REF (For Office Use Only):

# 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 | Mr | Ms |
| First Name | Mike | Stephenie |
| Last Name | van den Berg | Hawkins |
| Job Title (where relevant) | Project Director | Planning Associate Director |
| Organisation (where relevant) | Urban & Civic | Barton Willmore, now Stantec |
| Address Line 1 | | 9th Floor, Bank House |
| Line 2 | | 8 Cherry Street |
| Line 3 | | Birmingham |
| Line 4 | | |
| Post Code | | B2 5AL |
| Telephone Number | | [redacted] |
| Email Address | | [redacted] |

| | |
|---|---|
| Name or Organisation: | 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). |

## 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 | | Paragraph Number: |
| Amended AADMDPD Policy Number | | Policy Number: |
| Amended AADMDPD Policies Map Amendments | X | Part of Policy Map: Map 2 Newark South Proposals |
| Integrated Impact Assessment[1] | | Paragraph Number: |
| Statement of Consultation | | Paragraph Number: |
| Supporting Evidence Base | X | Document Name: Open Space Assessment Strategy 2022<br><br>Page/Paragraph: Figure 4.1 |

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).

[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 <u>not:</u>

| | |
|---|---|
| (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.

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).

Middlebeck benefits from a strategic site allocation under Area Policy NAP 2A (Land South of Newark) 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 Policies Map (Map 2 Newark South Proposals) includes proposed updates to the Public Open Space/ School Playing Fields designations, which are subject to ACS Spatial Policy 8 (Protecting & Promoting Leisure & Community Facilities). The supporting Policies Map document sets out that the updates are to include sites mapped in the Open Space Strategy prepared by KKP in 2021.

The proposed updates to the Public Open Space/ School Playing Fields includes a designation of the School Playing Fields at Middlebeck Primary School.

The supporting evidence base documents do not include the Open Space Strategy prepared by KKP in 2021 but do include an Open Space Assessment Strategy 2022 prepared by KKP. Figure 4.1 of this document shows open space provision mapped in Newark, which paragraph 4.1.9 states includes outdoor sports sites. The scale/ quality of Figure 4.1 is poor, but it does not appear to show any provision mapped within Middlebeck.

Furthermore, the extent of the proposed designation of School Playing Fields at Middlebeck Primary School, as defined on the Policies Map (Map 2 Newark South Proposals), does not correspond with the reserved matters approval for the Primary School – reference 20/00502/RMAM. The proposed designation extends beyond the consented playing fields to include areas of general landscaping/ habitat zone and car parking. A copy of the 'Site Wide Landscape General Arrangement Plan' approved under 20/00502/RMAM is appended for information.

As set out above, the proposed designation of the School Playing Fields at Middlebeck Primary School is not supported by the evidence and is not therefore justified. As such, the Publication AADMDPD is not sound.

NB: Further comments are made on the Policies Map (Map 2 Newark South Proposals) in our responses to Policy NUA/Ho/10, Policies Map (NUA/AR/1- Area A) and Policy GRT4 (Site NUA/GRT/13).

(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.

| |
|---|
| Urban & Civic respectfully request that the Policies Map (Map 2 Newark South Proposals) be amended to remove the proposed designation of the School Playing Fields at Middlebeck Primary School.<br><br>The proposed designation is not supported by the evidence and, as such, is not justified. Its removal is therefore necessary to make the AADMDPD sound in respect of Spatial Policy 8 - Public Open Space/ School Playing Fields designations at Middlebeck.<br><br>NB: Further amendments to the Policies Map (Map 2 Newark South Proposals) are requested in our responses to Policy NUA/Ho/10, Policies Map (NUA/AR/1- Area A) and Policy GRT4 (Site NUA/GRT/13).<br><br>(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 |
|---|---|
| ☐ | ☑ |

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

| |
|---|
| Urban & Civic respectfully request to participate in the hearing session(s) in order to fully present their case.<br><br>(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: [redacted] Date: 9/1/2023

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: