

Dear Examiner,

Date

Winthorpe with Langford Neighbourhood Plan – Regulation 16 Stage District Council Response

This letter provides the formal response from the District Council to the Regulation 16 stage of the Winthorpe with Langford Neighbourhood Plan (the Plan).

Please note that although due to transitional arrangements it may not be necessary to amend the document to take account of changes to the NPPF, it is recommended that the Qualifying Body do so because it will make it a more useful, up-to-date and comprehensible document.

A table is provided after these comments showing where District Council documents are referred to incorrectly and how they should be referred to.

1.10: It is stated here that the plan period is up to 2034, but the foreword says that it is 2023 – 2033. Clarity on this is necessary because there cannot be any doubt about what the plan period is.

2.33 The number of the paragraph is in italics for no reason, and the reference to a paragraph in the NPPF needs to be updated.

Biodiversity in Winthorpe: Throughout this section many species names are in capital letters when they should be lower case. Species are correctly in lower case in the ‘Biodiversity in Langford’ section.

2.41: The second sentence should begin with ‘Muntjac and roe deer’. If a third deer species is intended to be referred to, it should be named.

Figure 8 (p20): The map does not appear to show which shade of blue is which flood zone. This should be made clear.

2.55: Are there maps missing here? This may be a reference to figure 9, but this doesn’t appear to show how the village’s accessibility and permeability have changed over time.

Housing and Housing Needs (p23): The new NPPF and housing targets for the District should be discussed in this section.

Figure 10 (p27): The area called Newark Showground Policy Area does not match the Newark Showground Policy Area defined in the Allocations & Development Management DPD (which remains unchanged in the ongoing review of this document). The area to the south of the A17 is not included in this designation in the DPD. A new map should be provided.

4.1: There has been progress in the review of the Allocations & Development Management DPD since this was written. It is now accurate to say: 'Newark & Sherwood District Council is in the process of reviewing the Allocations & Development Management DPD. An amended version of the document has been submitted to the Planning Inspectorate and an Examination in Public was held in November 2024. The District Council is not proposing to make any new housing, employment or retail allocations through this review.'

4.3: The paragraph in the NPPF referred to here is now numbered 31.

4.4: Not all of the material quoted here is in paragraph 11 now.

4.6: It would be more accurate to say that the two main documents of the local development framework are the Amended Core Strategy and the Allocations & Development Management DPD. Other documents such as Supplementary Planning Documents and the Policies Map also make up the local development framework.

6.3: The second sentence should say 'the presumption in favour of sustainable development' instead of 'the presumption of sustainable development'.

6.4: Again, it should be 'the presumption in favour of sustainable development'.

Policy 1, 1e: This needs to be changed. It refers to 'a net increase of at least 10% in biodiversity within the Neighbourhood Plan Area'. While non-exempt development must now demonstrate a Biodiversity Net Gain (BNG) of 10% or more, it should be accepted and made clear that it may not always be possible to provide this on-site or even in the local area so it would be better to remove the words 'within the Neighbourhood Plan Area'.

Policy 1, iib: 'At and adjoining Newark Showground' needs explanation and clarification - some of the Neighbourhood Plan Area is in the open countryside and this should be treated differently to that in the settlements. It should be explained how this part of the policy sits against Policy NUA/SPA/1 of the Allocations and Development Management DPD which concerns the Newark Showground Policy Area defined on the Policies Map.

6.7: This needs 'of' to be inserted before 'Winthorpe', and the references to paragraphs in the NPPF need to be updated. Later in this paragraph, it appears that there is a reference to a Policy within the Amended Allocations and Development Management DPD. It should be made clear that this is not an adopted document, and while it gives an indication of the direction of travel of District Council policy, only limited weight can be attached to it currently.

6.8: The references to paragraphs in the NPPF need to be updated.

Policy 3, throughout: It would be better to say 'plant, infrastructure and machinery' instead of just 'plant' to be more inclusive of potential sources of renewable energy.

Policy 3, 3: This should say 'will not usually be supported' rather than 'will not be supported' because there may be situations where, for instance, the loss of productive agricultural land could be made acceptable through mitigation or compensation.

6.10: The references to paragraphs in the NPPF need to be updated.

6.12: Again, it appears that there is a reference to a Policy within the Amended Allocations and Development Management DPD. It should be made clear that this is not an adopted document, and while it gives an

indication of the direction of travel of District Council policy, only limited weight can be attached to it currently.

Policy 4: In paragraph 1, i, ii, iii and arguably iv and v are very similar. Could a) be one point?

The measures set out in paragraph 2 may not always be appropriate or possible and local policy provides guidance but does not enforce standards.

In paragraph 2, there is a requirement for charging facilities for electric vehicles which goes beyond local and national policy – please see the Building Regulations 2010 Approved Document S:

[Building Regulations Approve Document S](#)

Please also see the Newark & Sherwood Residential Cycle and Car Parking Standards & Design Guide Supplementary Planning Document:

[Residential Cycle and Car Parking Standards and Design Guide SPD](#)

New developments are not always required to provide charging facilities. The wording of the policy could be altered a little to bring it in line with local and national policy, but it might be better and much simpler to delete this aspect of the policy as any planning application will need to comply with Building Regulations anyway, so it is not necessary.

In paragraph 3 a) and b) need to be better explained and allow for the loss of a pathway if mitigated, and also b) is realistically unenforceable. How could it actually be applied? How would a decision maker know if an application would adversely impact on any future expansion of the footpath and cycle path network or other active travel facility as outlined in the Neighbourhood Plan's Active Travel aspirations? This should be rewritten.

6.15: The references to paragraphs in the NPPF need to be updated.

6.21: The references to paragraphs in the NPPF need to be updated.

6.23: This appears to be referring to the amended version of Core Policy 3 which appears in the Amended Allocations and Development Management DPD (although Core Policy 3 is in the Amended Core Strategy, the District Council is seeking to amend it through the current review). It should be made clear that Amended Allocations and Development Management DPD is not an adopted document, and while it gives an indication of the direction of travel of District Council policy, only limited weight can be attached to it currently.

Policy 6: The last sentence of paragraph 1 b should refer to a – b above, not a – c above.

In 'c. Provisos' i, there is not a mandatory requirement for *all* new housing to be M4(2) compliant, so this policy appears to go beyond local and national policy without justification. Also in c, what precisely is meant by ii and how would it apply to Langford, in particular 'the main body of the village'? Would separate policies for each village be more appropriate, for example such as:

'Schemes for new development in Winthorpe should normally be small scale in size with 5 units considered a reasonable upper limit. Schemes for new development in Langford should normally be small scale in size with 1 unit often being considered appropriate.'

6.24: Please see comments on Figure 10, above.

6.25: The references to paragraphs in the NPPF need to be updated.

6.27: Neither the original or the amended versions of Policy DM8 actually state exactly what is claimed in the last sentence of paragraph 6.27. This needs to be changed and it should be made clear which document is being referred to.

6.28: Neither the original or the amended versions of Policy DM11 actually state in section 5 exactly what is said in this paragraph. The wording chosen makes the policy sound more restrictive than it really is. This needs to be changed and it should be made clear which document is being referred to.

Policy 7: Paragraph 2 refers to Use Class E1 which does not exist. This needs to be changed to show what is really intended.

Paragraph 3 could be interpreted as being permissive of new residential development – is this what is meant? This needs clarification either way.

Paragraph 5 needs to be proportionate – language like ‘would unreasonably detract’ would be better.

6.32: Presumably section 9 of what should be described as ‘Policy DM8 of the Allocations and Development Management DPD’ is being referred to here. Paragraph 6.32 makes it sound as if this policy protects existing facilities in the same way as Spatial Policy 8. Policy DM8 is more concerned with controlling and guiding new developments in the Open Countryside and this needs to be clarified.

6.33: Two accidentally inserted full stops should be removed from this sentence.

6.34: This should be altered to acknowledge that not all new development has to deliver 10% BNG, some types of development are exempt. The reference a paragraph in the NPPF needs to be updated.

6.36: What should be described as ‘Policy DM3 of the Allocations and Development Management DPD’ does not state that new developments should contribute to the development of new green infrastructure where appropriate. The policy actually states: ‘planning applications will be expected to include appropriate infrastructure provision.’ This certainly does not mean green infrastructure exclusively or even primarily. The amended version of this policy in the Amended Allocations and Development Management DPD sets out that: ‘the Council will work with Nottinghamshire County Council, neighbouring Local Authorities and infrastructure partners to ensure that development is supported by the timely, and where appropriate phased, provision of necessary physical, social and green/blue infrastructure and where appropriate its maintenance.’ If it is this that is being referred to, it should be made clear that Amended Allocations and Development Management DPD is not an adopted document, and while it gives an indication of the direction of travel of District Council policy, only limited weight can be attached to it currently.

6.37: This paragraph refers to what should be described as ‘Policy DM5(b) of the Amended Allocations and Development Management DPD’. Again, it should be made clear that Amended Allocations and Development Management DPD is not an adopted document, and while it gives an indication of the direction of travel of District Council policy, only limited weight can be attached to it currently.

6.38: This paragraph refers to what should be described as ‘Policy DM7 of the Amended Allocations and Development Management DPD’. Again, it should be made clear that Amended Allocations and Development Management DPD is not an adopted document, and while it gives an indication of the direction of travel of District Council policy, only limited weight can be attached to it currently.

Policy 9: The third paragraph should be clear that some types of development are exempt from the requirement to provide 10% BNG, and that it may not always be possible to provide the BNG locally.

6.39: The reference a paragraph in the NPPF needs to be updated.

6.40: The references to paragraphs in the NPPF need to be updated.

6.41: This paragraph refers to what should be described as ‘Policy DM5(b) of the Amended Allocations and Development Management DPD’. Again, it should be made clear that Amended Allocations and Development Management DPD is not an adopted document, and while it gives an indication of the direction of travel of District Council policy, only limited weight can be attached to it currently.

Throughout 6: Policies: There is inconsistent numbering of the paragraphs within the policies.

Appendix A: Higher Tier Planning Policy Context: The references to paragraphs in the NPPF need to be updated.

Newark and Sherwood Local Plan: Spatial Policy 3 Rural Areas is largely duplicated.

Paragraph number	Correct document(s) reference
6.4	'Core Policy 9 of the Amended Core Strategy and Policy DM12 of the Allocations and Development Management DPD'
6.7	'Core Policies 3, 9, and 13 of the Amended Core Strategy', or 'Core Policies 3, 9, and 13 of Newark and Sherwood District Council's Amended Core Strategy'
6.8	'Core Policy 10 of the Amended Core Strategy' and 'Policy DM4 of the Allocations and Development Management DPD'
6.11	'Core Policy 7 of the Amended Core Strategy', or Core Policy 7 of the Newark and Sherwood District Council's Amended Core Strategy', and 'Strategic Objective 9 of the Amended Core Strategy', or 'Strategic Objective 9 of Newark and Sherwood District Council's Amended Core Strategy'
6.16	'Core Policy 14 of the Amended Core Strategy', or 'Core Policy 14 of Newark and Sherwood District Council's Amended Core Strategy'
6.17	'Policy DM9 of the Allocations and Development Management DPD'
6.22	'Core Policy 3 of the Amended Core Strategy', or 'Core Policy 3 of Newark and Sherwood District Council's Amended Core Strategy', and 'Core Policy 9 of the Amended Core Strategy', or 'Core Policy 9 of Newark and Sherwood District Council's Amended Core Strategy'
6.26	'Core Policy 7 of the Amended Core Strategy', or 'Core Policy 7 of Newark and Sherwood District Council's Amended Core Strategy'
6.27	'Core Policy 6 of the Amended Core Strategy', or 'Core Policy 6 of Newark and Sherwood District Council's Amended Core Strategy', and 'Policy DM8 of the Allocations and Development Management DPD'
6.28	'Policy DM11 of the Allocations and Development Management DPD'
6.31	'Spatial Policy 8 of the Amended Core Strategy', or 'Spatial Policy 8 of Newark and Sherwood District Council's Amended Core Strategy'
6.32	This should be 'Policy DM8 of the Allocations and Development Management DPD'.
6.35	'Core Policy 12 of the Amended Core Strategy', or 'Core Policy 12 of Newark and Sherwood District Council's Amended Core Strategy'
6.36	'Policy DM3 of the Allocations and Development Management DPD'
6.37	'Policy DM5(b) of the Amended Allocations and Development Management DPD'
6.38	'Policy DM7 of the Amended Allocations and Development Management DPD'
6.41	'Core Policy 10 of the Amended Core Strategy', or 'Core Policy 10 of Newark and Sherwood District Council's Amended Core Strategy', and 'Policy DM5(b) of the Amended Allocations and Development Management DPD'