



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"/>
First Name	<input type="text" value="Gordon"/>	<input type="text"/>
Last Name	<input type="text" value="Robertson"/>	<input type="text"/>
Job Title (where relevant)	<input type="text" value="N/A"/>	<input type="text"/>
Organisation (where relevant)	<input type="text"/>	<input type="text"/>
Address Line 1	<input type="text" value="75 Harewood Avenue"/>	<input type="text"/>
Line 2	<input type="text" value="Newark"/>	<input type="text"/>
Line 3	<input type="text"/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text" value="NG24 4AN"/>	<input type="text"/>
Telephone Number	<input type="text" value="██████████"/>	<input type="text"/>
Email Address	<input type="text" value="████████████████████"/>	<input type="text"/>

Name or Organisation:	<input type="text"/>
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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: 2.24 and 2.26
Amended AADMDPD Policy Number		Policy Number:
Amended AADMDPD Policies Map Amendments		Part of Policy Map:
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

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).

Lacking the necessary professional expertise, I am unable to determine if the DPD is legally compliant or complies with the Duty-to-Cooperate. Consequently, I have left the check boxes to Paragraphs B4 and B5 unchecked.

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.

I consider the DPD to be unsound as it is inconsistent with national policy.

OBJECTION 1

Paragraph 98, under the 'Open Space and Recreation' section of Part 8 'Promoting Healthy and Safe Communities' of the Ministry of Housing, Communities & Local Government's National Planning Policy Framework (NPPF) requires that, 'Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.

The DPD fails this criterion as:

At Para 2.24 Table 1 the Amended DPD uses calculations and designations from the Jan 22 Open Space Strategy (OSS). The amended OSS considers open space standards at settlement level rather than at ward level. This has led to an over-estimation of Amenity Green Space (AGS) in Newark.

AGS should be calculated locally and aggregation over the larger settlement areas is unsound and contrary to national policy. According to the OSS the settlement of Newark has 0.95ha of AGS for every 1000 people against a standard of 0.60ha. NSDC's own Open Space Assessment and Strategy Consultation stated that the District Council had set a "target of 11.85 hectares per 1000 people. However: Newark has 2.84 hectares per 1000 residents." The DPD estimation is clearly well short of the national standard and the Council's own target, and is inconsistent with earlier assessments. The Amended DPD assessment has led to a developer (MLN) stating in their proposal for additional housing that "Newark is pretty much on standard for parks and gardens and over for amenity grassland (AGS)," which is incorrect.

OBJECTION 2

The Amended DPD states on page 30, Paragraph 2.26:

“Outdoor sport facilities are not analysed as part of the Open Space Strategy & Assessment as a different methodology in line with national guidance (Sport England) is prescribed and is contained in a separate standalone Playing Pitch Strategy (PPS). This document will be updated in due course.”

This statement appears throughout the document and is inconsistent with NPPF Paragraph 99 which states:

“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.”

The failure of the Amended DPD to explicitly protect existing open space, sports and recreational buildings and land, including playing fields from being built on unless the NPPF criteria are met make the Amended DPD inconsistent with national policy.

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.

The DPD should be revised to acknowledge that Newark is well short of the national target of 0.6ha of AGS per 1000 residents and NSDC policy should be revised to protect and develop existing open space, sports and recreational buildings and land, including playing fields.

(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
<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.

I feel that it is important for the Council to hear the voice and opinions of ordinary Newark residents regarding proposals for development and protection of existing green spaces.

(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.

Signature:



Date: 8 Jan 23

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: