



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 AADMDPD, 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	Ruth	
Last Name	Neilson	
Job Title (where relevant)		
Organisation (where relevant)		
Address Line 1	27 London Road	
Line 2	Balderton	
Line 3	Newark	
Line 4	Nottinghamshire	
Post Code	NG24 3AL	
Telephone Number		
Email Address		

Name or Organisation:	
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PART B- Representation(s)

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

Part of the Second Publication AADMDPD:	Mark if Relevant (X)	Specify number/part/document:
Second Amended AADMDPD Paragraph Number	x	Paragraph Number: 2.9
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 X

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

Yes

No X

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

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.

and in Paragraph 35 of National Planning Policy Framework (NPPF) (2023).

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.

Policy NUA/Ho/10 Newark Urban Area - Housing Site 10. This site is included in the DPD yet the LPA, NSDC is acting ultra vires.

The Screening Opinion in respect of 23/02375/FULM, the planning application for NUA/Ho/10, was not published to the NSDC planning portal until, I, a member of the public requested a copy by email at 18 September 2023 15:40. This created a failure to comply with planning guidance & regulations, a lack of democratic accountability & transparency.

NSDC then published the Screening Opinion to its portal with the date of publication as 09 March 2023. Until I submitted the request for the Screening Opinion, 23/SCR/00001 had not been published to the public, accessible via the Planning Portal. I requested by email at 20 September 2023 02:36 that the correct publication date of 19 September 2023 be entered onto the planning portal as 19 September 2023 was the first date the public had access to the document 23/SCR/00001. The LPA, NSDC confirmed by email at 25/09/23 12:43 that the publication date had been amended to 19 September 2023. All emails are held by NSDC.

The Screening Opinion was undertaken after the closure of the representation period on 09 January 2023 for the Newark & Sherwood Local Development Framework, Plan Review, Publication Amended Allocations & Development, Management DPD, Statement of Consultation document dated September 2023 & before the meeting of the Full Council, 20 September 2023 where the current document, Second Publication Amended Allocations & Development Management Development Plan Document (DPD) was approved.

The public were denied the legal opportunity to comment on the Screening Opinion from the LPA, NSDC decision date 09 March 2023 to 19 September 2023, a period of 194 days. Note that the first opportunity for the public to comment on the Screening Opinion, as published, was one day before the Full Council meeting, see above.

The LPA validated on 07 March 2023, its own application as the Developer, Arkwood Developments Ltd and made the declaration within its Application Form (Planning Portal Reference: PP-11715467) that the Sites Existing Use is an Allocated Development Site, when at that date the Screening Opinion was unavailable to the public.

Prior to any Screening Opinion no assessment or consultation had been made by the LPA, NSDC as to the suitability of NUA/Ho/10 as a development site. The LPA, NSDC did not apply an Environmental Impact Assessment to the Screening Opinion 23/SCR/00001 even though the types of impact are of a markedly different nature as the site has not been intensively developed (it is a wildlife site with highly important, some unique, ecological and species components) and the development would have significant urbanising effects in a previously non-urbanised area.

The presumption of Allocation is faulty given the failures outlined.

(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.

To remove NUA/Ho/10 from the DPD.

To undertake a robust, legal and transparent democratic consultation exercise as to the current and potential use options for the area identified as NUA/Ho/10.

To withdraw 23/SCR/00001.

To withdraw 23/02375/FULM.

(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 checked="" type="checkbox"/>	<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
- Examination in Public hearing sessions
- Planning Inspector's recommendations for the DPD have been published.
- DPD has been formally adopted.

Signature [REDACTED]

Date: 6 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: