



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 AADM DPDP'). 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 30th December 2022.

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 AADM DPDP 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 AADM DPDP; 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"/> | <input type="text" value="Mr"/> |
| First Name | <input type="text"/> | <input type="text" value="Jonathan"/> |
| Last Name | <input type="text"/> | <input type="text" value="Protheroe"/> |
| Job Title (where relevant) | <input type="text"/> | <input type="text" value="Planner"/> |
| Organisation (where relevant) | <input type="text"/> | <input type="text" value="Oxalis Planning"/> |
| Address Line 1 | <input type="text"/> | <input type="text" value="Toll Bar House"/> |
| Line 2 | <input type="text"/> | <input type="text" value="Landmere Lane"/> |
| Line 3 | <input type="text"/> | <input type="text" value="Edwalton"/> |
| Line 4 | <input type="text"/> | <input type="text" value="Nottingham"/> |
| Post Code | <input type="text"/> | <input type="text" value="NG12 4DG"/> |
| Telephone Number | <input type="text"/> | <input type="text" value="REDACTED"/> |
| Email Address | <input type="text"/> | <input type="text" value="REDACTED"/> |

| | |
|-----------------------|-----------------|
| Name or Organisation: | Oxalis Planning |
|-----------------------|-----------------|

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 | 3.1 & 8.1 – 8.14 | Paragraph Number: the text for the 'Southwell Area' policy and the text for the 'Homes for All' policy |
| Amended AADMDPD Policy Number | Core Policy 1 – Affordable Housing Provision | Policy Number: Core Policy 1 |
| 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).

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.

The Amended AADMDPD as worded is not currently sound as the policies within it are not justified as they do not support the evidence as presented within The Newark & Sherwood Housing Needs Assessment (2020) and they are not consistent with national policy.

The Council's draft policies are right to recognise that there is a significant requirement for additional affordable housing across the District however it fails to recognise the evidence within the Housing Needs Assessment in relation to the distribution of the shortfall of affordable housing across the District and its sub-areas. The Housing Needs Assessment not only identifies the amount of shortfall of affordable housing in the District but it also sets out the tenure split of affordable housing in each of the District's sub-areas at Table 2.8 (copied below in full) and what this shows is there are particular sub-areas (Collingham, Nottingham Fringe, Southwell and Sutton on Trent) that have notably lower amounts of affordable housing in comparison with the other sub-areas.

| Sub-area | Tenure (%) | | | Total | Base |
|---------------------|----------------|----------------|------------|-------|--------|
| | Owner occupied | Private rented | Affordable | | |
| Collingham | 80.7 | 10.5 | 8.8 | 100.0 | 2,584 |
| Mansfield Fringe | 69.7 | 12.9 | 17.4 | 100.0 | 7,233 |
| Newark | 63.8 | 18.2 | 17.9 | 100.0 | 18,899 |
| Nottingham Fringe | 83.3 | 9.1 | 7.6 | 100.0 | 2,316 |
| Rural South | 80.7 | 10.4 | 8.9 | 100.0 | 3,778 |
| Sherwood | 68.6 | 13.4 | 18.0 | 100.0 | 10,456 |
| Southwell | 79.2 | 12.2 | 8.6 | 100.0 | 6,345 |
| Sutton on Trent | 77.3 | 13.0 | 9.8 | 100.0 | 1,504 |
| Newark and Sherwood | 70.7 | 14.4 | 15.0 | 100.0 | 53,115 |

Source: 2020 household survey

The 'Homes for All' policy and 'Core Policy 1 – Affordable Housing Provision' in the Amended AADMDPD which addresses the issue of the shortfall in affordable housing does not reflect this disparity in the amount of affordable provision across the sub-areas. In addition to this, the evidence within the Housing Needs Assessment points towards a deficiency of affordable housing at a local level and neither is this reflected in either the 'Homes for All' Policy or 'Core Policy 1 – Affordable Housing Provision' in the Amended AADMDPD. These two points are significant as the Amended AADMDPD as written does not adequately address the issue of the shortfall in affordable housing within the District and the policies as currently worded are too generic which will perpetuate this discrepancy in the affordable housing provision within the District across the sub-areas.

The Amended AADMDPD is not consistent with national policy on the basis that paragraph 78 (copied in full below) of the National Planning Policy Framework (NPPF) encourages planning policies to be responsive to local circumstances and support housing developments that reflect local needs and states that local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs whereby allowing some market housing as a potential way to facilitate these sites. Unlike the Amended Core Strategy, the Amended AADMDPD does not contain any policy or text to state that the Council will consider allowing any form of market housing to facilitate affordable housing on a rural exception site.

Paragraph 78 of the NPPF:

78. In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.

In addition to the above, the Government are currently seeking views on their proposed approach to updating the National Planning Policy Framework through the 'Levelling-up and Regeneration Bill: reforms to national planning policy' and part of this approach is proposed changes to Chapter 5 'Delivering a sufficient supply of homes' of the Framework to provide a greater emphasis on supporting the provision of affordable houses in rural areas, including on exception sites. Although this proposed change is only at the consultation stage it indicates the direction of the travel the Government intends on taking in relation to the provision of affordable housing in rural areas and it is a clear sign that Government are seeking to address the need of affordable housing in rural areas.

(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.

At present the Amended AADMDPD is not justified as it does not represent the evidence within the Newark & Sherwood Housing Needs Assessment (2020) which sets out how the shortfall of affordable housing in the District is effectively unevenly distributed amongst the sub-areas and disproportionately affects certain sub-areas (Collingham, Nottingham Fringe, Southwell and Sutton on Trent). Neither does the Amended AADMDPD reflect the fact that the Housing Needs Assessment points towards a deficiency of affordable housing at a local level. For the plan to be sound the 'Homes for All' policy and 'Core Policy 1 – Affordable Housing Provision' should be amended to offer a greater amount of flexibility to address this disparity in the provision of affordable housing between the sub-areas and to recognise that the shortfall in affordable housing is identified to be worse at a local level. The policies towards the specific sub-areas (Collingham, Nottingham Fringe, Southwell and Sutton on Trent), for example the text at paragraph 3.1 which covers the Southwell area, should also be amended to reflect that the shortfall of affordable housing disproportionately affects this sub area (the proportion of affordable housing in the Southwell sub-area is 8.6% of overall dwelling provision compared with 18.2% in Newark) and as such proposals offering residential properties meeting the identified need for affordable housing and the other identified need for housing mix and tenure should be viewed favourably. Reflecting these changes in the Amended AADMDPD will facilitate developments which provide the right homes in the right places that also reflects the nature of housing need in each sub-area and the Council's evidence base through the Housing Need

Assessment.

The Amended AADMDPD as currently worded does not do enough to tackle the issue of a shortfall in affordable in the District (as an example the proportion of affordable housing in the Southwell sub-area is 8.6% and if the Council are serious about meeting their target of 30% of new houses to be affordable set out in the Amended AADMDPD then clearly more needs to be done) and neither is it consistent with national policy as it does not contain any policy or text to state that the Council will consider allowing any form of market housing to facilitate affordable housing on a rural exception site in line with national policy as expressed through paragraph 78 of the NPPF. The Council have so far failed to provide a sufficient provision of affordable housing in the District, and the Southwell sub-area, and therefore something needs to be done about this shortfall and alternative and forward thinking approaches to delivering the much needed affordable housing, such as cross funding/subsidy schemes, should be recognised through the Council's planning policies in line with the paragraph 78 of the NPPF. Therefore, the Amended AADMDPD should provide policy support for cross funding/subsidy schemes in rural areas and include a policy or text to state that the Council will consider allowing market housing to facilitate affordable housing on a rural exception site. This view is further evidenced by the Governments recent consultation on the National Planning Policy Framework through the 'Levelling-up and Regeneration Bill: reforms to national planning policy' which seeks to provide a greater emphasis on supporting the provision of affordable houses in rural areas, including on exception sites. This greater emphasis on providing affordable housing in rural areas is further evidence that Government has identified an issue and are seeking to address it by introducing new planning policies to provide that much needed affordable housing, especially in rural areas, and as such local planning policies should respond in a positive manner to changing circumstances and national priorities.

The text below is a suggested form of words to be inserted into the 'Homes for All' section of the Amended AADMDPD, perhaps to be inserted after para 8.7, to address the points raised above:

The Council's evidence base through the Newark & Sherwood Housing Needs Assessment 2020 identifies a significant requirement for additional affordable homes across the District and this requirement is more pressing at the local level and in particular sub-areas (Collingham, Nottingham Fringe, Southwell and Sutton on Trent). The Council will look at proactive initiatives that will increase the amount of affordable provision especially in the places that need it the most and will consider allowing cross subsidy schemes in rural areas/exception sites whereby an appropriate amount of market houses may be allowed that will contribute towards funding affordable housing provision. This will help to facilitate the provision of local affordable housing in rural communities where sufficient levels of the affordable housing cannot realistically be achieved through any other means.

(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.

In order to fully understand why the Council has failed to adopt the advice contained within paragraph 78 of the NPPF through its emerging plan to promote cross-subsidy schemes. Cross-subsidy schemes are an increasingly common method to contribute the delivery of vital affordable housing especially in rural areas which the District has an identified shortfall of particularly in certain sub-areas. The concept of and policy support for cross-subsidy schemes was taken forward in the amended Core Strategy but this has not seem to be replicated in its emerging plan and attendance at the oral part of the examination will be focused on this particular issue.

(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.

Date: 04/01/2023

Signature:



Please return this form by 5pm on 30th December 2022 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

Office Use Only

Date of Receipt:

Representation No: