should have sufficient sites to meet development needs without making further allocations. All sites in the DPD have been appraised to see if they are still available and deliverable, those sites that continue to be, have remained allocated. We have only deallocated sites in circumstances where they are no longer available or deliverable. Where details regarding allocations have changed or new evidence needs to be taken into account site allocation policies have been amended.” (Paragraph 1.3)

The strategy and policies within the ACS should, of course, be reviewed in advance of this date. Without this, there is a danger that the AADMDPD will rely on an out of date strategy and be out-of-date as a consequence as soon as it is adopted. With such a review, there is a prospect that the strategy will alter and the AADMDPD will need to consider a different package of sites. With the above in mind, it might be prudent to note that the housing requirement has increased from 454 dwellings per annum (9,080 dwellings between 2013 and 2033 in the ACS) to 470 dwellings per annum according to the most up to date Standard Method calculation. Nevertheless, the figure should be kept under review given the 2022 affordability ratios are due to be published by the Office for National Statistics (ONS) in March 2023 and may increase further. The NPPF is also clear that the Local Housing Need calculation derived from the Standard Method provides a minimum number of homes to be planned¹. This is supported by National Guidance which includes a non-exhaustive list of circumstances where it might be appropriate for a Local Plan to set a higher housing requirement than the Local Housing Need figure derived from the Government’s Standard Method calculation². This in of itself highlights the need to review the ACS upon its 5th anniversary but also points to the circumstances which contribute to a stable foundation which the AADMDPD can be built upon including, but not limited to, affordable housing delivery and open space strategy at a time of housing crisis and deficits in access to green space. The need for additional provision of open space in Collingham, including amenity greenspace, children and young person provision and natural/semi-natural greenspace is highlighted within AADMDPD Table 2. There appears to be no clear mechanism for their delivery other than through existing housing allocations which may have advanced plans and/or through the District/Town/Parish Council working with their partners. The latest need affordable housing need is identified in the District Wide Housing Needs Assessment (2020) as being 243 affordable homes each year across the district (2019-33) with existing shortfalls identified in all sub-areas. Against this target an average of 109 affordable homes have been built each year over the past 5 years to 2018/19.

Core Policy 1 – Affordable Housing Provision seeks to secure 30% Affordable Housing on qualifying schemes on the basis that this will help secure the highest level of such housing that is viable. Even if we presume that 30% of the annual housing requirement of 454 dwellings per annum were to be affordable (noting that not all developments will deliver affordable housing) this would equate to 136 affordable homes a year against a target of 243 affordable homes a year. This is far below the identified need and across the life of the plan would see a shortfall of around 1,500 affordable homes (if 30% was secured on every development) and around 1,880 affordable homes if the five year trend in AH delivery was maintained. This justifies the identification of additional housing allocations within the AADMDPD to support the delivery of affordable housing and assist local people in accessing much needed homes. For a plan to be adopted it must pass an examination and be found to be ‘sound’. NPPF Paragraph 35 identifies that plans are ‘sound’ if they are:

- a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

As drafted the AADMDPD is not considered to be sound on the basis that it is not positively prepared given it relies on the housing requirement in the ACS which is lower than the up to date Standard Method calculation and will be in excess of five years old at the point of adoption.

REPRESENTATIONS IN RESPECT LAND OFF DYKES END AND OAKLANDS, COLLINGHAM

The Land off Dykes End and Oaklands, Collingham extends to approximately 2.1 hectares. The site forms a single parcel of pasture land bordered to the north, south and west by residential development and to the east by horse paddocks. The site is located outside of, but adjacent to, the Collingham village envelope. Access connections to Oaklands to the west and The Paddock to the south provide positive pedestrian and vehicle connections into the site. The site was assessed as part of the Strategic Housing Land Availability Assessment (SHLAA) under Site Reference: 16_0074 which concluded that the site was available, achievable and may be suitable. The site is not subject to any planning or environmental constraints that would restrict the delivery of development and is located outside of the Conservation Area. Two Public Rights of Way are located within the site, South Collingham FP8 runs in a north-south direction and South Collingham FP9 is located along part of the site’s southern boundary. The AADMDPD highlights the need for additional provision of open space in Collingham, including amenity greenspace, children and young person provision and natural/semi-natural greenspace. As mentioned above, there is no clear mechanism for delivery set out in the plan and we are not aware of any other credible vehicles for delivering those requirements.

The proposed development can be appropriately designed to maintain the existing footpaths within a green corridor and deliver additional open space and green infrastructure planting, well related to the countryside and, in essence, securing the delivery of greenspace to reduce the deficit recognised by the AADMDPD. This provides a significant benefit to the wider village given the acknowledged deficit. Collingham is identified within the ACS as a Principal Village, which has a good range of day to day facilities – primary school, food shop, health facilities, employment or access to nearby employment. It is therefore considered a sustainable location for additional residential development. The site benefits from good pedestrian connectivity to the village services and facilities including the Medical Centre, Pharmacy, Co-Op food store, Primary School and train station all located within 600m. The community hall and a number of pubs are located within 300m. The site is also well placed to deliver much needed affordable homes at a time of housing crisis. The site is situated within Flood Zone 1 and therefore at very low risk of flooding. There are no ownership constraints with a single land owner and is being promoted for development by Clarendon Land & Planning. As such there are no physical or technical constraints which would prevent development from taking place and we can confirm that the site is available and suitable for development within the next five years. We believe the site would contribute to not only the delivery of housing, including affordable homes, but also much needed open space infrastructure within the village. Notwithstanding the above, and should the Council not consider it necessary to allocate Land off Dykes End and Oaklands to meet housing need and infrastructure requirements in the immediate plan period, it may be prudent to consider identifying the land as a reserve allocation or Broad Location for Growth. Under either scenario, the site could be released in the event that:

- the Council were unable to, or at risk of being unable to, demonstrate a 5 year housing land supply;
- a local plan policy related to unmet need or increased housing need were triggered;
- Infrastructure requirements dictated the specific need for additional sites to be delivered; or
- sites were needed for an accelerated local plan review.

		<p>CONCLUSION</p> <p>As drafted the AADMDPD is not considered to be sound on the basis that it is not positively prepared as it relies on the housing requirement in the ACS (454 dwellings per annum) which is lower than the figure within an up to date Standard Method calculation (470 dwellings per annum) at a time when the ACS will have reached its 5th anniversary and require a review ahead of the adoption of the AADMDPD. The AADMDPD does not identify any new allocations as the requirement within the ACS housing is lower than the previous CS and sufficient allocations are claimed within the Plan without the need for further allocations to be identified. However, the AADMDPD does not seek to meet the latest affordable housing need as identified in the District Wide Housing Needs Assessment (2020) at 243 affordable homes each year across the district (2019-33). Even if we presume that 30% of the annual housing requirement of 454 dwellings per annum were to be affordable (noting that not all developments will deliver affordable housing) this would equate to 136 affordable homes a year against a target of 243 affordable homes a year. This is far below the identified need and across the life of the plan would see a shortfall of around 1,500 affordable homes (if 30% was secured on every development) and around 1,880 affordable homes if the five year trend in AH delivery was maintained.</p> <p>The AADMDPD acknowledges the need for additional provision of open space in Collingham, including amenity greenspace, children and young person provision and natural/semi-natural but provides no clear mechanism for delivery other than as part of housing allocations and/or through the District/Town/Parish Council working with their partners. These matters provide justification for additional housing allocations to be identified within the AADMDPD to support the delivery of affordable housing and assist local people in accessing much needed homes and to reduce the deficit in accessible greenspace as recognised in the AADMDPD itself. In this context it is considered that the Council must 'future-proof' the AADMDPD through the provision of additional allocations. Additional allocations, such as at Land off Dykes End and Oaklands, would provide additional flexibility in meeting the increased Standard Method housing requirements but also deliver the much needed additional publically accessible green space within the village. The site is suitable, available and achievable and Clarendon Land & Planning are committed to its promotion and the delivery homes in the short term. The site can positively contribute towards a five year supply and as a result we respectfully request that Land off Dykes End and Oaklands is identified as a housing allocation within the AADMDPD.</p>
059	Protect Newark's Green Spaces	<p>The DPD is not sound because it is not compliant with National Policy – Open space and recreation paragraph 98 and 99. The changes on page 29 Open Spaces and Green Infrastructure paragraph 2.24 - Table 1 - Newark Urban Area Open Space Requirements in the Amended DPD (See below) is reliant on the calculations and designations in the Open Space Strategy (OSS) document adopted in January 2022. The change to applying open space standards at settlement level rather than ward level is misleading. All references to wards have been removed. See below. In an email to the NSA on the 15th December NSDC states that the 'lowest geographical level of assessment that the new OSS has applied is settlement level – rather than Ward- and so the contents of the new tables reflect this.' This creates the misapprehension that that there is sufficient provision of Amenity Green Space (AGS) in Newark. This is incorrect, misleading and could lead to challenge by developers. A developer (MLN) responding to the consultation stated "Newark is pretty much on standard for parks and gardens and over for amenity grassland (AGS)." There are two measures of AGS, a distance measure of 480m and a quantity measure of 0.6ha per 1000 people. AGS by definition is local and so the proposal to aggregate provision over larger settlement areas is deeply flawed and misleading. According to the OSS the settlement of Newark has 0.95 ha of AGS for every 1000 people against a standard of 0.60ha. However Newark is a large settlement and 8.45ha of AGS (29%) is concentrated on the edge of the settlement in the Beacon Ward and so only accessible to the population living within 480m of the AGS. Lincoln Road Playing Fields (7.7ha) in the Bridge Ward have been designated as AGS when it should be designated as Parks and Gardens in line with other similar sites such as Coronation Street Playing Field in Balderton. If provision of AGS is recalculated for the Bridge, Castle and Devon Ward then provision falls to 0.53, 0.32 and 0.54 ha respectively under the current standard of 0.60ha. It fails the test of soundness because the Amended DPD is not robust and up to date and so therefore not compliant with NPPF paragraph 98 and 99.</p>
060	Staple Excavators	<p>There has not been adequate consideration for the effect on the village of Balderton in regard to the consequences of traffic / transport impact from the allocated developments.</p>
061	Cllr Debbie Darby (NCC)	<p>On page 30, 2.26 of the Amended DPD it states:</p> <p><i>"Outdoor sports facilities are not analysed as part of the Open Space Strategy & Assessment as a different methodology in line with national guidance (Sport England) is prescribed and is contained in a separate standalone Playing Pitch Strategy (PPS). This Document will be updated in due course".</i></p> <p>This statement appears ten times throughout the document and is inconsistent with NPPF Paragraph 98 and 99 which states. By stating that the document will be updated in due course, the Amended DPD will neither be robust or up to date. There will be no calculation or assessment of what open space for sport and recreational provision is needed or should be provided in the future. Playing Pitch Strategy documents covers the sports of football, cricket, rugby, golf, hockey, tennis and bowls. For each of the sports covered, the assessment report aims to, summarise the current supply of facilities, outline current demand and evaluation likely future demand, evaluate the overall adequacy of provision to meet current and projected future demand and identify the key issues for the Playing Pitch Strategy to address. Without an up to date PPS planning decisions will be open to challenge. It fails the test of soundness because the Amended DPD is not robust and up to date and so therefore compliant with NPPF paragraph 98 and 99.</p> <p>The DPD is not sound because it is not compliant with National Policy – Open Space and Recreation paragraph 98 and 99. The changes on page 29 Open Spaces and Green Infrastructure paragraph 2.24 – Table 1 – Newark Urban Area Open Space Requirements in the Amended DPD (see below) is reliant on the calculations and designations in the Open Space Strategy (OSS) document in January 2022. The change to applying open space standards at settlement level rather than ward level is misleading. All references to wards have been removed. See below. [NSDC Extract from NPPF not included] In an email to the NSA on the 15th December NSDC stated that the "lowest geographical level of assessment that the new OSS has applied is settlement level – rather than Ward – and so the contents of the new tables reflect this". Green space designation should only be used where the green space is in close proximity to the local community. This creates the misapprehension that there is sufficient provision of Amenity Green Space (AGS) in Newark. This is incorrect, misleading and could lead to challenge by developers. A developer (MLN) responding to the consultation states "Newark is pretty much on standard for parks and gardens and over for amenity grassland (AGS)". There are two measures of AGS, a distance measure of 480m and a quantity measure of 0.6ha per 1,000 people. AGS by definition is local and so the proposal to aggregate provision over larger settlement areas is deeply flawed and misleading. According to the OSS the settlement of Newark has 0.95ha of AGS for every 1000 people against a standard of 0.60ha. However Newark is a large settlement and 8.45 ha of AGS (29%) is concentrated on the edge of the settlement in the Beacon Ward and so only accessible to the population living within 480m of the AGS. Lincoln Road Playing Fields (7.7ha) in the Bridge Wrd have been designated as AGS when it should be designated as Parks and Gardens in line with other similar sites such as Coronation Street Playing Field in Balderton. If provision of AGS is recalculated for the Bridge, Castle and Devon Ward then provision falls to 0.53, 0.32 and 0.54 ha respectively under the current standard of 0.60ha. It fails the test of soundness because the Amended DPD is not robust and up to date and so therefore not compliant NPPF paragraph 98 and 99.</p>
062	Environment Agency	<p>Thank you for consulting us on the Amended Allocations and Development DPD. We responded to the initial options consultation in September 2021 where we provided a number of comments. We are pleased to note that comments relating to our original observations have been addressed in the accompanying document titled Statement of Consultation (Regulation 18 Statement). We have included the comments to each below and a counter comment for completeness.</p> <p>Environment Agency position</p> <p>The Environment Agency have provided comments on key elements of the DPD as well as providing wider comments in the second half of this response. In terms of flood risk we have provided a spreadsheet to accompany this response which has sought to assess the proposed amended site allocations.</p> <p>EA Comments on Question 8 – Tolney Lane</p> <p>Tolney Lane Comments - The proposed Gypsy and Traveller site allocations at Tolney Lane are located within an area of very high flood risk. A flood risk alleviation scheme has been proposed which involves raising the access road, to protect parts of the site from flooding and provide dry access and egress to the Tolney Lane area. However, this scheme it at an early stage in its development. An initial design and flood risk model has been provided however this has not been technically assessed by the Environment Agency. Our Evidence and Risk team need to check both the baseline model and design proposals to be assured that the scheme will work as intended, without increasing flood risk elsewhere. Typically this model assessment results in a series of updates and revisions to new models before they are fit for purpose. There is therefore a substantial risk that the model outputs may change, and not show the same benefits, or show an increase in flood risk</p>

elsewhere. The technical drawings we have seen for the proposed flood risk alleviation scheme include a raised road and a small flood defence wall. The raised road could be argued to be 'high ground' rather than a defence (although our view on this is not confirmed), however the flood defence wall would be defined as a new flood defence. This point is critical, because the NPPF flood zones are drawn up on the 'undefended' floodplain. Therefore at least part of the site would be 'defended' and thus still in flood zone 3. In summary it is not confirmed that the proposed flood alleviation scheme will deliver the proposed benefits without increasing flood risk elsewhere, and with the present design it appears that at least part of the site allocations will remain in flood zone 3. The financial viability of the proposed flood alleviation scheme is also unknown, nor the funding options or timescales for delivery. At the very least, the sites should be phased to be delivered after the proposed flood alleviation scheme is fully approved, designed and built out, assuming it is workable and deliverable. Given our concerns above we consider that the flood risk to the proposed site allocations on Tolney Lane should not therefore assume the potential benefits of the proposed flood alleviation scheme, and instead should be based on the current flood risk to the site and the currently approved and established baseline model data for this area, which is the Trent Fluvial Newark 2011 model. This model data shows the sole access road, Tolney Lane is situated in flood zone 3b. There is not therefore safe access and egress to the proposed site allocations. Caravans used for permanent residential use are classed as 'highly vulnerable' in the NPPF. According to the NPPF they are therefore inappropriate in flood zones 3a and 3b, with an exception test required for development in flood zone 2. The proposed site allocations have the current modelled flood risk as follows:

- NUA/GRT/1 – Flood zone 3b
- NUA/GRT/2 – Flood zone 3b
- NUA/GRT/10 – Flood zone 3b
- NUA/GRT/3 – Partially in flood zone 3a (south eastern corner), rest flood zone 2
- NUA/GRT/8 – Flood zone 2
- NUA/GRT/9 – Flood zone 2
- NUA/GRT/4 – Southern half in flood zone 3a, northern half flood zone 2
- NUA/GRT/11 – Flood zone 2
- NUA/GRT/6 – Flood zone 2
- NUA/GRT/5 – Large section in flood zone 3a, rest in flood zone 2
- NUA/GRT/7 – Large section in flood zone 3a, rest in flood zone 2

Please note paragraph 8.35 gives the impression that the flood alleviation scheme is confirmed, this should be re-worded with a more cautious approach given the current status of the modelling and stage in the design and project planning process. Following discussions with yourselves we understand that design and modelling work on the proposed flood risk alleviation scheme is ongoing as a priority for Newark and Sherwood District Council. As the project develops our position may therefore change, and we recommend that you re-consult the Environment Agency once further progress has been made, for example if and when the hydraulic modelling has been approved by the Environment Agency evidence and risk team, and the project design correctly accounts for the future flood zones post-scheme. We would not normally require evidence of funding. If we were able to get to a stage where we could remove our objection, we would still require a condition that no new pitches could be used before the flood alleviation scheme was in place.

Allocated sites – flood risk

EA comments on question 9 - sites within Newark Urban Area

NSDC Response to EA comments- Site specific recommendations noted and will be taken account of as part of those sites taken forward

EA comments on question 10 - sites within Western Area, other Locations in the Western Area & rest of the District

NSDC Response to EA comments - to our previous comments - Site specific recommendations noted and will be taken account of as part of those sites taken forward.

And

EA comments on Question 11 – Site Identification – Rest of the District

NSDC Response to EA comments - Recommendations noted and will be taken account of should it become necessary to take sites in the rest of the District forward

And

EA comments on question 10 - sites within Western Area, other Locations in the Western Area & rest of the District

NSDC Response to our previous comments - Site specific recommendations noted and will be taken account of as part of those sites taken forward.

Further EA comments - The Environment Agency have provided an accompanying spreadsheet which assesses identified sites in terms of flood risk. We have noted however that there does not appear to be any reference to the requirement for SuDS to address water quality issues. This requirement was highlighted in our previous response and we would encourage N&SDC to include this.

Wider EA comments

EA comments on question 13 Core Policy 2A - Entry-Level Exception Housing

Please note that the N&SDC response to our previous comments have been placed against the incorrect question response in the [Statement of Consultation \(Regulation 18 Statement\)](#) document. Our comments have been represented under question 14 when they should have been placed against question 13.

NSDC Response to EA comments – While the comments from the Environment Agency (EA) are acknowledged, it is not considered within the remit of Policy DM3 to insist upon specific design measures, hence the catchall phrasing it employs: 'appropriate infrastructure'. Instead, Policy DM5a, Design Stage 1, makes clear the need to respond to site constraints (such as those referenced in the comments above), along with DM5b points 6 (green and blue infrastructure) and 10 (flood risk and water management). The Planning Obligations and Developer Contributions SPD is currently under review. The current (2013) iteration of the SPD only makes reference to these issues in the context of planning conditions. In acknowledgement of the EA's comments, however, NSDC welcomes the opportunity to discuss the next iteration of the SPD and integrate the suggested areas in line with good practice and where there is evidence to provide a robust rationale for contributions.

Further EA comments - The Environment Agency take on board the comments made by N&SDC and agree that the previous comments we raised are covered primarily within the highlighted policies. We do welcome the commitment of N&SDC to integrate best practice within future amendments to the policy.

EA comments on question 16 - Policy DM5 Design (a, b and d):

		<p><u>NSDC Response to EA comments</u> – Comments noted and welcomed. The recommendations will be incorporated into a new draft Policy.</p> <p>Further EA comments – We welcome the commitment of N&SDC to incorporate the suggestions highlighted by the EA within a new draft policy. The EA have yet to be made aware of a new draft policy for DM5. It should be noted that further comments were made in relation to question 16 in the latter part of our previous response which do not appear to have been acknowledged within the Statement of Consultation (Regulation 18 Statement). However it should be noted that these do appear to have been addressed through the changes made to the Amended Allocations and Development Management DPD.</p> <p><u>EA comments on question 19 - Policy DM7 – Biodiversity and Green Infrastructure</u></p> <p><u>NSDC Response to EA comments</u> – Comments welcomed and noted. Whilst implicit that green infrastructure includes ‘blue’ elements given its nature it is not explicitly set out within the current Amended Core Strategy or Policy DM7, therefore it is proposed to include within the supporting text a definition of Green Infrastructure which includes blue infrastructure. It should be noted that this is the Development Management Policy in relation to Biodiversity and Green Infrastructure which supplements the strategic approach to these issues in the Amended Core Strategy which includes creating a green infrastructure network and supports strategic interventions.</p> <p>Further EA comments – It is welcomed that changes have been made to Policy DM7 within the Amended Allocations and Development Management DPD. Under the Justification heading within section 7.60 specific reference is made with regard to the correlation between Blue and Green Infrastructure. It should also be highlighted that the EA are encouraged by the amended wording within section 7.62 which highlights the requirement for a minimum of 10% Biodiversity Net Gain to be incorporated within new development. Further details will be made available once the Nottinghamshire Local Authorities have produced their joint approach to the implementation of Biodiversity Net Gain (BNG).</p> <p><u>EA comments on question 22 - Policy DM10 – Pollution and Hazardous Materials:</u></p> <p><u>NSDC Response to EA comments</u> – Noted. This is the currently adopted policy within the existing Plan apart from additional wording on air quality. The requirement to consider the watercourse and water quality however is noted and it is proposed to amend the policy to reflect this as a type of pollution which the policy should address.</p> <p>Further EA comments – the Amended Allocations and Development Management DPD does not appear to have proposed amendments to the policy to reflect the EA comments. However the above response to our comments does suggest that amendments will be made in future to the policy to reflect our comments.</p>
063	Trustees of Thoresby Estate c/o Pegasus Planning	<p>Please see attached comments submitted during the previous consultation of the Allocation & Development Management DPD highlighting that the proposed economic strategy is flawed and based on out of date economic data. A site has been identified within Edwinstowe as suitable to meet this economic need.</p> <p>Chapter 5.0 Housing and Employment Requirements - Chapter 5.0 of the Allocations and Development Management Policies DPD (A&DM DPM) sets out the proposed housing and employment allocations for the District. Paragraph 5.1.1 states that when assessing the housing and employment requirements in the Adopted Core Strategy (2019) it is considered that sufficient capacity remains within the allocations being carried forward. This position is disputed as set out in detail in the attached Economic Needs Assessment which concludes that there is no employment land supply available for current or prospective occupiers in need of new, unconsented space in the next five years in six of the seven districts areas. The previous Core Strategy is based on evidence that is out of date to such an extent that it has not been possible for the Council to accurately assess the current employment needs and provision of the District and to adequately take into account the changing position caused by recent significant events such as the COVID-19 global pandemic and Britain's withdrawal from the European Union. The current Strategic Housing and Employment Land Availability Assessment (SHELAA 2021) was published late with this consultation and not all appendices are available. The late publication of this supporting material will have made it difficult for most consultees to adequately assess the current economic position of the District. The SHELAA only identifies 5.62 hectares of employment land in the Sherwood Area and only 3.23 ha of land in Edwinstowe (Thoresby Colliery site). None of this is forecast to be delivered within the first five years of the plan period. This seems disproportionate compared with the 1766 new dwellings identified in Edwinstowe for the plan period. The preferred approach set out in paragraph 5.1.5 refers to categorising five sites (in addition to the employment allocations) as 'available employment land in a designated employment area' which will be, subject to assessment of the ongoing value of the designation, defined on the Policies Map. The additional five sites to have this status are not located within the Sherwood Area and no additional employment sites (apart from the employment allocation at Thoresby Colliery) are identified in Edwinstowe.</p> <p>Question 24–Designated Employment Area–Do you agree with this approach? We do not support this approach as clarification is needed as to the status of a designated employment area and if this equates to an employment allocation. However, regardless of the status of sites, the approach is flawed as it is not based on up-to-date evidence as to the full extent of the employment needs in the District and therefore it is unlikely that the quantum of employment sites identified will meet the future needs of the District. It is considered that additional employment sites are needed to ensure that the District has the ability to grow economically at similar rates to the national average. There is a particular need to allocate additional employment sites in Edwinstowe in order to reflect the housing growth allocated in this settlement and to ensure a correct balance of hokes and jobs are provided. Further information is set out in our submitted Economic Needs Assessment which highlights the current economic position of the District and justification as to why additional employment allocations are needed. We set out below particular detailed points in relation to a potential employment site in Edwinstowe.</p> <p>Employment Uses at Land at Blackhills Farm, Edwinstowe To support the identification of the site at Blackhills Farm, Edwinstowe for employment and commercial uses (Use Classes E (g) (i-iii), B2 or B8), we submit the following information for the Council's consideration:</p> <ol style="list-style-type: none"> 1. A completed site submissions form; 2. An indicative site layout plan demonstrating how the site can be developed; and 3. An Economic Needs Assessment. <p>This supporting information demonstrates how this site can be developed for employment and commercial purposes and how it can assist the Council in meeting its aims and objectives for employment growth in the area. The site at Blackhills Farm is located on Ollerton Road (A6075) to the east of Edwinstowe immediately adjacent to the development boundary for Edwinstowe. It is opposite the Thoresby Colliery allocation site which has received planning permission for mixed use development including residential, employment, education and leisure uses. This is currently being developed. The current adopted Local Plan for Newark and Sherwood District comprises the following documents:</p> <ul style="list-style-type: none"> • NSDC Amended Core Strategy (Adopted 2019) • NSDC Allocations and Development Management DPD (Adopted 2013) (under review as part of this consultation) <p>The Adopted Core Strategy (as amended) sets out the District Council's spatial policy framework for delivering development and change needed to achieve the vision for the District up to 2033. The Adopted Core Strategy identifies Edwinstowe as a Service Centre with a regeneration focus. Policy SP2 Spatial Policy states that Edwinstowe will grow by 25% (housing growth) in the plan period. The Policy identifies that the Sherwood Area (including Edwinstowe) will need to provide an additional 16.2 hectares of employment land. However, this justification and need for 16.2 hectares is based on out-of-date evidence base information and is not considered to be relevant or can be given any weight. It is considered that the economic needs of the District should be reviewed in view of recent trends and current events. Spatial Policy ShAP3 sets out the role of Edwinstowe and states that new housing and employment opportunities will be promoted within the existing village and within the former Thoresby Colliery as set out in Spatial Policy ShAP 4. No further employment allocations are proposed as set out in paragraph 5.24 of the A&DM DPD. Core Policy 6 Shaping our Economic Profile seeks to strengthen and broaden the economy of the District and provide a diverse range of employment opportunities. One criterion of the policy seeks to encourage the development of priority business sectors including business and financial services, knowledge intensive enterprises, telecoms, food and drink, sustainable energy and environmental technologies, and logistics and distribution. The policy seeks to provide most economic growth at the sub-regional centre of Newark and a lesser scale at the service centres and principal villages to match their size, role and regeneration needs. The aim of CP6 seems not to be met by ShAP3 or ShAP4 as not enough commercial sites are allocated to meet these business needs.</p>

The site at Blackhills Farm represents a good opportunity to provide employment development due to its close links with the proposed employment allocation at Thoresby Colliery and the built-up part of Edwinstowe and will ensure that by providing a range of suitable sites in and adjacent to service centres this will enable employment needs to be maintained and increased by meeting the needs of both traditional and emerging business sectors and types as set out in the Core Strategy policy. As set out in our submitted Economic Needs Assessment, the evidence base for the Site Allocations and DM DPD is out of date and does not provide an accurate position or forecast for economic growth and development in the District which correctly takes into account recent trends relating to the COVID-19 global pandemic nor Britain's exit from the European Union. Both elements have had significant impact on the employment sector and changing trends which need to be accommodated in the provision of suitable employment sites in the District. We have shown in our Economic Needs Assessment that, at present, the District lags behind the national average in terms of economic growth and employment levels and that there is no up-to-date evidence which demonstrates a robust employment strategy to provide adequate levels of commercial development which can overcome this faltering. The Thoresby Colliery mixed-use development site proposes approximately 32,000 sq.m. of B1/B2 floor space (or equivalent Class E uses). This is the only allocated employment site in Edwinstowe which is identified as a key service centre in the District. It is considered that this level of employment provision in a town which has been identified in the Adopted Core Strategy (Policy SP2) to grow by 25% is not adequate and does not reflect the level of proposed housing growth in the town nor the employment needs of the existing and future residents or the economic aspirations of the District. The level of provision of B1/B2 uses in this location will not provide adequate provision for B2 or B8 uses which as set out in our report, is a growing sector.

It is considered that the site at Blackhills Farm, Edwinstowe would be an ideal site for the provision of Class E (g) (i-iii), B2 or B8 uses due to its location and good links to the town and highway network and the good connections to neighbouring towns and Nottingham. This site is located in the flood zone 1. The site is adjacent to an area in flood zone 2 and 3. However, this does not form part of the proposed development site and appropriate mitigation measures can be sought if deemed necessary in terms of appropriate buffer zones between the flood zone boundary and built development. The site is not subject to any environmental constraints or designations. The site is available for commercial development in the immediate term and can assist the District in meeting its employment needs within the early stages of the Plan period. The indicative concept plan submitted with these representations demonstrates how the site can be developed for commercial purposes. The plan shows that there is a good inter-relationship with the adjacent new residential and commercial development. There is adequate space within the site to provide for pleasant-landscaped areas and footpath links to the adjacent areas to improve these links further. The scale of buildings shown provides for a range of uses to include Use Classes E (g) (i-iii), B2 or B8 uses depending on market conditions and demand. It is considered that between 5-10,000 sq. m. of floorspace could be provided on site allowing sufficient space for parking and access arrangements and necessary attenuation of the site. These buildings would be designed to be low-profile to ensure that these are sensitively designed and not impactful of the surrounding area. The landscaped areas would help to provide a softened buffer between the site and the surrounding area and the countryside beyond. The indicative layout shown is flexible and can be adapted to meet the changing needs of the local economic market.

Summary

It is considered that the Allocations & Development Management Policies DPD does not identify adequate commercial sites within the District and particularly in the Sherwood area especially as there is limited new unconsented sites available within the first 5 years of the Plan. It is set out in our submission that there is unmet demand for such uses in the District. It is considered that the identification of commercial sites, including land at Blackhills, Edwinstowe would support the provision of jobs and assist the Council in meeting the objectives as set out in the Core Strategy for job and economic growth in the area. Our comments are summarised as follows:

- The site at Blackhills Farm, Edwinstowe is well related to the existing settlement at Edwinstowe and the proposed new mixed-use development at the Thoresby Colliery site.
- The site can provide for in-demand commercial uses (Class E (g) (i-iii), B2 or B8 uses) which are not adequately provided for within Edwinstowe.
- The site can provide employment space within the immediate plan period (0-5 years).
- The existing evidence base for the Core Strategy which sets the overriding employment provision is out of date and cannot be given any weight.
- The Economic Needs Assessment submitted to support these representations clearly sets out the need for the Council to allocate additional employment sites in the District.
- The indicative concept plan demonstrates how the site can be suitably developed for commercial uses with adequate space for parking, landscaped areas and necessary attenuation.
- The identification of this site for employment and commercial uses will help to achieve the objectives of the Core Strategy.

Heritage Importance of Laxton

The significance of Laxton is derived from the historic function of the open field system and the traditional farmsteads within the village. The continuation of the Court Leet system, the presence of extensive mediaeval archaeological interest and the many historic buildings which makes this a unique settlement. The Trustees of Thoresby Settlement purchased their land interests in Laxton from the Crown Estate and is committed to maintaining the open field system and historic institutions. These come in two parts:

- a. The open fields themselves which are a physical feature consisting of large open fields divided into strips which are in different tenancies and the “gaits and commons” which are those parts of the Open Fields which are unfarmed roads, headlands, and grassed areas.
- b. The Court Leet or Manorial Court which manages the open fields and gaits and commons and disputes between individual farmers. Like many institutions it needs a quorum to function.

The long-term preservation of the historic field system of Laxton and its Court Leet is dependent on the fields being actively farmed. There are 15 farm tenancies but only between 7 and 8 are active farmers who both take part in the Court Leet and farm their land, the remainder are retired and remain in the farmhouses under the lifetime Agricultural Holding Act 1948 tenancies. Over the duration of the Local Plan period, it is probable that more farms will enter retirement resulting in a discontinuation of farming of the open field system. The target would be to try to increase the active farmers in the village to at least ten to ensure there is a quorum for the Court Leet. In order to achieve this, it is necessary for the Estate to be able to provide alternative accommodation for the retired farmers to enable new farmers to move in to actively farm the land holdings.

Comments on Policy SHa/L/1 – Laxton

The proposed Policy is listed below as set out in the A&DM DPD:

Policy SHa/L/1 Laxton

In line with Core Policy 14 of the Amended Cores Strategy the District Council will work with partners to support the long term management of the historic open-field system of farming in Laxton. Development which detrimentally impacts on the operation of the historic open-field system of farming in Laxton will be refused.

In Laxton, schemes which provide retirement housing for agricultural workers who have been engaged in the operation of the open field system will be supported provided that such schemes:

- *Demonstrate the retirement housing will enable the farms to return to active agricultural use as part of the open field system, to be secured through a legal agreement:*
- *Do not impede the ongoing operations of the open field system; and*
- *Do not detrimentally impact on heritage assets and the special character of the Conservation Area.*

Such sites should be in Laxton and meet the requirements set out in Spatial Policy 3 Rural Areas relating to Scale, Impact and Character of Development.

As set out in the National Planning Policy Framework (NPPF), Plans should be prepared positively, in a way that is aspirational but deliverable (paragraph 16 b) and contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals (paragraph 16 d). Our comments and suggested amendments are in the spirit of providing positive policies which are unambiguous and will ensure that the proposed Policy Sha/L/1 is sound.

Postively Prepared

It is considered that the Policy where it states: "Development which detrimentally impacts on the operation of the historic open-field system of farming in Laxton will be refused." should be changed to state: "Development which supports the operation of the historic open field system of farming in Laxon will be granted." This will ensure that it is a positively worded policy and is in compliance with Paragraph 16b of the NPPF and achieves the same objective as the proposed policy as written. Within the Policy it would be helpful to define the extent of Laxton. The Conservation Area boundary (as extended) is different to the ward boundary of Laxton & Moorhouse. In order to avoid uncertainty and ambiguity, it would be useful if a footnote could be added to clarify the extent of the Policy. Our suggestion is that this covers the ward of Laxton & Moorhouse as this is likely to remain the same during the life of the Policy whereas the Conservation Area boundary may be subject to further change. In terms of the potential suitable location of development within the ward of Laxton & Moorhouse, this will be controlled by the need to comply with Spatial Policy 3 Rural Areas relating to Scale, Impact and Character of Development, which will provide the Council with the necessary reassurance and clarity that any proposed locations will need to meet this criteria. The three bullet points which are listed as a prerequisite for development are presumed that all three need to be met to ensure that any development is acceptable. Therefore, it is suggested that an additional and is added after the first bullet point for further clarity.

Bullet Point One

In relation to proposed bullet point one: "Demonstrate the retirement housing will enable the farms to return to active agricultural use as part of the open field system, to be secured through a legal agreement", it is unclear as to how this can be demonstrated and what evidence the Council will require in order to meet this requirement. The intention of the retirement housing provision is to ensure that the existing farmhouses which form part of the open field system become available to other agricultural tenants once they are vacated by the retired estate workers. However, there are numerous other factors, outside the control of the planning system, which may impact on the farm's ability to return to active agricultural use immediately and notwithstanding this, it may be difficult to provide the appropriate evidence that the Council seeks at the application stage. It is considered that this test is not necessary given the provision of bullet point two which seeks to protect the open field system generally. Therefore, the open field system will be inherently protected regardless of this Policy requirement. There are other requirements which the Estate need to comply with in relation to the historical operation of the open field system as set out by the Court Leet which will provide the Council with the necessary assurance that the existing farms and the open field system will be actively retained and managed. It is suggested that this bullet point is revised to solely control the occupancy of the proposed new dwellings to retired estate workers and/or agricultural tenants by legal agreement. This is a functional test and one which is clear and unambiguous to comply with and can easily be demonstrated as set out in NPPF paragraph 16 d. The proposed wording of bullet point one should read as: "Demonstrate the retirement housing will be occupied by retired estate workers or retired agricultural tenants will enable the farms to return to active agricultural use as part of the open field system, to be secured through a legal agreement."

Bullet Point Three

It is considered that reference needs to be made within the final bullet point in relation to the balance of public benefits. As set out in the NPPF, any harm to a designated heritage asset should be weighed against the public benefits of the proposal in the decision making process (paragraph 201/202). If substantial public benefits arise from a development it may be possible that this can outweigh substantial harm or loss of a designated heritage asset. It is important that this test is added into the wording of the Policy. As set out previously, the Estate is committed to retaining the holdings as agricultural units in order to maintain sufficient numbers of farmers to make the Manorial Institutions viable. It is a significant public benefit to retain the last remaining unique open field system in the UK and the importance of such should be recognised within this Policy. It is considered that "unless public benefits outweigh the detrimental impact" should be added to bullet point three to ensure compliance with the NPPF and to ensure that public benefits are considered as part of the decision-taking process.

Proposed Changes to Policy ShA/L/1

In summary, we set out below our recommended textual changes to the policy to ensure that it is sound and complies with the NPPF:

Policy SHA/L/1 Laxton

In line with Core Policy 14 of the Amended Cores Strategy the District Council will work with partners to support the long term management of the historic open-field system of farming in Laxton. ~~Development which detrimentally impacts on the operation of the historic open field system of farming in Laxton will be refused.~~ Development which supports the operation of the historic open field system of farming in Laxon will be granted.

In Laxton, schemes which provide retirement housing for agricultural workers who have been engaged in the operation of the open field system will be supported provided that such schemes:

- *Demonstrate the retirement housing will be occupied by retired estate workers or retired agricultural tenants will enable the farms to return to active agricultural use as part of the open field system, to be secured through a legal agreement: and*
- *Do not impede the ongoing operations of the open field system; and*
- *Do not detrimentally impact on heritage assets and the special character of the Conservation Area unless public benefits outweigh the detrimental impact.*

Such sites should be in Laxton and meet the requirements set out in Spatial Policy 3 Rural Areas relating to Scale, Impact and Character of Development.

[NSDC - See footnote on original representation]

Appendix 5: Responses to Question 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.

ID No	Respondent	Comment
001	CB Collier NK (SSC) c/o Harris Lamb	The removal of the open space designation and the allocation of the site for residential development would address our concerns. We, therefore, seek the deletion of the POS/School playing designation afforded by the Core Strategy SP8 from the site to address our concerns about the plan.
004	Jake Whittaker	In my opinion the inclusion of land found at '38 Mill Lane – NG21 9QY' would make this document sound.
005	TOWN-PLANNING.CO.UK	Site ST/LC/1 should be deleted in its entirety. Site ST/MU/1 should be deleted in its entirety. The Main Open Area under Policy ST/MOA should be amended to reflect the area shown in the accompanying plan.
006	Lindens Farm Ltd c/o TOWN-PLANNING.CO.UK	The settlement boundary should be amended to cover the existing physical extent of the village as shown on a scan of the suggested alteration to the settlement boundary we suggest indicated in the accompanying plan.
007	Mr & Mrs CL & JD Smith c/o TOWN-PLANNING.CO.UK	The Open Break boundary should be amended along Newark Road to not cover the existing physical extent of the residential curtilages in the village as shown on the accompanying document.
010	Heine Planning	Recognise that to date no provision has been made for (non PPTS) Travellers as part of housing allocations and as such it is incorrect to say that the Council can demonstrate a 7 +years' worth of housing supply as the planning permissions granted fail to include provision for any non PPTS need for caravan sites for Gypsy Travellers. Amend policy to reflect the Lisa Smith Oct 2022 judgment with reference to: <ul style="list-style-type: none"> • PPTS definition and the fact policy should no longer rely on this or seek to discriminate between travelling and non-travelling Gypsy Travellers • total need for all Travellers and not break this down into different parts The plan process seeks to deliver between 143-155 pitches, from the following sources; <ul style="list-style-type: none"> • Contributions from existing Traveller sites (73 pitches,); • The allocation of new sites in private ownership (36 pitches); and • New public site (15-27 pitches) and working with private operators to bring some existing sites back into exclusive Traveller use (19 pitches) This falls short of the full need of at least 169 pitches for all Travellers and there is no contingency for non-delivery. Additional allocations will be necessary as there will no longer be reliance on housing allocations to address some of this need, as originally proposed/ anticipated. There should be an additional allowance for historic failure and non-delivery with so much emphasis on private site owners to meet the existing need. Policy should make clear that the agreed figure is a minimum figure. Para 8.30 should make clear where the broad locations for future growth are that are shown on the Policies map. Much of the need must be front loaded to address the immediate and pressing need for more pitches/ regularise existing provision. Policy needs to commit to urgent highway/ flood prevention measures down Tolney Lane if there is to be reliance on sites on this road to meet identified need. Council really needs to consider if the undue concentration of pitches down Tolney Lane is the right approach given the advice at par 13 (a) PPTS. GRT4 Site Allocations needs to justify/ explain why/ how GRT14 Old Stable Yard is allocated for 14 pitches. The Council should produce/ prepare plans to show how the number of pitches indicated can be delivered on the allocated sites to show that pitches of at least 400sq m are achievable within the allocations to ensure they are large enough for at least 2 caravans (including a mobile/static home), a utility building and parking space. Recognise and address the need for some transit provision. Commit to an early review of the Plan as the GTAA is already 3 years old and failed to interview many occupiers.
011	Taylor Lindsey Limited	It is requested the following amendments are necessary to make the Publication Amended Allocations & Development Management Development Plan Document sound. Additional text is shown in <u>bold underlined</u> . Policy NUA/E/3 <i>Land off Telford Drive has been allocated on the Policies Map for employment development. The allocation is in two parcels, a total of 0.99 hectares in size.</i> ... The above amendment includes the Site within Policy NUA/E/3. The Policy has been amended to refer to "two parcels" and the Site's area (0.49 hectares) has been added to the 0.5 hectares referenced in the Publication Amended Allocations & Development Management Development Plan Document. Map 1 - Newark North Proposals It is requested that Map 1 is amended so that the Site forms part of Employment Allocation NUA/E/3.
016	British Sugar Plc c/o Rapleys	We request that the Newark Sugar Factory site is identified as a site suitable for wind energy generation development as part of the ongoing operation of the factory. We consider that this should be addressed in a site specific designation for Newark Sugar Factory (as set out in our representations on Policy DM10). The suggested policy text for a site specific designation for Newark Sugar Factory is as follows: <i>"Newark Sugar Factory's continued operation and the role it plays in the to the District and the wider area as a major employment site is supported. Newark Sugar Factory including areas intrinsic to the operations of British Sugar are protected for uses in connection with the ongoing operation and continued growth of the factory. Appropriate forms of development/uses on these areas including renewable energy development, which are connected to British Sugar's operation will be supported, having regard to the relevant requirements of the Local Plan. The Newark Sugar Factory site is identified as being suitable for wind turbine developments subject to satisfying the requirements of Policy DM4."</i>

		<p>We consider that the following amendments are necessary to Part 8 of Policy DM8:</p> <p><i>Employment development should be small in scale unless a larger scale can be justified and will only be supported where it can demonstrate the need for a particular rural location and a contribution to providing or sustaining rural employment to meet local needs in accordance with the aims of Core Policy 6 of the Amended Core Strategy.</i></p> <p><i>Proposals for the improvement and enhancement including renewable energy development, and/or the proportionate expansion of existing businesses will be supported where they can demonstrate an ongoing contribution to local employment. Such proposals will not require justification through a sequential test.</i></p> <p><i>Proposals to expand existing businesses or construct buildings for new businesses in the open countryside are more likely to be appropriate in areas such as industrial estates and the Newark Sugar Factory site, where the principle of such development is established. Where it is demonstrated that it is necessary, expansion into adjacent areas could be considered appropriate if the impacts are judged to be acceptable. The proportionality of such developments should be assessed individually and cumulatively, and impacts on both the immediate vicinity and the wider setting should be considered. It should be demonstrated that location on existing employment allocations or on employment land within urban boundaries or village envelopes is not more appropriate.</i></p>
		<p>We request that the same approach is taken for Newark Sugar Factory instead of designation the site as a hazardous installation.</p> <p>Newark Sugar Factory Site Specific Designation - As stated above, we consider that Newark Sugar Factory should be afforded protection as a major employment site and its continued operation and growth, including renewable energy development to improve its operation, should be supported through a site specific designation. The suggested policy wording is as follows:</p> <p><i>“Newark Sugar Factory’s continued operation and the role it plays in the to the District and the wider area as a major employment site is supported. Newark Sugar Factory including areas intrinsic to the operations of British Sugar are protected for uses in connection with the ongoing operation and continued growth of the factory. Appropriate forms of development/uses on these areas including renewable energy development, which are connected to British Sugar’s operation will be supported, having regard to the relevant requirements of the Local Plan. The Newark Sugar Factory site is identified as being suitable for wind turbine developments subject to satisfying the requirements of Policy DM4.”</i></p>
017	Mansfield District Council (Policy)	<p><u>Amendment sought in relation to supporting text to Policy DM3 for improved effectiveness and efficiency</u> - For consistency, it is considered that the second sentence of paragraph 7.4 of the supporting text to Policy DM3 should be amended to state <i>“The money raised will be used to pay for strategic infrastructure required to support development within the District <u>and where justified in Neighbouring Districts</u>”</i>. This amendment will ensure paragraph 7.4 is consistent with Policy DM3 and paragraphs 5.8, 5.20, 5.30,6.6, 6.15 and 6.24 related to specific allocations which indicates in policy DM3 that Newark & Sherwood will work with neighbouring authorities to ensure that development is supported by the timely, and where appropriate phased, provision of necessary physical, social and green/blue infrastructure and where appropriate its maintenance and that in respect of the relevant allocations it will ensure the provision of these and other specific infrastructure required as a direct result of development is achieved through the provisions of Policy DM3 ‘Developer Contributions and Planning Obligations’, the Developer Contributions & Planning Obligations SPD and the Community Infrastructure Levy. This would also ensure consistency with Adopted Amended Core Strategy Policy MFAP1.</p> <p><u>Amendment sought in relation to the supporting text to DM7 for improved effectiveness</u> Paragraph 7.61. The Habitat Regulation Assessment (HRA), which accompanies this DPD, has identified a zone of 8.9km around the Birklands & Billhaugh Special Area of Conservation (SAC) where new residential development would likely impact on it by increasing recreational pressure. This is greater than the previous zone of 5km which had been the policy in the Amended Core Strategy. Therefore residential development proposals which are required to provide public open space within the 8.9km zone should seek to provide Suitable Alternative Natural Green Spaces (SANGS) onsite to relieve recreational pressure on the SAC. Where it is not possible to develop SANGs on site, applicants should work with the Local Planning Authority and Natural England to identify appropriate offsite proposals to relieve recreational pressure on the SAC within the surrounding area. This approach has been reflected in the allocations in this DPD and should also apply to any other proposals which come forward in the zone of influence which is illustrated on the Policies Map. <u>N&SDC will work with neighbouring competent authorities in the Zone of Influence (ZOI) where appropriate to deliver mitigation where a requirement is identified.</u> The HRA also recommends that within 400m of habitat which support populations of woodlark and nightjar and have the potential to be identified in the future as a Special Protection Area – known as the possible potential 137 Special Protection Area - that a risk based approach in line with Natural England advice should be followed. This guidance is available at: https://www.newark-sherwooddc.gov.uk/planreview-evidence</p> <p><u>Amendment sought for improved effectiveness and efficiency</u> <u>Amendment to paragraph 7.105 sought for improved effectiveness and consistency</u> In relation to Policy DM13 it is considered the supporting text should include additional reference for the need to help regenerate deprived communities in the Mansfield Fringe Area and that MDC and N&S DC should work collaboratively accordingly when opportunities are presented. At present there is no reference to the needs of the Mansfield Fringe being addressed in the supporting text to policy DM13 Regeneration Initiatives and Programmes. Potential additional supporting text wording is proposed as follows:</p> <p><i>7.105 The Shared Prosperity Fund and the Levelling Up Fund for the Sherwood Area provide opportunities to help regenerate locations across the District helping to meet the aims of the Area Policies in the Amended Core Strategy. <u>It is recognised that in helping to regenerate deprived communities in the Mansfield Fringe area, N&SDC will work collaboratively with Mansfield District Council where opportunities are presented which deliver greater benefits by doing so.</u></i></p> <p>Not applicable - MDC supports the AADMPD in paragraphs 8.21 to 8.37 of the AADMPD in seeking to provide for its G& T need within N&SDC. It considers the methodology used in the GTAA and in the subsequent GLAA study as outlined in the supporting evidence robust and provides a sensible approach to site selection.</p>
019	National Trust	<p>We suggest the following adjustments to the first bullet point of Policy So/Wh to introduce the required flexibility:</p> <p><i>“Development proposals within the area defined as the immediate surroundings of the Workhouse on the Policies Map should ensure that they do not negatively impact on these surroundings, <u>either in terms of historic setting or rural character</u>. Those proposals which do detrimentally impact on the setting of the Workhouse will not be acceptable <u>be resisted. Any heritage harm will need to be outweighed by public benefits (which may include heritage enhancements) in accordance with national policy tests;</u>”</i></p> <p>We request that the Council recognises the potential for housing development to have significant impacts on an SSSI at some distance from a site as a result of recreational pressure. Specifically we request that any large developments within the Impact Risk Zone of Clumber Park include an assessment of impact and associated mitigation measures. The following policy wording has been incorporated by Bassetlaw District Council into its biodiversity policy and may therefore be appropriate:</p> <p><i><u>“proposals of 50 dwellings or more (which includes piecemeal planning applications for less than 50 dwellings for a wider site) that fall within an ‘Impact Risk Zone’ of a SSSI will be required to give appropriate consideration to the impact from the development upon the integrity of the SSSI, including recreational impact. Where impacts are identified, appropriate mitigation measures will be sought, and/or financial contribution to help mitigate identified impacts at the affected SSSI”.</u></i></p>
021	001 Hardy Ltd c/o	The policy should be amended to clearly exclude agricultural development and make it clear that it doesn’t apply to any agricultural permitted development notifications.

	TOWN-PLANNING.CO.UK	The Open Break boundary should be amended as shown on the accompanying document.
022	NDC Group / Ashover Estates Ltd	Add to Allocations map 22/00011/Dec Appeal Allowed and consider further land to the north as per attached SHELAA Docs as this can be served off the new A17 roundabout in above application.
026	Oxalis Planning	<p>At present the Amended AADMDPD is not justified as it does not represent the evidence within the Newark & Sherwood Housing Needs Assessment (2020) which sets out how the shortfall of affordable housing in the District is effectively unevenly distributed amongst the sub-areas and disproportionately affects certain sub-areas (Collingham, Nottingham Fringe, Southwell and Sutton on Trent). Neither does the Amended AADMDPD reflect the fact that the Housing Needs Assessment points towards a deficiency of affordable housing at a local level. For the plan to be sound the 'Homes for All' policy and 'Core Policy 1 – Affordable Housing Provision' should be amended to offer a greater amount of flexibility to address this disparity in the provision of affordable housing between the sub-areas and to recognise that the shortfall in affordable housing is identified to be worse at a local level. The policies towards the specific sub-areas (Collingham, Nottingham Fringe, Southwell and Sutton on Trent), for example the text at paragraph 3.1 which covers the Southwell area, should also be amended to reflect that the shortfall of affordable housing disproportionately affects this sub area (the proportion of affordable housing in the Southwell sub-area is 8.6% of overall dwelling provision compared with 18.2% in Newark) and as such proposals offering residential properties meeting the identified need for affordable housing and the other identified need for housing mix and tenure should be viewed favourably. Reflecting these changes in the Amended AADMDPD will facilitate developments which provide the right homes in the right places that also reflects the nature of housing need in each sub-area and the Council's evidence base through the Housing Need Assessment.</p> <p>The Amended AADMDPD as currently worded does not do enough to tackle the issue of a shortfall in affordable in the District (as an example the proportion of affordable housing in the Southwell sub-area is 8.6% and if the Council are serious about meeting their target of 30% of new houses to be affordable set out in the Amended AADMDPD then clearly more needs to be done) and neither is it consistent with national policy as it does not contain any policy or text to state that the Council will consider allowing any form of market housing to facilitate affordable housing on a rural exception site in line with national policy as expressed through paragraph 78 of the NPPF. The Council have so far failed to provide a sufficient provision of affordable housing in the District, and the Southwell sub-area, and therefore something needs to be done about this shortfall and alternative and forward thinking approaches to delivering the much needed affordable housing, such as cross funding/subsidy schemes, should be recognised through the Council's planning policies in line with the paragraph 78 of the NPPF. Therefore, the Amended AADMDPD should provide policy support for cross funding/subsidy schemes in rural areas and include a policy or text to state that the Council will consider allowing market housing to facilitate affordable housing on a rural exception site. This view is further evidenced by the Governments recent consultation on the National Planning Policy Framework through the 'Levelling-up and Regeneration Bill: reforms to national planning policy' which seeks to provide a greater emphasis on supporting the provision of affordable houses in rural areas, including on exception sites. This greater emphasis on providing affordable housing in rural areas is further evidence that Government has identified an issue and are seeking to address it by introducing new planning policies to provide that much needed affordable housing, especially in rural areas, and as such local planning policies should respond in a positive manner to changing circumstances and national priorities. The text below is a suggested form of words to be inserted into the 'Homes for All' section of the Amended AADMDPD, perhaps to be inserted after para 8.7, to address the points raised above:</p> <p><i>The Council's evidence base through the Newark & Sherwood Housing Needs Assessment 2020 identifies a significant requirement for additional affordable homes across the District and this requirement is more pressing at the local level and in particular sub-areas (Collingham, Nottingham Fringe, Southwell and Sutton on Trent). The Council will look at proactive initiatives that will increase the amount of affordable provision especially in the places that need it the most and will consider allowing cross subsidy schemes in rural areas/exception sites whereby an appropriate amount of market houses may be allowed that will contribute towards funding affordable housing provision. This will help to facilitate the provision of local affordable housing in rural communities where sufficient levels of the affordable housing cannot realistically be achieved through any other means.</i></p>
029	Emma Oldham	<p>Objection 1 - Aggregating provision across settlements, urban areas and on occasion the District, hides specific and local areas of under and over provision. To guide planning decisions accessibility or distance catchments should be used and based on provision within the catchment of the development taking into account the existing population and the social demography of the catchment. Provision should be universally proportionate and equitable. This will solve the issue of aggregating provision across larger settlement areas and provide a more accurate and robust assessment of need. The Amended DPD would be less misleading, planning decisions will be less open to challenge and the document would meet the test of soundness. Suggested change: Table 1 - Newark Urban Area Open Space Requirements should correctly state that additional AGS is required in Newark. On page 30 - 2.25 should state: These requirements will need to be delivered as part of the delivery of housing allocations and/or through the District/Town/Parish Council working with their partners. Accessibility or distance catchments should be used based on provision within the catchment of the development taking into account the existing population and the social demography of the catchment. Provision should be universally proportionate and equitable.</p> <p>Objection 2 - The Amended DPD is contingent on the calculations and designations in the Open Space Strategy (OSS) document adopted in January 2022. The designation of open space should be consistent throughout the OSS. The OSS should be updated before the Amended DPD is approved by the independent examiner so that the document is robust, up to date and compliant with NPPF paragraph 98 and 99. The Amended DPD would then be less misleading, planning decisions will be less open to challenge and it would meet the test of soundness.</p>
031	Bourne Leisure Limited c/o Lichfields	To ensure robustness and consistency with PPG, the current wording of Policy DM5(a) should be presented as supporting text to reflect how this is guidance only and that it is not, in any event, necessarily relevant or appropriate for all development proposals.
032	Sainsbury's Supermarkets Ltd c/o WSP	That the Urban Boundary to Southwell is amended to better reflect the current existing built-up area to the south of the town, which includes Southwell Leisure Centre, Moorfield Court, and The Minster School. Please refer to enclosed letter and previous representations (September 2021) for further detail.
033	Egdon Resources U.K. Limited c/o AECOM	<p>Policy DM4 should be amended as follows to accord with paragraph 155 of the NPPF:</p> <ol style="list-style-type: none"> 1. Expand the list of potentially suitable associated infrastructure to include: <ol style="list-style-type: none"> a) Waste water treatment b) Greenhouses c) Food growing facilities d) Pipelines to enable heat to be transported to agricultural or industrial users (in accordance with parts a and c, paragraph 155 of the NPPF). 2. Identify the parishes of Kirklington and Eakring as being suitable locations for supporting renewable and low carbon energy sources with particular reference to harnessing geothermal heat recovery along with the supporting infrastructure (in accordance with part b, paragraph 155 of the NPPF).

		<p>Policy DM8 should be amended as follows to accord with paragraph 155 of the NPPF and Core Policy 10:</p> <p><i>“Low Carbon and Renewable Energy Planning permission for low carbon and renewable energy production, including ancillary development, will be granted in the countryside provided that proposals accord with all relevant DPD policies. Opportunities for new development to draw its energy supply from decentralised, renewable or low carbon energy supply systems will be supported. The Council will grant planning permission for proposals which seek to co-locate potential heat customers and suppliers. Examples of ancillary development that source heat and power from low carbon and renewable energy sources which will be supported in principle in the countryside include:</i></p> <p><i>a) Waste water treatment b) Greenhouses c) Food growing facilities d) Pipelines to enable heat to be transported to agricultural or industrial users.”</i></p>
034	Vital Energi c/o Axis	<p>It is recommended that:</p> <ol style="list-style-type: none"> 1. The emerging document is amended so that it references the adopted WCS within Policy DM12. 2. Map 12 and the Bilsthorpe sub-section of the emerging document are amended to reference the extant waste management facility and wider employment uses at the Bilsthorpe Business Park. 3. The Bilsthorpe Colliery Local Wildlife Site (LWS) designation (ref: 5/2161) is either removed on the basis that the Nottingham Biological and Geological Records Centre are known to work towards landowner consent in all cases; or the designation amended so that the land which benefits from extant planning permission for the development of a waste management facility is excluded.
035	Tritax Acquisition 39 Limited c/o Delta Planning	<p>As identified through our answer to Question 8, we submit that the AADMDPD should be amended to include the site East of Newlink Business Park (SHELAA Site ref 16_0174) as an additional employment site allocation. A Site Supporting Statement has been prepared and submitted with these representations which demonstrates the development potential of this site. It is important to note that the first phase of development amounting to 16.6ha (37,000 sq.m) has already received outline planning permission. This was granted on appeal and through this process the principle and suitability of logistics use in this location has therefore already established. A copy of the appeal decision is provided with these representations. A Reserved Matters application has since been submitted for the Phase 1 development and as at January 2023 is under determination. The site’s suitability is also fully acknowledged in the 2021 SHELAA (Site ref 16_0174). The site summary report concludes, <i>“If the Urban Boundary designation is changed through the development plan process this site could be considered suitable for employment subject to appropriate mitigation works”</i>. Newark has missed out previously on the growth of the logistics sector as it had no suitable and deliverable logistics sites to offer to the market. The allocation of this land for employment will increase the supply of sites of a sufficient size to accommodate strategic logistics/industrial occupiers in the District satisfying both immediate demands (through the delivery of the Phase 1 proposal) and supplementing the longer-term supply of sites.</p>
037	TOWN-PLANNING.CO.UK	<p>Core Policy 1 itself should include a reference to a criterion: <i>“To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced in line with national planning policy by a proportionate amount which is equivalent to the existing gross floorspace of the existing buildings”</i>.</p> <p>Reference in Policy DM5a to pre-application discussions with the LPA should be removed.</p> <p>The DPD should set out relevant external and internal space standards to allow the policy meaning to be understood.</p> <p>Criterion 1 of Policy DM8 should be amended to read:</p> <p><i>“1 Agricultural and Forestry Development Requiring Planning Permission Proposals will be supported where they are in scale with the use and holding it is intended to serve.”</i></p> <p>Policy DM11 should be amended to remove reference to ST/LC/1.</p> <p>The LDS should be amended and a limited scope review of the Amended Core Strategy should be undertaken covering the Core Policies in line with paragraph 33 of the NPPF</p>
039	Saving Wildlife and Nature (SWAN) Balderton Resident Group	<p>Aggregating provision across settlements, urban areas and on occasion the District hides specific and local areas of under and over provision. To guide planning decisions accessibility or distance catchments should be used and based on provision within the catchment of the development taking into account the existing population and the social demography of the catchment. Provision should be universally proportionate and equitable. Proportionate universalism is the resourcing and delivering of universal services at a scale and intensity proportionate to the degree of need. Services are therefore universally available and are able to respond to the level of need. This will solve the issue of aggregating provision across larger settlement areas and provide a more accurate, up to date and robust assessment of need. The Amended DPD is contingent on the calculations and designations in the Open Space Strategy (OSS) document adopted in January 2022. The designation of open space should be consistent throughout the OSS. The OSS should be updated before the Amended DPD so that it is consistent across the district before it is approved by the independent examiner so that the document is robust, up to date and compliant with NPPF paragraph 98 and 99. The Amended DPD would then not be misleading, planning decisions will be less open to challenge. It would be compliant with the NPPF and meet the test of soundness. Suggested change:</p> <p>Table 1 - Newark Urban Area Open Space Requirements should correctly state that additional AGS is required in Newark.</p> <p>On page 30 - 2.25 should state:</p> <p>These requirements will need to be delivered as part of the delivery of housing allocations and/or through the District/Town/Parish Council working with their partners. Accessibility and quantity catchments should be used based on provision within the catchment of the development taking into account the existing population and the social demography of the catchment. Provision should be universally proportionate and equitable.</p> <p>SWAN concur with the above comments.</p> <p><i>For the Amended DPD to be compliant with NPPF paragraph 98 the PPS must be updated and approved by NSDC before the Amended DPD is approved by the independent examiner.</i></p> <p><i>2.26 of the Amended DPD should then be amended to state:</i></p> <p><i>“Outdoor sport facilities are not analysed as part of the Open Space Strategy & Assessment as a different methodology in line with national guidance (Sport England) is prescribed and is contained in a separate standalone Playing Pitch Strategy (PPS) which will be reviewed regularly or at times of significant changes in provision.”</i></p> <p><i>The Amended DPD would then be robust and up to date and compliant with NPPF paragraph 98 and 99. Planning decisions will be less open to challenge and it would meet the test of soundness.</i></p> <p><i>We concur and in addition to the above statement, Balderton has lost the sports amenities and community facilities at Flowserve. This totals 3.2ha of lost both green and sports space. The site hosted football and bowls so it is critical</i></p>

		<p>that the PPS is brought up to date prior to the adoption of the ADPD. Flowserve was in the Balderton ward and very relevant to the local community. It is not on the catchment map and therefore the loss of Flowserve needs to be recognised.</p> <p>There is no longer an open break strategy for Balderton as in 2019 Balderton Hospital was deleted. This is now part of Fernwood village and the ongoing housing development.</p> <p>Balderton has no Neighbourhood Plan documented therefore all its green spaces are at risk of development. The only consultation documents referred to were carried out in Bridge Ward in 2012 and Hawtonville in 2016.</p>
040	Nick Crouch	NUA/Ho/10 should either be deleted as an allocation, or further information needs to be provided to demonstrate how impacts can be avoided and a minimum 10% Biodiversity Net Gain can be achieved at this site.
041	Gordon Robertson	The DPD should be revised to acknowledge that Newark is well short of the national target of 0.6ha of AGS per 1000 residents and NSDC policy should be revised to protect and develop existing open space, sports and recreational buildings and land, including playing fields.
042	Jamie Moore	Further to the above comments, many of which extracted from previous objections and concerns to the plans that have been raised before, further work and enquiries need to be undertaken to ensure that all potential issues have been addressed and can be eliminated to ensure the proposed site is viable and suitable for the traveller community.
043	Laura Musson	Further to the above comments, many of which extracted from previous objections and concerns to the plans that have been raised before, further work and enquiries need to be undertaken to ensure that all potential issues have been addressed and can be eliminated to ensure the proposed site is viable and suitable for the traveller community.
044	Newark Sports Association	<p>Aggregating provision across settlements, urban areas and on occasion the District hides specific and local areas of under and over provision. To guide planning decisions accessibility or distance catchments should be used and based on provision within the catchment of the development taking into account the existing population and the social demography of the catchment. Provision should be universally proportionate and equitable. Proportionate universalism is the resourcing and delivering of universal services at a scale and intensity proportionate to the degree of need. Services are therefore universally available and are able to respond to the level of need. This will solve the issue of aggregating provision across larger settlement areas and provide a more accurate, up to date and robust assessment of need. The Amended DPD is contingent on the calculations and designations in the Open Space Strategy (OSS) document adopted in January 2022. The designation of open space should be consistent throughout the OSS. The OSS should be updated before the Amended DPD so that it is consistent across the district before it is approved by the independent examiner so that the document is robust, up to date and compliant with NPPF paragraph 98 and 99. The Amended DPD would then not be misleading, planning decisions will be less open to challenge. It would be compliant with the NPPF and meet the test of soundness. Suggested change:</p> <p>Table 1 - Newark Urban Area Open Space Requirements should correctly state that additional AGS is required in Newark.</p> <p>On page 30 - 2.25 should state:</p> <p>These requirements will need to be delivered as part of the delivery of housing allocations and/or through the District/Town/Parish Council working with their partners. Accessibility and quantity catchments should be used based on provision within the catchment of the development taking into account the existing population and the social demography of the catchment. Provision should be universally proportionate and equitable.</p> <p>For the Amended DPD to be compliant with NPPF paragraph 98 the PPS must be updated and approved by NSDC before the Amended DPD is approved by the independent examiner.</p> <p>2.26 of the Amended DPD should then be amended to state:</p> <p><i>“Outdoor sport facilities are not analysed as part of the Open Space Strategy & Assessment as a different methodology in line with national guidance (Sport England) is prescribed and is contained in a separate standalone Playing Pitch Strategy (PPS) which will be reviewed regularly or at times of significant changes in provision.”</i></p> <p>The Amended DPD would then be robust and up to date and compliant with NPPF paragraph 98 and 99. Planning decisions will be less open to challenge and it would meet the test of soundness.</p>
052	Bellway Homes c/o Turley	It is clear that this growing housing need should be addressed, and we recommend that the Part 2 Plan should commit to an early, full review of the Core Strategy. This is referenced and supported under Paragraph 1.31 in the emerging AADMDDP, which states that the NPPF will require that in 2024 the Council reviews the Amended Core Strategy to see if it remains up-to-date, and at that point it is likely that the Council will begin the process of developing a new Local Plan. Further changes are required to Policy Ra/E/1 Rainworth if the current outline planning application (ref:21/00996/OUTM) for 91 dwellings submitted in April 2021 is approved. This site has been the subject of planning permissions granting commercial development of this site historically (under application ref: 06/01030/OUTM & 7/00474/RMAM). However, clearly, commercial development has not taken place and these permissions have now lapsed. Should this application be approved, this would leave Rainworth with no employment allocations. Land West of Colliery Lane is considered to be an important employment allocation and one of only two such allocations in this part of the District.
053	IBA Planning	<p>Policy DM8 should be further amended to provide clarity on its position regarding the residential conversion of rural buildings in the countryside. The support for the residential conversions of buildings of historic or architectural merit is acknowledged and considered consistent with criterion b) of para.80 of the NPPF, but the Policy should be further amended to provide <u>specific support</u> for the <i>residential re-use of redundant or disused buildings</i> in line with criterion c) of para. 80 of the NPPF so as to be consistent with national policy. Such clarification would also ensure this part of the Plan is effective – and that the Plan has been positively prepared.</p> <p>The text to the Policy needs to be updated as appropriate to reflect the fact that part of the site has already been developed – including:</p> <ul style="list-style-type: none"> • referencing the fact that half the site has already been developed for some 130 dwellings; • amending the approximate yield (the first half of the site has delivered more than its commensurate share, meaning that the development of the balance of the land is likely to deliver more than the approximately 190 dwellings originally referred to in the Policy – and there would seem no good reason to unnecessarily limit what is likely to be ultimately achievable); • amending the reference to the need for a comprehensive master plan for the whole site (in light of the above); and • removing the reference any secondary means of access not being via existing estate roads to the north and east (in light of current pre-application discussions with the Council regarding the development of the balance of the land).
054	Urban & Civic c/o Stantec	<p>Urban & Civic respectfully request that proposed Gypsy, Roma and Traveller pitches at the Former Belvoir Ironworks are removed from the AADMDDP. As such, Urban & Civic respectfully request that Site NUA/GRT/13 Former Belvoir Ironworks, Bowbridge Lane, Newark is deleted from Policy GRT4 (Site Allocations) and removed from the Policies Map (Map 2 Newark South Proposals). The proposed allocation is not consistent with achieving sustainable development, is not supported by the evidence, and has the potential to undermine the delivery of Middlebeck, a strategic allocation in the ACS (Area Policy NAP 2A). As such, it is not positively prepared, nor consistent with national policy, and is neither justified nor effective. Its deletion from Policy GRT4, and associated removal from the Policies Map (Map 2 Newark South Proposals), is therefore necessary to make Policy GRT4, and the Policies Map in respect of Gypsy and Traveller Accommodation Allocations in the vicinity of Middlebeck, sound.</p> <p>NB: Further amendments to the Policies Map (Map 2 Newark South Proposals) are requested in our responses to the Policies Map (Public Open Space – School Playing Fields), Policy NUA/Ho/10 and Policies Map (NUA/AR/1- Area A).</p>

		<p>Urban & Civic respectfully request that the Policies Map (Map 2 – Newark South Proposals) be amended to redefine the part of Middlebeck proposed to be designated as NUA/AR/1 – Area A, as NUA/AR/1 – Area B. The proposed NUA/AR/1 – Area A designation is not supported by the evidence and, as such, is not justified. Its re-designation as NUA/AR/1 – Area B is therefore necessary to make the AADMDPD sound in respect of archaeological areas within Middlebeck.</p> <p>NB: Further amendments to the Policies Map (Map 2 Newark South Proposals) are requested in our responses to Policies Map (Public Open Space-Playing Fields), Policy NUA/Ho/10 and Policy GRT4 (Site NUA/GRT/13).</p> <p>Urban & Civic respectfully request that the last paragraph of the proposed wording of Policy NUA/Ho/7 is amended as follows (strikethrough):</p> <p><i>“The Council will work with stakeholders to seek appropriate regeneration within the area and seek to resolve existing environmental problems which exist in the Policy Area including by the redevelopment of Opportunity Site 1 the Tarmac Site.”</i></p> <p>This proposed change will assist in placing the emphasis on the delivery on strategic allocations over Opportunity Sites. The proposed change will therefore assist the delivery of Middlebeck and is necessary for the AADMDPD to be effective and thus sound.</p> <p>Urban & Civic respectfully request that the proposed extension of Site NUA/Ho/10 Land North of Lowfield Lane is removed from the AADMDPD. As such, Urban & Civic respectfully request that the proposed increase in capacity of the site within Policy NUA/Ho/10 is deleted and capacity is maintained at 120 dwellings, and that the proposed westwards extension of the site is removed from the Policies Map. This change will assist the delivery of Middlebeck and is necessary for the AADMDPD to be effective and thus sound.</p> <p>Urban & Civic respectfully request that the Policies Map (Map 2 Newark South Proposals) be amended to remove the proposed designation of the School Playing Fields at Middlebeck Primary School. The proposed designation is not supported by the evidence and, as such, is not justified. Its removal is therefore necessary to make the AADMDPD sound in respect of Spatial Policy 8 - Public Open Space/ School Playing Fields designations at Middlebeck.</p> <p>NB: Further amendments to the Policies Map (Map 2 Newark South Proposals) are requested in our responses to Policy NUA/Ho/10, Policies Map (NUA/AR/1- Area A) and Policy GRT4 (Site NUA/GRT/13).</p> <p>Urban & Civic respectfully request that the proposed paragraph 2.10 is deleted and replaced with the following text:</p> <p><i>“Development of these sites will be supported where it is clear that delivery of allocated sites is not taking place at the rate required.”</i></p> <p>This proposed change will assist in placing the emphasis on the delivery of strategic allocations over Opportunity Sites. The proposed change will therefore assist the delivery of Middlebeck and is necessary for the AADMDPD to be effective and thus sound.</p> <p>Urban & Civic respectfully request that paragraph 7.24 be amended as follows (underlined/ strikethrough):</p> <p><i>“Applicants are strongly encouraged to engage local communities and other stakeholders at each stage of in the design process for major or otherwise sensitive developments <u>with the extent of engagement proportionate to the scale, form, type and sensitivity of the proposals.</u> For instance, for major developments it is recommended that applicants undertake community and stakeholder engagement at Design Stage 1 and 2, testing and validating their findings prior to progressing to Design Stage 3. At Design Stage 3 further engagement work prior to progressing to Design Stage 4 is recommended. This level of community and stakeholder engagement is in addition to the usual Planning Application notification and consultation process. Early and proactive engagement with local communities and stakeholder ensures that meaningful discussions take place at the appropriate stages in the design process when there is more scope for communities and stakeholders to shape development proposals.”</i></p> <p>The proposed changes provide a more proportionate approach to engagement that will assist the delivery of major developments. The proposed changes are necessary for the approach to engagement within the AADMDPD to be justified and effective and thus sound.</p> <p>Urban and Civic respectfully request that Core Policy 1, B Tenure Requirements is amended as follows (strikethrough/ underlined):</p> <p><i>“On qualifying schemes the District Council will seek to secure 30% Affordable Housing. <u>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.</u></i></p> <p><i><u>In respect of the remainder of the affordable housing units, 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:</u></i></p> <ul style="list-style-type: none"> • 60% <u>60%</u> social rented/affordable rented; • <u>X%</u> affordable rented; • 40% affordable home ownership product. <p><i>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 <u>will be based on an up-to-date assessment of local need. First Homes should secure a minimum discount of 30% against market value.</u>”</i></p> <p>In addition, the last bullet point within the supporting text at paragraph 8.9, should be amended as follows (strikethrough/ underlined):</p> <p><i>“whatever your local target for affordable home ownership product <u>housing units a minimum of 25% must be First Homes</u>”</i></p> <p>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.</p>
055	Winthorpe with Langford Parish Council	Please see above.

056	NSK Europe Ltd c/o Planning and Design Group	<p>We consider that the following tracked changes are necessary for the plan to conform to the Framework and to ensure a sound plan</p> <p><i>Policy NUA/OS Opportunity Sites</i></p> <p><i>To ensure that the housing, and employment and other land use needs of the District are delivered over the plan period, sufficient sites have been allocated to more than meet the requirements. In accordance with Amended Core Strategy Spatial Policy 5 – Delivering the Strategy, the following opportunity sites have also been identified:</i></p> <ul style="list-style-type: none"> • <i>NUA/OS/1 – Tarmac Site, Hawton Lane/Bowbridge Road, Newark (around 270 dwellings)</i> • <i>NUA/OS/2 – NSK Factory (former NUA/MU/3) Northern Road, Newark (around 150 dwellings and compatible employment generating, commercial, leisure, education and community uses)</i> <p><i>These sites all lie within the Urban Boundary and where it becomes clear through the monitoring process that delivery is not taking place at the rates required, the Council will actively seek to bring forward opportunity sites by working with landowners and developers to release sites earlier in the plan period.</i></p> <p><i>The Council will keep these opportunity sites under review and may identify additional opportunity sites within the settlements central to delivering the Spatial Strategy through the annual Monitoring process.</i></p> <p><i>2.10 These sites are not the subject of formal housing allocations as, although they are still considered developable, they are subject to uncertainty over timescales for delivery. These sites are however all within the Newark Urban Area and there is nothing to prevent these sites coming forward for housing development and compatible other uses at any point in the Plan Period providing any development proposals meet the requirements of the appropriate Development Management policies.</i></p> <p><i>2.11 Measures which may be used to bring forward development on these sites could include securing alternative sites for an existing use, granting Permission in Principle on brownfield sites, seeking Government funding to assist in the release of the site, consider purchasing the site on behalf of the Council's Development Company or Compulsory Purchase.</i></p>
059	Protect Newark's Green Spaces	<p>Aggregating provision across settlements, urban areas and on occasion the District hides specific and local areas of under and over provision. To guide planning decisions accessibility or distance catchments should be used and based on provision within the catchment of the development taking into account the existing population and the social demography of the catchment. Provision should be universally proportionate and equitable. Proportionate universalism is the resourcing and delivering of universal services at a scale and intensity proportionate to the degree of need. Services are therefore universally available and are able to respond to the level of need. This will solve the issue of aggregating provision across larger settlement areas and provide a more accurate, up to date and robust assessment of need. The Amended DPD is contingent on the calculations and designations in the Open Space Strategy (OSS) document adopted in January 2022. The designation of open space should be consistent throughout the OSS. The OSS should be updated before the Amended DPD so that it is consistent across the district before it is approved by the independent examiner so that the document is robust, up to date and compliant with NPPF paragraph 98 and 99. The Amended DPD would then not be misleading, planning decisions will be less open to challenge. It would be compliant with the NPPF and meet the test of soundness. Suggested change:</p> <p>Table 1 - Newark Urban Area Open Space Requirements should correctly state that additional AGS is required in Newark.</p> <p>On page 30 - 2.25 should state:</p> <p><i>"These requirements will need to be delivered as part of the delivery of housing allocations and/or through the District/Town/Parish Council working with their partners. Accessibility and quantity catchments should be used based on provision within the catchment of the development taking into account the existing population and the social demography of the catchment. Provision should be universally proportionate and equitable."</i></p>
060	Staple Excavators	<p>A re-examination of traffic escalation of Balderton to identify the key factors involved with traffic and transport issues, particularly the impact of Hollowdyke Lane when it is re-opened.</p>
061	Cllr Debbie Darby (NCC)	<p>For the amended DPD to be compliant with NPPF paragraph 90 the PPS must be updated and approved by NSDC before the Amended DPD is approved by the independent examiner.</p> <p>2.26 of the Amended DPD should then be amended to state:</p> <p><i>"Outdoor sport facilities are not analysed as part of the Open Space Strategy & Assessment as a different methodology in line with national guidance (Sport England) is prescribed and is contained in a separate standalone Playing Pitch Strategy (PPS) which will be reviewed regularly or at times of significant changes in provision."</i></p> <p>The amended DPD would then be robust and up to date and compliant with NPPF paragraph 98 and 99. Planning decisions will be less open to challenge and it would meet the test of soundness.</p> <p>Aggregating provision across settlements, urban areas and on occasion the District hides specific and local areas of under and over provision. To guide planning decisions accessibility or distance catchments should be used and based on provision within the catchment of the development taking into account the existing population and the social demography of the catchment. Provision should be universally proportionate and equitable. Proportionate universalism is the resourcing and delivering of universal services at a scale and intensity proportionate to the degree of need. Services are therefore universally available and are able to respond to the level of need. This will solve the issue of aggregating provision across larger settlement areas and provide a more accurate, up to date and robust assessment of need. The Amended DPD is contingent on the calculations and designations in the Open Space Strategy (OSS) document adopted in January 2022. The designation of open space should be consistent throughout the OSS. The OSS should be updated before the Amended DPD so that it is consistent across the District before it is approved by the independent examiner so that the document is robust, up to date and compliant with NPPF paragraph 98 and 99. The amended DPD would then not be misleading, planning decisions will be less open to challenge. It would be compliant with the NPPF and meet the test of soundness. Suggested change:</p> <p>Table 1 – Newark Urban Area Open Space Requirements – should correctly state that additional AGS is required in Newark.</p> <p>On page 30 – 2.25 should state:</p> <p><i>"These requirements will need to be delivered as part of the delivery of housing allocations and / or through the District / Town / Parish Council working with their partners. Accessibility and quantity catchments should be used based on provision within the catchment of the development taking into account the existing population and the social demography of the catchment. Provision should be universally proportionate and equitable."</i></p>
063	Trustees of Thoresby Estate c/o Pegasus Planning	<p>Please see attached comments which highlights the need to allocate additional employment sites within the District, specifically Edwinstowe.</p>