

## Appendix A – Second Publication AADMDPD (2023) Representations Summary

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	Harris Lamb obo CB Collier NK (SSC) Limited	<p>We object to the omission of the former Flowserve Sports and Social Club site as a proposed housing allocation in the plan to accommodate approximately 115 dwellings. CB Collier responded to the publication version of the Amended Allocations and Development Management DPD in November 2022 in respect of its land interests at the former Flowserve Sports and Social Club, Hawton Lane, Newark (“the Site”). In their representations CB Collier’s objected to the designation of the former sports and social club site as public open space/school playing fields on the draft Proposals Map. As stated in the previous representations we consider the designation should be removed as there is no demand for this facility and that the Site should be reallocation for a residential development of approximately 115 dwellings. The background to the Flowserve site and CB Collier’s involvement with it is set out in the previous representations and I do not propose to repeat in detail here. The facility remains on the market and is still being marketed although it has still generated no interest to be used in its current state. Following CB Collier representations to the previous version of the Plan in November 2022, CB Collier has engaged in Pre-application discussions with the Council in relation to the redevelopment potential of the sports and social club for residential use. A written response was provided by the Council in March 2023. The Pre-application advice set out the policy context in which a redevelopment proposal for a non-sporting use would be considered on the site and provided advice in respect of what the applicant would need to demonstrate in order for the Council to support such a proposal. CB Collier are currently engaging with Officers following receipt of the Pre-application advice in order to determine whether subject to providing an appropriate financial contribution to re-provide the facilities elsewhere, the release of the site to an alternative use would be acceptable. CB Collier has been working with a cost consultant to establish the cost of re-providing the facilities to ensure the financial contribution reflects what is required by planning policy. Consequently, CB Collier’s intentions are clear that it intends to pursue alternative development on the Site as there is clearly no demand for the current facility in its current state. None of the changes proposed by the Council in the Second Amended Allocations and Development Management DPD relate to the sports and social club nor do they respond to the representations submitted previously by CB Collier. On the Proposals Map the sports and social club is still notated as an area of open space/playing fields and subject to Spatial Policy 8 of the adopted Core Strategy. CB Collier, therefore, wish to maintain their objection to the proposed policy designation covering the sports and social club site and continue to seek its reallocation for a residential development of approximately 115 dwellings. In summary:</p> <ul style="list-style-type: none"> <li>•CB Collier object to the notation on the Proposals Map which identifies the sports and social club as open space/playing fields.</li> <li>•CB Collier also object to the omission of the sports and social club site as a proposed housing allocation that can deliver up to approximately 115 dwellings.</li> </ul>
002	Highways England	<p>We previously responded to the initial consultation in November 2022 the consultation period running until January 2023. We understand that the ADMDPD is the second part of the Development Plan (Local Plan) for the district, following the adoption of the Core Strategy in March 2019. The ADMDPD sets out allocations of land for new housing, employment, and other development for the district up to 2033. It also sets out housing and development management policies for the district over the Plan period. We understand that following previous consultations, changes have been made to the ADMDPD document in readiness for submission to the Secretary of State, for examination. Further information has been provided by the Environment Agency in relation to the Tolney Lane Flood Alleviation Scheme. Additional information relating to the Gypsy/Traveller community has also been received and is to be included in the revised document warranting a further consultation period which will run until 6th November 2023. Given the stage the document is at, the Council only wishes to seek Representations on the Plan 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]). 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 &amp; 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 Council	<p>Newark Town Council is unable to support a Local Development Plan that includes the land east of Newark. Future development of the land east of Newark will represent an unconscionable loss of one of Newark’s largest areas of open green space and amenity land. Newark Town Council does, however, recognise the need for and the importance of, having an up-to- date Local Development Plan. Newark Town Council understands the long term need to identify sites for future housing growth and is willing to work with Newark and Sherwood District Council to better understand the long-term housing needs of Newark and consider carefully, how those needs can be met.</p>
013	Natural England	<p>Thank you for consulting Natural England on the Amended Allocations and Development Management DPD (second publication amended – September 2023). Natural England has no comments on the specific amendments set out in the updated DPD. We made two representations on the previous document (December 2022) which supported both the Habitat Regulations Assessment and the amendments to Policy DM7 regarding the protection of the Birklands &amp; Bilhaugh SAC and the Sherwood ppSPA. We would wish for these two representations to continue and be forwarded to the Inspector. We would however like to draw your attention to a couple of updates since the previous consultation which should be considered within the wording of Policy DM7. The first concerns Biodiversity Net Gain in the last paragraph of the section headed Enhancing Biodiversity, it should be noted that the introduction of mandatory net gain has now been delayed until January 2024. The second update is within the following section Delivering Green Infrastructure, it should be noted that Natural England’s Green Infrastructure Framework has now been launched (since January 2023). In addition we would suggest that the NE Green Infrastructure Framework, and specifically the Green Infrastructure Planning and Design Guide should be referenced within Policy DM5(b): Design, within section 6, Trees, Woodland, Biodiversity and Green and Blue Infrastructure, or within the accompanying text (please see link GI Design Guide (<a href="https://naturalengland.org.uk">naturalengland.org.uk</a>) This Guide provides guidance on how to plan and design good green infrastructure and complements the National Model Design Code and National Design Guide.</p>
015	Sport England	<p>Sport England responded to the Amended Allocations Development DPD Publication consultation on 15th December 2022. It is noted that all representations made to the First Publication Allocations and Development Management DPD (November 2022) Regulation 19 Stage will be forwarded to the Inspector unless respondents wish to supersede the representations with a new representation to this Second Publication Allocations and Development Management DPD. Sport England would want previous representations to be forwarded to the Inspector. Having reviewed the amendments proposed through this second round of consultation Sport England would also support minor modifications to address the following additional comments:</p> <ul style="list-style-type: none"> <li>• It is noted that updates have been provided in relation to the timescale for preparation of the Playing Pitch Strategy, this update is welcomed. It is also noted that wording has been added to the paragraphs which relate to open space provision, e.g. para 2.25, to set out that development proposals should take into account the open space requirements to ensure new development has access to good quality open space. It is recommended that similar wording is also added to the end of the paragraphs on outdoor sports facilities, e.g. 2.26, to ensure that it is clear that proposals should take into account the Playing Pitch Strategy to ensure that new development makes appropriate provision for outdoor sports facilities either through on site provision or contributions.</li> <li>• A factual update is needed to Paragraph 7.48 as Sport England, in conjunction with Active Travel England and the Office for Health Improvement and Disparities, has now produced Active Design (2023). The document can be downloaded via the following link: <a href="https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design">https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design</a></li> </ul>
016	Rapleys Obo British Sugar	<p><b>-Policy DM8:</b> We object to Policy DM8, on the basis that: 1 it is not positively prepared, particularly as 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 2 it is not consistent with the NPPF Paragraphs 81, 82 and 84, which require planning policies to:</p> <ul style="list-style-type: none"> <li>• help create the conditions in which businesses can invest, expand and adapt, placing significant weight on the need to support economic growth;</li> <li>• set out a clear economic vision and strategy to positively and proactively encourage sustainable economic growth, and</li> <li>• enable the sustainable growth and expansion of all types of business in rural areas.</li> </ul>

		<p><b>-Policy DM10:</b> The Newark Factory Site is identified as a 'Hazardous Installation' in the adopted Policies Map under Policy DM10. In the previous representations, British Sugar confirmed that no part of the British Sugar factory site is designated as a Control of Major Accident Hazards (COMAH) site and that 4 British Sugar's operations do not require Hazardous Substances Consent (HSC). As such, we objected to the designation of Newark Sugar Factory as a Hazardous Installation, which is misleading and inappropriate. Since the previous representations were submitted, it has been clarified by the Council that the site is classified as a Hazardous Installation on the basis of the Health and Safety Executive's (HSE) record that the site holds a HSC to store hazardous chemicals above a specified threshold quantity. British Sugar liaised with the HSE and it has transpired that the classification on their records relates to a historic HSC for the storage of sulphur trioxide. However, British Sugar has never stored sulphur trioxide at the Newark Sugar Factory site and there is no tank/facility which can store sulphur trioxide. As such, the HSE's records are historical and do not accurately reflect the fact that British Sugar does not store any hazardous substance. The HSE has advised that they will not change the records until Newark and Sherwood Council as the Hazardous Substances Authority (HSA) changes its records regarding the HSC related to Newark Sugar Factory. In order to rectify and correct both the HSA and HSE's records, British Sugar has been liaising with Newark and Sherwood Council, as the HSA, to revoke the redundant HSC which can only be facilitated by the HSA under the Planning (Hazardous Substances) Act 1990.</p> <p><b>-Policy DM10</b> 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 <i>"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."</i> 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, the designation the site as a Hazardous Installation is unjustified given the factually incorrect position on the storage of hazardous substances. Rather, given its significant role in the economy and longstanding business operating in the District, we reiterate our request that Newark Sugar Factory should be recognised and identified as a major employment site for protection and support for ongoing operations and growth.</p> <p><b>- Policy DM4:</b> 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 explained above, British Sugar is committed to working towards a more sustainable and low carbon future, and one of the potential ways to achieve this is through on-site renewable technologies including wind turbines.</p>
017	Mansfield District Council	<p><b>-Paragraph 6.2:</b> Mansfield District Council supports the proposed amendment in paragraph 6.2 "The District Council will work collaboratively with Mansfield District Council where appropriate". It is considered this amendment addresses the representation made in respect of paragraph 7.105 of the First Publication version of the AADMDPD and accordingly withdraws its representation in this regard.</p> <p><b>-Paragraph 7.4:</b> Mansfield District Council supports the proposed amendment in paragraph 7.4 "...and where justified in neighbouring districts". It is considered this amendment addresses the representation made in respect of paragraph 7.4 of the First Publication version of the AADMDPD and accordingly withdraws its representation in this regard.</p> <p><b>-Paragraph 7.61:</b> Mansfield District Council supports the proposed amendment in paragraph 7.61 "Where appropriate, the District Council will work with neighbouring competent authorities within the Zone of Influence". It is considered this amendment addresses the representation made in respect of paragraph 7.61 in the First Publication version of the AADMDPD and accordingly withdraws its representation in this regard.</p>
022	Ashower Estates	<p><b>NUA/SPA 1:</b> Fully support amendment to add to add an allocation for a lorry park use, providing this located sensitively to compliment the adjacent Overfield Park, providing employment and economic gains to the Newark and Sherwood District as a whole.</p>
023	The Coal Authority	<p>Thank you for your notification received on the 25<sup>th</sup> September 2023 in respect of the above consultation. The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas. Our records indicate that within the Newark and Sherwood District area there are recorded coal mining features present at surface and shallow depth including; mine entries, mine gas sites and reported surface hazards. These features pose a potential risk to surface stability and public safety. Please find below our comments in respect of Newark and Sherwood (LPD) Second Publication Allocations and Development Management Development Plan Document (DPD) (Regulation 19 Consultation) (September 2023).</p> <p><b>Policy DM5(b) Design:</b> We are pleased that the Revised Policy wording in Policy DM5(b) Design, (on page 132 of the emerging Regulation 19 Local Plan (September 2023) - Policy indent 9: Unstable land) continues to refer to the importance and need to consider 'Unstable land' when development proposals are being proposed.</p> <p><b>Wider Plan - Site Allocations:</b> We are also pleased to see that, where relevant, Site Allocations also identify the need for potential impacts arising from the legacy of former coal mining to be investigated and the implementation of any necessary remedial works.</p>
024	The Welbeck Estates Company Ltd – Cerda Planning	<p>This updated response has been prepared by Cerda Planning Ltd on behalf of The Welbeck Estates Company Ltd in response to the Newark &amp; Sherwood Amended Allocations and Development Management DPD Second Regulation 19 consultation. For clarity, as requested on the Representation Form, this response updates and supersedes the previous response provided by Cerda Planning. 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 &amp; 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.</p> <p><b>Background</b> The allocation of the former Clipstone Colliery includes around 120 dwellings, 12 hectares of employment provision, retail and enhanced public open space. An application (23/00832/FULM) for 124 dwellings with open space, landscaping, highways and drainage infrastructure and associated works was submitted to Newark and Sherwood District Council on 15th May 2023 with the intention that the application will be taken to planning committee in December 2023. An application for proposed leisure and recreation facilities (23/01846/FULM) for the area of the allocation site immediately to the south was submitted to the Council on 17th October 2023, with a view to the application being determined in February 2024. Should both of these planning applications be approved the residential and enhanced open space requirements of the policy would be met. This would result in the allocation being unable to meet the employment requirements as a result of the enhanced leisure and recreation facilities being provided. The remaining space within the allocation Cerda therefore may no longer be conducive to strategic employment. This would result in additional space within the allocation for alternative uses to be provided, such as retail.</p> <p><b>Retail Use</b> Welbeck Estates are seeking greater clarity and support on the provision of retail uses on the site. It is considered that this description of the quantum of retail development to be provided for is not specific and would therefore be open to interpretation. It is therefore proposed that the quantum of retail development as part of the allocation is specified within the policy and the suggested change to wording is as follows: 'The site will accommodate around 120 dwellings, 12 hectares of employment provision, approximately 20,000 sqft of retail use (for a small/medium supermarket) and enhanced Public Open Space.' Having regard to the current planning situation with the two submitted applications referred to above, it is likely to be the case that the overall amount of employment land is reduced. Therefore, should the applications be approved prior to the adoption of this policy the wording may need to be amended to: 'The site will accommodate around 120 dwellings, approximately 8.5 hectares of employment provision, approximately 20,000 sqft of retail use (for a small/medium supermarket) and 10.8 hectares of enhanced Public Open Space and sports provision.' The policy, as currently written, offers flexibility by stating that the 'retail element will be of a size and scale which helps facilitate the wider delivery of the scheme... to help meet the needs of the site and the wider settlement'. However, without clarifying the approximate size of the potential supermarket permitted the policy leaves this discussion open-ended and does not provide certainty as to what would be supported. Given Policy CI/LC/1 seeks to protect the existing Clipstone Local Centre any new retail unit of a similar scale would potentially directly compete with the existing retailers within the Local Centre. A supermarket larger than 20,000 sqft may compete with existing town centre retailers and larger supermarkets within Mansfield. At present Clipstone is poorly served by existing supermarkets, with only a small convenience store located within the Local Centre and a similarly sized convenience store located on the development off Cavendish Way. The nearest supermarkets, as the crow flies, are both within Mansfield, with the nearest Asda supermarket approximately 3 miles to the west from Clipstone and a Tesco Extra 3.5m to the southwest; neither are distances that facilitate sustainable means of travel and thus trips to these supermarkets will primarily be car-based. The provision of a small/medium supermarket within this</p>

		<p>mixed-use site, which is larger than the retail units in the Local Centre, but smaller than the supermarkets in Mansfield, would occupy a niche in the village, allowing for far more sustainable shopping habits for local residents of Clipstone, not just those within the mixed-use development. It is therefore recommended that the scale of the small supermarket is defined within policy CI/MU/1 of approximately 20,000 sqft. There has been significant growth in Clipstone without additional retail provision having been delivered. In fact historic permissions 93/50350/OUT (340 dwellings) and (420 dwellings) have delivered over 700 dwellings to the immediate north of Clipstone, accessed from Cavendish Way, without any substantial additional retail facilities for the village, save for a small Co-operative supermarket on Cavendish Way.</p> <p><b>Policy DM2</b></p> <p>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. As an alternative to amending the wording of the policy additional commentary could be provided in the supporting text to the same effect. The wording of adopted Policy DM2 is as follows: <i>“Within sites allocated in the Allocations &amp; Development Management Development Plan Document (A&amp;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&amp;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&amp;DM DPD. Development proposals within the Newark Strategic Sites will be assessed against Area Policies NAP 2A, 2B &amp; 2C, and the other considerations set out above.”</i> Policy DM2 in the Amended ADM DPD has been amended to include the following wording: <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> The Welbeck Estates Company Ltd, owner of the allocated site, has a development partner on board who is bringing forward the residential element of the allocation. In addition, The Welbeck Estates Company Ltd is also bringing forward a significant amount of enhanced leisure and recreation facilities within the allocated site, as required by the policy, which will amount to 10.8 hectares of open space for the community. In addition, there is interest in the retail use coming forward on the site and an initial layout is provided in the annexe of this response. 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.</p> <p>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. <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> 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: <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> 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 and River Trust	<p>Thank you for your various consultations on the DPD. We are the charity who look after and bring to life 2000 miles of canals &amp; rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Trust is a statutory consultee in the Development Management process. We have previously provided comments on the first draft Regulation 19 ADMDPD, our representations at that stage were referenced as follows:</p> <ul style="list-style-type: none"> <li>· 025/DM5a DM5b/S/0047</li> <li>· 025/DM7/S/0048</li> <li>· 025/DM9/S/0049</li> </ul> <p>The Trust has reviewed the Second Publication documents, and we have no comment to make. Please do not hesitate to contact me with any queries you may have. Yours sincerely, Richard Forbes MRTPI Area Planner.</p>
030	Tetlow King Planning obo Sparks	<p>Southwell Area Policies Paragraph 3.6 sets out that with 3% of the district’s housing growth directed to Southwell, this results in a need to provide 264 dwellings between 2013 and 2033, noting that previous completions and committed developments will contribute towards the achievement of this target. It is relevant to note that on the matter of housing needs, the emerging Southwell Neighbourhood Plan Review evidence base includes the 2022 Housing Needs Assessment (HNA) for Southwell undertaken by AECOM. The AECOM HNA for Southwell identifies that there is a need for 90 affordable rented homes and 60 affordable home ownership dwellings over the Plan period with it stating that <i>“both forms of affordable housing appear valuable in meeting the needs of people on various incomes”</i>. In this context, it is important to note that the remaining allocated sites not proposed for deletion – some of which already of course have planning permission – comprising So/Ho/2 (45 dwellings), So/Ho/4 (45 dwellings), So/Ho/5 (60 dwellings) and So/Ho/7 (18 dwellings), all of which cumulatively total 168 dwellings. If one applies the Amended Core Strategy Policy 1: Affordable Housing Provision, threshold of 11 dwellings for a 30% contribution then although all sites are captured by the threshold this would result in a total of 51 affordable homes, just a third of the need identified by the most recent assessment of housing needs in Southwell. What becomes immediately apparent is that with the delivery of open market led housing schemes being the main delivery driver for cross subsidising affordable homes in the district, more dwellings need to be brought forward in Southwell in order to address these local unmet housing needs. The most obvious, and simplest, way to address this would be for the proposed Policy So/RL/1 to be utilised for residential development and to come forward within this Plan period to address the unmet housing needs identified by the 2022 HNS for Southwell that the existing allocations will be insufficient to meet. In respect of the specific policies, Tetlow King Planning sets out our client’s position on these below.</p> <p><b>Policy So/Ho/1: Southwell Housing Site 1</b> The Council’s deletion of Policy So/Ho/1 following the completion of development on this allocated site is supported and considered to be a sensible and appropriate approach to this Plan Review process.</p> <p><b>Policy So/Ho/3: Southwell Housing Site 3</b> The Council’s deletion of Policy So/Ho/3 following the completion of development on this allocated site is supported and considered to be a sensible and appropriate approach to this Plan Review process.</p> <p><b>Policy So/Ho/6: Southwell Housing Site 6</b> The Council’s deletion of Policy So/Ho/6 following the completion of development on this allocated site is supported and considered to be a sensible and appropriate approach to this Plan Review process.</p> <p><b>Policy So/MU/1: Mixed Use Site 1</b> 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><b>Policy So/HN/1: Southwell Housing Need</b> 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.</p>



		<p><b>Policy So/E/2: Land East of Crew Lane</b> 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. <b>Policy So/E/3 – Land South of Crew Lane</b> 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 an allocation for residential development.</p> <p><b>Policy So/RL/1: Southwell – Reserved Land to the south of Crew Lane</b> 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 it is entirely possible that the Neighbourhood Plan itself shall seek to designate what So/RL/1 should be used for, though given the Town Council’s previous representations - as show at figure 1 – that is likely to be for residential development. There appears no logical or justifiable reason not to allocate this land for residential development now, particularly given the unmet affordable housing needs identified by the evidence base to the emerging Neighbourhood Plan Review that the existing allocations will fail to meet. On behalf of our client, we also remain open to discuss with the District Council the prospect of an alternative means of vehicular access from Fiskerton Road to the proposed ‘Reserve Land’ south of Crew Lane through Policy So/RL/1 via our client’s land interests, in recognition of the existing highway constraints associated with accessing the site from Upton Road/Easthorpe through the Crew Lane Industrial Estate.</p> <p><b>Southwell Allocations and Housing Need Paragraph 3.4</b> states that “Southwell does however have a serious local housing need which is perpetuated by high local housing prices”. Yet 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. 5 The deletion of Policies So/Ho/1, 3 and 6 and So/MU/1 means that the allocations that remain - So/Ho/2, 4, 5 and 7 – total 168 dwellings. Notwithstanding the unmet affordable housing needs identified earlier in this representation based upon the findings of the 2022 HNS for Southwell, this is 96 dwellings short of the residual housing need for Southwell identified at paragraph 3.6 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 before even taking into account the need for 150 new affordable homes identified in the 2022 HNS for Southwell. The Town is uniquely constrained to the north, northeast, 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.</p> <p><b>Policy DM2: Development on Allocated Sites:</b> 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.</p> <p><b>Policy DM5(c): Sequential Test:</b> 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: “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” And that: “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” 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 districtwide 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><b>Policy DM8: Development in the Open Countryside:</b> 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><b>Policy DM9: Protecting and Enhancing the Historic Environment:</b> 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. Core Policy 2A: Entry Level Exception Sites 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	Lichfields Obo Bourne Leisure Ltd	<p><b>-DM4:</b> 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><b>-DM5a:</b> Bourne Leisure recognises the value that pre-application discussions and community engagement can bring to the design process. 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><b>- DM5b:</b> 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, factors. And consider site specific factors.</p> <p><b>-DM8:</b> 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><b>- DM9:</b> 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>
033	AECOM obo Egdon Resources UK limited	<p><b>DM4:</b> Egdon made representations in respect of Policy DM4 during the consultation period of the First Publication Amended Allocations &amp; Development Management DPD (November 2022). We wish that the original representation is forwarded to the Inspector. In addition, we would like this new representation to be added as a supplement. Egdon notes that the Council has not made any further amendments to Policy DM4 since the First Publication AA &amp; DM DPD. This is very disappointing. Moreover, the Council has not published any explanation of how the representations how been considered and why it has not resulted in changes to policies sought by consultees to make the plan sound. The proposed changes sought by Egdon to Policy DM4 are required to ensure that the DPD is in accordance with paragraph 155 of the NPPF, and to achieve consistency with Core Policy 10 (Climate Change) in the Amended Core Strategy adopted by the Council in March 2019. Core Policy 10 commits the Council to working to ensure that development proposals <u>maximise</u>, where appropriate and viable, the use of available local opportunities for district heating and decentralised energy. The Council has added paragraph 1.13 to the Second Publication AA &amp; DM DPD. This states that “climate change is a significant issue that requires urgent action”. It goes on to say that “the Plan Review has provided the Council with further opportunity to strengthen the Publication AA &amp; DM DPD to address the climate change emergency.” Egdon welcomes the inclusion of this further amendment. However, it seems that the Council has missed the opportunity to strengthen Policy DM4 and allow for appropriate development to harness the significant potential for geothermal heat recovery within the district. Policy DM4 is a key policy within the draft Plan which can help to make a meaningful difference in addressing climate change.</p> <p><b>DM8:</b> Egdon made representations in respect of Policy DM8 during the consultation period of the First Publication Amended Allocations &amp; Development Management DPD (November 2022). We wish that the original representation is forwarded to the Inspector. In addition, we would like this new representation to be added as a supplement. Egdon notes that the Council has not made any further amendments to Policy DM8 since the First Publication AA &amp; DM DPD. This is very disappointing. Moreover,</p>

		<p>the Council has not published any explanation of how the representations have been considered and why it has not resulted in changes to policies sought by consultees to make the plan sound. The proposed changes sought by Egdon to Policy DM8 are required to ensure that the DPD is in accordance with paragraph 155 of the NPPF, and to achieve consistency with Core Policy 10 (Climate Change) in the Amended Core Strategy adopted by the Council in March 2019. Core Policy 10 commits the Council to working to ensure that development proposals <u>maximise</u>, where appropriate and viable, the use of available local opportunities for district heating and decentralised energy. The Council has added paragraph 1.13 to the Second Publication AA &amp; DM DPD. This states that “climate change is a significant issue that requires urgent action”. It goes on to say that “the Plan Review has provided the Council with further opportunity to strengthen the Publication AA &amp; DM DPD to address the climate change emergency.” Egdon welcomes the inclusion of this further amendment. However, it seems that the Council has missed the opportunity to strengthen Policy DM8 and allow for appropriate development to harness the significant potential for geothermal heat recovery within the district. Policy DM8 is a key policy within the draft Plan which can help to make a meaningful difference in addressing climate change.</p>
035	Delta Planning obo Tritax Acquisition 39 Limited	<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"> <li>1. <b>Site Promotional Document for Land East of Newlink Business Park, Newark</b></li> <li>2. <b>Outline planning permission and Reserved Matters approval relating to Phase 1 development at Land East of Newlink Business Park</b></li> <li>3. <b>JLL Logistics Need and Market Demand Statement</b></li> <li>4. <b>DfT ‘The Future of Freight’ 2022</b></li> <li>5. <b>BPF ‘The Logic of Logistics’ 2022</b></li> </ol> <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 1.28 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 1.28 then suggests that the District has a supply of 185.56ha of employment land (of which 133.08ha is stated to be in Newark) and as such no additional employment allocations are included within the Plan, which is confirmed at Paragraph 1.32. The above position is not sound. Our case is based around the following key points:</p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> <li>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 Reserved Matters approval for a first phase. The remainder of the site should therefore be brought forward through the AADMDPD.</li> </ol> <p>We further detail each of these points in turn below.</p> <p><b>Employment Land Requirements and Core Strategy Spatial Policy 9</b></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 &amp; 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><b>Significant need and demand for strategic logistics sites</b></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 1.14 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 is also missing from the list of evidence base documents that have been made available on the Council’s website. 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 the 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 (50ha), Land west of Stephenson Way (6.85ha) and Land of Brunel Drive (also referred to as Land off Beacon Hill Road, G Park) (15.61ha). 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/MU/1) or a combination of these elements. The three 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 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 25ha), direct access to the motorway and strategic road network, and locations away from built settlements. It also prioritises extensions to existing industrial/distribution sites.</p> <p>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"> <li>• Scale – at 47ha gross it easily exceeds the threshold set (i.e. 25ha);</li> <li>• Access – direct access to the A17, close to the junction of the A1, A17 and A46;</li> <li>• Amenity – a location away from built settlement;</li> <li>• 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.</li> </ul> <p>Given the above there is clear justification for allocating additional land, and specifically allocating land East of Newlink Business Park. Loss of opportunity/non-compliance with national policy 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 1.32 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 (BPF) and other industry stakeholders including Tritax on the role of logistics in the Government’s ‘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 (2023) 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><b>Allocation of Land East of Newlink Business Park</b> 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><b>Re: Newark and Sherwood Local Plan, second Publication consultation, November 2023</b></p> <p>Many thanks for consulting Historic England on the above consultation. Please note that Historic England submitted comments on the Regulation 19 consultation, undertaken by the Council in January 2023, and these limited comments remain valid for consideration at this time. During this consultation response, we have only made commentary on the additional information provided during this consultation period. We note the amendment made for Historic England, on Map 9 relating to the inclusion of Laxton Castle, Scheduled Monument, on the mapping and we welcome this amendment. Our understanding is that the majority of amendments appear to relate to statements of fact or amendments due to errors or timeframe updates and as such we have not commented on these amendments. The information sets out that there has been an amendment to the approach for Gypsy, Traveller and Travelling Showpeople Accommodation. It is our understanding that Policy GRT2 has not allocated any new sites for Gypsy, Traveller and Travelling Showpeople accommodation but instead has increased the number of pitches to make a more efficient use of land. Policy GRT3 seeks to bring back existing Gypsy, Traveller and Travelling Showpeople sites into use and ensure that the pitch provision is appropriate in terms of an efficient use of land. We note limited amendments since our opportunity to comment in January 2023. Policy GRT4 now includes a new site for new Gypsy, Traveller and Travelling Accommodation at Land East of Newark Road, Ollerton. We have the following comments: We welcome the reference to archaeology within the site considerations. It could be beneficial to consider the impacts to Grade II Chaley House on the opposite side of the A616. As referenced within our January 2023 representation, we welcome the inclusion of Policy DM9 Protecting and enhancing the historic environment, as well as the archaeology section of the Plan involving specific area policies. We note this area of the Plan has not changed and we welcome this.</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 &amp; 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 &amp; 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"> <li>▪ <b>Services &amp; Facilities</b> - <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 &amp; 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 &amp; 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></li> <li>▪ <b>Access &amp; Highways</b> - <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 &amp; 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 &amp; 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></li> </ul> <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"> <li>▪ <i>‘Increase in Anti-Social Behaviour/crime</i></li> <li>▪ <i>Undermine delivery of remaining Middlebeck phases</i></li> <li>▪ <i>Area already seeing a lot of development</i></li> </ul>



- *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'*

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.

*'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. 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 also refer you to additional comments present within the GTLAA report from 2022 with regard to flood risk concerns:

*'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.'*

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):

- *'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'*

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.

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Laura Musson

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:

*'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.*

- **Services & Facilities** - *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.*

- **Access & 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 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*

		<p><i>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 &amp; 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 &amp; 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> <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"> <li>▪ <i>'Increase in Anti-Social Behaviour/crime</i></li> <li>▪ <i>Undermine delivery of remaining Middlebeck phases</i></li> <li>▪ <i>Area already seeing a lot of development</i></li> <li>▪ <i>Environmental Concerns - waste and littering</i></li> <li>▪ <i>Supporting infrastructure (schools, amenity facilities and roads etc.) unable to support development</i></li> <li>▪ <i>Localised parking issues will be exacerbated (Flaxley Lane)</i></li> <li>▪ <i>Flood risk</i></li> <li>▪ <i>Poor public transport connections</i></li> <li>▪ <i>Increased traffic</i></li> <li>▪ <i>Tensions between settled and travelling communities</i></li> <li>▪ <i>Out of keeping with character of the area</i></li> <li>▪ <i>Existing sites should be expanded</i></li> <li>▪ <i>Site too close to waste tips and sites with groundworks underway</i></li> <li>▪ <i>Pitch numbers too high due to impact on properties directly adjacent</i></li> <li>▪ <i>Thorough investigation of land contamination required</i></li> <li>▪ <i>Impact on amenity of adjoining cottages'</i></li> </ul> <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. 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"> <li>▪ <i>'On-site SuDS required to address water quality</i></li> <li>▪ <i>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</i></li> <li>▪ <i>Further investigations to ground contamination and issue of impact on the amenity of adjoining cottages</i></li> <li>▪ <i>A follow up with Urban &amp; Civic regarding access and highways comments with the Highways Authority'</i></li> </ul> <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>
047	Fisher German obo Richborough Estates	Further to notification of the second Reg19 consultation – as attached, I have reviewed its content and do not wish to comment further on behalf of my client, Richborough. The representations submitted to the November 2022 consultation remain so please use these to issue to the Inspectorate.
050	House Builders Federation	<p>Thank you for consulting the Home Builders Federation (HBF) on the Second Publication Amended Allocations &amp; Development Management DPD. Please find below our response to the consultation on the further amendments to the Allocations and Development Management DPD. The HBF is the principal representative body of the housebuilding industry in England and Wales and our representations reflect the views of discussions with our membership of national and multinational corporations through to regional developers and small local housebuilders. Our members account for over 80% of all new housing built in England and Wales in any one year. We note that the consultation webpage says: “following the close of the previous representation period it was decided that a Second Regulation 19 Consultation would be required due to a representation received from the Environment Agency and a change in situation regarding the Gypsy &amp; Traveller Pitch Delivery Strategy.” However, these do not seem to be the only matters that this second draft version of the consultation is seeking to address. For example, additional wording has been added to Policy DM5(b) and paragraph 7.14 and 7.46 on design.</p> <p>Furthermore, the new wording in para 1.13 explains “that climate change is a significant issue that requires urgent action, and the Council therefore declared a climate change emergency on 16th July 2019. The Local Development Framework already addresses climate change through both the Amended Core Strategy (2019) and Allocations and Development Management DPD (2013). The Plan Review has provided the Council with further opportunity to strengthen the Publication Amended Allocations</p>



& Development Management DPD to address the climate change emergency and the Council will seek to integrate further action in Supplementary Planning Documents and guidance that it produces in future". This approach should also be subject to re-consultation. The Guide to the Publication Development Plan Document section of this consultation document says that "proposed amendments since the First Publication DPD are now double underlined and proposed deletions are double crossed through. This gives everyone the opportunity to read the DPD as amended and consider if they wish to make Representations on the contents of the document." It is unclear from this wording if comments are only being sought on the new amendments, or whether we need to reiterate our previous comments on the earlier Reg 19 consultation. For the avoidance of doubt HBF reiterates its comments made on the previous Reg 19 consultation version, which are not repeated verbatim here. We have also made comments on the new changes (shown as double underlined or double crossed out in the Second Publication Amended Allocations & Development Management DPD) and flagged some policy area that we believe should have been updated as part of the re-consultation but have not been- such as the policy on Biodiversity Net Gain. National BNG policy has moved on since the earlier Winter 2022 consultation.

**Core Policy 1: Affordable housing provision:** The policy is unsound as it has not been fully justified:

Only a small grammatical change has been made to this policy, and the fundamental questions around viability that HBF raised remain unanswered. In our earlier response we welcomed the amendments to ensure the inclusion of First Homes within the policy we would have expect further amendments to reflect the latest viability evidence published by the Council Newark & Sherwood District Council Whole Plan & Community Infrastructure Levy Viability Assessment May 2021 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) that most sites should be deliverable at planning application stage without further viability assessment negotiations it is disappointing that this matter has still not been addressed. HBF continue to suggest that the requirements of the policy should be reduced to reflect the Council's evidence. Indeed, it is disappointing that more up to date viability work has not been undertaken to reflect additional costs, such as increased prices due to inflation and the new policies on BNG. Such evidence is essential to demonstrate the plan both justified and deliverable. HBF remains concerned about the robustness of some of the assumptions made in the viability assessment. It is important that the level of planning obligations required from development means that viability negotiations occur occasionally rather than routinely. Detailed discussion resulting in trade-offs between policy requirements, affordable housing and infrastructure provision should not be necessary at the application stage. However, in order to ensure that viability negotiations on a site-by-site basis are limited, there must be a robust plan-wide viability assessment. HBF remain particularly concerned 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.

#### **Part L of the Building Regulations**

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 costs are also likely to be felt by housebuilders and developers as a result of changing Building Regulations through 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. More recent HBF information suggests that complying with the Future Homes Standard Part L in 2025 is anticipated to cost £7500+ per plot.

#### **Building Safety Levy**

Other factors that need to be taken into account include increasing costs of materials and labour due to inflation and the fact that the cost-of-living crisis has also impacted the housing market making borrowing more expensive for potential future purchasers. There will also be the addition of the Building Safety Levy that is coming in pay for cladding. This will be a per plot basis around the UK, and initial values are around £1500- £2500 per plot. The whole plan viability assessment needs to fully consider all of these costs and requirements when assessing the viability of development. Biodiversity Net Gain 1 Table 8 Final Stage Impact Assessment 2021 changes to the energy efficiency requirements of the Building

#### **Regulations for domestic buildings**

The costs of mandatory BNG are also still emerging as the off-site market is yet to be established. Although the initial price of statutory credits is now known this national fallback option has been deliberately highly priced to discourage their use. Whilst this intention is understandable, at present the lack of functioning local markets for off-site credits causes viability problems because HBF members experience to date suggests that any scheme that needed to rely on statutory credits would become unviable. In light of the above information HBF strongly question the £500 per dwelling cost of BNG used in the viability study. As HBF 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 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. HBF suggested in our Feb 2023 response that before the plan is submitted the Council should undertake some sensitivity testing to understand the impact of higher BNG costs on development in Newark and Sherwood. We remain of the view that this is a necessary piece of work that must be undertaken, without it the plan is not justified and is therefore unsound.

#### **First Homes**

HBF remain concerned that 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. The viability study should be revised and updated to reflect these comments, and the results fed into changing the working of the Policies in the Plan, to better reflect viability and deliverability.

#### **Conclusions on HBF concerns about Core Policy 1:**

Viability negotiations at planning application stage cause uncertainty for both the Council and developers and can 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 remain unsound, land could potentially be withheld from the market by landowners and housing delivery targets will not be achieved. Before the document is submitted the viability assessment should be updated to reflect the higher development costs outlined above.

#### **DM2: Development on allocated sites**

The policy is unsound as it is not consistent with national policy. This policy has been amended to remove reference to the Developer Contributions and Planning Obligations SPD. This change is supported by HBF as one we requested. It is not appropriate for policy to seek to give Local Plan status an existing or an emerging SPD. Planning policy must be made through the Local Plan process and be subjected to the mandatory requirements for public consultation and independent scrutiny through the Examination process. However, although the new document has been amended to address this issue in relation to Policy DM2, other policies continue to seek to give Local Plan status to SPDs, namely Criterion 2 and 14 of Policy DM5(b) which reference the Residential Cyle and Car Parking SPD and the Design SPD respectively, Policy DM7 which references the Planning Obligations and developers Contributions SPD, and policy DM10, which seeks to give Local Plan policy status to the forthcoming Air Quality SPD. HBF reiterates that 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. If the Council wish to provide additional advice on the interpretation of any policy, this should be done through a Supplementary Planning Document, which is prepared and consulted on after the Local Plan policy has been adopted. It cannot be done through trying to give Local Plan policies status to any existing SPD, especially as the existing SPD hangs from the adopted policies in the Local Plan, which will be replaced when this new Local Plan is adopted. HBF is also concerned about changes proposed to the wording of the policy which now references the need for developers to "make appropriate contributions to infrastructure provision in accordance with the Council's latest, most up to date evidence", without specifying what that evidence might be. If the wording is to remain as it is, paragraph 7.3 should explain what up to date evidence the Council will be seeking to rely on, is it a new SHELAA, 5YLS, IDP, AMR, Council's Housing Strategy, parish level housing survey, or something else? This needs to be clear, so a developer knows both what evidence they should be consulting and what constitutes up to date.

#### **DM3: Developer Contributions and Planning Obligations**

The policy is unsound as it is not consistent with national policy. HBF is pleased to see the removal of the Policy DM3 reference to provision of appropriate contributions being guided by the Council's Planning Obligations & Developer Contributions SPD.

We asked for this change noting that 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. However, the new policy wording now includes the phrase “most up to date evidence”, without specifying what that evidence might be. If the wording is to remain as is, it should set out somewhere within the section that is currently paragraphs 7.4 to 7.7 what up to date evidence the Council will be seeking to direct developers and how the Council would define ‘up to date’. Therefore, although HBF is pleased the reference to the Developer Contributions & Planning Obligations Supplementary Planning Document has been removed from the policy and is now mentioned instead the text, we are still concerned by the new wording in para 7.5 which implies the adopted SPD are supporting evidence. The new wording in paragraph 7.5 could be clearer in relation to SPDs providing additional guidance and advice, rather than evidence. HBF suggest that para 7.5 is amended to say: Planning Obligations for appropriate infrastructure to meet the needs of development will take into account Amended Core Strategy Policy for Affordable Housing, the Infrastructure Delivery Plan, and the Open Space Assessment & Strategy and supporting evidence, including advice provided in adopted Supplementary Planning Documents DM5a: The Design Process The policy is unsound as it is not consistent with national policy

The policy has been amended to include reference to the National Design Guide and locally adopted Design Codes. The policy continues to require all new residential development to perform positively against Building for a Healthy Life. It would seem unreasonable and disproportionate for a planning application for individual dwelling to have to undertake a full Building for a Healthy Life assessment and indeed it is not designed for such use. HBF is supportive of use of Building for a Healthy Life toolkit but note that it is not really a ‘standard’ to be achieved, but rather a toolkit for considering design and thinking about the qualities of successful places. The Local Plan needs to be clear about what ‘meeting the standard’ would entail, and what information would be needed to show that a development would achieve it. HBF is supportive of the use of best practice guidance, but the use of Building for a Healthy Life should remain voluntary rather than becoming a mandatory policy requirement. The Council should signpost such guidance in its supporting text rather than making it a requirement in policy wording. Policy DM5(b) Design The policy is unsound as it is not consistent with national policy. The beginning of the policy has been amended to include reference to the National Design Guide and locally adopted Design Codes. Although the second paragraph appears to be a repetition of the first. This need resolving.

Section 4 of the policy on Local Distinctness and character continues to refer to the SPD on Landscape Character. It is not appropriate to seek to give Local Plan status to SPDs. Policy must be made in the Local Plan. Similarly, Section 14 of this policy is titled “Design SPD and Design Codes”. Although the new wording explains that “Local Design Codes, masterplans and design briefs will be prepared to provide a detailed framework for the assessment of development proposals within particular areas and sites within District”. This section still implies that the SPD that will be prepared in the future will have Local Plan policy status. This is not appropriate and contrary to national guidance and legislation. Paragraph 7.51 is a more appropriate place to refer to the Council’s intention to prepare SPD. Section 14 of DM5(b) should be changed from policy to supporting text. Core Policy 3- Housing Mix, Type and Density The policy is unsound as it is not justified or effective. There is a need for Core Policy 3- Housing Mix, Type and Density to differentiate between M4(3)a and M4(3)b in building Regulations. M4(3)a sets out standards for wheelchair adaptable housing, where M4(3)b relates to wheelchair accessible housing which can only be required on affordable housing where the Council has nomination rights. There are cost implications for providing housing that meets M4(3)a standards, and the costs for meeting M4(3)b can be very significant. The whole plan viability assessment should have considered the implications of this policy requirements on the viability of the policies in the plan. Without this being clearly shown the plan is unsound as it is not justified and ineffective. It should also be noted that the requirements to meet Part M4(2) will be superseded by changes to residential Building Regulations. The Government response to ‘Raising accessibility standards for new homes’ states that the Government proposes to mandate the current M4(2) requirement in Building Regulations as a minimum for all new homes, with M4(1) applying in exceptional circumstances. This will be subject to a further consultation on the technical details and will be implemented in due course through the Building Regulations. The requirement to address this issue is planning policy is therefore unnecessary.

#### **Policy DM7 Biodiversity and Green Infrastructure**

The policy is unsound as it is not justified, not effective and not in compliance with national policy. Biodiversity Net Gain is an emerging area of national policy. As such Newark and Sherwood Council should have updated their Local Plan policy on this issue as part of this further Local Plan consultation, but this has not occurred. HBF suggest that the policy could be updated to reflect ‘amendments of facts’ as the Council have done in relation to other issues. Paragraph 7.62 will also need amending. The policy currently says: “Development proposals in all areas of the District should seek to enhance biodiversity. Proposals should take into account the latest information on biodiversity including Nottinghamshire Biodiversity Opportunity Mapping, and the forthcoming Local Nature Recovery Strategy. Except for exempt development proposals, the enhancement should be a net gain of at least 10% (or if different, the relevant percentage set out in the Environment Act) as measured by the applicable DEFRA metric or any successor document. These gains must be guaranteed for a period of at least 30 years. On 9th November 2023 a two-year transition period will end; after which biodiversity net gain of the relevant percentage becomes a legal requirement on developments where it is applicable.” This policy has been superseded by events and need rewriting to reflect the current national policy position. The implementation date for Mandatory Biodiversity Net Gain has been put back from Nov 23 to Jan 2024, and additional guidance is emerging and expected. HBF is supportive of the need to address the nature crisis and cognisant of the important role that house builders can play. This however must be proportionate, reasonable and not serve as a block on housing delivery, for this reasons HBF support the 10% mandatory Biodiversity Net Gain and the requirement to secure this for 30 years. HBF is concerned that policies which seek to go further and faster than National Guidance will result in different LPAs taking different approaches to delivery and policy that could add unnecessary complexity to the policy landscape and serve to undermine the emerging BNG local markets. The policy should therefore limit itself to seeking only the 10% BNG required nationally with BNG being secured for 30 years. Guidance is still emerging as preparation for the introduction of Biodiversity Net Gain which has now been put back from Nov 2023 to Jan 2024. Work to prepare for this continues. See for example this June 2023 Government Blog that details the work so far, and what additional work still to come <https://defralanduse.blog.gov.uk/2023/07/20/bng-whats-happened-and-whatscoming-next/>

Additional advice and guidance is being regularly released <https://defralanduse.blog.gov.uk/2023/10/05/irreplaceable-habitats-and-bngwhat-you-need-to-know/>. It will be important for the Local Plan to reflect the current national policy and guidance, and the policy is likely to need to be kept under review during the Examination, with a version able to be finalised and consulted on through the Main Modifications process. The PAS guidance <https://www.local.gov.uk/pas/topics/environment/biodiversitynet-gain-local-authorities/biodiversity-net-gain-faqs> has some very helpful information for Local Planning Authorities around the implementation of BNG. The Local Plan policy should set out the implications of the Environment Act amendments to the Town & Country Planning Act (TCPA) to secure BNG.

Guidance has just been published setting out what should happen to off site BNG after 30 years <https://defralanduse.blog.gov.uk/2023/10/10/off-site-bng-what-canyou-do-after-30-years/>. Further guidance and advise is due to be published in November 2023 in preparation for the Jan 2024 implementation date. HBF suggests that the Local Plan policy and supporting text should clearly explain that BNG should be calculated using the statutory Biodiversity Metric and suggest reference should also be made to the need for local planning authorities to approve a biodiversity gain plan as part of a planning application determination. The Local Plan BNG policy should explain what information the Council requires to demonstrate how the habitat will be secured for at least 30 years via planning obligations or conservation covenants, and recognise that BNG can be delivered on-site, through off-site units or via the new statutory biodiversity credits scheme. Reference in the text to the development of the national register for net gain delivery sites is being established would be helpful. This is being established initially for all off-site BNG. The policy should also recognise that whilst on-site provision should be explored first there may be many reasons why on-site BNG is not deliverable and/or not the preferred approach. Factors that may need to be considered could include for example, deliverability- such as whether the site is suitable for the type of BNG to be provided; and, the priorities of the Local Nature Recovery Strategy, such as the opportunity to coordinate contributions from a range of sites to provide for large landscape scale BNG schemes. HBF suggest that the policy should also recognised that BNG can be delivered via either a Section 106 agreement or through a Conservation Covenant. Although best practice on conservation covenants is still emerging recent guidance on how to apply to be a Responsible Body, sets out who can become a Responsible Body, an option not limited to just Local Authorities (see <https://www.gov.uk/government/publications/conservation-covenants-apply-tobecome-a-responsible-body>). Therefore, a developer may deliver their BNG requirements through BNG off-site unit payments to a Responsible Body who is not the LPA. It would be helpful for the plan to set out whether Newark and Sherwood intend to become a responsible body or not, as the decision may impact on how BNG can be delivered. The current wording of paragraph 7.62 states that the Nottinghamshire Local Authorities are developing a joint approach to managing the implementation of Net Gain in the County. It would be helpful for the Plan to set out a timetable for this work, and how this will feed into and/or work with the Local Plan policy on BNG. Delivering 10% BNG

It is accepted that the requirement for 10% mandatory biodiversity net gain is supported by national policy and legislation. It will be important for the Local Plan and its supporting evidence to demonstrate that BNG can be addressed and delivered in practice. Policies should set out how the Council will approach BNG and what developers need to do. The Plan should set out what information is required when, including what monitoring will be required. The Council should also highlight what help and advice is available at the pre-app and planning application stages, and during the delivery and monitoring of the project(s). It is helpful for the plan to clearly link BNG into wider work around the Nature Recovery Network and the Local Nature Recovery Strategy (LNRS). It would be helpful for the Local Plan to include a link to the relevant LNRS and the timetable for its preparation, where one has yet to be produced. If the Council wants to explain how it would like to see BNG off-site delivery prioritised, this could be included within the supporting text, as strategic importance of a BNG asset is a factor considered in the metric. HBF agree that it would be useful for the Council to set out how it’s approach to BNG links into the wider Local Nature Recovery

		<p>Strategy for Nottinghamshire, although as this is an emerging document HBF would suggest it is not appropriate to include this within the policy, and it should just be included in the text. It is reasonable for BNG policy to seek to require biodiversity net gain to be delivered on site where this is possible. However, this will not always be possible and where on-site delivery is not feasible policy can seek to encourage BNG to be provided as close to the development site as possible. However, there must be a pragmatic approach to how this is implemented and applied in practice. Any policy which seeks to restrict all BNG to be secured on land within the Borough boundary would be unsound. Such an approach does not reflect how the BNG is expected to work in practice. Whilst the mitigation hierarchy should seek to minimise biodiversity loss in the first place, where net gain is required, the system allows for on-site biodiversity, off-site biodiversity, which must be registered, and as a last resort the purchase of statutory credits. Any BNG policy in the Local Plan must be deliverable and not a serve as a stop on new development. The intention of BNG is that development enables improvements to biodiversity, enabling nature recovery and delivery of the wider benefits of increased nature, for example health and wellbeing, climate change mitigation, carbon sequestration etc. It is understood that the current BNG 4.0 Metric will form the basis of the statutory metric, which is expected to be made available shortly. The metric considers not only the type of the biodiversity asset, but also its condition and rarity. The metric requires any lost biodiversity to be replaced with either a like-for-like asset(s) or one of a better quality. It is not possible to ‘trade down’. The metric also incentivises the implementation of BNG closest to the site, through the multipliers applied to off-site provision and the deliberately high cost of statutory credits. Although a new national metric will be introduced for national mandatory BNG, HBF understand that this will contain the same principles and approach, but with additional information about statutory credits.</p> <p>The BNG Metric process allows for, and reflects different levels of Biodiversity creation on-site, locally offsite (with guidance expected to define local as being within the Local Planning Authority Area), the next tier is an adjacent LPA area, and the final tier is anywhere in England. Any BNG Policy must reflect this. If a developer is able to show that BNG on-site delivery is not desirable and/or deliverable, and that there is no off-site provision available, the system allows for statutory BNG credits to be purchased. These credits may be delivering BNG projects anywhere in England. This is allowable under the BNG national approach, and as such a Local Plan policy cannot restricts BNG to only within the Borough is in conflict with the national approach. With BNG becoming mandatory from Jan 2024, there is significant concern that the market for off-site biodiversity provision is still emerging. There are not yet bank of off-site biodiversity options available in every area. Although this is the medium to long term aspiration, the current situation means at least for now there may be a greater reliance on statutory credit to bring sites forward for development. This may impact on their viability.</p> <p><b>BNG and Viability</b></p> <p>An allowance for BNG needs to be includes within the viability assessment of the Local Plan. This needs to be considered as part of the planning obligations and should be specified as a single specific item rather than rolled into a s106 allowance that is inclusive of a BNG contribution. There are significant additional costs associated with biodiversity gain, which should be fully accounted for in the Council’s viability assessment, some of which are unknown at this time. It is important that BNG does not prevent, delay or reduce housing delivery. As this is an emerging policy area and the market for off-site provision, and statutory credits are not yet known, any figure used for BNG costs will need to be kept under review as BNG implementation progresses and a greater understanding of actual costs become available. The Whole Plan Viability Assessment should reflect the most up to date BNG costs information available.</p> <p><b>Policy DM10 Pollution and Hazardous Material</b></p> <p>This policy is also seeking to give Local Plan policy status to an SPD, this time the Air Quality SPD. An SPD that has not even been prepared yet. This is not appropriate. HBF reiterates that 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>
051	IBA Planning obo Mr H Fury	IBA Planning have not made any comments on the amended DPD. However, they have indicated that the DPD is legally compliant, abides by the duty to cooperate and appears to be sound. They also do not wish the participate in the oral examination.
052	Turley obo Bellway Homes	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 this was recently approved at Planning Committee on 5th October 2023. The Applicant argued 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. Given that this application has recently been approved, this has left Rainworth with no employment allocations. 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 the letter of representations submitted with this form for further details, which provides precise details as to why we believe the emerging DPD is not legally sound.
053	IBA Planning	<p>-Our previous representations highlighted what we considered was a material inconsistency between the proposed wording of Policy DM8 (and associated explanatory paragraph 7.74) and national planning policy with regard to the residential conversion of rural buildings – and between the policy itself and explanatory paragraph 7.74. Notwithstanding these representations, the highlighted inconsistencies have not been remedied via this subsequent Second Publication Amended Allocations and Development Management DPD. Our previous representations therefore remain – and should be supplemented by the following. Given section 5 of Policy DM8 deals simply with the conversion of existing buildings, I am not sure of the relevance of the first sentence stating that consideration should be given to the conversion of existing buildings before proposing replacement development? The second sentence would appear to introduce the requirement to approach proposed re-uses of an existing building sequentially. This is considered to be inconsistent with national planning policy – which contains no such requirement. In the above connection, para 80 of the NPPF confirms that the residential re-use of disused or redundant buildings in isolated locations is acceptable where this results in an enhancement to its setting. There is no such requirement that an applicant considers and discounts other uses beforehand. Whilst para 80 deals specifically with isolated locations, it would clearly make no sense whatsoever if the Government was not similarly supportive of the residential conversion of rural buildings in non-isolated locations. Policy DM8 has been further amended to deal with redevelopment proposals which significantly expand the existing form of the building. Again, I do not see the relevance of this here – since the policy deals simply with the re-use of existing buildings, not their redevelopment. In any event, as presently worded, this part of the policy is considered ambiguous – as there is no clarity as to what would be regarded as significantly expanding the existing form of the building, or what might be considered appropriate before tipping the balance to constituting significant expansion? The entire first paragraph of section 5 of Policy DM8 is considered to be either unnecessary or inconsistent with national planning policy – and should be removed. Its inclusion adds little meaningful to the application of this part of the policy, and its removal would take nothing away from the effectiveness of the balance of the policy itself and the associated explanatory paragraph. Turning to the second paragraph of section 5 of Policy DM8, the removal of the word ‘only’ where this refers to the residential conversion of buildings is supported. It is understood the Council accepts the need for amendments to Policy DM8 to reflect national planning policy – as the current adopted Policy DM8 is inconsistent. However, the policy is still considered too ambiguous (when read in conjunction with explanatory paragraph 7.74) as regards the Council’s position with regard to its support for the residential conversion of all rural buildings in line with national planning policy. Turning then to paragraph 7.74, this clearly needs to be amended to reflect the Council’s intended amendments to section 5 of Policy DM8 to ensure consistency with national planning policy. As currently worded, paragraph 7.74 appears to maintain the Council’s previous position that only the residential conversion of buildings of architectural or historic merit are appropriate for residential conversion – and this is plainly inconsistent with national planning policy (in particular paragraph 80 of the NPPF). Paragraph 7.75 is also considered to be inconsistent with national planning policy and should be removed in its entirety – save for the final sentence referring to the Conversion of Traditional Rural Building SPD (which could sensibly be tagged on to the end of para 7.74).</p> <p>- Our previous representations sought amendments to the Policy to update it to reflect the fact that half of the site has already been developed for housing. None of the amendments sought have been made – and the Policy remains essentially as per the previous version. It is noted that the Council has considered it appropriate to remove/amend allocations where they have been completed – and it would therefore seem sensible to remove that part of the original allocation already completed in a similar manner and update the balance of the wording of the Policy to reflect the up-to-date situation. Housing delivery on the balance is expected soon, with strong interest from a housing developer – who has already engaged positively with the local planning authority via a pre-application enquiry. The housing developer is currently working through the various application validation requirements before submitting the formal planning application. However, they are understandably keen not to appear to conflict with the requirements of Policy Ra/Ho/2 – whose original requirements and wording was predicated on the delivery of the site as a whole (and in practice this has obviously not been the case). Given the purpose of the amended Allocations and Development Management DPD is presumably to bring it up to date to reflect the latest situation on the ground (as it has done seemingly almost everywhere else), it seems odd that the need to update this policy in similar circumstances seems to have slipped through the net. In its current form, we remain of the view that this part of the Plan cannot be judged to have been positively prepared, or considered justified or effective.</p>
054	Stantec obo Urban and Civic	<b>Core Policy 1:</b> Stantec, on behalf of Urban & Civic previously made representations to the first Publication Amended Allocations & Development Management Development Plan Document (AADMDPD) Regulation 19 stage. Our representations made in relation to Core Policy 1 and supporting text at paragraph 8.9 (Ref: 054/Para 8.9 (CP1)/T4/0136 on behalf of Urban and Civic) still stand and should be forwarded to the Inspector. These representations to the Second Publication AADMDPD should be read alongside our representations to the first Publication AADMDPD. 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). Newark



South benefits from a strategic site allocation under Area Policy NAP 2A 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. Our representations to the first Publication AADMDPD (Ref: 054/Para 8.9 (CP1)/T4/0136 on behalf of Urban and Civic) demonstrate that the proposed approach to First Homes within Core Policy 1 and its supporting text at paragraph 8.9 is not consistent with national policy and would result in under delivery of First Homes, in that it requires 25% of affordable home ownership units rather than 25% of all affordable housing units to be First Homes. Consequently, our representations to the first Publication AADMDPD (Ref: 054/Para 8.9 (CP1)/T4/0136 on behalf of Urban and Civic) requested that the wording of Core Policy 1 and paragraph 8.9 be amended to ensure consistency with national policy. In response to our representations, as set out in the 'Schedule of Proposed Amendments to the DPD' (September 2023), Core Policy 1 has been amended "for clarity". However, the amendment does not address Urban & Civic's fundamental point that the approach to First Homes is inconsistent with national policy. That is, the approach to First Homes within Core Policy 1 and its supporting text at paragraph 8.9, within the Second Publication AADMDPD, still requires 25% of affordable home ownership units rather than 25% of all affordable housing units to be First Homes. Therefore, our representations to the first Publication AADMDPD (Ref: 054/Para 8.9 (CP1)/T4/0136 on behalf of Urban and Civic) still stand. On the basis of the above and taking account of our representations to the first Publication AADMDPD (Ref: 054/Para 8.9 (CP1)/T4/0136 on behalf of Urban and Civic), the position remains that the proposed wording of Core Policy 1 and paragraph 8.9 is not consistent with national policy and, as such, the AADMDPD is not sound.

**Core Policy 3:** Stantec, on behalf of Urban & Civic previously made representations to the first Publication Amended Allocations & Development Management Development Plan Document (AADMDPD Regulation 19 stage. Our representations made in relation to Core Policy 3 (Ref: 054/CP3/S/0137 on behalf of Urban & Civic) set out that amendments made following the Options Report consultation make the AADMDPD sound in respect of Core Policy 3. Our representations to the first Publication AADMDPD (Ref: 054/CP3/S/0137 on behalf of Urban & Civic) still stand and should be forwarded to the Inspector.

**Policy DM5:** Stantec, on behalf of Urban & Civic previously made representations to the first Publication Amended Allocations & Development Management Development Plan Document (AADMDPD) Regulation 19 stage. Our representations made in relation to Policy DM5(a) and supporting paragraph 7.24 (Ref: 054/Para 7.24 (DM5a)/T2T3/0135 on behalf of Urban and Civic) still stand and should be forwarded to the Inspector. These representations to the Second Publication AADMDPD should be read alongside our representations to the first Publication AADMDPD. 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). Newark South benefits from a strategic site allocation under Area Policy NAP 2A 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. Our representations to the first Publication AADMDPD (Ref: 054/Para 7.24 (DM5a)/T2T3/0135 on behalf of Urban and Civic) demonstrate that the supporting paragraph 7.24 to Policy DM5(a), in encouraging major development to pursue engagement at all four stages of the design process, is not effective or justified, as it may hinder the delivery of major developments, including strategic allocations, and a proportionate approach would be more appropriate. Consequently, our representations to the first Publication AADMDPD (Ref: 054/Para 7.24 (DM5a)/T2T3/0135 on behalf of Urban and Civic) requested that the wording of paragraph 7.24 be amended to provide a proportionate approach to engagement. Our requested amendment to paragraph 7.24 has not been taken forward to the Second Publication AADMDPD. Therefore, our representations to the first Publication AADMDPD (Ref: 054/Para 7.24 (DM5a)/T2T3/0135 on behalf of Urban and Civic) still stand. The position remains that the proposed wording of paragraph 7.24 is not effective or justified and, as such, the AADMDPD is not sound.

**Policy GRT 4:** Stantec, on behalf of Urban & Civic previously made representations to the first Publication Amended Allocations & Development Management Development Plan Document (AADMDPD) Regulation 19 stage. Our representations made in relation to Policy GRT4 and Policy Map 2 (Newark South Proposals) (Ref: 054/GRT4 P MAP 2/T1T2T3T4/0138 on behalf of Urban and Civic) and the supporting Gypsy & Traveller Land Availability Assessment (GTLAA) (Ref: 054/GTAA Pages 29-33/T1T2T3T4/0139 on behalf of Urban and Civic) still stand and should be forwarded to the Inspector. These representations to the Second Publication AADMDPD should be read alongside our representations to the first Publication AADMDPD. 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). Newark South benefits from a strategic site allocation under Area Policy NAP 2A 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. Our representations to the first Publication AADMDPD (Refs: 054/GRT4 P MAP 2/T1T2T3T4/0138 on behalf of Urban and Civic & 054/GTAA Pages 29-33/T1T2T3T4/0139 on behalf of Urban and Civic) demonstrate that the proposed allocation of the Former Belvoir Ironworks, Bowbridge Lane, Newark for Gypsy, Roma and Traveller pitches (then Site NUA/GRT/13, now Site NUA/GRT/11), is not positively prepared, justified, effective or consistent with national policy, as it 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. Consequently, our representations to the first Publication AADMDPD (Refs: 054/GRT4 P MAP 2/T1T2T3T4/0138 on behalf of Urban and Civic & 054/GTAA Pages 29-33/T1T2T3T4/0139 on behalf of Urban and Civic) requested that the proposed allocation of the Former Belvoir Ironworks for Gypsy, Roma and Traveller pitches be removed from the AADMDPD. That is, it be deleted from Policy GRT4 (Site Allocations) and removed from Policy Map 2 (Newark South Proposals). Our requested amendments to Policy GRT/4 and Policy Map 2 (Newark South Proposals), to remove the proposed allocation of the Former Belvoir Ironworks for Gypsy, Roma and Traveller pitches, has not been taken forward to the Second Publication AADMDPD. Therefore, our representations to the first Publication AADMDPD (Refs: 054/GRT4 P MAP 2/T1T2T3T4/0138 on behalf of Urban and Civic & 054/GTAA Pages 29-33/T1T2T3T4/0139 on behalf of Urban and Civic) still stand. The remainder of this representation provides an update to the case as made in our representations to the first Publication AADMDPD (Refs: 054/GRT4 P MAP 2/T1T2T3T4/0138 on behalf of Urban and Civic & 054/GTAA Pages 29-33/T1T2T3T4/0139 on behalf of Urban and Civic).

Our representations to the first Publication AADMDPD took account of the supporting GTLAA site assessment. The GTLAA has been updated, with the site assessment for the Former Belvoir Ironworks noted as being updated in July 2023. However, any updates do not address Urban & Civic's concerns around services and facilities, and access and highways, as raised in our representations to the first Publication AADMDPD. Our representations to the first Publication AADMDPD also refer to a reserved matters submission for 309 dwellings on the Flowserve Site (Ref: 22/01241/RMAM). Since the submission of our representations to the first Publication AADMDPD, this reserved matters submission has been withdrawn. This it is not, however, material to our case, as a further reserved matters submission has been made for 309 dwellings (Ref: 23/01755/RMAM). On the basis of the above, and taking account of our representations to the first Publication AADMDPD (Refs: 054/GRT4 P MAP 2/T1T2T3T4/0138 on behalf of Urban and Civic & 054/GTAA Pages 29-33/T1T2T3T4/0139 on behalf of Urban and Civic), the position remains that the proposed allocation of the Former Belvoir Ironworks (Site NUA/GRT/11) for Gypsy, Roma and Traveller pitches is not positively prepared, justified, effective or consistent with national policy, as it 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, and, as such, the AADMDPD is not sound.

**Open Space Assessment Strategy 2022- Map 2 Newark South Proposals:** Stantec, on behalf of Urban & Civic previously made representations to the first Publication Amended Allocations & Development Management Development Plan Document (AADMDPD) Regulation 19 stage. Our representations made in relation to Policy Map 2 (Newark South Proposals) and the Open Space Assessment Strategy 2022 (Ref: 054/P MAP 2 Open Space Assessment Figure 4.1/T2/0140 on behalf of Urban & Civic) still stand and should be forwarded to the Inspector. These representations to the Second Publication AADMDPD should be read alongside our representations to the first Publication AADMDPD. 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). Newark South benefits from a strategic site allocation under Area Policy NAP 2A 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. The updates to the Policies Map (Map 2 Newark South Proposals) includes updates to the Public Open Space/ School Playing Fields designations, which are subject to ACS Spatial Policy 8. As set out in our representations to the first Publication AADMDPD (Ref: 054/P MAP 2 Open Space Assessment Figure 4.1/T2/0140 on behalf of Urban & Civic) the updates are made to include sites mapped in the Open Space Assessment Strategy 2022. The updates associated with the first Publication AADMDPD included the designation of the School Playing Fields at a Middlebeck Primary School. Our representations to the first Publication AADMDPD (Ref: 054/P MAP 2 Open Space Assessment Figure 4.1/T2/0140 on behalf of Urban & Civic) demonstrate that the proposed designation of the School Playing Fields at Middlebeck Primary School is not supported by the evidence and is not therefore justified. Consequently, representations to the first Publication AADMDPD (Ref: 054/P MAP 2 Open Space Assessment Figure 4.1/T2/0140 on behalf of Urban & Civic) requested that the proposed designation be removed. Responding to a factual point on the extent of the proposed designation of School Playing Fields at Middlebeck Primary School, as set out in the 'Post Consultation Changes – Policies Map' (September 2023), the boundary of the School Playing Fields has been amended to "reflect the built form on the ground". Whilst Urban & Civic welcome this amendment in so far as it removes the car park from the designation, Urban & Civic do not support the continued inclusion of areas of general landscaping/ habitat zone which have been retained, and increased. Moreover, the amendment does not address Urban & Civic's fundamental point that the evidence does not support the proposed designation of School Playing Fields at Middlebeck Primary School. Our requested amendment that the proposed designation of School Playing Fields at Middlebeck Primary School be removed has not been taken forward. Therefore, our representations to the first Publication AADMDPD (Ref: 054/P MAP 2 Open Space Assessment Figure 4.1/T2/0140 on behalf of Urban & Civic) still stand. The remainder of this representation provides an update to the case as made in our representations

to the first Publication AADMDPD (Ref: 054/P MAP 2 Open Space Assessment Figure 4.1/T2/0140 on behalf of Urban & Civic). In this respect, in addition to retaining the proposed designation of School Planning Fields at Middlebeck Primary School, and increasing the extent of general landscaping/ habitat zone within this, further proposed designations have been made within Middlebeck comprising the open space of Bowbridge Square and Willow Walk. As noted in our representations to the first Publication AADMDPD, Figure 4.1 of the Open Space Assessment Strategy 2022 shows open space provision mapped in Newark, but this does not show any provision mapped within Middlebeck. That is, the evidence base does not support the proposed designation of Public Open Space/ School Playing Fields at Middlebeck. For the reasons given above, and taking account of our representations to the first Publication AADMDPD (Ref: 054/P MAP 2 Open Space Assessment Figure 4.1/T2/0140 on behalf of Urban & Civic) the proposed designation of Public Open Space/ School Playing Fields across Middlebeck is not supported by the evidence and is not therefore justified. As such the Second Publication AADMDPD is not sound.

**Policy NUA/AR/1:** Stantec, on behalf of Urban & Civic, previously made representations to the first Publication Amended Allocations & Development Management Development Plan Document (AADMDPD) Regulation 19 stage. Our representations made in relation to Policy NUA/AR/1 and Policy Map 2 (Newark South Proposals) (Ref: 054/NUA AR 1 P MAP 2/T2/0134 on behalf of Urban and Civic) still stand and should be forwarded to the Inspector. These representations to the Second Publication AADMDPD should be read alongside our representations to the first Publication AADMDPD. 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). Newark South benefits from a strategic site allocation under Area Policy NAP 2A 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. 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. Our representations to the first Publication AADMDPD (Ref: 054/NUA AR 1 P MAP 2/T2/0134 on behalf of Urban & Civic) demonstrate that the proposed designation of part of Middlebeck as NUA/AR/1 - Area A is not justified as it is not supported by the evidence. Consequently, our representations to the first Publication AADMDPD (Ref: 054/NUA AR 1 P MAP 2/T2/0134 on behalf of Urban & Civic) requested land classified as NUA/AR/1 - Area A within Middlebeck be reclassified as NUA/AR/1 - Area B. In response to our representations, as set out in the ‘Schedule of Proposed Amendments to the DPD’ (September 2023), Policy NUA/AR/1, and supporting text at paragraph 2.18, has been amended to “improve the flexibility to take account of future archaeological evidence.” Urban & Civic welcome these amendments. Notwithstanding this, the proposed amendments do not address Urban & Civic’s fundamental point that the evidence does not support the classification of land within Middlebeck as NUA/AR/1 – Area A. Our requested amendment for land classified as NUA/AR/1 - Area A within Middlebeck to be reclassified as NUA/AR/1 - Area B has not been taken forward. Therefore, our representations to the first Publication AADMDPD (Ref: 054/NUA AR 1 P MAP 2/T2/0134 on behalf of Urban & Civic) still stand. The remainder of this representation provides an update to the case as made in our representations to the first Publication AADMDPD (Ref: 054/NUA AR 1 P MAP 2/T2/0134 on behalf of Urban & Civic). The outline planning permission for Middlebeck is subject to a condition which requires submission of an Archaeological Management Plan (AMP). The AMP was submitted to the Local Planning Authority and approved in 2015. The AMP provides the framework for further specifications for archaeological mitigation for each phase, and 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. This work has continued since the submission of our representations to the first Publication AADMDPD. To date, a total of 6 flints have been found in the combined fieldwork above that are assessed as convincingly of Late Upper Palaeolithic date. These were all found on the eastern side of the River Devon within Area B. These flints were all found ex situ. With specific reference to Section 4.4 of Curating the Palaeolithic, HE 2023, the section relating to national recognition and the criteria set for assessment of national importance, and policies for designated heritage assets (National Planning Policy Framework, paragraph 200 and footnote 68; see also Section 1.3) it is clear that the Late Upper Palaeolithic finds from the Middlebeck site do not meet the criteria for national importance. In summary therefore there was no Late Upper Palaeolithic material recovered from the Area A within the Middlebeck site – that is, the area defined as containing ‘Nationally Important Archaeological Remains’ – despite intensive investigation. Six Late Upper Palaeolithic flints were found dispersed across c. 7ha within Area B, east of the River Devon, although as set out above these do not meet the criteria for national importance. Whilst there are surviving pockets of a buried palaeo-land surface, 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 Late Upper Palaeolithic 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, 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. For the reasons above, and taking account of our representations to the first Publication AADMDPD (Ref: 054/NUA AR 1 P MAP 2/T2/0134 on behalf of Urban & Civic), 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 Second Publication AADMDPD is not sound.

**NUA/Ho/7:** Stantec, on behalf of Urban & Civic previously made representations to the first Publication Amended Allocations & Development Management Development Plan Document (AADMDPD) Regulation 19 stage. Our representations made in relation to Policy NUA/Ho/7 (Ref: 054/NUA Ho 7/T3/0131 on behalf of Urban and Civic) still stand and should be forwarded to the Inspector. These representations to the Second Publication AADMDPD should be read alongside our representations to the first Publication AADMDPD. 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). Newark South benefits from a strategic site allocation under Area Policy NAP 2A 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. Our representations to the first Publication AADMDPD (Ref: 054/NUA Ho 7/T3/0131 on behalf of Urban and Civic) demonstrate that Policy NUA/Ho/7, in seeking to bring forward redevelopment of Opportunity Site 1 the Tarmac Site, is not effective as it may undermine the delivery of Middlebeck, a strategic allocation in the ACS. Consequently, our representations to the first Publication AADMDPD (Ref: 054/NUA Ho 7/T3/0131 on behalf of Urban and Civic) requested that the wording of Policy NUA/Ho/7 be amended to delete reference to Opportunity Site 1 the Tarmac Site. Our requested amendment to Policy NUA/Ho/7 has not been taken forward to the Second Publication AADMDPD. Therefore, our representations to the first Publication AADMDPD (Ref: 054/NUA Ho 7/T3/0131 on behalf of Urban and Civic) still stand. The remainder of this representation provides an update to the case as made in our representations to the first Publication AADMDPD (Ref: 054/NUA Ho 7/T3/0131 on behalf of Urban and Civic). Our representations to the first Publication AADMDPD set out that delivery of dwellings at Middlebeck is dependent on delivery of the SLR which includes a trigger for Phase 1 of the SLR to be completed before occupation of more than 600 dwellings. Since the submission of our representations to the first Publication AADMDPD, a S106A Deed of Variation has amended this trigger to 650 dwellings. Whilst this increase assists delivery of dwellings at Middlebeck, it is not material to our case, given it allows for occupation of an additional 50 dwellings only before completion of Phase 1 of the SLR and that the trigger for construction of Phase 2 of the SLR to commence before the occupation of more than 700 dwellings remains. That is, delivery at Middlebeck is still constrained. Our representations to the first Publication AADMDPD also refer to a reserved matters submission for 309 dwellings on the Flowserve Site (Ref: 22/01241/RMAM). Since the submission of our representations to the first Publication AADMDPD, this reserved matters submission has been withdrawn. This is not, however, material to our case, as a further reserved matters submission has been made for 309 dwellings (Ref: 23/01755/RMAM). On the basis of the above, and taking account of our representations to the first Publication AADMDPD (Ref: 054/NUA Ho 7/T3/0131 on behalf of Urban and Civic), the position remains that the proposed wording of Policy NUA/Ho/7 is not effective, as it may undermine delivery of Middlebeck, a strategic allocation in the ACS, and, as such, the AADMDPD is not sound.

**NUA/Ho/10:** Stantec, on behalf of Urban & Civic previously made representations to the first Publication Amended Allocations & Development Management Development Plan Document (AADMDPD) Regulation 19 stage. Our representations made in relation to Policy NUA/Ho/10 and Policy Map 2 (Newark South Proposals) (Ref: 054/NUA Ho 10 P MAP 2/T3/0132 on behalf of Urban and Civic) still stand and should be forwarded to the Inspector. These representations to the Second Publication AADMDPD should be read alongside our representations to the first Publication AADMDPD. 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). Newark South benefits from a strategic site allocation under Area Policy NAP 2A 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



		<p> 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. Our representations to the first Publication AADMDPD (Ref: 054/NUA Ho 10 P MAP 2/T3/0132 on behalf of Urban and Civic) demonstrate that Policy NUA/Ho/10 and Policy Map 2 (Newark South Proposals), in seeking an extension to Site NUA/Ho/10 Land North of Lowfield Lane and increasing its capacity from 120 dwellings to 170 dwellings, is not effective as it may undermine the delivery of Middlebeck, a strategic allocation in the ACS. Consequently, our representations to the first Publication AADMDPD (Ref: 054/NUA Ho 10 P MAP 2/T3/0132 on behalf of Urban and Civic) requested that the proposed extension of Site NUA/Ho/10 Land North of Lowfield Lane be removed from the AADMDPD and capacity of the site be maintained at 120 dwellings. Our requested amendments to Policy NUA/Ho/10 and Policy Map 2( Newark South Proposals), to remove the proposed extension of Site NUA/Ho/10 Land North of Lowfield Lane and maintain its capacity at 120 dwellings, have not been taken forward to the Second Publication AADMDPD. Therefore, our representations to the first Publication AADMDPD (Ref: 054/NUA Ho 10 P MAP 2/T3/0132 on behalf of Urban and Civic) still stand. The remainder of this representation provides an update to the case as made in our representations to the first Publication AADMDPD (Ref: 054/NUA Ho 10 P MAP 2/T3/0132 on behalf of Urban and Civic). Our representations to the first Publication AADMDPD set out that delivery of dwellings at Middlebeck is dependent on delivery of the SLR which includes a trigger for Phase 1 of the SLR to be completed before occupation of more than 600 dwellings. Since the submission of our representations to the first Publication AADMDPD, a S106A Deed of Variation has amended this trigger to 650 dwellings. Whilst this increase assists delivery of dwellings at Middlebeck, it is not material to our case, given it allows for occupation of an additional 50 dwellings only before completion of Phase 1 of the SLR and that the trigger for construction of Phase 2 of the SLR to commence before the occupation of more than 700 dwellings remains. That is, delivery at Middlebeck is still constrained. Our representations to the first Publication AADMDPD also refer to a reserved matters submission for 309 dwellings on the Flowserve Site (Ref: 22/01241/RMAM). Since the submission of our representations to the first Publication AADMDPD, this reserved matters submission has been withdrawn. This it is not, however, material to our case, as a further reserved matters submission has been made for 309 dwellings (Ref: 23/01755/RMAM). On the basis of the above, and taking account of our representations to the first Publication AADMDPD (Ref: 054/NUA Ho 10 P MAP 2/T3/0132 on behalf of Urban and Civic), the position remains that the proposed extension to Site NUA/Ho/10 Land North of Lowfield Lane and increase in its capacity is not effective, as it may undermine delivery of Middlebeck, a strategic allocation in the ACS, and, as such, the AADMDPD is not sound.</p> <p><b>NUA OS/T3:</b> Stantec, on behalf of Urban &amp; Civic previously made representations to the first Publication Amended Allocations &amp; Development Management Development Plan Document (AADMDPD) Regulation 19 stage. Our representations made in relation to Policy NUA/OS and supporting paragraph 2.10 (Ref: 054/Para 2.10 NUA OS/T3/0133 on behalf of Urban and Civic) still stand and should be forwarded to the Inspector. These representations to the Second Publication AADMDPD should be read alongside our representations to the first Publication AADMDPD. These representations are made on behalf of Urban &amp; Civic, the master developer leading the delivery of the Sustainable Urban Extension at Newark South (now called Middlebeck). Newark South benefits from a strategic site allocation under Area Policy NAP 2A 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. Our representations to the first Publication AADMDPD (Ref: 054/Para 2.10 NUA OS/T3/0133 on behalf of Urban and Civic) demonstrate that the supporting paragraph 2.10 to Policy NUA/OS, in supporting development of ‘Opportunity Sites’, is not effective as it may undermine the delivery of Middlebeck, a strategic allocation in the ACS. Consequently, our representations to the first Publication AADMDPD (Ref: 054/Para 2.10 NUA OS/T3/0133 on behalf of Urban and Civic) requested that paragraph 2.10 be deleted and replaced with wording to confirm that development of Opportunity Sites will be supported where it is clear that delivery of allocated sites is not taking place at the rate required. Our requested amendment to paragraph 2.10 has not been taken forward to the Second Publication AADMDPD. Therefore, our representations to the first Publication AADMDPD (Ref: 054/Para 2.10 NUA OS/T3/0133 on behalf of Urban and Civic) still stand. The remainder of this representation provides an update to the case as made in our representations to the first Publication AADMDPD (Ref: 054/Para 2.10 NUA OS/T3/0133 on behalf of Urban and Civic). Our representations to the first Publication AADMDPD set out that delivery of dwellings at Middlebeck is dependent on delivery of the SLR which includes a trigger for Phase 1 of the SLR to be completed before occupation of more than 600 dwellings. Since the submission of our representations to the first Publication AADMDPD, a S106A Deed of Variation has amended this trigger to 650 dwellings. Whilst this increase assists delivery of dwellings at Middlebeck, it is not material to our case, given it allows for occupation of an additional 50 dwellings only before completion of Phase 1 of the SLR and that the trigger for construction of Phase 2 of the SLR to commence before the occupation of more than 700 dwellings remains. That is, delivery at Middlebeck is still constrained. Our representations to the first Publication AADMDPD also refer to a reserved matters submission for 309 dwellings on the Flowserve Site (Ref: 22/01241/RMAM). Since the submission of our representations to the first Publication AADMDPD, this reserved matters submission has been withdrawn. This it is not, however, material to our case, as a further reserved matters submission has been made for 309 dwellings (Ref: 23/01755/RMAM). On the basis of the above, and taking account of our representations to the first Publication AADMDPD (Ref: 054/Para 2.10 NUA OS/T3/0133 on behalf of Urban and Civic), the position remains that the proposed wording of paragraph 2.10 is not effective, as it may undermine delivery of Middlebeck, a strategic allocation in the ACS, and, as such, the AADMDPD is not sound.</p>
056	P&DG obo NSK Europe Ltd	We agree with the amendments to Policy NUA/OS and relevant paragraph 2.10. The amended wording recognises the sustainable credentials of the site and does not unduly limit its potential to contribute to delivering a mixed form of sustainable development as the clear opportunity arises and in response to the changing demands of the business and the need to improve utilisation.
057	Avant Homes	<p><b>Core Policy 1- Affordable Housing Provision:</b> 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. 2.2 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. 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><b>Policy DM2 – Development on Allocated Sites:</b> 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. 2.10 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. 2.11 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. 2.12 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. 2.13 Where constraints have been identified, the assessment will need to consider what action could be taken to overcome them.</p> <p><b>Policy DM7 Biodiversity and Green Infrastructure:</b> Avant consider that this Policy is unsound by virtue of it being outdated when considered against latest national policy. Biodiversity Net Gain is currently an area of continuous movement and the current position is that the implementation date for Mandatory Biodiversity Net Gain has been put back from November 23 to January 24, and additional guidance is emerging and expected. Clearly, Avant Homes recognise the importance of Biodiversity, Net Gain and Green Infrastructure. However, any requirements need to be proportionate, reasonable and not stifle development unnecessary and timescales should be in line with those set by National Policy in order to avoid adding delays and complexity to an already slow planning system. Any policy requirement should therefore be set at a maximum of 10% BNG required for a maximum of 30 years, with each site being assessed independently and as part of a greater understanding of wider issues and package of each development site.</p> <p>In summary, Avant consider the following points need further review from the Council prior to adopting the Local Plan in its proposed format:</p> <ul style="list-style-type: none"> <li>· The land at Cavendish Way, Clipstone should be allocated for development in the short term. It is available, deliverable, and achievable in terms of development and Avant have a legal interest in the land to ensure delivery of residential development in the immediate/short-term. From our preliminary investigations, the site does not have any technical constraints and is located in a sustainable and complementary position to the existing residential envelope.</li> <li>· Design Policy DM5a is unnecessary restrictive;</li> </ul>



		<ul style="list-style-type: none"> <li>· Affordable Housing (as per previous reps) remains in conflict with national policy; and,</li> <li>· The policy position on Biodiversity needs updating and to be consistent with national policy.</li> </ul>
059	Protect Newark's Green Spaces	<b>Policy NUA/Ho/10:</b> There are 2 mentions of Lowfield Lane in the revised DPD: 'Land Nort of Lowfield Lane has been allocated on the Policies Map for residential development providing around 170 dwellings (previously 120), p.18. And the inclusion of 170 dwellings in the 'Housing Trajectory Chart' on pg. 233. Arkwood are revising the plans for the site and the number of dwellings is currently unknown. Important details about the proposed development of this land are not yet available which prevents informed Submissions being made to the consultation about this site.
060	Dessurne & Son	The AADMDPD makes clear the housing trajectory numbers, and for Fernwood which is one of the three main allocations, the growth can only lead to serious problems with transport to and from Newark. The trouble with the development of Fernwood is that the only way to travel to Newark is over the A1, via the bridge along the B6326. There will be another alternative at some point when the road to the North of Fernwood called Hollowdyke Lane is reconnected, which passes underneath the A1 near Main Street, Balderton. However, this will be no solution because it leads to the road between Balderton and Coddington, with Main Street to the left and the bridge over the East Coast Mainline railway to the right. We only have to look at Map 2 in the Policies Map or Image 1 in the TI 4 Transport Study to see the problem with excess traffic over the B6326 bridge, as this is the link between the two roundabouts that serve the slip roads onto the A1. Any congestion at the roundabouts will lead to traffic backing up the slip roads onto the A1 and cause serious issues if the first lane of the A1 is brought to a halt. Surely, the integrity of the A1 must be paramount.
062	Environment Agency	The Environment Agency (EA) and Newark & Sherwood District Council (N&SDC) continue to engage in detailed discussions related to the flood risk posed to the Tolney Lane area and the proposed flood protection/alleviation scheme currently being worked upon by N&SDC. As such we felt it would be worth issuing the below holding statement for the benefit of the inspector. The proposed Tolney Lane flood protection/alleviation scheme being worked upon by N&SDC is extremely complicated and requires extensive partnership working between the two risk management authorities. While this work is ongoing, we recognise the challenges faced by N&SDC in providing pitch provision over the course of the local plan period which would require some allocation of pitches prior to the implementation of the flood alleviation scheme. As such we are currently collaborating with N&SDC on a Statement of Common Ground (SoCG) which will be designed to give the inspector greater understanding of the unique challenges impacting the Tolney Lane area in relation to flood risk.
064	NHS	We have now reviewed the Local Development Framework Plan Review – Second Publication Allocations & Development Management Development Plan Document – Regulation 19 Consultation? We have already formally responded with our comments to the Infrastructure Delivery Plan referred to at Section 1.15 and are assuming that the CIL and infrastructure facilities referenced at sections 1.17 and 1.18 ( <i>local infrastructure, including facilities and services which are essential for development to take place, or which are needed to mitigate the impact of development at the site or neighbourhood level, will be secured through planning obligations</i> ) will include those for healthcare. We have no further comments in relation to the requirements of the Duty to Cooperate, legal compliance or the 'Tests of Soundness.'
065	Celia Derbyshire	The allocation of Chestnut Lodge as a site for a further 20 pitches for gypsy/roma/traveller use does not comply with National or local planning policy guidelines. The site is in open countryside with no local facilities or amenities. The intensification of the development with rows of small pitches in straight lines is totally out of character with the rural environment. The pitch sizes are between half and two-thirds of the recommended size for traveller pitches. The number and close-positioning of the pitches is out of proportion to the local area, where single dwellings are widely spaced in the rural setting, and is also out of proportion to the nearest village, Barnby in the Willows. The rural road which provides the only means of access to this site is unsuited to the quantity and type of extra vehicles that this site will bring. There is no public transport, no street lighting, no cycle lane or pedestrian walkway, meaning all journeys will be by car or van. The only justification for allocating such an obviously unsuitable site is the "unmet need" for travellers' sites in the current DPD. This should not be used to justify allocation of a site which is clearly inappropriate. Allowing a current "unmet need" to dictate policy in a way that will impact local populations permanently is not acceptable. Even if "unmet need" is enough justification for allocating a site which is inappropriate according to all National and local planning guidelines, it does not justify the inclusion of a new dwelling for a manager. The unmet need is for travellers' pitches. Other sites have managers' offices, not new dwellings. Allowing a new dwelling to be built in a rural area goes against national and local planning policy and cannot be justified. It sets a dangerous precedent for all future GRT planning applications. The site already has 2 pitches, given permission in 2021. On that basis I cannot see why it was not included as part of GRT2, "Additional provision on existing sites", rather than GRT4. Either way, serious consideration needs to be given to whether a site that is suitable for 2 pitches is therefore necessarily suitable for ten times that many. Putting this site forward in a document that is offered up now for public consultation is a travesty. The site was given planning permission in August 2023 for a further 19 pitches. (23/00963/FULM). The fact that the site was earmarked for allocation was made clear in committee and therefore will have had some influence on committee members' decisions. The public consultation and formal adoption (or otherwise) of this allocation should have taken place BEFORE any planning application for the site was decided. Offering a period of public consultation on a decision which has already been taken (and which was hugely unpopular with local residents) does not demonstrate the level of public accountability that a District Council should be adhering to.
066	Planning Design and Practise obo clients	The DPD is not sound in regard to Policy NA/MOA because it is not justified or consistent with national policy. Policy NA/MOA is not justified as, compared to the pre-amble prior to the policy, it is very brief and should contain more detail. Additionally, the South Muskham designation does not meet the criteria listed in the pre-amble, meaning the plan is not sound. The site does not play an important role in defining the settlement's form and structure as it is an overgrown, unused parcel of land. It is also not open to the public, viewable from public land or accessible via footpaths. The site would benefit from planning permission being granted, which isn't currently permitted under Policy NA/MOA, to open the site to pedestrians and residents of the village, whilst providing better quality public green space. Additionally, Policy NA/MOA of the DPD is not consistent with national policy as it is not consistent with relevant paragraphs of the NPPF. Paragraph 102 of the NPPF, which most closely resembles the Main Open Area designation, defines Local Green Space as being <i>demonstrably special to a local community and holding a particular local significance because of its beauty, historic significance, recreational value and tranquillity of richness of its wildlife</i> . Therefore, as per the above, the South Muskham designation does not accord with the description of a Local Green Space in line with paragraph 102, which shows that the policy should be amended or the designation at South Muskham should be removed as part of the Second Amended DPD.

069	Harris Lamb obo Telereal Trillium Group:	<p>We are instructed by Telereal Trillium Group (“TTG”) to submit representations to the Second Publication Amended Allocations and Development Management DPD and welcome the opportunity to comment at this time. To put our representations into context TTG own and are promoting land for development to the west of Newark Road, Ollerton. TTG previously secured planning permission for residential development under planning permission 05/02273/FULM in 2006 for 184 dwellings. The permission was implemented and as a result remains extant. The site, having an extant planning permission, was referred to in the adopted Allocations and Development Management DPD as a “Housing site with planning permission” which correctly identified the site’s planning status. However, when the Allocations and Development Management DPD came to be reviewed, the TTG site was identified as open space/school playing fields. Following the publication of the first version of the Allocations and Development Management DPD TTG have sought to query the revised designation of the site with the Council as open space. Ostensibly on grounds that the site has an implementable planning permission for residential development and that by changing the designation of this to open space it could undermine the future delivery of the site for housing. In addition, TTG also note that the Council’s latest Open Space Assessment (2022) confirms that there is already an overprovision of certain typologies of open space within Ollerton. In response to our query, the Council has confirmed that the identification of the site as open space was an error and has deleted the open space designation for the site in the current consultation version of the Plan and for the site to be shown as white land on the Proposals Map. TTG support this change. To support the Council’s deletion of the open space designation, we refer to the Newark and Sherwood District Council Open Space Assessment and Strategy Report (January 2022) which seeks to detail what open space provision exists in the District along with assessing its condition, distribution and overall quality. Table 4 on page 6 of the report lists the current provision of parks and gardens, natural and semi-natural green space, amenity green space and allotments against the standards for each typology in the developer contributions and planning obligations SPD for each settlement in the District. In respect of Ollerton and Boughton there is a significant overprovision of natural and semi-natural green space (9.01 hectares). TTG’s site is undeveloped and would most closely align with the natural and seminatural green space typology. TTG’s site is 5.5 hectares and the deletion of the open space designation of the site would still result in a significant surplus of 4 hectares. Consequently, deleting the open space designation on TTG’s site would still result in there being more than enough natural and semi-natural green space in the settlement against current standards. In light of the above, we support the Council’s intention to delete the open space designation from TTG’s site to the west of Newark Road, Ollerton. Specifically, we support the proposed change to Map 10 of the Proposals Map that removes the open space designation from the site. Whilst we support the removal of the open space designation, we do not support the identification of TTG site as white land on the Proposals Map. In light of the fact that the site has an extant planning permission for residential development we propose that the site at the very least be returned to being identified as a “Housing site with planning permission”, and for certainty we consider the site should be identified as a residential allocation. The site is identified in the Council’s latest statement of the 5 year housing land supply (1st April 2023) as being part of the 5 year supply. Accordingly, the Council considers the site deliverable and capable of delivering housing within the next 5 years. The extant planning permission (05/02273/FULM) was granted in 2006 for 184 dwellings to include a mix of houses, bungalows and apartments. Fourteen of the dwellings were subsequently developed implementing the permission and leaving an extant planning permission for a total of 160 dwellings on the remainder of the site still to be built out. Whilst the permission remains extant, TTG have recently sought pre-application advice for an amended residential scheme that better reflects current market conditions. The response from the Council to the Pre-application enquiry was positive in that the principle of residential development remains acceptable due to the site’s location within the built up area of Ollerton. Furthermore, the site is considered to be located in a sustainable location in the settlement being easily accessible to shops, services and facilities and being well served by public transport. Employment opportunities are also located within the settlement in easy reach of the site. In light of the site’s sustainability credentials coupled with the extant planning permission TTG consider that the site should be identified as an allocation in the Plan (and not just as white land as on the revised Proposals Map). The residential allocation of the site, if confirmed, would provide certainty that the principle of residential use is acceptable and would enable a site specific policy to be adopted to help guide the future development of the site. We, therefore, object to the omission of the site as a proposed housing allocation in the Second Amended Allocations and Development Management DPD on the grounds that the Plan is not positively prepared as a result of the omission. In order to address our objections, the site should be included as an allocation for approximately 184 dwellings, which would address our concerns.</p> <p><b>Please find enclosed our supporting representations forms setting out the above. We would welcome the opportunity to participate at the examination in due course to present our case in full. We, therefore, trust you will take our representations into consideration and look forward to being informed of the submission of the Plan and the start of the examination in due course. Should you have any questions or wish to discuss the representations above please do not hesitate to contact me.</b></p>
070	Dr and Mrs Johnston	<p><b>Policy SP8, paragraph 3.2:</b> These comments/objections refer to the woodland north of our property, Park Farm on Crink Lane, Southwell NG250TJ as marked green on reference map 6. We are concerned that N+SDC in the amended DPD proposes that this area of woodland should be designated as “Public open Space” under SP8. We own this woodland and over many years have endeavoured to make the footpath that crosses it safe for the public by ensuring that any unsafe trees are removed or shortened. We do not wish to open up the rest of the wood to the public having already had instances of fires being lit and damage to trees. Hitherto we have been able to point out to the public that the wood is private. However, should this area be formally designated as “public” we cannot be held liable for any injury or worse to the public other than those relating to the footpath itself, given that there will always be dead trees/fallen branches to contend with. The wood is already protected from development within the conservation area so we do not see what is gained by this additional designation. Surely the word “public” is an invitation to roam over what is privately owned land, with potential environmental and legal consequences as noted above. As a further subsidiary comment, it has only come to our notice very recently that this designation is being proposed with the deadline for responses being 6 Nov. Surely N+SDC could have the courtesy to notify landowners directly of such proposals. We do not find SP8 clarifies what “public” means. We feel that a proposal to make “public” privately owned woodland, without direct consultation with the owners, does not sit well with democratic process.</p>
071	Aspbury Planning obo Messers Briggs Price, Hiller and Porter	<p>Please find set out below representation on the above-cited DPD on behalf of Messrs <b>Briggs-Price, Hiller and Porter</b> who are the joint owners of land at <b>Coddington</b> lying to the north of Old Hall Gardens. Their ownership (See attached Plan) comprises the majority of the land designated as a Main Open Area on what is understood to be the undeveloped residue of the former Coddington Hall estate. The Representors propose that the MOA designation be <b>deleted</b> as it is an arbitrary and unjustified designation on its own merits and, therefore unreasonable, for the following reasons:</p> <ul style="list-style-type: none"> <li>• There is no discrete settlement policy for Coddington within which the MOA designation is explained and objectively justified;</li> <li>• In other settlements where the MOA policy is applied (e.g. Collingham and Sutton-on-Trent) there is a specific Policy (e.g. Co/MOA and ST/MOA) relating to it;</li> <li>• Taking the above-cited settlements as an example MOAs are described as areas of predominantly open land <b>within</b> the settlement that play an important part in defining its form and structure. In both cases the built up area is contained by a 'Village Envelope' and the MOAs are all within the envelope. By contrast there is <b>no</b> Village Envelope at Coddington and both the MOAs designated there are, therefore, both as a matter policy and physical fact, outside the built up area;</li> <li>• Notwithstanding the above, the MOA area north of Old Hall Gardens is an arbitrary designation which lacks any landscape, land use or tenurial unity as a separate space. So far as can be seen, it happens to constitute the incidental residue of the Coddington Hall estate, some of which was planned parkland and some merely fields/paddocks, left after, firstly, the development of the MoD married quarters (e.g. Parklands Close) and, subsequently, the extensive suburban housing development astride Lancaster Road and Beaconsfield Drive.</li> <li>• Whilst the <b>northern</b> part of the designation enjoys <b>some</b>, albeit poorly-maintained and degraded, character as relic parkland, and thus some minor landscape value, its significance has been lost because of the loss of its historic context and its limited area. In any event its 'protection as a MOA is inappropriate and its character could be maintained by the simple 'countryside' status of the land around it, or, through designation together with the open land to the immediate north, east and west as an 'Open Break', separating the Village from the development now permitted astride the A17 to the north.</li> <li>• The <b>southern</b> part (strongly [physically and visually] contained by the development astride Old Hall Gardens, Beaconsfield Drive and Parklands Close and outlined in red on the attached Plan) comprises heavily grazed paddock land with no demonstrable intrinsic landscape, visual or ecological value (except for a single, isolated, large veteran tree specimen). The Council will be aware that the Representors have advanced the candidacy of this Site for residential development in the latest SHELAA and the current representations are consistent with that proposal.</li> </ul> <p>In summary, therefore, the MOA designation in question is neither necessary, nor justified and should be deleted through a Modification at an appropriate time in the preparation of the Plan.</p>
072	Chris Wickham Assoc obo Civitas SPV6 Limited	<p><b>Policy/Bi/Ho/1:</b> The allocation of this housing site is fully supported by the owners who remain committed to delivering the site for residential development comprising approximately 20 dwellings. To this end, the owners are engaging actively with developers. However, as currently set out, the policy states, under the second bullet point, that development of the site will be subject to phasing in relation to the implementation of the extant planning permission for residential development on adjacent land (to the north and west – i.e. Allocation Bi/Ho/2) but this stipulation is considered to be unnecessary given that development on the adjacent allocated site is now well underway.</p> <p><b>Paragraph 5.31:</b> This paragraph states that allocated site Bi/Ho/1 (Bilthorpe - Housing Site 1, Land to the north of Kirklington Road) is to be removed from the village envelope of Bilthorpe. This is unjustified when read in the context of Policy Bi/Ho/1, and is assumed to be a drafting error which appears to reflect the earlier proposal to de-allocate site Bi/Ho/1 in the First Publication Regulation 19 Amended Allocations &amp; Development Management DPD (AADMDPD). The current Second Publication version of the AADMDPD reinstates the allocation, and Map 12 of the associated Plan Review Policies Map (September 2023) shows site Bi/Ho/1 included within the village envelope of Bilthorpe.</p>

		<p><b>-Paragraph 7.74:</b> The objection to supporting paragraph 7.74 should be read in conjunction with the objection by Civitas SPV6 Limited’s objection to Part 5 of Policy DM8 (Conversion of Existing Buildings). As in the case of Policy DM8, the wording of the paragraph is considered to be unsound because it is not consistent with national policy set out at paragraph 80 (c) of the NPPF. Specifically, the paragraph is unnecessarily restrictive in that it limits support for the residential conversion of existing buildings to those which are considered to be of architectural or historic merit. The conversion of existing permanent and structurally sound buildings of utilitarian design would also be sustainable, and would offer the opportunity for enhancing the external appearance through careful conversion. This more expansive approach to the conversion of all forms of existing permanent buildings would be consistent with the NPPF, paragraph 80 (c) of which supports residential development in the countryside where ‘the development would re-use redundant or disused buildings and enhance its immediate setting’. This support is not qualified by the architectural merit or otherwise of the existing building. In addition, whilst stating correctly that existing buildings in the countryside are mostly in unsustainable locations, this paragraph of the DPD should acknowledge that the conversion of existing buildings on sites which are located close or adjacent to settlement boundaries may not be materially less sustainable than development within settlement boundaries. Proximity to existing settlements should be expressly acknowledged as a factor which lends further support to the conversion of existing buildings, including conversion to residential use.</p> <p><b>Policy Number: DM8 (Part 5 – Conversion of existing buildings):</b> The wording of Part 5 of Policy DM8 is considered to be unsound because it is not consistent with national policy (Paragraph 80(c) of the NPPF), and provides no convincing reasons for deviating from national policy. Specifically, the policy is unnecessarily restrictive in that it limits explicit support for the residential conversion of existing buildings to those which are considered to be of architectural or historic merit. The conversion of existing permanent and structurally sound buildings of utilitarian or similar design would also be sustainable, in particular in locations close or adjacent to existing settlements, and would offer the opportunity for enhancing external appearance through careful conversion. This more expansive approach to the conversion of all forms of existing permanent buildings would be consistent with paragraph 80(c) of the NPPF which supports residential development in the countryside where ‘the development would re-use redundant or disused buildings and enhance its immediate setting’. This support within the NPPF is not qualified by reference to the architectural or historic merit of the existing building.</p>
073	Kate Murrell	<p><b>NUA/Ho/10:</b> I am responding to the current allocation consultation re Lowfield Lane development. I would like to indicate that this old field with species rich grassland should not be developed and would be a very good green asset for a highly developed area. It would most likely be considered an area of rich biodiversity by any ecological surveys independently performed anyway, so should be omitted from any residential or other development or interference. Owner of field opposite development on Lowfield Lane.</p>
074	Southwell Civic Society	<p><b>So/RL/01- paragraph 3.6:</b> This should remain as employment land. Reference Map 6- The wooded area to the east of Park Farm on Crink Lane and situated to the North and West of Crink Lane is marked as Spatial Policy 8- Public Open Space. This is not a public open Space but is privately owned woodland. A public right of way crosses the site. The allotments to the east of Crink Lane and across the road from the above woodland are owned by a trust and the allotments off Lower Kirklington Road are privately owned by Sir John Starkey. There is no Public access to either site.</p>
075	Aspbury Planning obo Lindum Developments	<p>We refer to the above draft DPD and specifically to Policies <b>NUA/SPA/1 – ‘Newark Urban Areas – Newark Showground Policy Area’</b> and <b>NUA/MU/1 – ‘Mixed Use Site 1’</b>. Lindum Group maintains significant interest and indeed ownership of a large proportion of the land within the NUA/MU/1 – Mixed Use Site 1 and has been applicant developer for extant, current and anticipated future planning applications/developments within what has subsequently been known as Overfield Park. The Lindum Group is broadly supportive of both of the above Policies subject to the following suggested amendments: • Delete from the second sentence, first paragraph of NUA/MU/1: “a Hotel/Conference facility”. • Amend the Proposals Map – Inset Map 1 – ‘Newark North Proposals’ to: o delete that part of the NUA/MU/1 – Mixed Use Site allocation extending east from the western edge of the former Winthorpe Aerodrome main runway (SSW/NNE aligned) and to the north of Godfrey Drive/Overfield Park (including the ‘Wirtgen’ premises) (Green Area on the attached plan); and, add the area west of the aforementioned runway extending north to the southern edge of Golf Driving Range/former Indoor Bowls Club. (Blue Area on the attached Plan).</p> <p><b>Comment:</b> As has been articulated to planning officers as part of the most recent Lindum outline planning application (Ref. 23/01283/OUTM) related to Overfield Park, it is considered that, by virtue of its character and other component uses, the existing/expanding Overfield Business Park (NUA/MU/1) does not represent a hotel location that is commercially appropriate, attractive to the market and environmentally compatible. By contrast the Newark Showground demise offers - especially on the A46 frontage – alternative opportunity sites that are likely to have greater appeal for hotel operators and, therefore, to optimise the prospects for securing such a facility (see below). The Newark &amp; Nottinghamshire Agricultural Society, the owner and operator of the Newark Showground, has recently agreed to sell the area west of the former main runway the subject of the proposed ‘swap’ of areas within the NUA/MU/1 allocation - highlighted in the 2nd bullet/2nd sub bullet above.- The Lindum Group, the joint owners of Overfield Park, will shortly be submitting an outline planning application for this area for commercial development in accordance with the provisions of NUA/MU/1, but excluding a hotel conference facility. Indeed, the Newark &amp; Nottinghamshire Agricultural Society having imposed a covenant on the sale which prohibits such hotel development. The rationale for this covenant, as stated by the Society, is that the Showground already provides a range of conference facilities and, whilst they are supportive of the provision of new hotel in this area, considers that such a facility should be closely related to, integrated with and complementary to the operational Showground. Furthermore, any additional meeting/conference facilities ancillary to any hotel here do not duplicate and thereby undermine the existing Showground offer.</p> <p>In relation to the proposed spatial rearrangement of the NUA/MU/1 allocation area and, specifically, the deletion of that part extending east from the western edge of the former Winthorpe Aerodrome main runway and to the north of Godfrey Drive/Overfield Park (Green Area) As mentioned above Lindum Group will shortly be submitting a Phase II, following on from a Phase I application (Ref. 23/01283/OUTM), with an area of the proposed application totalling 3.75 hectares (Blue Area on the attached plan) located outside of the current allocation plan area. This forthcoming application proposes to offset the allocation area to better suit the Operational nature of the Showground, whilst not seeking to provide a net increase to the overall area identified and allocated by Newark and Sherwood for Employment Use. This presently allocated area (green area) lies within the aforementioned Society’s ownership and continues to be an important part of the operational Showground, in particular providing car etc. parking during major events. Moreover, the operational importance and function of Green Area, and, thus, its fundamental importance to the Showground will, incidentally, be significantly increased through the Lindum Group’s proposed Planning Application on the land to the west of the former main runway since this Application includes the provision of a new all-purpose access/egress to/from the Showground on Godfrey Drive. The value of the new access lies in the fact that it allows a better distribution of traffic both within and without the Showground during major events, amongst other things providing better dispersal of vehicles (away from the Drove Lane axis) on the local highway network. As such, it is proposed that the area west of the former main runway (blue area) be substituted for it in the Allocation area and the extent thereof be adjusted accordingly. It is understood that The Newark &amp; Nottinghamshire Agricultural Society supports this amendment and will be making separate representations to this end.</p>
076	Mrs Victoria Hodgson	<p><b>Q2 -</b> the score of 0 Neutral (<i>Policy has no impact or the effect is neutral</i>) is erroneous as it does not meet the indicators stated. It does not; A) improve Health inequalities, B) Does not provide New or enhanced health facilities and C) it reduces Accessible natural green space. The health benefits of this area both mental and physical should not be underestimated – during the lock down period this area of natural open green space was invaluable to many and continues to be, providing easy access for Newark residents without the use of transport required.</p> <p><b>Q6 -</b> the score of 0 Neutral (<i>Policy has no impact or the effect is neutral</i>) is erroneous as an ecological appraisal has identified the site as having ecological value (see extracts below) therefore how can a 0 score of “having no impact” be recorded. The ecological survey suggests there is wildlife and grassland that is of at least district if not county level significance. This score should be a triple negative as it does not “increase biodiversity levels across the district or protect habitats” it is in direct conflict to the objective.</p> <p>Below are some extracts from the Ecological Appraisal 2/2/23 published on planning application 22/02375/FULM but interestingly not made available on the Supporting Evidence Base Documents for the Amended Allocations and Development Management DPD</p> <p><b>1.2.1</b> “has found a significant level of ecological interest on the site”,</p> <p><b>4.3.7</b> “a mosaic with the grassland habitats that is of significant ecological interest”,</p> <p><b>4.3.8</b> “A targeted survey was not carried out but more than 50 grassland species were recorded”,</p> <p><b>4.5.1</b> “The desk study returned 38 records of bats within the search area”</p> <p><b>4.8.3</b> “The score is slightly higher than the previous calculation because the terrestrial habitat has significantly improved for amphibians owing to a lack of management” “It is also considered that the value of the hedgerow habitat in 2020 was underestimated”</p> <p><b>4.10.1</b> “A total of 16 species of birds were recorded by casual observation”</p>



		<p>5.4.8 “The hedgerows are considered to be of significant ecological interest because of their size, structural diversity, species-richness, connectivity and links to neighbouring scrub and grassland habitats. Without mitigation, any loss of hedgerows or reduction in size will have an adverse impact at least at local, if not district level of geographical importance.”</p> <p>5.4.9 “it is obvious that the value of the grassland habitat (TN1 and TN11) is of much greater significance than was previously assessed”.</p> <p>5.4.10 “the total number of grassland species average numbers in a square metre are indicative of a grassland that is of at least district if not county importance. Even without a targeted botanical survey a total of 12 grassland indicator species were recorded13. Given the diversity and extent of the grassland resource it is considered that the impact of losses would be adverse at district and possibly county level of geographic importance”</p> <p>5.11.4 “Given the number of notable species (birds) observed by casual observation it is considered that the impact could be significant”</p> <p>Q7 the score of + (<i>Supports objective, but beneficial impact may be minor</i>) the objective is to enhance the district’s landscapes, prevent inappropriate development, facilitate access to green spaces and the countryside, and develop Green Infrastructure networks.</p> <p>This amended allocation (and the previous allocation in 2013) is destroying one of the last surviving country lanes in Balderton, the development is inappropriate due to its’ dangerous accessibility from London Road and lack of infrastructure. The green infrastructure network is already here – it is being destroyed not developed. Look at the wildlife photos on Balderton Wildlife Facebook group for 1000’s of evidential photos from the last 8 months. Breeding tawny and barn owls, kestrels, deer, fox, bats etc they require the green enclave to the south of Balderton area in order to thrive. The long-term plan is to create a series of “nature reserves” along the southern boundary, please leave this land as one of those – it already exists, don’t manufacture sites in the hope that you can tempt wildlife to them, it will be gone.</p>
077	Mr Steven Hodgson	<p><u>Ecology</u></p> <p>Ecological Appraisal – recommendations for further targeted surveys advised for all the below!</p> <ul style="list-style-type: none"> <li>• The development must comply with current nature conservation policy and legislation</li> <li>• The report has found significant levels of ecological interest</li> <li>• Further survey is recommended for roosting bats (trees and buildings), bat activity, nesting birds, reptiles hedgehogs and great crested newts.</li> <li>• Ecological impacts on feature of interest including grassland, swamp and hedgerow will need to be avoided, or appropriate mitigation be put in place</li> <li>• No Sites of Special Scientific Interest found within 5km of site – we know this is incorrect as bordering fields are significant in their biodiversity and data collected.</li> <li>• The hedgerows and boundaries are of significant ecological interest with 16 hedgerows and 6 categories of hedgerow present.</li> <li>• A targeted survey of grassland was not carried out BUT more than 50 grassland species were recorded.</li> <li>• A desk study returned 38 records of bats in the search areas with 7 different identified species identified and 1 species unidentified. The hedgerow, dense scrub, grassland and garden mosaic provide moderate to good quality potential for foraging and commuting bats which do tend to reuse the same roost sites, therefore bat roost is protected whether bats are present at the time or not.</li> <li>• A desk study found 10 records of hedgehog</li> <li>• An adult fox was observed during the survey in the edge of the field and is regularly seen with its two pups on our walks.</li> <li>• 9 amphibian records were found on the desk study – 3 species and noted the natural habitat has now significantly improved.</li> <li>• The value of the hedgerow habitat in the 2020 survey is now considered to have been underestimated.</li> <li>• 9 records of grass snake recorded on the desk study – the nearest 0.8km away at a gypsum mine</li> <li>• The site has recently become more suitable for all reptiles (as it no longer managed) particularly for the grass snake and slow worm.</li> <li>• 16 species of birds were observed during the survey as the limited levels of disturbance recently, the range and mosaic of habitat types have provided nesting and roosting opportunities for all birds. All nesting birds are protected and given the number of notable species observed by casual observation it is considered that the impact of this development could be significant.</li> <li>• There are several pieces of legislation that prohibit interference with places used for shelter or protection, or to intentionally disturb animals from occupying such places.</li> <li>• There are protections for some species of animals (European protected species) two of these are Bats and Great Crested Newts – you cannot disturb any EPS, damage or destroy a breeding or resting site of an EPS, intentionally or recklessly disturb an EPS while it’s occupying a structure or place that it used for shelter or protection</li> <li>• Lowfield lane Grassland, Balderton Works meadow 1 &amp; 2 are designated for their botanical interest.</li> <li>• The loss of woodland at the site would be adverse at the site at a level of geographical importance</li> <li>• The bramble scrub forms an extensive part of mosaic scrub and is of limited botanical interest but does provide habitat for a wide range of fauna.</li> <li>• Mosaics of grassland and mixed scrub are no longer common in the wider countryside, particularly in small field systems and loss of this will be adverse at both a local and geographical level.</li> <li>• The value of the grassland is of much greater significance than was previously assessed. The average number of species in a square metre are indicative of a grassland that is of at least district if not county level due to its’ diversity and extent.</li> <li>• The area of swamp, although low botanical diversity does contribute as it increases the structural and habitat diversity of the area and there is no other area of swamp in the surrounding area.</li> <li>• A desk study returned records of quaking grass and field scabious which are near threatened in England, their presence cannot be discounted.</li> </ul> <p>As already suggested by the Balderton Parish Council. An in depth ecological survey should be undertaken to fully assess the considerable potential impact of the proposal. 180. When determining planning applications, local planning authorities should apply the following principles:</p> <p>a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;</p>
078	Cllr Thomas Collier	<p>As a member of the Town Council planning committee, I would like to echo the points we raised as a group. Namely, that the area around Clay Lane (east of Newark) should be removed from the strategic planning area as both a local amenity with environmental value, accessible to people without private transport. Also, it is an area with a flood risk. With many such areas being developed, there should, in my view, be areas left undeveloped for the finding of new water routes which will not impact housing. Thirdly, there may be archaeological value to the site. I would like to raise the point that excavations so far have been possibly hindered by over reliance on the Royal Commission estimates in the 1960s about the location of civil war sites. Also there has been an understandable reluctance to disturb hedgerows. While this is laudable, defences often used ditches at the edge of field systems which are similar today. Therefore, by not disturbing hedges, which are earmarked for destruction anyway, archaeological excavations are being hindered. I would also like to echo the query around continued adherence to EU legislation. If this is in force, that is acceptable but if not, it is arguably an irrational use and waste of local authority officer time and resources. I would be interested if any clarification of this is possible, please.</p>

079	Protect Our wildlife on Lowfield Lane	<p>I submit that the allocation plan in relation to <b>NUA/ Ho10</b> is:</p> <ol style="list-style-type: none"> <li>1. in direct conflict with the councils own strategic objectives no 3 and 4 without any evidence to support why this isn't the case or to demonstrate that it isn't in conflict.</li> <li>2. I also submit that the same allocation does not cooperate with advice received from statutory consultees and other bodies.</li> <li>3. The allocation is not consistent with national Planning guidance or Govt policy</li> </ol> <ol style="list-style-type: none"> <li>1. The allocation plan contains some very commendable policies in regard to community and the natural environment however these are simply not reflected in the application of objectives 3 and 4 In relation to allocation of NUA/Ho10. Objective 3 ' to ensure and sustain a network of sustainable communities which offer a sense of place that are safe and balanced socially inclusive and respond to the needs of local people ' a 2000 signature local petition sends a very clear signal that this is not responding to the needs of local people by seriously denuding a local well used cherished greenspace wildlife area affording accessible countryside on the last remaining mature true country lane so close to our community . objective no 4 aspires' to protect and enhance the built and natural environment ' it clearly destroys 7 ha of PHI habitat , within a wonderful continuous green corridor of irreplaceable wildlife and cultural value with medieval field patterns and ridge and furrow landforms on species rich lowland grassland used by list one and Redlist species for feeding and breeding – a very strong and obvious contradiction.</li> <li>2. Advice received in response to the planning application from Natural England the Nottinghamshire wildlife trust clearly requires the application of Biodiversity Net Gain to this site which has not been applied by the council . This requirement has been further reinforced by many other consultees including our campaign and a petition of 2000 signatures asking for the same . More over the application of the current BNG methodology would indicate that there are areas of the allocation of such high value that they cannot be compensated for and must be retained . BNG is also a requirement of National planning policy framework NPPF section 15 . Please note the provisions of section 180 points a and c which apply to this site parts of which are irreplaceable where planning permission should be refused .</li> <li>3. The allocation is clearly in conflict with National Policy planning framework as described above it is also in conflict with the primary aims of the EIP 2023 where the central aspiration is to 'leave nature in a better state than we found it ' . This clearly removes a great tract of high quality irreplaceable habitat used by list 1 species and red list species as I have previously described in my other submission . it is also in conflict with the '15 to green initiative' recently adopted by UK government, as it pushes current accessible green space even further away from the community who cherish and use it. There is inadequate buffering provided to protect the adjacent 3 local wildlife sites containing designated PHI habitat from deterioration which has not been adequately addressed or factored into the allocation.</li> <li>4. The recent addition of another area to the west of the current allocation which is currently species rich ridge and furrow grassland further compounds the damage as this allows the allocation to go from 120 houses to 170 with loss of another 2 hectares of high ecological value land.</li> </ol>
080	Coddington Parish Council	<p>The Policies Map does not take into account the large-scale development taking place East of Newlinc Park following appeal. Coddington Parish Council support the maintenance of the existing Newark Urban Boundary, and the exclusion of the area from the allocation of employment land, given the availability of employment land adjacent to the Southern Link Road under construction.</p>
081	Savills obo Oxton Farms Trust	<p>Savills UK Ltd is instructed by our client, Oxton Farms Trust to make representations in relation to Newark and Sherwood Amended Allocations &amp; Development Management DPD consultation that extends until 6th November 2023. These representations relate to land in our client's ownership in and around the village of Oxton. Comments have been set out below in response to the relevant policy within the Amended Allocations &amp; Development Management DPD.</p> <p><b>Policy DM8 Development in the Open Countryside</b></p> <p><b>6. Rural Diversification</b></p> <p>Our client welcomes the increased support for rural diversification in the revised wording of policy DM8 (6) . With changes to subsidy regimes, enabling farming businesses to diversify into new activities remains more important than ever. Therefore, the inclusion of the following working in 6. Rural Diversification is supported:</p> <p><i>"Proposals for development which helps sustain existing agricultural and other rural enterprises such as smallscale farm shops selling local produce will be supported. To represent appropriate rural diversification, Farm Shops will be expected to source a reasonable proportion of their produce from the farm and / or local area. This would be secured by way of condition. Planning applications should be supported by a statement that demonstrates the proposed development forms part of an appropriate rural diversification scheme which will contribute to making the existing business viable."</i></p> <p>It is considered important that the policy goes further to support diversification, and encourage uses other than farm shops which could also be appropriate in the countryside (see comments below in relation to 8. Employment uses).</p> <p><b>8. Employment uses</b></p> <p>In relation to rural employment and business uses, the amendments to the policy seek to add a sequential element to focus development in the first instance within and on the edge of settlements. The following paragraph is proposed as part of the policy:</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 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 of existing employment allocations or on employment land within urban boundaries or village envelopes is not more appropriate."</i></p> <p>Our client is disappointed with the inclusion of an additional hurdle for employment uses in the countryside and this is contradictory to the positive approach proposed in other parts of DM8 in relation to farm shops and holiday accommodation in particular. The policy amendments specify that development should be 'small scale' and therefore it is considered unnecessary to place a further requirement to sequentially justify the choice of site. In many cases, these small scale employment uses will form part of the diversification of a rural business and therefore, an approach such as that set out in part 6 of the policy, relating to farm shops, would be more appropriate. Unless a proposal is of a large scale, it is considered that a site specific explanation and consideration of impacts would be a more appropriate and proportionate policy response. Paragraph 84 of the NPPF (2023) states: <i>"Planning policies and decisions should enable: 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; b) the development and diversification of agricultural and other land-based rural businesses"</i> Paragraph 85 goes on to state: <i>"Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist."</i> Furthermore, the principle of small scale employment uses is recognised by the introduction of permitted development rights in 20151 for the conversion of up to 500 square metres of agricultural building/s to uses including Class B8 (storage or distribution), Class C1 (hotels), Class E (commercial, business or service). Whilst specific to conversions, the GPDO confirms that the principle of small scale employment is appropriate in a rural context. It is therefore considered that the proposed wording of part 8 of DM8 is not in accordance with national guidance and legislation, and creates an additional barrier to rural diversification at a time when local authorities should be doing all they can to support growth in these areas. The draft policy contradicts the guidance in paragraphs 85 and 86 of the NPPF. An approach which reflects that in part 6 of the policy for farm shops is considered more appropriate.</p> <p><b>11. Visitor Based Tourism Development and Tourist Accommodation</b></p> <p>Amendments to part 11 of DM8 are welcomed and it appears that the policy takes a slightly more flexible approach to tourism development and accommodation (albeit in accordance with Core Policy 7 of the adopted Core Strategy). As noted previously, policies which help facilitate the diversification of rural businesses are welcomed, and tourism presents an important opportunity to attract new visitors to the countryside. The emphasis of part 11 of the policy is considered to be in accordance with NPPF paragraph 84 states that: <i>"Planning policies and decisions should enable: c) sustainable rural tourism and leisure developments which respect the character of the countryside;"</i></p> <p><b>Core Policy 2A - Entry-Level Exception Housing</b></p> <p>It is noted that a new policy is proposed which relates to ' Entry-Level Exception Housing'.</p>

		<p><i>“Core Policy 2A - Entry-Level Exception Housing Entry-level exception sites as set out in national planning policy will be supported in locations adjacent to the Urban Boundary/Village Envelopes of the Newark Urban Area, Service Centres and Principal Villages where it can be demonstrated that they are addressing a shortfall of the type of entry-level product being promoted in the proposal. Such proposals should also reflect the type of entry level product that is required in the locality of the proposal. They should not be larger than one hectare in size or exceed 5% of the size of the existing settlement and be in line with DM5b Design and the Sustainable Design SPD. Entry-level exceptions sites are not acceptable in the Green Belt, on Main Open Areas, Open Breaks, Local Green Space, or areas at risk of flooding, or on designated nature conservation sites or that impact on the special character of heritage assets contrary to the provisions of Core Policy 14 Historic Environment.”</i></p> <p>It is disappointing that this policy would not apply to those settlements smaller than Principal Villages nor within the Green Belt. Paragraph 78 of the NPPF states: <i>“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> Furthermore, paragraph 79 states: <i>“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.”</i> It is therefore important that all types of rural exception housing should be supported in rural areas, including the Green Belt. Other Matters: Call for Sites In September 2021 seven sites were submitted to NSDC for consideration through the SHELAA. I have included the details of these sites in Appendix 1. Conclusion I trust this submission confirms the position of Oxton Farms Trust in relation to the emerging Amended Allocations &amp; Development Management DPD. The Local Plan has a vital role to play in supporting sustainable growth in the countryside, which is essential in ensuring the resilience and vitality of rural communities. Please do not hesitate to contact me should you require any further information.</p>
082	Avant Homes	<p><b>RE: Land at Harrow Lane, Boughton</b></p> <p>I write in relation to the above consultation and following our previous comments submitted to the earlier versions of the proposed Allocations and Development Management DPD. For the avoidance of doubt, the previous comments remain of relevance (but not repeated)/ Further comments are set out below: Boughton (Page 78) Within the emerging Plan, Ollerton and Boughton is stated to act as a ‘Service Centre to a large population both in the Town and the surrounding Sherwood Area. The plan proposes to include some allocations where developments have already been undertaken and proposed 2 new Mixed use sites, but have not chosen to allocate the land at Harrow Lane. This land extends to c30 acres and has potential to deliver c15 acres/225 dwellings of residential land (on the western side of the site) and c15acres of employment land (on the eastern side of the site). This land is well related to the settlement and local facilities and services. It is also not technically constrained and is available, deliverable and achievable for development in the short term. Avant has a legal interest in the land which would ensure that development would be forthcoming upon allocation of the site and we would work with the Council to bring the site forward in accordance with a mixed use Masterplan. Boughton is identified as a sustainable settlement within the Plan and is well placed to accept further development at Harrow Lane in the short term. Worst case, this site should be identified as safeguarded land in order to enable development to come forward if the delivery of the other allocations is not forthcoming. Policy DM2: Development on Allocated Sites: It is noted that this policy has been amended to remove the reference to Developer Contributions and Planning Obligations SPD. This deletion is supported by Avant and allows appropriate evidence at the relevant time to be taken into account. However, the Council should identify what evidence is expected to be relied upon i.e, SHELAA, SYLS etc. By stating which evidence is likely to be used, developers would know exactly which evidence to review and consider in terms of understanding development opportunities on new sites. Policy DM5a: The Design Process Avant Homes consider that the changes to this policy are unsound and are not consistent with national policy. It is noted that the policy amendments include reference to the National Design Guide and locally adopted Design Codes and requires all new residential development to perform positively against Building for a Healthy Life. Whilst Avant do seek to work in accordance with the Building for Healthy Life criteria, it is noted that this is not understood to be a ‘standard’ to be achieved, and aims to guide development as much as possible in terms of considering design and the creation of successful places. In that context, it is not considered appropriate to state that Developers should meet the standard of those objectives in Local Plan policy (when it is actually a voluntary position) – particularly, without setting out and understanding what would be specifically required as part of future development schemes. Policy DM7 Biodiversity and Green Infrastructure Avant consider that this Policy is unsound by virtue of it being outdated when considered against latest national policy. Biodiversity Net Gain is currently an area of continuous movement and the current position is that the implementation date for Mandatory Biodiversity Net Gain has been put back from November 23 to January 24, and additional guidance is emerging and expected. Clearly, Avant Homes recognise the importance of Biodiversity, Net Gain and Green Infrastructure. However, any requirements need to be proportionate, reasonable and not stifle development unnecessary and timescales should be in line with those set by National Policy in order to avoid adding delays and complexity to an already slow planning system. Any policy requirement should therefore be set at a maximum of 10% BNG required for a maximum of 30 years, with each site being assessed independently and as part of a greater understanding of wider issues and package of each development site.</p>
083	The Impact Branch Limited	<p><b>Policy DM8- Policy Map- Bilsthorpe:</b> With regards to the changes to Policy DM8, we note the rewording of the first paragraph, removes the emphasis from ‘the main built up areas’ and makes the policy more generic in that it simply now refers to development away from villages or settlements. However, there are no alterations to (or removal of) the development boundaries in the policies maps to reflect this. Policy DM8 (8) relates to the development of employment uses. The wording is proposed to be altered to allow ‘larger scale development’ where the need is demonstrated. These changes are welcomed, but additional supporting information should be provided to confirm what is deemed to be appropriate need. For example, a demand side need brought about by prospective tenants should be supported. The proposed additional paragraph is welcomed in general. The aim of the additional paragraph relates to expansion of businesses or new businesses with the open countryside. The proposed wording begins to support expansion of existing business areas, such as industrial estates, as opposed to the existing wording of the policy which only supports the expansion of ‘existing businesses’. The wording of the last sentence should be altered to ensure the other ‘appropriate sites’ which are to be considered are within the nearest village/settlement to which the development site relates. On this basis, we agree with the direction of travel with the changes to DM8 but believe that additional detail and justification should be included to allow a more accurate interpretation by developers when considering the expansion of existing business parks within the open countryside.</p>
084	Lindum Group	<p>Lindum Group maintains significant interest and ownership of a large proportion of land within the NUA/MU/1 – Mixed Use Site 1 and has been applicant developer for extant, current and anticipated future planning applications / developments within what has subsequently been known as Overfield Park. Representations have been made separately for this policy to support the deletion of Hotel/Conference facility and proposed amendments to the Proposals Map – Insert Map 1. We as neighbouring landowners support the proposed amendments to the Showground Policy area (NUA/SPA/1) including the allocation for Lorry Park use. This if designed and located sensitively would be a complementary use to Overfield Park, providing employment and economic activity in the area.</p>
085	Pegasus Group obo Gleeson	<p>Thank you for this opportunity to submit comments in relation to the Newark and Sherwood Amended Allocations and Development Management Policies DPD (AADMPPDPD). We submit comments on behalf of our client, Gleeson, who has land interests at Oldbridge Way, Bilsthorpe. The Site The site is a large, broadly linear plot of land which abuts the southern edge of Bilsthorpe. To the north is the existing settlement of Bilsthorpe and to the east and west is the new residential development which is being delivered by Gleeson. Land to the south of the site is designated as open countryside. A playing field is located adjacent to the north eastern corner of the site. The site is currently being built out by Gleeson, who gained planning permission for the redevelopment of the entire site for 120 dwellings in July 2020 (application reference: 20/00642/FULM). This followed multiple earlier planning applications for the residential redevelopment of the wider site parcel. Figure 1 below is an approved planning layout plan to show how the comprehensive redevelopment will be delivered on site.</p> <p><b>(See original representation for Figure 1)</b></p> <p>This followed an earlier approved proposal to build further into this undeveloped land. As shown in Figure 2 below, application 16/01618/OUTM approved built form further into this undeveloped land and the Council approved this in April 2017. The Council considered this as an appropriate location for development and there were no site-specific constraints to prevent this land being developed. Figure 2 – Approved masterplan for application 16/01618/OUTM. Proposed Settlement Boundary for Bilsthorpe The proposed settlement boundary, which is being discussed as part of this consultation, is shown in Figure 3 below. The settlement boundary proposes to tightly follow the edge of the built development that is coming forward. For some unknown reason it currently excludes the green space within the centre of development from the settlement boundary, despite this forming part of the comprehensive redevelopment of this site.</p> <p><b>(See original representation for Figure 2)</b></p> <p><b>(See original representation for Figure 3)</b></p>



		<p>The green space forms an integral part of this development and sits in between the two blocks of development coming forward. The boundary to the edge of the developed part of this site is poorly defined. It is not formed with any physical feature which could be readily recognisable, and which is likely to be permanent. Accordingly, we are concerned with the way in which the settlement boundary has been drawn which we wish to set out within these representations. The settlement boundary should be drawn as per Figure 4 below.</p> <p><b>(See original representation for Figure 4)</b></p> <p>Settlement Boundaries Context A settlement boundary is a line which is drawn on a policies map around a village or area of built development. The settlement boundary is used as a policy tool reflecting the area where a set of plan policies are to be applied. Settlement boundaries should be drawn to facilitate an appropriate level of proportional growth within the plan period. The National Planning Policy Framework (NPPF) (2023) sets out the government’s planning policies for England. The NPPF does not directly discuss defining a settlement boundary however it does provide a few paragraphs which are relevant to setting settlement boundaries. Paragraph 11a of the NPPF advocates flexibility in the plan-making process to; <i>‘Promote a sustainable pattern of development that seeks to meet the development needs of the area’</i>. There are no specific requirements within the NPPF or the Planning Practice Guidance (PPG) to review settlement boundaries as part of the Local Plan, and that is it for individual Local Planning Authorities to determine the most appropriate approach, based on local circumstances. However, it is clear in the NPPF that there should be a clear separation of the urban areas from the defined countryside. There is no clear evidence within the Council’s evidence base which sets out how the settlement boundaries have been drawn and what methodology has been used. From a review of other Councils’ Local Plans and their evidence base, a settlement boundary paper is usually prepared, 5 which sets out what methodology will be used and how this has been applied to the settlements within the borough. Without this evidence and from reviewing the proposed settlement boundary for Bilsthorpe, it is unclear why the settlement boundary has been drawn this way and why this comprehensive development has not been included within the settlement boundary in its entirety, following permanent and recognisable features. This area of Bilsthorpe is not characteristic of the countryside and this part of the site can no longer be considered as having a countryside setting. Over one hundred new dwellings are coming forward in this area which has significantly changed the character of this area. This land is now well related to the built form of Bilsthorpe and characteristic of the built environment surrounding it. Therefore, all of land should be included within the settlement boundary, as shown in Figure 4. Open Space As per the Council’s Open Space Assessment and Strategy Document, prepared in January 2022, this site is not designated open space and is not included within the Council’s totals for the open space available within the borough. The report confirms that there is no need for additional open space to be identified within Bilsthorpe as there is a plentiful supply. As such, if this area is to be included in the settlement boundary it should just be identified as land within the settlement boundary as opposed to open space as it is not counted within the Council’s open space supply.</p>
086	Ruth Neilson	<p><b>Policy NUA/Ho/10 Newark Urban Area - Housing Site 10:</b> This site is included in the DPD yet the LPA, NSDC is acting ultra vires. The Screening Opinion in respect of 23/02375/FULM, the planning application for NUA/Ho/10, was not published to the NSDC planning portal until, I, a member of the public requested a copy by email at 18 September 2023 15:40. This created a failure to comply with planning guidance &amp; regulations, a lack of democratic accountability &amp; transparency. NSDC then published the Screening Opinion to its portal with the date of publication as 09 March 2023. Until I submitted the request for the Screening Opinion, 23/SCR/00001 had <b>not</b> been published to the public, accessible via the Planning Portal. I requested by email at 20 September 2023 02:36 that the <u>correct</u> publication date of 19 September 2023 be entered onto the planning portal as 19 September 2023 was the first date the public had access to the document 23/SCR/00001. The LPA, NSDC confirmed by email at 25/09/23 12:43 that the publication date had been amended to 19 September 2023. All emails are held by NSDC. The Screening Opinion was undertaken after the closure of the representation period on 09 January 2023 for the Newark &amp; Sherwood Local Development Framework, Plan Review, Publication Amended Allocations &amp; Development, Management DPD, Statement of Consultation document dated September 2023 &amp; before the meeting of the Full Council, 20 September 2023 where the current document, Second Publication Amended Allocations &amp; Development Management Development Plan Document (DPD) was approved. The public were denied the legal opportunity to comment on the Screening Opinion from the LPA, NSDC decision date 09 March 2023 to 19 September 2023, a period of 194 days. Note that the first opportunity for the public to comment on the Screening Opinion, as published, was one day before the Full Council meeting, see above. The LPA validated on 07 March 2023, its own application as the Developer, Arkwood Developments Ltd and made the declaration within its Application Form (Planning Portal Reference: PP-11715467) that the Sites Existing Use is an Allocated Development Site, when at that date the Screening Opinion was unavailable to the public. Prior to any Screening Opinion no assessment or consultation had been made by the LPA, NSDC as to the suitability of NUA/Ho/10 as a development site. The LPA, NSDC did not apply an Environmental Impact Assessment to the Screening Opinion 23/SCR/00001 even though the types of impact are of a markedly different nature as the site has not been intensively developed (it is a wildlife site with highly important, some unique, ecological and species components) and the development would have significant urbanising effects in a previously non-urbanised area. The presumption of Allocation is faulty given the failures outlined.</p>
087	Turley obo Nottingham Trent University Brackenhurst Campus	<p><b>Introduction and Background</b></p> <p>Turley has been instructed by Nottingham Trent University (NTU) to review the ‘Amended Allocations and Development Management DPD’ currently out for consultation (Monday 25th September 2023 to Monday 6th November 2023). NTU is the owner and operator of ‘Brackenhurst Campus’. Brackenhurst Campus is located to the south of the town of Southwell in Nottinghamshire. It is currently occupied by a series of buildings across a 200-hectare estate which provide academic, support and residential space for NTU. It is based on a working farm and is home to teaching facilities for veterinary nursing and other courses related to animal, rural and environmental sciences. The site has been home to the Brackenhurst Campus of Nottingham Trent University for over 20 years and caters for over 1,000 students from the School of Animal, Rural and Environmental Sciences. It is based around a former countryside estate with landscaped gardens and a country house built in 1828.</p> <p><b>Current Planning Policy Position</b></p> <p>The proposals map associated with the adopted Allocations and Development Management Development Plan Document (A&amp;DM DPD), adopted in July 2013, shows that part of the main campus (the Top Ground Southwell Cricket Club Ground) is designated as “<i>public open space / school playing fields</i>”. This is covered under Spatial Policy 8 (leisure and community facilities) in the Amended Core Strategy (ACS 2019). The policy applies to “<i>community facilities (Community Halls, Village Halls, Halls related to places of worship, village shops, post offices and public houses), built sports and cultural facilities (including libraries), sports fields, education facilities, school playing fields, public open space, amenity open space, children’s play area and allotments</i>”. The justification for this designation was set out in the ‘Playing Pitch Strategy Assessment Report’ (September 2014) which formed part of evidence base for ACS 2019. Southwell Cricket Club currently plays on this pitch under agreement with NTU, and there is also a football field marked out on the site. Accordingly, its designation as an area of Public Open Space / School Playing Field in the adopted DPD is considered appropriate in this respect. Additionally, the area to the south of the Brackenhurst Main Hall (to the south of the Students Union) is designated as a Site of Interest in Nature Conservation in the adopted development plan. The policy (ACS Core Policy 12 and the A&amp;DM DPD Policy DM7) requires that development seeks to conserve and enhance the biodiversity and geological diversity in the district. The majority of the main campus, and the fields to the south, falls within the open countryside under Policy DM8 in the A&amp;DM DPD and Spatial Policy 3 in the ACS 2019. The area to the north of the main campus is designated as ‘Protected Views’ (A&amp;DM DPD Policy So/PV).</p> <p><b>Amendments Proposed to the A&amp;DM DPD</b></p> <p>NTU fully supports the District Council’s decision to progress with an update to the A&amp;DM DPD as the plan was last adopted in 2013. NTU has no specific comments on any amendments to the policies within the document. The following comments relate to the proposed changes to the Policies Map. In addition to retaining Top Ground Southwell Cricket Club as ‘Public Open Space / School Playing Field’ under Spatial Policy 8 of the ACS 2019, the District Council is now proposing that three new areas of the main campus are placed under the same designation. These areas are described as follows:</p> <p><b>Area 1   Edwardian Walled Garden</b></p> <p>This part of the campus is enclosed by the Grade II listed ‘Garden Walls and Potting Sheds’ to the north-east of Brackenhurst Hall. The area is currently used as allotments associated with...</p> <p><b>Area 2   Land east of Brackenhurst Main Hall</b></p> <p>This part of the campus forms the gardens historically associated with the Brackenhurst Main Hall. The area is also designated as a Site of Interest in Nature Conservation, covered under Core Policy 12 of the ACS 2019 (biodiversity and green infrastructure).</p> <p><b>Area 3   Land south and west of Brackenhurst Main Hall (excluding compound)</b></p> <p>Similar to Area 2, this part of the campus forms the gardens historically associated with the Brackenhurst Main Hall, this time to the south and west. This area forms landscaped areas of grassland for the amenity of students. This area is not open to the public. The proposed designation does not include the area of hardstanding / compound shown in the image below, although this area has now been returned to grassland. The Amended A&amp;DM DPD is supported by ‘Open Space Assessment and Strategy’, prepared in January 2022, by Knight, Kavanagh and Page Ltd. Although it is not clear from our review of this document, it does appear as though these new areas are covered by single reference 491 in the report (termed ‘NTU Brackenhurst’). The area</p>

		measures 2.34 hectares, which could cover all three areas listed above. The reference is referred to as “Parks and Gardens”, the primary purpose of which is for “ <i>Accessible, high-quality opportunities for informal recreation and community events</i> ”. Appendix Two of the report lists out the sites outside of the larger settlements and includes reference 491 NTU Brackenhurst. The document states that “ <i>sites without a quality or value rating were highlighted as being inaccessible</i> ”. There is no quality score or value score for reference 491 in the document. Accordingly, using the assessment as set out in Appendix Two, our assumption is that the three areas above are classed as “inaccessible” as areas of open space. Returning to ACS 2019 Spatial Policy 8, this refers to land for leisure and community facilities. The supplementary text goes on to state that the policy applies specifically to the following: “ <i>community facilities (Community Halls, Village Halls, Halls related to places of worship, village shops, post offices and public houses), built sports and cultural facilities (including libraries), sports fields, education facilities, school playing fields, public open space, amenity open space, children’s play area and allotments</i> ”. As the three areas are in private ownership and are used for the amenity of students, NTU consider that the designation of these areas as leisure or community facilities for the public is inappropriate as it cannot be classified as space consistent with any of the uses set out above. Accordingly, it is requested that these areas remain undesignated as they are in the current adopted Policies Map.
088	Severn Trent Water	<p><b>-DM5(b):</b> Severn Trent is supportive of this policy, particularly points 7 (Ecology) and 10 (Flood Risk and Water Management)</p> <p><b>-DM5(d):</b> Severn Trent is supportive of this policy as it aligns with our own water efficiency ambitions</p> <p><b>-DM7:</b> Severn Trent is supportive of this policy as it aligns with our ambitions to enhance our natural environment and boost biodiversity across our region</p> <p><b>-NUA/Ho/10:</b> In the Sewer Capacity Assessment completed August 2022, this allocation was assessed for 120 properties and returned a ‘High’ risk for the potential impact on the foul sewerage network. This allocation has now increased to 170 properties, further increasing the risk to the foul sewerage network. As plans develop further for this site, we would recommend consultations/discussions with Severn Trent are initiated as early as possible so further assessment / modelling can be completed to understand the risk in more detail and, if required, plan any required improvements to the network.</p>
089	William Robinson	The DPD is not sound because it is not positively prepared or justified. My comments and objection refer to an agricultural field, which is currently planted with trees, to the south of my house in Easthorpe, Southwell, NG25 0HY, and adjacent to the allotments on Crink Lane. The private Filed (with a public footpath that crosses it) is part of a block of land which is coloured green on reference map 6. I am concerned that NSDC in the amended DPD proposes that this field, currently woodland should be designated as ‘public open space’ under SP8. My family and I owned this field for 116 years and have always made sure the footpath that crosses it is safe for the public to use. More recently, since the field has had trees on it, we continue to try to make sure that the public footpath is clear and free of overhanging or fallen branches. However, since the field has become wooded, we have had several cases of trespass by the public, fires being lit and damage to trees which have had branches cut to form bivouacs. We have recently had to remove Old duvets and pillows, beer cans and general rubbish, etc. and this is whilst the wood is still private. I am concerned that if this area becomes formally designated as ‘public’ then such occurrences will increase. We cannot be held liable for any injury to the public who believe that they have a right to roam as they feel fit over what they perceive as public open space because of how it is named as such on the map. The wood is already protected from development as it is already in the conservation area so I do not understand why its name has to change from private to public land? I am disappointed that the NSDC did not have The courtesy to notify me directly of such proposals. It’s only by pure chance that I heard recently from another landowner (who wasn’t notified either) about the proposal to make private land designated as Public open space.
090	Barnby in the Willows Parish Council	<p><b>With regard to the DPD:</b></p> <p><b>Policy GRT4 quotes:</b> “Site layouts should recognise on-site capacity constraints with; new pitches being capable of meeting the needs of occupants; supporting an acceptable level of residential amenity for occupants and neighbouring uses; and be capable of providing for a safe standard of occupation. Positive management of surface water will need to ensure that the site itself is safe in flood risk terms and risk is not increased elsewhere”. Chestnut Lodge pitch sizes are smaller than recommended, which will adversely impact families, especially when there is lack of clarity about whether the same family will reside in the static and tourer planned per pitch, or if it could be different families in each i.e. Two families across each pitch. There will not be an acceptable level of amenity provided – there is no provision for children to play on site, and the site is not within easy distance of shops, schools or medical services due to its rural location – in fact, although with Balderton’s boundary, the nearest settlement is Barnby in the Willows which has only a church, a pub and a Village Hall. Proposals would mean significantly increasing population in comparison to Barnby, creating a huge impact, as well as there being no safe provision for travel on foot or by bike into Balderton (due to lack of foot/cycle paths and the rural roads being dangerous). Insufficient information has been provided about how waste or surface water will be managed – e.g. septic tank / water connections. It does not comply with NSDC Spatial Policy 3 for rural areas.</p> <p><b>NUAGRT/10 quotes:</b> “the site is allocated for .....a new dwelling in order to assist with the management and operation of the new pitches and creation of an additional new vehicular access to serve the pitches”. The Chestnut Lodge site has had planning permission granted for a permanent house/structure to be used to facilitate management of the site. It is not accepted that a house is needed at all, let alone to such a scale. This is not “acceptable in landscape and visual terms” because not only is it overbearing, and not in keeping with the rural area, the permission would not have been granted had it been a non-GRT provision – this is potentially discriminatory against the non-GRT community. Planning applications within the village, on a much smaller scale, have been historically declined due to conservation / rural impacts, so it is highly irregular that this should be permitted. Vehicular access has been deemed safe but splay data was not accurate, and visibility is not clear putting other users at risk. Therefore, this cannot be treated as compliant, or sound. It is felt that insufficient consideration has been given to the fact that there are a number of existing, and proposed, GRT developments / allocations in the area surrounding Barnby in the Willows which will have adverse impacts on not only rural life and landscape, but safety through increases in traffic speeds and volumes on roads that cannot cope – especially when likely to be used to cut through to main roads / other sites. Lack of evidence of consideration of neighbouring sites / needs being met in neighbouring authorities suggests that the document has not been positively prepared. There has been a lack of information about whether or not consultations / site visits have taken place to assess wider considerations e.g. Historic England / archaeological surveys / Environmental Health (potential land contamination from previous use), impacts to gas mains, and to review alleged breaches of previous planning terms so the document cannot be deemed to have been produced positively or effectively if planning decisions are made without gathering full facts.</p> <p>In terms of the <b>National Planning Policy Framework</b> -</p> <p>Section 2 states the need for achieving sustainable development with three overarching objectives being economic, social and environmental. The DPD does not meet these objectives because allocating Chestnut Lodge:</p> <ul style="list-style-type: none"> <li>• is not “the right land in the right place”.</li> <li>• does not “foster a well-designed, beautiful safe place.</li> <li>• does not have “accessible services that reflect need, or support communities’ health, social and cultural well-being”.</li> <li>• does not “protect the natural environment” or -improve biodiversity”.</li> </ul> <p>Section 8 outlines how development has to support the importance of safe and effective pedestrian and cycle routes – the inclusion of Chestnut Lodge does not meet this as there are no such routes, nor a way of developing such link to nearest amenities, thereby, preventing the GRT community from accessing “social, recreational and cultural facilities” or “public service infrastructure”. Section 9 deals with sustainable transport options, of which there is a limited bus service to the area, and no pedestrian / cycle networks. Section 12 quotes that developments “are sympathetic to local character and history, including the surrounding environment and landscape setting”. Allocating the Chestnut Lodge site does not meet these guidelines / recommendations. The section entitled Ground Conditions and Pollution states proposals must “take account of ground conditions and risks arising from contamination – insufficient evidence has been shown to confirm if the land has been contaminated by previous agricultural use which could put the community at risk. Looking at the <b>Government’s Planning Policy for Traveller Sites</b> –</p> <p>Policy B (plan making) – the DPD fails to meet the majority of items under point 13.</p> <p>Policies C and H – state that authorities should ensure that scale of sites does not dominate the nearest settled community – as it is Barnby (not Balderton centre) that is the nearest, the inclusion of the Chestnut Lodge site will potentially dominate the village and massively increase population in that area. The DPD apparently ignores / contravenes points 14 and 25 specifically.</p>
091	Maurice Leach	There is no robust or reliable evidence base to justify the chosen option to de-allocate what is presently designated as a development site for 20 houses. To quote the existing DPD, “Land at the end of Alexander Avenue and Stephen Road has been allocated on the policies map for residential development providing around 20 dwellings”. This de-allocation fails to take sufficient account of both documented and hidden unmet need,. It also seems to indicate a lack of continued cooperation with National Highways A46 draft. Plans between Newark and Winthorpe, these have not been approved by the Secretary of State and the project team have already decided that the scheme will not require this land and have refused a ‘blight’ application.

**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**

ID	Respondent	Comment
001	Harris Lamb obo CB Collier NK (SSC) Limited	The proposed designation of the former Sports and Social Club site as open space/playing fields should be deleted and the site allocated for approximately 115 dwellings instead.
003	Newark Town Council	Requests the deletion of Land East of Newark allocation
013	Natural England	Suggests amendments to the wording of DM7 and DM5b to reflect updates to NE guidance.
015	Sport England	Suggest a factual update to Paragraph 7.48 as Sport England, in conjunction with Active Travel England and the Office for Health Improvement and Disparities, has now produced Active Design (2023).
016	Rapleys obo British Sugar	<p>We therefore consider that the following amendments are necessary to <b>Part 8 of Policy DM8</b>. 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. 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. 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. The administrative process to revoke the redundant HSC will need to be completed by the HSA. In the meantime, evidently, Newark Sugar Factory should not be identified as a Hazardous Installation in the Development Plan by virtue of the site's operator confirming that the site not storing any hazardous substance and that the facilities at the site cannot physically store the hazardous substance as per the records held by the HSE and the HSA. British Sugar operates three other sugar beet processing factories in the UK – in Wissington, 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"> <li>• <b>Wissington Sugar Factory</b> 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.</li> <li>• <b>Cantley Sugar Factory</b> is a site specific allocation under Policy CAN1 in the adopted Broads Local Plan, supporting the factory's ongoing operation and growth.</li> <li>• <b>Bury St Edmunds Sugar Factory</b> 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. We request that the same approach is taken for Newark Sugar Factory instead of designation of the site as a hazardous installation. The suggested policy wording is set out in the last section of these representations.</li> </ul> <p><b>Policy DM4:</b> 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. We therefore 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. As stated in these representations, we consider that Newark Sugar Factory should be recognised and protected as a major employment site, rather than being incorrectly identified as a Hazardous Installation, in order that its continued operation and growth, including renewable energy development to improve its operation is supported through the Development Plan. We believe, a site specific designation is justified given the significance of Newark Sugar Factory to the agri-food sector in the region and the local economy and a longstanding sustainable business operating outside the defined Urban Area. The suggested policy wording is as follows:</p> <p><i>"Newark Sugar Factory's continued operation and the role it plays, both within 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 6 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"</i></p> <p>We reiterate our previous representations that the Newark Sugar Factory's national significance and British Sugar's commitment to the factory's ongoing and long-term operation in Newark should be recognised in the Local Plan rather than being identified incorrectly and inappropriately as a Hazardous Installation. We request that the Amended Allocations and Development Management DPD positively supports and encouraged ongoing operation, adaptation and growth of the factory through a site-specific designation as a major employment site for protection and support for ongoing operation and growth, including wind energy generation development for the factory operation. It is requested that our representations are taken into consideration in the Local Plan Review process.</p>
017	Mansfield District Council	Not applicable
022	Ashover Estates	Not applicable
024	Welbeck Estates- Cedar Planning	<p>Having regard to the current planning situation with the two submitted applications referred to above, it is likely to be the case that the overall amount of employment land is reduced. Therefore, should the applications be approved prior to the adoption of this policy the wording may need to be amended to:</p> <p><i>'The site will accommodate around 120 dwellings, approximately 8.5 hectares of employment provision, approximately 20,000 sqft of retail use (for a small/medium supermarket) and 10.8 hectares of enhanced Public Open Space and sports provision.'</i></p> <p>It is recommended that the scale of the small supermarket is defined within policy CI/MU/1 of approximately 20,000 sqft. 1.15. 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. 1.33 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.</p>
025	Canal and River Trust	The trust has reviewed the second publication documents and we have no comment to make.
030	Tetlow King Planning obo Sparks	<p>Tetlow King Planning suggests that the policy text for So/RL/1 be amended as follows to ensure that the Plan policy is justified:</p> <p><b><del>-Policy So/RL/1: Southwell- Reserved Land to the South of Crew Lane</del></b></p>



		<p><del>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 unmet residential development needs in this area. Development proposals which prejudice this approach will not normally be considered appropriate.</del></p> <p>The reasoned justification to the policy would also need to be amended accordingly to reflect this change in emphasis. 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 96 dwellings from the current allocations and the unmet needs for 150 affordable homes identified in the 2022 HNS for Southwell.</p> <p><b>Policy DM2: Development on Allocated Sites:</b> 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>
031	Lichfields Obo Bourne Leisure Ltd	<p><b>-DM4:</b> N/A  <b>- DM5a:</b> 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.  <b>- DM5b:</b> N/A  <b>-DM8:</b> N/A  <b>-DM9:</b> N/A</p>
033	AECOM obo Egdon Resources UK limited	The proposed changes sought by Egdon to Policy DM4 are required to ensure that the DPD is in accordance with paragraph 155 of the NPPF, and to achieve consistency with Core Policy 10 (Climate Change) in the Amended Core Strategy adopted by the Council in March 2019. The proposed changes sought by Egdon to Policy DM8 are required to ensure that the DPD is in accordance with paragraph 155 of the NPPF, and to achieve consistency with Core Policy 10 (Climate Change) in the Amended Core Strategy adopted by the Council in March 2019.
035	Delta Planning obo Tritax Acquisition 39 Limited	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 (circa 37,000 sq.m.) has already received Reserved Matters approval. The principle and suitability of logistics use in this location has therefore already been established. The site's suitability is also fully acknowledged in the latest SHELAA (Site Ref. 16_0174) with the Site Assessment Report reaching the overall conclusion in respect of this site that <i>"The site is adjacent the urban boundary of Newark and may be considered suitable for development."</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.
036	Historic England	Policy <b>GRT4</b> now includes a new site for new Gypsy, Traveller and Travelling Accommodation at Land East of Newark Road, Ollerton. We have the following comments:  <i>"We welcome the reference to archaeology within the site considerations. It could be beneficial to consider the impacts to Grade II Chaley House on the opposite side of the A616".</i>
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.
047	Fisher German obo Richborough	Not applicable
048/49	George Machin	Not applicable
050	House Builders Federation	At present we still 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: <ul style="list-style-type: none"> <li>• The policy on BNG needs updating</li> <li>• Affordable housing policy has not been amended to reflect viability evidence in accordance with national policy;</li> <li>• Viability study does not reflect full impact of policies on the cost for development, including SPD</li> <li>• Requirements to accord with SPD are unsound</li> <li>• Reference to Building for a Healthy Life should be voluntary and not a requirement</li> </ul>
051	IBA Planning obo Mr H Fury	Not applicable
052	Turley obo Bellway Homes	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 1.32 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. Further changes are required to Policy Ra/E/1 Rainworth given that the outline planning application (ref:21/00996/OUTM) for 91 dwellings submitted in April 2021 was approved at Planning Committee on 5 th October 2023. Please refer to the letter of representations submitted with this form for further detail.
053	IBA Planning	<b>Policy DM8:</b> As above, the first paragraph of section 5 of Policy DM8 should be removed in its entirety as it is not directly relevant and/or inconsistent with national planning policy. The second paragraph of section 5 of Policy DM8 can be retained as presently worded, but only if explanatory paragraph 7.74 is amended to provide the necessary clarity regarding the Council's position (i.e. that they support) on the residential conversion of rural buildings. Paragraph 7.74 should be amended to remove the current conflict with section 5 of Policy DM8 – and to be consistent with national planning policy. The sustainability of the location of a site is irrelevant with regard to the residential conversion of buildings. The NPPF makes it clear that the residential conversion of a building in an isolated location is acceptable subject to the development resulting in an enhancement to its setting – and it would therefore make no sense whatsoever for the residential conversion of buildings in non-isolated (i.e. more sustainable) locations to not be supported in the same way. Paragraph 7.75 is also considered to be inconsistent with national planning policy and should be removed in its entirety – save for the final sentence referring to the Conversion of Traditional Rural Building SPD (which could sensibly be tagged on to the end of para 7.74).
054	Stantec obo Urban and Civic	As our representations to the first publication AADMDPD (Ref: 054/Para 8.9 (CP1)/t4/0136 on behalf of Urban and Civic), and taking account of the proposed amendment within the Second Publication AADMDPD, Urban & Civic respectfully request that the proposed wording of Core Policy 1, B 'Tenure' is amended as follows (underlined/strikethrough).  <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</u> to the national requirements to secure 10% of new dwellings as affordable home ownership product as set out in part D of this policy.</i>  <i><u>In respect of the remainder of the affordable housing units,</u> the District Council will seek to secure a tenure mix <del>of Affordable Housing</del> to reflect local housing need and viability on individual sites. Overall, the tenure requirement in the district should reflect the following mix:</i>

		<ul style="list-style-type: none"> <li>- <del>60% X Social rented/ affordable rented</del></li> <li>- <del>X% affordable rented</del></li> <li>- <del>40% affordable home ownership product</del></li> </ul> <p>The <del>affordable home ownership product element of the contribution will comprise the overall national 25% First Homes with the remaining 15% made up of other affordable home ownership products will be based on an up-to-date assessment of local need. First Homes should secure a minimum discount of 30% against the market value.</del></p> <p>In addition, the last bullet point within the supporting text at paragraph 8.9, should be amended as follows:</p> <p><del>“Whatever your local target for affordable home ownership product housing units a minimum of 25% must be First Homes”.</del></p> <p>These 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> <p>As our representations to the first publication AADMDPD (Ref: 054/Para 7.4 (DM5a/T2T3/0135 on behalf of Urban and Civic), Urban &amp; Civic respectfully request that paragraph 7.24 is amended as follows (underlined/strikethrough):</p> <p><del>“Applicants are strongly encouraged to engage local communities and other stakeholders at each stage of in the design process for proposed major or otherwise sensitive developments with the extent of engagement proportionate to the scale, form, type and sensitivity of the proposals. 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 stakeholder engagement is in addition to the usual Planning Application Notification and consultation process. Early and proactive engagement with local communities and stakeholders 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”.</del></p> <p>The proposed change provides a more proportionate approach to engagement that will assist in the delivery of major developments. It is necessary for the approach to engagement within the AADMDPD to be justified and effective and thus sound.</p> <p><b>Policy GRT4:</b> As our representations to the first Publication AADMDPD (Refs: 054/GRT4 P MAP 2/T1T2T3T4/0138 on behalf of Urban and Civic &amp; 054/GTAA Pages 29-33/T1T2T3T4/0139 on behalf of Urban and Civic), Urban &amp; Civic respectfully request that proposed Gypsy, Roma and Traveller pitches at the Former Belvoir Ironworks are removed from the AADMDPD. As such, Urban &amp; Civic respectfully request that Site NUA/GRT/11 Former Belvoir Ironworks, Bowbridge Lane, Newark is deleted from Policy GRT4 (Site Allocations) and removed from Policy 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. 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 Policy 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><b>Open Space Assessment Strategy 2022- Map 2 Newark South Proposals:</b> As our representations to the first Publication AADMDPD (Ref: 054/P MAP 2 Open Space Assessment Figure 4.1/T2/0140 on behalf of Urban &amp; Civic), Urban &amp; Civic respectfully request that Policy Map 2 (Newark South Proposals) be amended to remove the proposed designation of the School Playing Fields at Middlebeck Primary School. In addition, Urban &amp; Civic respectfully request that the further proposed designation of open space at Bowbridge Square and Willow Walk also be removed. The proposed designation of Public Open Space/ School Playing Fields at Middlebeck is not supported by the evidence and, as such, is not justified. Removal of this designation across Middlebeck 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><b>NUA/AR/1:</b> As our representations to the first Publication AADMDPD (Ref: 054/NUA AR 1 P MAP 2/T2/0134 on behalf of Urban &amp; Civic), Urban &amp; Civic respectfully request Policy Map 2 (Newark South Proposals) be amended to reclassify 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 redesignation as NUA/AR/1 – Area B is therefore necessary to make the AADMDPD sound in respect of archaeological areas within Middlebeck.</p> <p><b>NUA/Ho/7:</b> As our representations to the first Publication AADMDPD (Ref: 054/NUA Ho 7/T3/0131 on behalf of Urban and Civic), Urban &amp; Civic respectfully request that the last paragraph of the proposed wording of Policy NUA/Ho/7 is amended as follows (strikethrough): “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.” 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><b>NUA/Ho/10:</b> As our representations to the first Publication AADMDPD (Ref: 054/NUA Ho 10 P MAP 2/T3/0132 on behalf of Urban and Civic), Urban &amp; Civic respectfully request that the extension of Site NUA/Ho/10 Land North of Lowfield Lane is removed from the AADMDPD. As such, Urban &amp; 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 extension of the site is removed from the Policies Map. This proposed change will assist the delivery of Middlebeck and is necessary for the AADMDPD to be effective and thus sound.</p> <p><b>NUA/OS:</b> As our representations to the first Publication AADMDPD (Ref: 054/Para 2.10 NUA OS/T3/0133 on behalf of Urban and Civic), Urban &amp; Civic respectfully request that the wording of paragraph 2.10 is deleted and replaced with the following text: “Development of these sites will be supported where it is clear that delivery of allocated sites is not taking place at the rate required.” 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>
056	P&DG obo NSK Europe Ltd	Not applicable
057	Avant Homes	<p><b>Core Policy 1- Affordable Housing Provision:</b> 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><b>Core Policy 3 - Housing Mix, Type and Density:</b> 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. 2.5 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 &amp; Sherwood District there was a demand of 10.4% for the same category. 2.6 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 &amp; 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</p>

		<p>housing need information”. 2.8 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><b>Policy DM2 – Development on Allocated Sites:</b> 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. 2.16 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. 2.18 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. 2.19 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. 2.20 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. 2.21 ‘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. 2.22 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. Amended Allocations &amp; Development Management Plan Document (DPD) – Avant Homes 2.23 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. 2.24 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><b>Policy DM5a – The Design Process</b> 2.25 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. 2.26 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. 2.27 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><b>Policy DM5b - Design</b> 2.28 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”. 2.29 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 &amp; Development Management DPD. 2.30 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. -In summary, Avant consider the following points need further review from the Council prior to adopting the Local Plan in its proposed format:</p> <ul style="list-style-type: none"> <li>· The land at Cavendish Way, Clipstone should be allocated for development in the short term. It is available, deliverable and achievable in terms of development and Avant have a legal interest in the land to ensure delivery of residential development in the immediate/short-term. From our preliminary investigations, the site does not have any technical constraints and is located in a sustainable and complementary position to the existing residential envelope.</li> <li>· Design Policy DM5a is unnecessary restrictive;</li> <li>· Affordable Housing (as per previous reps) remains in conflict with national policy; and,</li> <li>· The policy position on Biodiversity needs updating and to be consistent with national policy.</li> </ul>
059	Protect Newark Green Spaces	<p><b>Policy NUA/Ho/10:</b></p> <ol style="list-style-type: none"> <li>1. Remove mentions of ‘Land north of Lowfield Lane’ from the DPD until full details are known and publicly available such that informed submissions can be made.</li> <li>2. If there is a legal reason why 1 above cannot be done. We propose the following revised wording of the 2 mentions of ‘Land North of Lowfield Lane’: <ul style="list-style-type: none"> <li>p.18 Land North of Lowfield Lane has been allocated on the Policies Map for residential development; the extent of the development, number of dwellings and other details are currently unknown and under review.</li> <li>P.233 Housing Trajectory: All numbers removed against ‘Land North of Lowfield Lane’ and totals adjusted accordingly.</li> </ul> </li> </ol>
060	Dessurne & Son	One solution I could propose, would be to slip Barnby Road onto the A1 at the bridge over the A1 near to the Barnby Road/ Coddington Road junction. This would not completely solve the problem but would help in several ways, firstly, it would give some help to congestion at Fernwood by allowing the alternative route along Hollowdyke Lane to be used at a greater extent because the constraint of Coddington Road would be reduced, even though the bridge over the railway would not be helped, the problem of traffic ending up in the village of Coddington would be eliminated. Secondly, it would give an alternative access route to Newark Town centre via Barnby Road, albeit, with the constraint of Barnby Road railway crossing, which however, would act as a traffic modulator as I have found, living along Bull pit Lane. Thirdly, it would allow better access for all the residents and all the businesses that live and operate along Barnby Road and Bullpit Lane, as this is becoming increasingly difficult; refer: TI 3_5: Impacts of Growth, and it can only get worse.
062	Environment Agency	The proposed Tolney Lane flood protection/alleviation scheme requires extensive partnership working between the two risk management authorities.
064	NHS	We have no further comments in relation to the requirements of the Duty to Cooperate, legal compliance or the ‘Tests of Soundness’.
065	Celia Derbyshire	Chestnut Lodge should be removed from the list of allocated sites and the new dwelling should be removed from the allocation completely. Unfortunately, however it is too late to do either of these things as permission has already been granted.



066	Planning Design & Practice obo clients	The site at South Muskham should be removed from Policy NA/MOA, to make the plan more consistent with paragraph 102, as the area no longer plays an important role in defining the settlement form and structure. It is an overgrown, unused site which could be sustainably developed into an integral site in the centre of the village to provide open space and access for all residents. The policy designation on the site at South Muskham is not justified or consistent with national policy, therefore, is not sound and should be removed from the Second Amended DPD.
067	Aspbury Planning obo Newark and Notts agricultural soc	<p>We refer to the above draft DPD and specifically to <b>Policies NUA/SPA/1 – ‘Newark Urban Areas – Newark Showground Policy Area’</b> and <b>NUA/MU/1 – ‘Mixed Use Site 1’</b>.</p> <p>The <b>Newark &amp; Nottinghamshire Agricultural Society</b> is the owner and operator of the <b>Newark Showground</b> - one of the premier event venues in the East Midlands - which occupies the majority of the Showground Policy Area.</p> <p>The Society is broadly supportive of both of the above Policies subject to the following suggested amendments:</p> <ul style="list-style-type: none"> <li>• <b>Delete</b> from the second sentence, first paragraph of NUA/MU/1: “a Hotel/Conference facility”.</li> <li>• <b>Amend</b> the Proposals Map – Inset Map 1 – ‘Newark North Proposals’ to: <ul style="list-style-type: none"> <li>○ <b>delete</b> that part of the NUA/MU/1 – Mixed Use Site allocation extending east from the western edge of the former Winthorpe Aerodrome main runway (SSW/NNE aligned) and to the north of Godfrey Drive/Overfield Park (including the ‘Wirtgen’ premises); and,</li> <li>○ <b>add</b> the area west of the mentioned runway extending north to the southern edge of Golf Driving Range/former Indoor Bowls Club. (See attached Plan).</li> </ul> </li> <li>• <b>Add</b> a new Allocation – NUA/MU/1A(?) -comprising the Showground frontage to the A46(T): that is, the land to north-north-east of the proposed amended NUA/MU/1 allocation (see above), between the north-west edge of the former airfield main runway and the A46(T), extending as far as Drove Lane (see attached Plan [detailed boundary subject to the A46 improvement]): The supporting text to read: <p style="margin-left: 40px;"><i>“(This Site) is allocated on the Policies Map for mixed use development, compatible with and complementary, to the Showground Policy Area allocation within which it lies. The Site will accommodate Hotel and Conference -, Restaurant -, small scale Convenience Retail - and Sporting facilities, together with Education/Training and Employment uses.”,</i></p> </li> </ul> <p>The text would then continue in the same terms as the second paragraph onwards of NUA/MU/1</p> <ul style="list-style-type: none"> <li>○ <b>add</b> the area west of the aforementioned runway extending north to the southern edge of Golf Driving Range/former Indoor Bowls Club. (See attached Plan).</li> <li>• <b>Add</b> a new Allocation – NUA/MU/1A(?) -comprising the Showground frontage to the A46(T): that is, the land to north-north-east of the proposed amended NUA/MU/1 allocation (see above), between the north-west edge of the former airfield main runway and the A46(T), extending as far as Drove Lane (see attached Plan [detailed boundary subject to the A46 improvement]): The supporting text to read: <p style="margin-left: 40px;"><i>“(This Site) is allocated on the Policies Map for mixed use development, compatible with and complementary, to the Showground Policy Area allocation within which it lies. The Site will accommodate Hotel and Conference -, Restaurant -, small scale Convenience Retail - and Sporting facilities, together with Education/Training and Employment uses.”,</i></p> </li> </ul> <p>The text would then continue in the same terms as the second paragraph onwards of NUA/MU/1.</p>
069	Harris Lamb obo Telereal Trillium Group	<b>Land West of Newark Road, Ollerton:</b> In light of the fact that the site has an extant planning permission for residential development we propose that the site at the very least be returned to being identified as a “Housing site with planning permission”, and for certainty we consider the site should be identified as a residential allocation.
070	Dr and Mrs Johnston	<b>Remove the proposed designation of public open space for the woodland referred to above.</b>
071	Aspbury Planning obo Messers Briggs Price, Hiller and Porter	In summary, therefore, the MOA designation in question is neither necessary, nor justified and should be deleted through a Modification at an appropriate time in the preparation of the Plan.
072	Chris Wickham Assoc obo Civitas SPV6 Limited	<p><b>Policy/Bi/Ho/1:</b> The Policy should be changed to omit the second bullet point. This change will make the Policy sound because delivery of housing on this site allocation will no longer be subject to an unnecessary phasing restriction.</p> <p><b>Paragraph 5.31:</b> Paragraph 5.31 should be amended to omit the words ‘and to also remove site Bi/Ho/1’. By doing so, the paragraph will be consistent with Policy Bi/Ho/1, and therefore sound.</p> <p><b>Paragraph 7.74:</b> should be amended to read as follows:- ‘The countryside contains many buildings that are no longer needed or suitable for their original purpose and a significant number of these have already been converted to other uses. The conversion to dwellings will be supported, in particular in more sustainable locations close or adjacent to settlements. It will need to be demonstrated through the submission of a structural survey that the building is capable of being converted without substantial alteration or re-building. If approval is granted, the amount of re-building permitted will normally be restricted by condition to that required by the structural survey. If the need for further re-building is identified during the construction process, this may trigger the requirement for a new planning application. Submission of a protected species survey and any proposed mitigation will also be required as part of any application.’ The above change will achieve consistency with paragraph 80(c) of the NPPF, and will therefore make this paragraph sound.</p> <p><b>Policy Number: DM8 (Part 5 – Conversion of existing buildings):</b> The second paragraph of Part 5 of Policy DM8 policy should be amended to read as follows:- ‘Proposals for the conversion to new residential uses will be supported, in particular in locations close or adjacent to settlement boundaries, where it can be demonstrated that the buildings can be converted without significant re-building, alteration or extension. This includes the conversion of buildings of historical merit where conversion would result in their preservation. Further guidance over how proposals for the conversion of traditional rural buildings will be considered is provided in the Conversion of Traditional Rural Buildings Supplementary Planning Document.’ This change would bring the policy closely into line with the less restrictive approach to the re-use of redundant or disused buildings in the countryside, as set out at paragraph 80(c) of the NPPF, and would make this part of the policy consistent with national policy, and therefore sound.</p>
073	Kate Murrell	field opposite development on Lowfield Lane: It would most likely be considered an area of rich biodiversity by any ecological surveys independently performed anyway, so should be omitted from any residential or other development or interference.
074	Southwell Civic Society	<b>So/RL/01- paragraph 3.6:</b> Remove the above areas from Public Open Space- change the designation of So/RL/01 to So/E/3
075	Aspbury Planning obo Lindum Developments	<p>The Lindum Group is broadly supportive of both of the above Policies subject to the following suggested amendments:</p> <ul style="list-style-type: none"> <li>• Delete from the second sentence, first paragraph of NUA/MU/1: “a Hotel/Conference facility”.</li> <li>• Amend the Proposals Map – Inset Map 1 – ‘Newark North Proposals’ to: delete that part of the NUA/MU/1 – Mixed Use Site allocation extending east from the western edge of the former Winthorpe Aerodrome main runway (SSW/NNE aligned) and to the north of Godfrey Drive/Overfield Park (including the ‘Wirtgen’ premises) (Green Area on the attached plan); and, add the area west of the aforementioned runway extending north to the southern edge of Golf Driving Range/former Indoor Bowls Club. (Blue Area on the attached Plan).</li> </ul>

076	Victoria Hodgson	I do not believe the Integrated Impact Assessment Framework has been objectively assessed, seeming to be weighted in favour of the objectives, with little acknowledgement of the adverse impacts other than token wording being added to a policy without any real meaning. Until it can be objectively assessed then the land should not be allocated. The fact that a planning application for 151 dwellings has already been submitted, despite only 120 being approved by the secretary of state in 2013 suggests an assumption that it's already a forgone conclusion regardless of any cooperation or participation. Until all the evidence is available then this allocation should be withdrawn. As a layman with no previous experience of land allocation, government policies or strategies, planning permissions etc I have found this process absolutely bewildering – how access to any of this information meets “duty to cooperate” is beyond me. I would go so far as to suggest back as far as 2011 the numbering of this allocation changing from NU/HO/12 to NUA/HO/10, the jump from 100, to 120 to 170 is misleading and extremely time consuming to follow a paper trail therefore could not suggest wording of a particular policy or objective to enhance understanding to the common man.
077	Steven Hodgson	Although the ecological appraisal has identified value, there is not any enhancement which protects the biodiversity listed above. The change required to rectify the shortcomings of the DPD in relation to NUA/HO/10 would be to de allocate this parcel of land north of Lowfield lane. The council and their in-house developers have hugely underestimated the ecological value of this site. Due diligence was not given at the land purchase stage and continues to be driven forward to avoid embarrassment on the waste of resources. There is no mitigation to building on greenfield sites with a view to conserve wildlife. Builders move in, wildlife moves out, never to return This allocation should be refused for the wellbeing of our existing wildlife and the conservation of the varied threatened species existing here for all to admire.
078	Cllr Thomas Collier	Not applicable
079	Protect Our wildlife on Lowfield Lane	Remove mentions of ‘Land north of Lowfield Lane’ allocation NUA/ Ho 10 from the DPD until more accurate and sound assessment of its agreement with the councils strategic policies in the allocation plan and objectives 3, 6 and 7 can be made on the basis of more accurate assessment and survey data. The inclusion of the additional parcel of land on to the west of the site in this updated plan which takes the capacity from 120 houses to 170 houses should be subjected to scrutiny as it was not included in the original allocation and should be considered in the light of current govt and planning policy not considered as part of the original allocation granted back in 2012/13 .
080	Coddington Parish Council	Not applicable
081	Savills obo Oxton Trust Farms (response above)	<b>Policy DM8:</b> It is considered important that the policy goes further to support diversification, and encourage uses other than farm shops which could also be appropriate in the countryside <b>Employment uses:</b> Our client is disappointed with the inclusion of an additional hurdle for employment uses in the countryside and this is contradictory to the positive approach proposed in other parts of DM8 in relation to farm shops and holiday accommodation in particular. The policy amendments specify that development should be ‘small scale’ and therefore it is considered unnecessary to place a further requirement to sequentially justify the choice of site. In many cases, these small scale employment uses will form part of the diversification of a rural business and therefore, an approach such as that set out in part 6 of the policy, relating to farm shops, would be more appropriate. Unless a proposal is of a large scale, it is considered that a site specific explanation and consideration of impacts would be a more appropriate and proportionate policy response. <b>Core Policy 2A - Entry-Level Exception Housing:</b> Entry-level exception sites as set out in national planning policy will be supported in locations adjacent to the Urban Boundary/Village Envelopes of the Newark Urban Area, Service Centres and Principal Villages where it can be demonstrated that they are addressing a shortfall of the type of entry-level product being promoted in the proposal. It is disappointing that this policy would not apply to those settlements smaller than Principal Villages nor within the Green Belt and therefore important that all types of rural exception housing should be supported in rural areas, including the Green Belt.
082	Avant Homes	In summary, Avant consider the following points need further review from the Council prior to adopting the Local Plan in its proposed format: · The land at Harrow Lane, Boughton should be allocated for mixed use development in the short term. It is available, deliverable and achievable in terms of development and Avant have a legal interest in the land to ensure delivery of a suitable mixed use development site in the immediate/short-term. From our preliminary investigations, the site does not have any technical constraints and is located in a sustainable and complementary position to surrounding land uses. · Design Policy DM5a is unnecessary restrictive; · Affordable Housing (as per previous reps) remains in conflict with national policy; and, · The policy position on Biodiversity needs updating and to be consistent with national policy.
083	The Impact Branch Limited	As detailed above, the proposed wording of Policy DM8 is generally welcomed but does not allow an easy interpretation by developers looking to expand within the open countryside. Additional supporting paragraphs or altered wording to the policy as above should be included within Policy DM8 to further detail how development of existing business parks should be considered.
084	Lindum Group	Not Applicable
085	Pegasus Group obo Gleeson	As part of the Newark and Sherwood Second Publication Amended Allocations and Development Management Policies DPD Consultation, the Bilsthorpe settlement boundary should be amended to include land which is currently being delivered as a comprehensive redevelopment of the site. This land is not designated open space, nor has it been included within the within the open space provision within the Council’s recent open space assessment (2022). The area is not characteristic of the countryside and therefore should be included within the settlement boundary. We trust our representations are clear but if you have any questions or wish to discuss this further, please do not hesitate to contact us.
086	Ruth Neilson	-To remove NUA/Ho/10 from the DPD. -To undertake a robust, legal and transparent democratic consultation exercise as to the current and potential use options for the area identified as NUA/Ho/10. -To withdraw 23/SCR/00001. -To withdraw 23/02375/FULM
087	Turley obo Nottingham Trent Brackenhurst Campus	To remove the proposed designation of the three areas above as ‘Public Open Space / School Playing Fields’.
088	Severn Trent Water	<b>NUA/Ho/10:</b> As plans develop further for this site, we would recommend consultations/discussions with Severn Trent are initiated as early as possible so further assessment / modelling can be completed to understand the risk in more detail and, if required, plan any required improvements to the network.
089	William Robinson	<b>SP8- Paragraph 3.2:</b> The designation of ‘public open space’ should be removed from this private wood that is not even visible from the town. There is already a public footpath that is clearly shown as such on existing maps.
090	Barnby in the Willows Parish Council	The Chestnut Lodge site should not be included within the DPD due to it failing to meet a number of policy criteria as stated above. The Council should seek to buy sites that satisfy the planning policy rules, rather than end-up, granting retrospective planning to random, sites that have been set up that don't fulfil planning policy requirements.
091	Maurice Leach	<b>NUA/HO/1- Newark North Map 1:</b> Up until this point, the district council clearly regarded this site as appropriate for development. Deallocation would therefore seem to be unreasonable and unjustifiable in the context of its own established criteria. In order to render the DPD ‘sound’, the site should continue to be allocated for housing and the same wording should be retained: “Land at the end of Alexander Road and Stephen Road has been allocated on the policies map for residential development providing around 20 dwellings”. Any decision about the site should not have been made for work on the A46 as these have no impact on the upon the effectiveness of delivery of housing development. The site should only be de-allocated if it can be shown by solid evidence that housing could not be delivered. I have engaged with the A46 project team and they have stated that this site is not required. Perhaps there needs to be more cooperation between the council and the A46 project team.