



Development Plan Document (DPD) Second Publication Stage Representation Form

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

The District Council have produced a guidance note 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 Second Publication Amended Allocations & Development Management DPD ('Second 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 5pm on Monday 6th November 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.

If you previously made a representation to the first Publication Allocations & Development Management DPD (November 2022) Regulation 19 stage, we would like to know how you want this to be treated. All representations made at that stage will be forwarded on to the Inspector unless you wish to supersede it with a new representation to this Second Publication Allocations & Development Management. Please make this clear at the beginning of your Representation. If your previous representation is no longer required because of the proposed changes made to this Second Publication AADMPD, please let us know that you are happy for your previous representation to be withdrawn.

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 column two.*

Title	Ms	
First Name	Lindsay	
Last Name	Ramsden	
Job Title (where relevant)	Group Strategic Land Director	
Organisation (where relevant)	Avant Homes	
Address Line 1	Avant Homes Yorkshire	
Line 2	Unit 2 Mariner Court	
Line 3	Peel Avenue	
Line 4	Durkar	
Post Code	WF4 3FL	
Telephone Number		
Email Address		

Name or Organisation:	Avant Homes
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PART B- Representation(s)

3. To which part of the DPD does this Representation relate? **Please see attached correspondence**

Part of the Second Publication AADMDPD:	Mark if Relevant (X)	Specify number/part/document:
Second Amended AADMDPD Paragraph Number		Paragraph Number:
Second Amended AADMDPD Policy Number		Policy Number:
Second Amended AADMDPD Policies Map Amendments		Part of Policy Map:
Integrated Impact Assessment ¹		Paragraph Number:
Habitat Regulations Assessment		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 (NPPF) (2023).*

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.

(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.

(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 type="checkbox"/> Yes – wish to participate in the Housing and Clipstone Sessions

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 Yes
- Examination in Public hearing sessions Yes
- Planning Inspector’s recommendations for the DPD have been published. Yes
- DPD has been formally adopted. Yes

Signature: [REDACTED]

Date: 6th November 2023

Please return this form by 5pm on 6th November 2023 to one of the addresses below:

Email: planningpolicy@newark-sherwooddc.gov.uk

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:

LCR/Consultation/Group Strat
6th November 2023

ISSUED BY EMAIL ONLY

Dear Sir/Madam,

Consultation Response to Newark and Sherwood Second Publication Amended Allocations and Development Management DPD

RE: Land at Harrow Lane, Boughton

I write in relation to the above consultation and following our previous comments submitted to the earlier versions of the proposed Allocations and Development Management DPD. For the avoidance of doubt, the previous comments remain of relevance (but not repeated)/

Further comments are set out below:

Boughton (Page 78)

Within the emerging Plan, Ollerton and Boughton is stated to act as a 'Service Centre to a large population both in the Town and the surrounding Sherwood Area. The plan proposes to include some allocations where developments have already been undertaken and proposed 2 new Mixed use sites, but have not chosen to allocate the land at Harrow Lane. This land extends to c30 acres and has potential to deliver c15 acres/225 dwellings of residential land (on the western side of the site) and c15acres of employment land (on the eastern side of the site).

This land is well related to the settlement and local facilities and services. It is also not technically constrained and is available, deliverable and achievable for development in the short term. Avant has a legal interest in the land which would ensure that development would be forthcoming upon allocation of the site and we would work with the Council to bring the site forward in accordance with a mixed use Masterplan.

Avant Homes Ltd, Avant House, 6 and 9 Tallys End, Barlborough, Chesterfield S43 4WP



**GOOD. BETTER.
DIFFERENT**

Boughton is identified as a sustainable settlement within the Plan and is well placed to accept further development at Harrow Lane in the short term. Worst case, this site should be identified as safeguarded land in order to enable development to come forward if the delivery of the other allocations is not forthcoming.

Policy DM2: Development on Allocated Sites

It is noted that this policy has been amended to remove the reference to Developer Contributions and Planning Obligations SPD. This deletion is supported by Avant and allows appropriate evidence at the relevant time to be taken into account. However, the Council should identify what evidence is expected to be relied upon i.e, SHELAA, 5YLS etc. By stating which evidence is likely to be used, developers would know exactly which evidence to review and consider in terms of understanding development opportunities on new sites.

Policy DM5a: The Design Process

Avant Homes consider that the changes to this policy are unsound and are not consistent with national policy. It is noted that the policy amendments include reference to the National Design Guide and locally adopted Design Codes and requires all new residential development to perform positively against Building for a Healthy Life.

Whilst Avant do seek to work in accordance with the Building for Healthy Life criteria, it is noted that this is not understood to be a 'standard' to be achieved, and aims to guide development as much as possible in terms of considering design and the creation of successful places. In that context, it is not considered appropriate to state that Developers should meet the standard of those objectives in Local Plan policy (when it is actually a voluntary position) – particularly, without setting out and understanding what would be specifically required as part of future development schemes.

Policy DM7 Biodiversity and Green Infrastructure

Avant consider that this Policy is unsound by virtue of it being outdated when considered against latest national policy. Biodiversity Net Gain is currently an area of continuous movement and the current position is that the implementation date for Mandatory Biodiversity Net Gain has been put back from November 23 to January 24, and additional guidance is emerging and expected.

Clearly, Avant Homes recognise the importance of Biodiversity, Net Gain and Green Infrastructure. However, any requirements need to be proportionate, reasonable and not stifle development unnecessary and timescales should be in line with those set by National Policy in order to avoid adding delays and complexity to an already slow planning system. Any policy requirement should therefore be set at a maximum of 10%

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BNG required for a maximum of 30 years, with each site being assessed independently and as part of a greater understanding of wider issues and package of each development site.

In summary, Avant consider the following points need further review from the Council prior to adopting the Local Plan in its proposed format:

- The land at Harrow Lane, Boughton should be allocated for mixed use development in the short term. It is available, deliverable and achievable in terms of development and Avant have a legal interest in the land to ensure delivery of a suitable mixed use development site in the immediate/short-term. From our preliminary investigations, the site does not have any technical constraints and is located in a sustainable and complementary position to surrounding land uses.
- Design Policy DM5a is unnecessary restrictive;
- Affordable Housing (as per previous reps) remains in conflict with national policy; and,
- The policy position on Biodiversity needs updating and to be consistent with national policy.

I trust that the above is useful, but any further queries, please do not hesitate to contact me.

Yours Sincerely

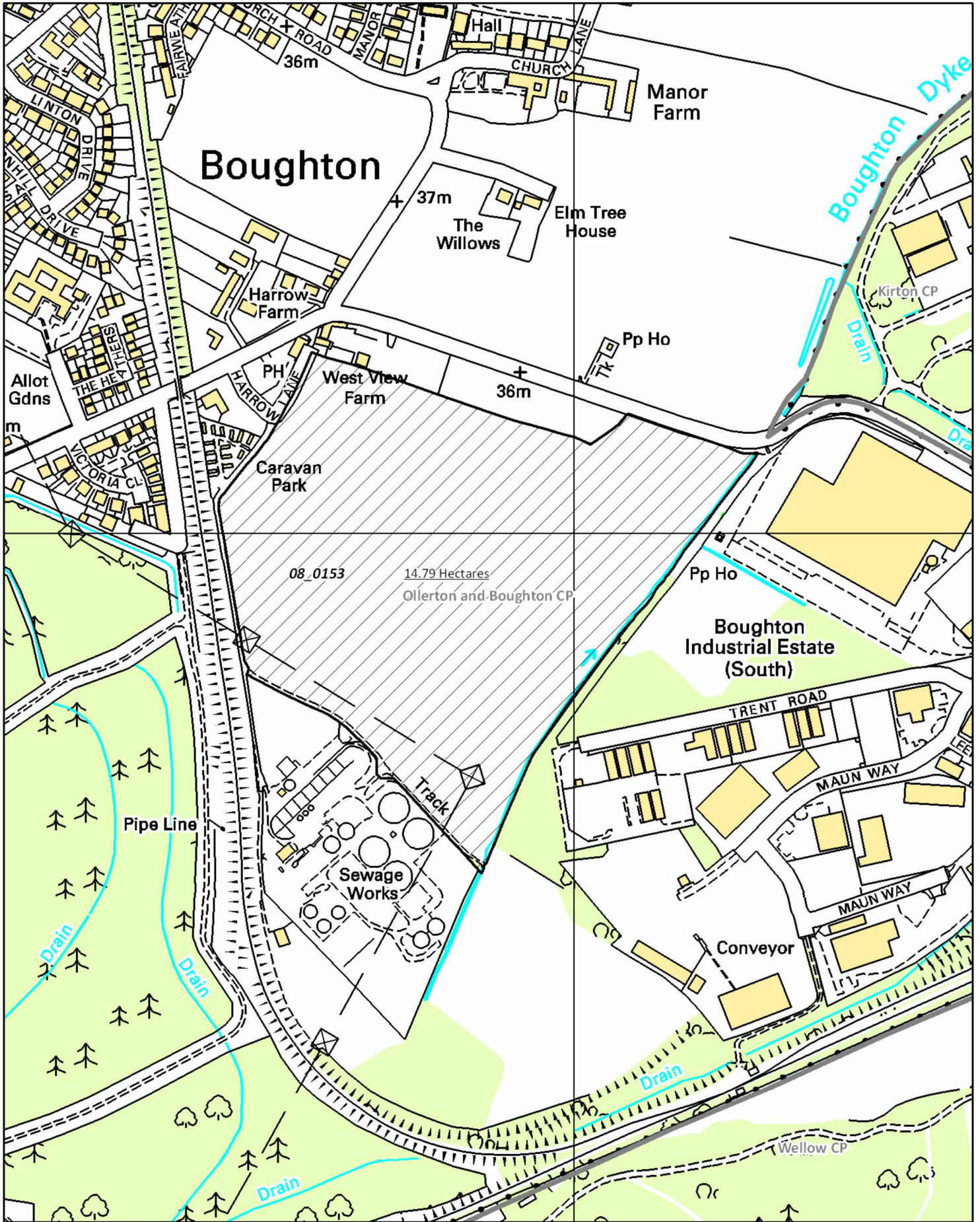
For and on behalf of Avant Homes



Lindsay Ramsden BSc (Hons) MRTPI
Group Strategic Land Director

Enc Site Location Plan.

Strategic Housing Land Availability Assessment 2010



 08_0153 - Land At East Of Harrow Lane, Boughton

Date:	09/03/2010
Scale:	1:5,000