



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 9th 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.

PART A- Personal / Agent Details

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

1. Personal Details

2. Agents Details

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

Title	<input type="text" value="Mr"/>	<input type="text" value="Mr"/>
First Name	<input type="text" value="Christopher"/>	<input type="text" value="Andrew"/>
Last Name	<input type="text" value="Taylor"/>	<input type="text" value="Barton"/>
Job Title (where relevant)	<input type="text"/>	<input type="text" value="Associate"/>
Organisation (where relevant)	<input type="text" value="Vital Energi"/>	<input type="text" value="AXIS"/>
Address Line 1	<input type="text"/>	<input type="text" value="Camellia House"/>
Line 2	<input type="text"/>	<input type="text" value="76 Water Lane"/>
Line 3	<input type="text"/>	<input type="text" value="Wilmslow"/>
Line 4	<input type="text"/>	<input type="text" value="Cheshire"/>
Post Code	<input type="text"/>	<input type="text" value="SK9 5BB"/>
Telephone Number	<input type="text"/>	<input type="text" value="██████████"/>
Email Address	<input type="text"/>	<input type="text" value="████████████████████"/>

Name or Organisation:	Vital Energi
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PART B- Representation(s)

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	X	Paragraph Numbers: 5.24 to 5.31
Amended AADMDPD Policy Number	X	Policy Number: DM12
Amended AADMDPD Policies Map Amendments	X	Part of Policy Map: Map 12 Bilsthorpe
Integrated Impact Assessment ¹		Paragraph Number:
Statement of Consultation		Paragraph Number:
Supporting Evidence Base		Document Name: Page/Paragraph:

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

Yes X

No

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

Yes X

No

6. Do you consider the DPD to be SOUND?

Yes

No X

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

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

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

- (1) Positively Prepared
- (2) Justified
- (3) Effective
- (4) Consistent with national policy

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.

Waste Management

Emerging Policy DM12 'Presumption in Favour of Sustainable Development' refers to the Nottinghamshire Minerals Local Plan but is silent on the adopted Nottinghamshire and Nottingham Waste Core Strategy (WCS). It is recommended that the emerging document / Policy DM12 is amended to reference the adopted WCS.

Neither the Bilsthorpe sub-section of the emerging document (paragraphs 5.24 to 5.31) or Map 12 (which illustrates Bilsthorpe) identify / reference the extant planning permission for the development of a waste management facility on land within the Bilsthorpe Business Park. By way of background, following a public inquiry (ref: APP/L3055/V/14/3001886) planning permission for the development of the Bilsthorpe Energy Centre (BEC) was approved by the Secretary of State in 2016. Prior to expiry of the permission, the pre-commencement conditions have been formally discharged and material operations undertaken to implement the consent. In June 2021, Officer's at Nottinghamshire County Council confirmed that the permission was lawfully implemented. Therefore, the 2016 permission remains extant.

Policy WCS10 of the Nottinghamshire and Nottingham WCS seeks to safeguard permitted waste management facilities and potential future sites from sterilisation from other development uses. It is recommended that Map 12 and the Bilsthorpe sub-section of the emerging document are amended to reference the extant waste management facility and the Bilsthorpe Business Park (which includes a range of employment uses).

Local Wildlife Site

Map 12 illustrates the Bilsthorpe Colliery Local Wildlife Site (LWS) designation (ref: 5/2161) covers part of the Bilsthorpe Business Park. The designation should either be removed as the Nottingham Biological and Geological Records Centre are known to work towards landowner consent in all cases; or the designation should be rationalised so that it does not conflict with the land that benefits from extant planning permission for the development of a waste management facility.

(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.

It is recommended that:

1. The emerging document is amended so that it references the adopted WCS within Policy DM12.

2. Map 12 and the Bilsthorpe sub-section of the emerging document are amended to reference the extant waste management facility and wider employment uses at the Bilsthorpe Business Park.
3. The Bilsthorpe Colliery Local Wildlife Site (LWS) designation (ref: 5/2161) is either removed on the basis that the Nottingham Biological and Geological Records Centre are known to work towards landowner consent in all cases; or the designation amended so that the land which benefits from extant planning permission for the development of a waste management facility is excluded.

(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?

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

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

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

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

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

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

Signature: [REDACTED]

Date: 6th January 2023

Please return this form by 12 Noon on 9th January 2023 to one of the addresses below:

Email: planningpolicy@nsdc.info

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

Information is available at:

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

Office Use Only

Date of Receipt:

Representation No: