



# Development Plan Document (DPD) Publication Stage Representation Form

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

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

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

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

### Privacy Notice

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

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

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

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

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

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

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

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## PART A- Personal / Agent Details

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

### 1. Personal Details

### 2. Agents Details

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

Title	<input type="text" value="Mr"/>	<input type="text" value="Mr"/>
First Name	<input type="text" value="Mark"/>	<input type="text" value="Paul"/>
Last Name	<input type="text" value="Abbott"/>	<input type="text" value="Foster"/>
Job Title (where relevant)	<input type="text" value="Managing Director"/>	<input type="text" value="Head of Minerals and Waste"/>
Organisation (where relevant)	<input type="text" value="Egdon Resources U.K. Limited"/>	<input type="text" value="AECOM"/>
Address Line 1	<input type="text"/>	<input type="text" value="Saxon House"/>
Line 2	<input type="text"/>	<input type="text" value="Duke Street"/>
Line 3	<input type="text"/>	<input type="text" value="Chelmsford"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	<input type="text" value="CM1 1HT"/>
Telephone Number	<input type="text"/>	<input type="text" value="REDACTED"/>
Email Address	<input type="text"/>	<input type="text" value="REDACTED"/>

Name or Organisation:	Egdon Resources U.K. Limited
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## PART B- Representation(s)

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

Part of the Publication AADMDPD:	Mark if Relevant (X)	Specify number/part/document:
Amended AADMDPD Paragraph Number		Paragraph Number:
Amended AADMDPD Policy Number	X	Policy Number: DM4
Amended AADMDPD Policies Map Amendments		Part of Policy Map:
Integrated Impact Assessment <sup>1</sup>		Paragraph Number:
Statement of Consultation		Paragraph Number:
Supporting Evidence Base		Document Name: Page/Paragraph:

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

Yes

No

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

Yes

No

6. Do you consider the DPD to be SOUND?

Yes

No

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

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

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

- |                                     |                                     |
|-------------------------------------|-------------------------------------|
| (1) Positively Prepared             | <input type="checkbox"/>            |
| (2) Justified                       | <input checked="" type="checkbox"/> |
| (3) Effective                       | <input type="checkbox"/>            |
| (4) Consistent with national policy | <input checked="" type="checkbox"/> |

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

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

Policy DM4 (Renewable and Low Carbon Energy Generation) is proposed by the Council to be amended with minor changes to reflect changes in the NPPF with respect to wind energy schemes and a reference to battery storage with regard to associated infrastructure. Otherwise, the policy remains as it was originally set out in the DPD, adopted in July 2013.

Policy DM4, as amended, does not go far enough in providing a sufficiently robust framework against which the appropriateness of proposals will be assessed, based on both the adopted Core Strategy and the NPPF. The purpose of the policy is to achieve the commitment to carbon reduction set out in Core Policy 10 (Climate Change) in the Amended Core Strategy adopted in March 2019. Core Policy 10 commits the Council to ensuring that “development proposals maximise, where appropriate and viable, the use of available opportunities for district heating and decentralised energy.” The Council has stated at para 5.43 of the Core Strategy that “climate change presents the biggest challenge to the delivery of sustainable development”. Para 5.44 goes on to say that key to meeting is challenge is “increasing the potential local opportunities for district heating systems and decentralised energy generation (energy generated from local renewable or low carbon sources).” The absence of any substantive change to the current Policy DM4, other than wind generation, must call into question how effective the policy will be in supporting other forms of renewable energy up to the end of the Plan Period in 2033.

In addition, policy DM4 does not accord with paragraph 155 of the NPPF. This states that plans should:

- Provide a positive strategy for energy from [renewable and low carbon energy and heat] sources, that maximises the potential for suitable development whilst ensuring that adverse impacts are addressed satisfactorily;
- Consider identifying suitable areas for renewable and low carbon energy sources and supporting infrastructure, where this would help secure their development; and
- Identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.”

Planning permission was granted by Nottinghamshire County Council to Egdon Resources in 2021 and 2022 for geothermal testing studies to be undertaken at two existing oil wellsites – Whip Ridding Farm near Eaking (also known as Dukes Wood) and at Hockerton Road, Kirklington – both located in Newark and Sherwood District. Geothermal resources have been used in the UK since Roman times. Today, modern drilling technology allows for heat to be extracted from much greater depths (more than 5km) and at greater temperatures. A considerable number of onshore UK oil and gas wells are coming to the end of their economic life. The conversion or repurposing of these wells to geothermal heat production should be supported where the conditions for extraction occur.

Both these two wellsites are located in an area that has long been known as having a localised geothermal anomaly (that is, higher than average heat flow at shallower depth than expected). Both wells potentially

could be repurposed and operate as low enthalpy single-well closed loop geothermal installations.

If these tests prove to be successful, it is possible that Egdon Resources will seek permission for the production of geothermal heat recovery. However, this will only be commercially viable if there is a potential heat customer. Both wellsites lie in a rural, agricultural setting where the opportunities for using heat to supply district heating systems is not available. Nevertheless, there are other forms of development, potentially suitable in the countryside, which the DPD could provide support for as part of identifying opportunities to co-locate heat customers and suppliers. As an example, planning permission was granted by Lincolnshire County Council in May 2018 for a biomass combined heat and power plant, a vertical food growing facility and waste water treatment plant on a site at Crowland near Peterborough. The heat produced from the biomass CHP plant will provide the power to operate both the waste water treatment facility and the food growing facility which produces leafy salad and herb crops, cultivated under artificial light.

This example demonstrates that there are potential sources for heat generated from renewable sources in the countryside and in a neighbouring authority to Newark and Sherwood. Deep geothermal heat falls within the definition of “renewable energy” in Annex 2 (Glossary) of the NPPF. Policy DM4, as proposed to be amended, should be made more supportive of supporting infrastructure which provides the commercial means for suppliers of decentralised, renewable and low carbon energy supply systems to potential heat customers.

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

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

Policy DM4 should be amended as follows to accord with paragraph 155 of the NPPF:

1. Expand the list of potentially suitable associated infrastructure to include:
  - a) Waste water treatment
  - b) Greenhouses
  - c) Food growing facilities
  - d) Pipelines to enable heat to be transported to agricultural or industrial users (in accordance with parts a and c, paragraph 155 of the NPPF).
2. Identify the parishes of Kirklington and Eakring as being suitable locations for supporting renewable and low carbon energy sources with particular reference to harnessing geothermal heat recovery along with the supporting infrastructure (in accordance with part b, paragraph 155 of the NPPF).

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

Please note your Representation should cover succinctly all the information, evidence and supporting Information necessary to support/justify the Representation and the suggested change, as there will not normally be a subsequent opportunity to make further Representations based on the original

Representations at the Publication stage. **After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for Examination.**

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

<b>No, I do not wish to participate at the oral Examination</b>	<b>Yes, I wish to participate at the oral Examination</b>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Policy DM4 is a key policy within the Amended DPD if the District Council is to meet the challenge of delivering sustainable development within the Plan period. The oral part of the Examination will provide an opportunity to expand upon the justification for the proposed amendments that Egdon Resources wish to see.

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

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

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

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

**Date:** 6 January 2023

**Signature:** 

**Please return this form by 12 Noon on 9<sup>th</sup> January 2023 to one of the addresses below:**

**Email:** [planningpolicy@nsdc.info](mailto:planningpolicy@nsdc.info)

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

Office Use Only

Date of Receipt:

Representation No: