

**From:** Nick <[REDACTED]>  
**Sent:** 06 November 2023 10:19  
**To:** planningpolicy  
**Subject:** Representations on Policy Ra/Ho/2  
**Attachments:** Representation-Form for Second Publication Amended Allocations DPD (Nov 2023).pdf

**Importance:** High

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Hi there

**Second Publication Amended Allocations and Development Management DPD – September 2023  
Representations on Policy Ra/Ho/2**

Please find attached completed representation form in respect of the above.

We had of course previously submitted representations to the previous version – **objecting** on the basis of the current wording and suggesting that this should be amended to reflect the fact that half of the original allocation has since been fully completed by Taylor Wimpey.

As elsewhere in this latest consultation document, where allocations have been completed – they have been removed.

We remain of the view that that part of the original allocation should be removed, acknowledging that it has since been completed (as the Council has done elsewhere), with only the balance left to be developed included as an allocation on the Policy Map – and the wording of Policy Ra/Ho/2 updated and amended to reflect the same.

As our original representations have not been taken into account, these remain – and therefore I would be grateful if you would forward these (as well as these latest representations) to the Examination Inspector in order that they consider both in the round.

Many thanks.

Kind regards

[REDACTED]  
Nick Baseley  
MA(Hons)TP MRTPI  
Director

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[REDACTED]

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# 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 6<sup>th</sup> 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	Mr	
First Name	Nick	
Last Name	Baseley	
Job Title (where relevant)	Director	
Organisation (where relevant)	IBA Planning Ltd	
Address Line 1	The Studios	
Line 2	Church Farm, Mansfield Road	
Line 3	Edwinstowe	
Line 4	Nottinghamshire	
Post Code	NG21 9NJ	
Telephone Number		
Email Address		

Name or Organisation:	IBA Planning Ltd
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## PART B- Representation(s)

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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		Paragraph Number:
Second Amended AADMDPD Policy Number	X	Policy Number: Ra/Ho/2
Second Amended AADMDPD Policies Map Amendments		Part of Policy Map:
Integrated Impact Assessment <sup>1</sup>		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).

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<sup>1</sup> 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             | <input checked="" type="checkbox"/> |
| (2) Justified                       | <input checked="" type="checkbox"/> |
| (3) Effective                       | <input checked="" type="checkbox"/> |
| (4) Consistent with national policy | <input type="checkbox"/>            |

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.

Our previous representations sought amendments to the Policy to update it to reflect the fact that half of the site has already been developed for housing.

None of the amendments sought have been made – and the Policy remains essentially as per the previous version.

It is noted that the Council has considered it appropriate to remove/amend allocations where they have been completed – and it would therefore seem sensible to remove that part of the original allocation already completed in a similar manner and update the balance of the wording of the Policy to reflect the up-to-date situation.

Housing delivery on the balance is expected soon, with strong interest from a housing developer – who has already engaged positively with the local planning authority via a pre-application enquiry.

The housing developer is currently working through the various application validation requirements before submitting the formal planning application. However, they are understandably keen not to appear to conflict with the requirements of Policy Ra/Ho/2 – whose original requirements and wording was predicated on the delivery of the site as a whole (and in practice this has obviously not been the case).

Given the purpose of the amended Allocations and Development Management DPD is presumably to bring it up to date to reflect the latest situation on the ground (as it has done seemingly almost everywhere else), it seems odd that the need to update this policy in similar circumstances seems to have slipped through the net.

In its current form, we remain of the view that this part of the Plan cannot be judged to have been positively prepared, or considered justified or effective.

(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.

As before, the text to the Policy and Policy Map need to be updated as appropriate to reflect the fact that part of the site has already been developed – including:

referencing the fact that half the site has already been developed for some 130 dwellings;

amending the approximate yield (the first half of the site has delivered more than its commensurate share, meaning that the development of the balance of the land is likely to deliver more than the approximately 190 dwellings originally referred to in the Policy – and there would seem no good reason to unnecessarily limit what is likely to be ultimately achievable);

amending the reference to the need for a comprehensive master plan for the whole site (in light of the above); and

removing the reference any secondary means of access not being via existing estate roads to the north and east (in light of current pre-application discussions with the Council regarding the development of the balance of the land).

(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?**

<b>No</b> , I do not wish to participate at the oral Examination.	<b>Yes</b> , 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.**

Experience at other Examinations suggests an in-person discussion on specific policy wording can often be most helpful.

Obviously, if the policy is suitably updated/amended to reflect the above concerns, then there would be no need to attend and take up Examination time.

**(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 6<sup>th</sup> November 2023 to one of the addresses below:**

**Email:** [planningpolicy@newark-sherwooddc.gov.uk](mailto: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: