



**NEWARK &  
SHERWOOD**  
*DISTRICT COUNCIL*

**Newark & Sherwood Local Development Framework**

**Plan Review**

**Publication Amended Allocations & Development  
Management DPD**

**Statement of Consultation**

**October 2022**

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## 1.0 Introduction

- 1.1 The District Council are currently in the process of reviewing its Development Plan, made up of the Amended Core Strategy (ACS) and the Allocations and Development Management Development Plan Document (DPD).
- 1.2 The Options Report was the second consultation stage of the review of the Allocations & Development Management DPD with the main focus being the updating and amendment of the adopted Allocations & Development Management DPD. However, in addition to this the review of a small amount of content from the Amended Core Strategy is also proposed. The public consultation took place from 27<sup>th</sup> July 2021 to 21<sup>st</sup> September 2021. The District Council sent emails to everyone on the Planning Policy database to inform them about the consultation, notices were placed in the local press, copies of the document were placed in all District libraries, a stall at Newark Market and a number of online public consultation events were held.

### Purpose of the Consultation Statement

- 1.3 This Statement of Consultation sets out the consultation which was undertaken and the responses received in relation to the Options Report of the Amended Allocations & Development Management DPD in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires that for the preparation of a local plan, it must:

<p><b>Preparation of a local plan</b></p> <p>18.—(1) A local planning authority must—</p> <p>(a) notify each of the bodies or persons specified in paragraph (2) of the subject of a local plan which the local planning authority propose to prepare, and</p> <p>(b) invite each of them to make representations to the local planning authority about what a local plan with that subject ought to contain.</p> <p>(2) The bodies or persons referred to in paragraph (1) are—</p> <p>(a) such of the specific consultation bodies as the local planning authority consider may have an interest in the subject of the proposed local plan;</p> <p>(b) such of the general consultation bodies as the local planning authority consider appropriate; and</p> <p>(c) such residents or other persons carrying on business in the local planning authority's area from which the local planning authority consider it appropriate to invite representations.</p> <p>(3) In preparing the local plan, the local planning authority must take into account any representation made to them in response to invitations under paragraph (1).</p>
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- 1.4 Regulation 17 of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires planning authorities, when preparing a local plan, to publish a '*statement setting out -*
- (i) *which bodies and persons were invited to make representations under Regulation 18,*
  - (ii) *how those bodies and persons were invited to make such representations,*
  - (iii) *a summary of the main issues raised by those representations, and*
  - (iv) *how those main issues have been addressed in the local plan,'*
- 1.5 This report summarises the consultation process and sets out the feedback received. These comments helped to shape the amendments made to the final draft of the SPD.

## 2.0 Public Consultation

- 2.1 The public consultation on the Options Report took place between the 27<sup>th</sup> July 2021 and 21<sup>st</sup> September 2021, a period of 8 weeks. A total of 136 responses were received giving 666 individual answers to the 56 questions posed as part of the consultation.
- 2.2 In accordance with the Regulations, the District Council contacted various specific and general consultation bodies. An indicative list of groups is set out below and full details of the statutory consultees are included at Appendix 1.

<b>Specific Consultees</b>	<b>General / Other Consultation bodies</b>
Members of Parliament	Housing Associations
County Council	Developers incl. House Builders
Neighbouring Authorities	Planning Agents
Town & Parish Councils / Meetings	Members of the Public
Environmental Bodies	Council Members
Highways England	Council Officers
Network Rail	

- 2.3 All consultees received an email or letter by post setting out the period of consultation, where the documents could be viewed and the deadline for submitting comments (see Appendix 2.) Notices were also placed in the Local Press inviting representations and information about the consultation was posted on the Council's social media platforms
- 2.4 A summary of the responses received are set out in Appendix 3.

## Appendix 1: List of Statutory Consultees

Organisation	
All parish councils within the District	All Council Members
Age UK	Anglian Water
Ashfield District Council	Bassetlaw District Council
British Gas	BT
The Coal Authority	Central Lincolnshire Joint Planning Unit (Lincoln, North Kesteven & West Lindsey)
East Midlands Chamber	EE Customer Services
Environment Agency	Campaign to Protect Rural England
Gedling Borough Council	Historic England
Highways England	Homes England
Home Builders Federation	Lincolnshire County Council
Leicestershire County Council	Melton Borough Council
Mansfield District Council	Members of Parliament
National Trust	National Grid
Natural England	Newark & Sherwood Clinical Commissioning Group
Network Rail	Newark & Sherwood District Council Planning Development
Newark & Sherwood Community & Voluntary Service	Nottinghamshire County Council
Nottinghamshire Coalition for Disabled Persons	Nottinghamshire Police
Nottinghamshire Fire & Rescue	Nottinghamshire Wildlife Trust
O2	Rushcliffe Borough Council
Severn Trent Water	South Kesteven District Council
Three Customer Services	Trent Valley Internal Drainage Board
Vodafone	Western Power Distribution

## Appendix 2: Letter sent to Statutory Consultees and Consultees on the Local Plan Database

27<sup>th</sup> July 2021

Dear Consultee,

### **Local Development Framework Plan Review – Allocations and Development Management Development Plan Document – Options Report Consultation & Consultation on the Open Space Strategy**

The District Council is currently in the process of reviewing its Development Plan, made up of the Amended Core Strategy (ACS) and the Allocations & Development Management Development Plan Document (ADMDDP). Following the adoption of the ACS in March 2019, work has been progressing on preparing to review the ADMDDP. Consultation on the Issues Paper took place in July and August 2019. This next step is to consult on our Options Report, which poses a series of questions regarding changes which may be made in response to the evolving policy and economic situation. In particular we are seeking your views on our Affordable Housing Policy, Gypsy and Traveller Accommodation including potential sites, the ongoing suitability of existing housing and employment allocations, development management policies and other policy content.

A new Open Space Strategy has also been published for public consultation alongside the Options Report. Its findings will be used to update the open space summaries in each Area chapter within the Allocations & Development Management DPD. They will also assist with implementation of Spatial Policy 8 (Protecting and Promoting Leisure and Community Facilities) in the day-to-day determination of planning applications, and provide a strategic understanding of open space provision (current and future) across the District.

Consultation on the Issues Report and Open Space Strategy will run for eight weeks between **27th July and 21st September 2021**. You can view further details of the consultation, the consultation document, supporting information and instructions on how to comment are on our website at <https://www.newark-sherwooddc.gov.uk/planreview/>. Alternatively, all of the documentation has been placed on deposit at the District Council offices at Castle House (9am-5pm, Mon-Fri) and in libraries across the District (check <https://www.inspireculture.org.uk/reading-information/find-a-library/> for opening times).

We are intending to hold some online consultation events during the consultation period and there may be an opportunity for some small COVID-secure face to face events, by appointment only, towards the end of the consultation period. Details of any consultation events will be published on the Council's website and social media pages. If you have any queries about the consultation please contact the Planning Policy team by telephone (01636) 650000 or by email at [planningpolicy@nsdc.info](mailto:planningpolicy@nsdc.info)

Yours sincerely,

**Appendix 3: Issues Raised by Public Consultation and LPA Response**

**Question 1 – Affordable Housing Provision - Do you agree with the preferred approach?**

ID	Respondent	Response Number	Comment
025	Fiskerton-cum-Morton Parish Council	037	<p>YES - Our Neighbourhood Plan identified a limited need for suitable and affordable accommodation for the ageing population of the parish and also young families - in particular 1 and 2 bed bungalows and houses (See FCM1 1.b) with all developments being small scale and within the existing built-up area as defined in the plan.</p> <p><b>NSDC Response – Noted</b></p>
043	TOWN-PLANNING.CO.UK	073	<p>In broad terms the proposed amendments to Core Policy 1 reflect paragraphs 63 to 65 of the NPPF. However, there is one important omission relating to the reduction in affordable housing contribution as set out in paragraph 64 of the NPPF in relation to vacant buildings being reused or redeveloped.</p> <p>Core Policy 1 should include a reference to a criterion: "To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced in line with national planning policy by a proportionate amount which is equivalent to the existing gross floorspace of the existing buildings".</p> <p>As an example we are currently working on a scheme to reuse and redevelop a large former commercial building which is important in heritage terms, alongside new build elements replacing other unsuitable modern buildings. Discounting the existing floorspace of existing buildings helps support the reuse of existing buildings and contributes positively towards the viability of conversion schemes which are already disadvantaged by being liable for VAT whereas new build are VAT exempt. In our example scheme this could make the difference between theoretically providing either 6 affordable units or nil affordable units.</p> <p><b>NSDC Response – Noted.</b> Reference to the re-use of vacant buildings and potential vacant building credit in relation to affordable housing will be included within the written justification to the policy.</p>
075	Persimmon Homes	168	<p>Core Policy 1 states that any development over 10 dwellings will seek 30% affordable housing, to be comprised of 60% rented product and 40% affordable home ownership. Affordable home ownership is not a defined term therefore clarity is sort on the specific tenures captured by the term affordable home ownership (i.e. shared ownership / discounted dwellings/ first homes). The policy goes on to say that as part of 30% affordable housing provision on a scheme; 10% should be Affordable Home Ownership. However, the policy already states that 40% will be affordable home ownership. The current wording reads poorly.</p> <p>The Council note that where it is not possible to provide affordable housing on site, that a financial contribution will be sought instead. It would be helpful if the Local Authority stated the scale of financial contribution per affordable housing plot to assist developers when appraising sites.</p>



			<p><b>NSDC Response</b> – Affordable home ownership products are set out in the Glossary of the NPPF. The Policy seeks to set the local affordable requirements that will be expected and show how this meets the requirements set out in the NPPF. The Policy wording will be amended to hopefully aid clarity.</p> <p>The scale of contribution per affordable housing plot will change over time and is also dependent on values in specific locations. It is therefore not possible to set this out as part of the Plan process and will be dealt with on a case by case basis.</p>
077	Harby Parish Council	178	<p>Agreed</p> <p><b>NSDC Response</b> – Noted</p>
078	Collingham Parish Council	233	<p>Agreed</p> <p><b>NSDC Response</b> – Noted</p>
085	Resident	294	<p>Agreed</p> <p><b>NSDC Response</b> – Noted</p>
098	Hawton Parish Council	343	<p>Yes, but caution should be applied to the word 'need' to ensure that this is not taken advantage of to enable development in areas where it would not necessarily be permitted.</p> <p><b>NSDC Response</b> – Noted</p>
107	Home Builders Federation	430	<p>The Council proposes to update adopted Core Policy 1 – Affordable Housing Provision of the Amended Core Strategy in relation to site thresholds and requirements for 10% affordable homeownership.</p> <p>Whilst the Council's proposed affordable housing tenure mix accords with the 2021 National Planning Policy Framework (NPPF) (para 65) expectation that at least 10% of homes will be available for affordable home ownership, the Council's proposed amendment should also align with the 24 May 2021 Written Ministerial Statement requirement for 25% of affordable housing to be First Homes. The Council's preferred approach repeats para 65 of the 2021 NPPF in the proposed wording of Core Policy 1, which is unnecessary. As set out in the 2021 NPPF, the Council should avoid unnecessary duplication of policies in the Framework (para 16f).</p> <p>Before the pre-submission Amended Allocations &amp; Development Management DPD consultation, the proposed amendment to Core Policy 1 should be modified to delete repetition of the 2021 NPPF (para 65) and to incorporate First Homes.</p> <p><b>NSDC Response</b> – Noted. Policy to be amended to seek to set out a clearer more simplified wording that reflects national policy whilst setting the appropriate local context.</p>
113	Gladman	459	<p>Gladman support the proposed amendments to Core Policy 1 as it would bring the DPD in line with national policy.</p> <p><b>NSDC Response</b> – Noted</p>

115	Farndon Parish Council	469	<p>Yes, but caution should be applied to the word 'need' to ensure that this is not taken advantage of to enable development in areas where it would not necessarily be permitted.</p> <p><b>NSDC Response –</b> Noted</p>
117	Avant Homes c/o Boyer Planning	526	<p>Support the proposal to align the requirements of Core Policy 1 with the NPPF. Nonetheless, the proposed wording of Core Policy 1 contains a repetition of the wording found in Paragraph 65 of the NPPF. The Council should avoid the unnecessary duplication of policies contained in the NPPF, as is required in Paragraph 16f, and as such, the wording should be amended accordingly.</p> <p>Further to this, the wording of Core Policy 1 should be updated to reflect the position stated in the 24th May 2021 Written Ministerial Statement in relation to First Homes, and specifically updated to contain the requirement for a minimum of 25% of all affordable housing units secured through developer contributions to be First Homes. Clarity should also be provided that where cash contributions for affordable housing are secured instead of on-site units, a minimum of 25% of these contributions should be used to secure First Homes. Where a mixture of cash contributions towards affordable housing and on-site units are secured, 25% of the overall value of affordable housing contributions should be applied to First Homes.</p> <p><b>NSDC Response -</b> Noted. Policy to be amended to seek to set out a clearer more simplified wording that reflects national policy whilst setting the appropriate local context.</p>
130	North Muskham Parish Council	599	<p>Yes, but caution should be applied to the word 'need' to ensure that this is not taken advantage of to enable development in areas where it would not necessarily be permitted.</p> <p><b>NSDC Response –</b> Noted</p>
131	South Muskham & Little Carlton Parish Council	626	<p>Yes, but caution should be applied to the word 'need' to ensure that this is not taken advantage of to enable development in areas where it would not necessarily be permitted.</p> <p><b>NSDC Response –</b> Noted</p>
<b>Action Required</b>			<p>Amend Policy: Policy to be amended to seek to set out a clearer more simplified wording that reflects national policy whilst setting the appropriate local context. Reference to the re-use of vacant buildings and potential vacant building credit in relation to affordable housing will be included within the written justification to the policy.</p>

**Question 2 – Entry-level Exception Sites - Do you agree with the preferred approach?**

<b>ID</b>	<b>Respondent</b>	<b>Response Number</b>	<b>Comment</b>
025	Fiskerton-cum-Morton Parish Council	038	Agreed.  <b>NSDC Response –</b> Noted
043	TOWN-PLANNING.CO.UK	074	This policy is broadly in line with the NPPF. However, in terms of unacceptable locations, the NPPF in paragraph 72 b) refers to the areas in footnote 7. That lists in addition to the ones included in Core Policy 2A as being areas at risk of flooding. Therefore, this should be added to the list of unacceptable locations in this policy. Although not explicitly stated in the NPPF, entry level exceptions housing and rural exceptions schemes would appear to be complimentary programmes. Therefore the preferred approach of the LPA limiting entry level exceptions sites to the names settlements in the settlement hierarchy would appear to be sensible and appropriate. Thereby allowing rural exception sites to be targeted at the smaller settlements. <b>NSDC Response –</b> Agreed. Areas at risk of flooding should be added to the list of unacceptable locations.
053	Coddington Parish Council	099	Agreed, as long as the developments do not encroach on the Open Breaks at Winthorpe, Farndon and Coddington  <b>NSDC Response –</b> Noted
077	Harby Parish Council	179	Agreed <b>NSDC Response –</b> Noted
078	Collingham Parish Council	234	Agreed <b>NSDC Response –</b> Noted
085	Resident	295	Agreed <b>NSDC Response –</b> Noted
098	Hawton Parish Council	344	Yes, but caution should be applied to the word 'need' to ensure that this is not taken advantage of to enable development in areas where it would not necessarily be permitted.  <b>NSDC Response –</b> Noted
109	The Environment Agency	444	This policy doesn't appear to address flood risk (it does address ecology, design, historic environment, etc.). As this is, in a way, an exceptions policy (i.e. outside of / in addition to allocated sites), this could mean lots of smaller development sites in areas of flood risk coming forward and not tested as part of the local plan (i.e. sequential testing). This could potentially mean individual sites coming forward with no coherent way of assessing them for flood risk - except on a site-by-site basis. In effect, this could mean a very haphazard

			<p>was of assessing sites. This approach will require clear guidance by the LA on how flood risk will be assessed sequentially and in-combination. Finally, what does 'will be supported' mean in practice? This is vague and needs further clarification to improve the soundness of the policy.</p> <p><b><u>NSDC Response</u></b> – Areas at risk of flooding should be added to the list of unacceptable locations.</p>
115	Farndon Parish Council	470	<p>Agreed.</p> <p><b><u>NSDC Response</u></b> – Noted</p>
128	Historic England	553	<p>Welcome the reference to heritage assets within Policy 2A. We recommend that additional text be added to read 'heritage assets and their setting'.</p> <p><b><u>NSDC Response – Noted.</u></b> The Policy already cross references to CP14 which includes reference to the setting of heritage assets.</p>
130	North Muskham Parish Council	600	<p>Yes, but caution should be applied to the word 'need' to ensure that this is not taken advantage of to enable development in areas where it would not necessarily be permitted.</p> <p><b><u>NSDC Response</u></b> – Noted</p>
131	South Muskham & Little Carlton Parish Council	627	<p>Yes, but caution should be applied to the word 'need' to ensure that this is not taken advantage of to enable development in areas where it would not necessarily be permitted.</p> <p><b><u>NSDC Response</u></b> – Noted</p>
<b>Action Required</b>			Amend Policy: Areas at risk of flooding to be added to the list of unacceptable locations.

**Question 3 – Housing Mix, Type and Density - Do you agree with the preferred approach?**

ID	Respondent	Response Number	Comment
025	Fiskerton-cum-Morton Parish Council	039	<p>Yes but our Neighbourhood Plan identified a limited need for suitable and affordable accommodation for the ageing population of the parish and also young families - in particular 1 and 2 bed bungalows and houses (See FCM1 1.b) with all developments being small scale and within the existing built-up area as defined in the plan.</p> <p><b>NSDC Response</b> – Noted where more local, relevant up to date evidence is available this will also be taken into account as set out later in the full text of the policy.</p>
043	TOWN-PLANNING.CO.UK	075	<p>The 2020 Housing Needs Study whilst relatively recent does not take into account the impact of the pandemic on the housing market. The long-term impact of the pandemic on the housing market is unknown at this time. However, at present the local housing market is seeing some structural trends including households wanting additional space to facilitate permanent home working; families moving from urban areas including London and the home counties to rural areas; and demand for properties with opportunities to provide residential annexes. Consequently, the Housing Needs Study became out-of-date the moment it was published. The only reference to the pandemic is in paragraph 6.22 in the context of international migration. Nowhere does the Study consider other impacts of the pandemic on the local housing market.</p> <p>Newark &amp; Sherwood has a sizeable number of commuters for example that used to commute daily to London. Many of these are unlikely at this point to return to working in offices every day and do require home offices. This has a consequential impact on the number of bedrooms being sought in order to allow one or in some cases two persons in the household to work from home. The emphasis proposed in Core Policy 3 on 2 and 3 bedroom family housing does not take into account of any of the above factors.</p> <p>In addition Core Policy 3 is inflexible and fails to reflect the differences in the Councils own evidence. For example in the Sutton on Trent sub-area the greatest single category of need identified is 37.5% for 4-bedroomed houses. In the Sherwood sub-area and Rural South sub-area the greatest single category of need is 35.8% in both for 4-bedroom houses. The Mansfield Fringe sub area has 34.3% need for 4-bedroom houses. Core Policy 3 fails to reflect the differences across the district and misleads plan readers into what size of properties may be most in need in different parts of the district.</p> <p><b>NSDC Response</b> – The views on the validity of the Housing needs survey are noted but since this is the most up to date evidence and the full impacts of the pandemic will play out over time it is not considered appropriate to review the evidence at this time.</p> <p>It is agreed that the policy should be amended to include reference to the sub area analysis to make it clear that housing need and mix should be appropriate for the locality in which the development is situated.</p>

052	Resident	098	<p>The spatial policy is not being adequately considered. Regardless of what type of house or bungalow is being planned , there should be due thought given to preserving the rural nature of South Muskham and the surrounding area. Too many land owners are using any area of land they have to make a quick income without regard for the future needs of the village that is left behind.</p> <p>The existing planning policy has been working and if that's not broken why try to change it just to enable additional houses to be built in areas that cannot sustain their occupants?</p> <p><b>NSDC Response –</b> Noted the aim of this policy is to seek to secure the appropriate mix of new dwellings where it is acceptable in spatial policy terms.</p>
067	Southwell Town Council	137	<p>In the Dec 2020 Housing Needs Assessment the Southwell Area contains double the number of houses as there are in Southwell itself. Also there is no mention of Brackenhurst and the demand for Student housing in the town. Thus the Council is concerned that this may mean that the Assessment is less relevant for Southwell only.</p> <p>This change in emphasis away from smaller homes does not accord with a town survey of 2018 which received well over 600 responses (detail included in response).</p> <p><b>NSDC Response –</b> Noted where more local, relevant up to date evidence is available this will also be taken into account as set out later in the full text of the policy. Furthermore the information included by the Town Council could form the basis of a policy as part of the Neighbourhood Plan Review.</p>
070	Cllr Harris	151	<p>I do not agree with the change of approach. There is clear evidence within the town [evidence already submitted to N&amp;SDC] that residents need to have small houses 2/3 bed for young people to buy at affordable levels and rent affordably and then flats/maisonettes for young/single people to buy and rent, and further houses for older people to downsize to purchase and rent. This must be reflected in the N&amp;SDC's approach.</p> <p><b>NSDC Response –</b> Noted where more local, relevant up to date evidence is available this will also be taken into account as set out later in the full text of the policy. Furthermore the information included by the Town Council could form the basis of a policy as part of the Neighbourhood Plan Review.</p>
075	Persimmon Homes	169	<p>Core Policy 3 relates to Housing Mix, Type and Density and places emphasis on 2 and 3 bedroom family housing. Whilst Persimmon acknowledges that 2 and 3 bedroom homes are needed and are fundamental to creating housing choice. Policy should and must acknowledge high market demand for larger, 4 and 5 bedroom properties.</p> <p>This policy includes a requirement for a 'greater provision of bungalows on appropriate large sites'. The policy is ambiguous on what level of bungalow provision is being sought, and how does the policy define 'appropriate large sites'. Not all sites are necessarily suitable for</p>

			<p>bungalows. For example there is not necessarily a need for bungalows on all areas and demand for bungalows may also be an issue, particularly with bungalows generally being more expensive given they have had larger land take and as such may not be affordable. Further, there is no evidence base to support/justify the inclusion of bungalows, which could have an impact on viability.</p> <p>The recently adopted Car and Cycle Parking Standards SPD (2021), imposes additional land take burden where smaller house types are plotted as indicated by Persimmon Homes consultation response on 4:1 parking to landscaping ratios alongside anti tandem parking stance. The Parking Standards SPD incentivises the use of larger 4 and 5 bed properties which due to larger footprints are more suited to the SPD parking guidance. Subsequently, Core Policy 3 should arguably omit reference to specific sized bedroom homes in favour of a broad housing mix of housing to address both housing need and housing demand.</p> <p>Proposed changes to policy 3 states their Housing Needs Study demonstrates a need for 1% wheelchair accessible standards and 23% of new homes to be M2(2) accessible and adaptable. NPPF para 130f underlines the need for robust evidence where Local Authorities seek to impose optional technical standards. The evidence provided accords with broad ageing population trends found across England, nothing exceptional warranting a step change from standard build regulation found nationally which impose under M4(1) visitable standards i.e. accessible front door, wider doorways, corridors, accessible sockets and switches, ground floor W/C etc.</p> <p>Technical constraints i.e. topography, flood risk must be considered in terms of the practicalities of implementing M42 standards alongside Viability implications such standards impose on developers. Proposed changes to Policy 3 warrant more work until the necessary evidence is secured to demonstrate the above considerations have been considered.</p> <p><b><u>NSDC Response</u></b> – Comments are noted. The technical constraints of the site along with the site specific characteristics will also be taken into account as set out later in the full text of the policy. The policy will continue to state “The District Council will seek to secure an appropriate mix of housing types to reflect local housing need. Such a mix will be dependent on the local circumstances of the site, the viability of the development and any localised housing need information.”</p> <p>The Newark &amp; Sherwood Housing Needs Assessment 2020 looks at a range of data in relation to M4(2) and M4(3) standards, both from nationally recognised datasets and from the primary data provided from the survey. However it is acknowledged that the Council will need to clearly set out the local circumstance that justify our approach; this will be undertaken to support the next stage of the Plan Review.</p>
077	Harby Parish Council	180	<p>Agreed</p> <p><b><u>NSDC Response</u></b> – Noted</p>
078	Collingham Parish Council	235	<p>Agreed</p>

			<b><u>NSDC Response – Noted</u></b>
085	Resident	296	Agreed <b><u>NSDC Response – Noted</u></b>
087	Tetlow Kong obo Local Business	310	<p>Tetlow King Planning is broadly supportive of the Council’s preferred approach for amending Core Policy 3. The removal of the overly restrictive emphasis on the provision of smaller homes of two bedrooms or less is supported and reflects the findings of the Councils most recent assessment of housing needs in the forms of the District-Wide Housing Needs Assessment (December 2020).</p> <p>In respect of Southwell itself, it is noted that the 2020 Housing Needs Assessment (HNA) sub-area findings for Southwell reports that the greatest level of need is for 3-bed houses (33%) and 4+ bed houses (24%), followed by 3+ bed bungalows (15%) and 2-bed bungalows (15%).</p> <p>The introduction of “greater provision of bungalows on appropriate large sites” under the preferred approach for Core Policy 3 is therefore broadly supported and reflects 30% of local need in the Southwell sub-area.</p> <p>Our client is committed to making appropriate provision to address identified local housing needs in Southwell through the future development of their land interests for residential development in line with Policy and the evidence base that underpins it.</p> <p><b><u>NSDC Response – Noted</u></b></p>
093	Urban & Civic	327	<p>Urban &amp; Civic do not object to the proposed amendments to Core Policy 3 in principle but consider that the policy needs to allow flexibility for the housing mix to reflect the local circumstances of the site and the viability of the development, as under the adopted Core Policy 3. For example, greater provision of bungalows on larger sites may not always be appropriate, as they have higher land requirements with implications for both streetscape and densities (noting ACS Policy NAP 2A seeks average densities of 30-50 dwellings per hectare at Newark South), and overall housing numbers and thus viability.</p> <p>For the reasons given above, Urban &amp; Civic respectfully request that the policy wording contains the following wording:</p> <p>“Housing mix will be dependent on the local circumstances of the site, including design considerations, and the viability of the development.”</p> <p><b><u>NSDC Response – Noted</u></b> this will also be taken into account as set out later in the full text of the policy.</p>



			The policy will continue to state “The District Council will seek to secure an appropriate mix of housing types to reflect local housing need. Such a mix will be dependent on the local circumstances of the site, the viability of the development and any localised housing need information.”
098	Hawton Parish Council	345	Agreed. <b><u>NSDC Response</u></b> – Noted
107	Home Builders Federation	431	<p>The proposed amendment to adopted Core Policy 3 – Housing Mix, Type &amp; Density of the Amended Core Strategy introduces a requirement for 1% of new dwellings to meet M4(3) and a minimum of 23% of new homes to meet M4(2). The provision of the appropriate proportion of dwellings to M4(2) standard will be expected on all sites. Sites for 50 dwellings or more should make provision for the M4(3).</p> <p>If the Council wishes to adopt the optional standards for accessible &amp; adaptable dwellings, then this should only be done in accordance with the 2021 NPPF (para 130f &amp; Footnote 49) and the latest National Planning Practice Guidance (NPPG). Footnote 49 states “that planning policies for housing should make use of the Government’s optional technical standards for accessible and adaptable housing where this would address an identified need for such properties”. As set out in the 2021 NPPF, all policies should be underpinned by relevant and up to date evidence, which should be adequate, proportionate and focussed tightly on supporting and justifying the policies concerned (para 31). A policy requirement for M4(2) and M4(3) must be justified by credible and robust evidence. The NPPG sets out the evidence necessary to justify a policy requirement for optional standards. The Council should apply the criteria set out in the NPPG (ID 56-005-20150327 to 56-011-20150327).</p> <p>The Council’s supporting evidence is set out in District Wide Housing Needs Assessment dated December 2020 by Arc4. This evidence does not justify the Council’s proposed policy requirements for M4(2) and M4(3). This evidence does not identify any local circumstances, which demonstrate that the needs of Newark &amp; Sherwood differ substantially to those across the Midlands or England. If the Government had intended that evidence of an ageing population alone justified adoption of optional standards, then such standards would have been incorporated as mandatory in the Building Regulations, which is not currently the case. Before the pre-submission Amended Allocations &amp; Development Management DPD consultation, the Council should provide further evidence of its local need.</p> <p>All new homes are built to M4(1) “visitable dwelling” standards. These standards include level approach routes, accessible front door thresholds, wider internal doorway and corridor widths, switches and sockets at accessible heights and downstairs toilet facilities usable by wheelchair users. M4(1) standards are not usually available in the older existing housing stock. These standards benefit less able-bodied occupants and are likely to be suitable for most residents.</p>

Furthermore, as the Council is aware not all health issues affect housing needs. Many older people already live in Newark & Sherwood and are unlikely to move home. No evidence is presented to suggest that households already housed would be prepared to leave their existing homes to move into new dwellings constructed to M4(2) and / or M4(3) standards. Those who do move may not choose to live in a new dwelling. Recent research by Savills “Delivering New Homes Resiliently” published in October 2020 shows that over 60’s households “are less inclined to buy a new home than a second-hand one, with only 7% doing so”. The existing housing stock (circa 54,437 dwellings) is significantly larger than its new build component, therefore adaption of the existing stock will form an important part of the solution.

Before the pre-submission Amended Allocations & Development Management DPD consultation, the Council should undertake a viability assessment of the impact of proposed amendments to Core Policy 3. The DCLG Housing Standards Review, Final Implementation Impact Assessment, March 2015 (see Table 45) estimates a cost for M4(2) of £521 per dwelling based on 3 bed semi-detached house and costs of £907 - £940 per apartment. These 2015 costs are somewhat out of date and less than alternative estimates. The Government’s consultation “Raising Accessibility Standards for New Homes” (ended on 1st December 2020) estimates the additional cost per new dwelling, which would not already meet M4(2), is approximately £1,400. During the Government’s Housing Standards Review, EC Harris estimated the cost impact of M4(3) per dwelling as £7,607 - £8,048 for apartments and £9,754 - £23,052 for houses (see Table 45). M4(2) and M4(3) compliant dwellings are also larger than Nationally Described Space Standards (NDSS) (see DCLG Housing Standards Review Illustrative Technical Standards Developed by the Working Groups August 2013), therefore larger sizes should be used when calculating additional build costs for M4(2) / M4(3) and any other input based on square meterage except sales values, which are unlikely to generate additional value for enlarged sizes.

The Council should also note that its proposed policy approach will become unnecessary if the Government implements proposed changes to Part M of the Building Regulations as set out in the “Raising Accessibility Standards for New Homes” consultation. The 2021 NPPF confirms that Local Plans should avoid unnecessary duplication (para 16f).

In the meantime, if the proposed policy requirements are retained, the NPPG specifies that “Local Plan policies should also take into account site specific factors such as vulnerability to flooding, site topography, and other circumstances which may make a specific site less suitable for M4(2) and M4(3) compliant dwellings, particularly where step free access cannot be achieved or is not viable. Where step-free access is not viable, neither of the Optional Requirements in Part M should be applied.” (ID 56-008-20160519).

The Council should distinguish between a wheelchair adaptable dwelling (M4(3a)), which include features to make a home easy to convert to be fully wheelchair accessible and a wheelchair accessible dwelling (M4(3b)), which include the most common features required by wheelchair users. The Council is also reminded that the requirement for M4(3) should only be required for dwellings over which the Council has housing nomination rights as set out in the NPPG (ID 56-008-20150327).

			<p>Before the pre-submission Amended Allocations &amp; Development Management DPD consultation, the Council should delete or modify the proposed amendments to Core Policy 3 as set out above.</p> <p><b>NSDC Response</b> – Comments noted. The Newark &amp; Sherwood Housing Needs Assessment 2020 looks at a range of data in relation to M4(2) and M4(3) standards, both from nationally recognised datasets and from the primary data provided from the survey. However it is acknowledged that the Council will need to clearly set out the local circumstance that justify our approach; this will be undertaken to support the next stage of the Plan Review. The matters raised by the respondent regarding viability and tenure are recognised and will be addressed by the publication of an updated whole plan viability assessment and policy wording which seeks to ensure that the M4(3) are delivered as part of affordable stock. If the local policy is superseded by an uplift of building regulations then the policy requirements would no longer be implemented.</p>
108	CB Collier – Harris Lamb	437	<p>We object to the requirement to provide more bungalows on appropriate large sites. Whilst the Council have sought to qualify that bungalows may only be suitable on large sites, it is unclear what is meant by greater provision. Anything that seeks to introduce more bungalows will have a negative impact on density resulting in the need for more land to be allocated or made available for development as bungalows are a very inefficient form of development from a land take perspective. If the Council wishes to provide a greater proportion of bungalows the Council will need to allocate more land to reflect the impact on density that accommodating this form of development will have.</p> <p>In respect of specialist housing why not allocate specific sites for this type of use. There are a number of providers out there that would welcome the opportunity to develop sites without having to compete for them with residential developers. The Council could also retain control over where it wanted to direct such uses rather than leaving it to the market to decide.</p> <p><b>NSDC Response</b> – Noted site specific characteristics will also be taken into account as set out later in the full text of the policy.</p> <p>The policy will continue to state “The District Council will seek to secure an appropriate mix of housing types to reflect local housing need. Such a mix will be dependent on the local circumstances of the site, the viability of the development and any localised housing need information.”</p> <p>The Council has secured specialist accommodation on a number of allocations within the current DPD and we have enough suitable allocated and committed sites to secure a broad range of house types.</p>
113	Gladman	460	<p>The amendments to Core Policy 3 seeks to introduce the optional technical standards for M4(3) wheelchair accessible standards at 1% and a minimum of 23% of new homes to be built to M4(2) accessible and adaptable homes standards.</p>

			<p>Whilst Gladman are supportive of providing homes that are suitable to meet the needs of older and/or disabled people, such a policy requirement must be based on appropriate evidence to justify the approach in seeking to adopt the higher optional technical standards for accessible, adaptable and wheelchair homes in accordance with the Planning Practice Guidance (PPG). In this regard, the PPG states:</p> <p>“Based on their housing needs assessment and other available datasets it will be for local planning authorities to set out how they intend to approach demonstrating the need for Requirement M4(2) (accessible and adaptable dwellings), and/or M4(3) (wheelchair user dwellings), of the Building Regulations. There is a wide range of published official statistics and factors which local planning authorities can consider and take into account, including:</p> <ul style="list-style-type: none"> <li>• The likely future need for housing for older and disabled people (including wheelchair user dwellings).</li> <li>• Size, location, type and quality of dwellings needed to meet specifically evidenced needs (for example retirement homes, sheltered homes or care homes).</li> <li>• The accessibility and adaptability of existing housing stock.<sup>1</sup></li> <li>• How needs vary across different housing tenures.</li> <li>• The overall impact on viability...”</li> </ul> <p>In order for the policy to be considered sound, the Council will need to demonstrate evidence of the above, setting out a specific case for the need for Optional Technical Standards in Newark and Sherwood.</p> <p><b>NSDC Response –</b> Comments noted. The Newark &amp; Sherwood Housing Needs Assessment 2020 looks at a range of data in relation to M4(2) and M4(3) standards, both from nationally recognised datasets and from the primary data provided from the survey. However it is acknowledged that the Council will need to clearly set out the local circumstance that justify our approach; this will be undertaken to support the next stage of the Plan Review. The matter raised by the respondent regarding viability is recognised and will be addressed by the publication of an updated whole plan viability assessment.</p>
115	Farndon Parish Council	471	<p>Agreed.</p> <p><b>NSDC Response –</b> Noted</p>
117	Avant Homes c/o Boyer Planning	527	<p>The wording of the amended Policy should be updated to reflect that the housing mix, type and density of schemes should vary at the local level across the District, to respond to localised needs and demands. The Integrated Impact Assessment which has been produced to inform the consultation states that “providing for a mix, type and density of new housing development which is able to respond to the housing needs of the District can help promote the creation of sustainable communities”. By this merit, it is imperative that the wording of the amended Policy be updated to allow for the identified variations in local housing needs, which have been informed by the Council’s own evidence base.</p>

			<p>For example, the ‘Mansfield Fringe Area’, which Clipstone is a part of, is shown in the ‘District Wide Housing Needs Assessment – Sub Area Summaries’ (December 2020) to have an overall housing mix demand (as a percentage) to be 34.3% requiring the ‘4 or more bedroom house’ category whereas for Newark &amp; Sherwood District there was a demand of 10.4% for the same category.</p> <p>Simultaneously, it was found for the Mansfield Fringe Area there was a demand of 26.9% for the ‘3-bedroom house’ category whereas it was 39.9% for Newark &amp; Sherwood District, which was the largest requirement of any category. Naturally, this has informed the proposed policy amendment, which seeks for an “emphasis on 2 and 3-bedroom family housing”.</p> <p>Whilst it may be that other areas in the District have a greater preference for these house types, it is unreasonable to over-emphasise or over rely on these house types in the Mansfield Fringe Area when there is a stated need for an increased provision of 4 or more bedroomed houses. Indeed, we consider that the wording of the Policy prior to the proposed amendment was more appropriate, as it stated that “the District Council will seek to secure an appropriate mix of housing types to reflect local housing need. Such a mix will be dependent on the local characteristics of the site, the viability of the development and any localised housing need information”.</p> <p>The NPPF is clear in Paragraphs 61 and 62 that strategic policies should be informed by a local housing needs assessment, such as the District Wide Housing Needs Assessment and its associated Sub Area Summaries document, and that the context, size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.</p> <p><b><u>NSDC Response</u></b> – Amend Policy wording to include reference to the sub area analysis to make it clear that housing need and mix should be appropriate for the locality in which the development is situated.</p> <p>The policy will continue to state “The District Council will seek to secure an appropriate mix of housing types to reflect local housing need. Such a mix will be dependent on the local circumstances of the site, the viability of the development and any localised housing need information.”</p>
130	North Muskham Parish Council	601	<p>Agreed</p> <p><b><u>NSDC Response</u></b> – Noted</p>
131	South Muskham & Little Carlton Parish Council	628	<p>Agreed.</p> <p><b><u>NSDC Response</u></b> – Noted</p>
<b>Action Required</b>			<ul style="list-style-type: none"> <li>Amend Policy wording to include reference to the sub area analysis to make it clear that housing need and mix should be appropriate for the locality in which the development is situated.</li> </ul>

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|  | <ul style="list-style-type: none"><li>• Prepare further supporting evidence in relation to M4(2) and M4(3) including publishing an updated whole plan viability assessment.</li><li>• Amend Policy wording which seeks to ensure that the M4(3) are delivered as part of affordable stock.</li></ul> |
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Question 4 – So/HN/1 and Lo/HN/1 and Policy HE/1 of the Southwell Neighbourhood Plan - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
025	Fiskerton-cum-Morton Parish Council	040	<p>Yes</p> <p><b>NSDC Response</b> – Noted</p>
049	Resident c/o TOWN-PLANNING.CO.UK	093	<p>The preferred approach which involves the suggested deletion of this policy is supported.</p> <p>Policy Lo/HN/1 seeks that the majority of new housing on windfall sites in Lowdham should be two bed units to meet the needs of the community. The housing needs survey that underpins this policy dates from a Parish Housing Needs Survey 2007. In appeal APP/B3030/W/18/3204708 in Sutton on Trent the LPA argued that Parish Housing Needs Surveys did not provide evidence of need for market housing and that their methodology only provided evidence for affordable housing.</p> <p>In this appeal, the Inspector Gareth Wildgoose BSc (Hons) MSc MRTPI concluded that: “The HNR intends to assess the requirement for both affordable housing for rent and shared ownership, together with open market housing. However, the evidence before me indicates that the HNR does not form part of the evidence in the examination library for the Amended Core Strategy. Furthermore, the needs identified relate to only the views of a specific number of respondents to the survey, which reflects only a limited number of the overall households in Sutton on Trent and a snapshot in time where personal circumstances can change. As such I cannot find that it represents robust or reliable evidence of current local needs upon which a mix of housing types should be restricted in the context of Core Policy 3 of the CS or the Framework.”</p> <p>A similar conclusion would apply to the Lowdham Parish Housing Needs Survey, meaning that it was in fact never a suitable policy basis upon which to base a policy. Plus, any survey from 2007 cannot reasonably provide robust and credible evidence some 14 years later. Given this the LPA could not in our view seek to rely upon rolling Policy Lo/HN/1 forward given the lack of credibility in the underpinning evidence.</p> <p>The Council has recently published up to date housing needs information for the district which is split into sub-areas. Lowdham falls within the Nottingham Fringe sub-area where the majority need (46.7%) is for 3 bed houses. This more up-to-date evidence would also render Policy Lo/HN/1 out-of-date. Policies such as Lo/HN/1 are inflexible which fail to cater for changing circumstances and result in the failure to deliver housing sites as owners and developers choose not to bring sites forward because of a restrictive approach towards housing types/sizes.</p> <p><b>NSDC Response</b> – Noted</p>
067	Southwell Town Council	138	<p>In the Dec 2020 Housing Needs Assessment the Southwell Area contains double the number of houses as there are in Southwell itself. Also there is no mention of Brackenhurst and the demand for Student housing in the town. Thus the Council is concerned that this may mean that the Assessment is less relevant for Southwell only.</p>

			<p>This change in emphasis away from smaller homes does not accord with a town survey of 2018 which received well over 600 responses (detail included in response).</p> <p><b><u>NSDC Response</u></b> – Noted where more local, relevant up to date evidence is available this will also be taken into account as set out later in the full text of the policy. Furthermore the information included by the Town Council could form the basis of a policy as part of the Neighbourhood Plan Review.</p>
070	Cllr Harris	155	<p>I do not agree with the change of approach. There is clear evidence within the town [evidence already submitted to N&amp;SDC] that residents need to have small houses 2/3 bed for young people to buy at affordable levels and rent affordably and then flats/maisonettes for young/single people to buy and rent, and further houses for older people to downsize to purchase and rent. This must be reflected in the N&amp;SDC's approach.</p> <p><b><u>NSDC Response</u></b> – Noted where more local, relevant up to date evidence is available this will also be taken into account as set out later in the full text of the policy.</p>
075	Persimmon Homes	169	<p>Persimmon supports the deletion of policy in Southwell Neighbourhood Plan which stipulates smaller housing units to be delivered on sites in Southwell and Lowdham, to allow greater flexibility of housing types and choice.</p> <p><b><u>NSDC Response</u></b> – Noted</p>
077	Harby Parish Council	181	<p>Agreed if the residents of Lowdham and Southwell are in agreement</p> <p><b><u>NSDC Response</u></b> – Noted</p>
078	Collingham Parish Council	236	<p>Agreed if the residents of Lowdham and Southwell are in agreement</p> <p><b><u>NSDC Response</u></b> – Noted</p>
085	Resident	297	<p>No comment</p> <p><b><u>NSDC Response</u></b> – Noted</p>
087	Tetlow King obo The Minster Veterinary Centre	311	<p>The Councils proposed deletion of Policy So/HN/1 is broadly supported given that this is required in order to reflect the fact that the housing need evidence base that underpins the emerging Plan no longer reflects the requirements of that policy to secure smaller housing units.</p> <p>It is considered important however to acknowledge that the Southwell Neighbourhood Plan is under review by the Town Council and any subsequent local housing needs assessment at Parish level undertaken to inform this or any subsequent Neighbourhood Plan Review will also be an important consideration with regard to identified local housing needs that future residential development in Southwell should</p>



			<p>seek to address as, dependent upon timings, the Neighbourhood Plan Review could take place after the adoption of the emerging Plan Review and could therefore result in being the most up -to-date Plan in Development Plan terms.</p> <p><b><u>NSDC Response</u></b> – Noted where more local, relevant up to date evidence is available this will also be taken into account as set out later in the full text of the policy. Furthermore the Town Council could use any evidence to form the basis of a policy as part of the Neighbourhood Plan Review.</p>
098	Hawton Parish Council	346	<p>No comment</p> <p><b><u>NSDC Response</u></b> – Noted</p>
099	Southwell Civic Society	398	<p>Disagree – The Housing Needs Assessment covers a wider area than the town of Southwell itself where previous surveys clearly indicate a need for more smaller dwellings. Has the commuting of people working in Southwell been taken into account?</p> <p><b><u>NSDC Response</u></b> – Noted where more local, relevant up to date evidence is available this will also be taken into account as set out later in the full text of the policy. Furthermore the Town Council could use any evidence to form the basis of a policy as part of the Neighbourhood Plan Review.</p>
115	Farndon Parish Council	471	<p>No comment</p> <p><b><u>NSDC Response</u></b> – Noted</p>
130	North Muskham Parish Council	601	<p>Agreed</p> <p><b><u>NSDC Response</u></b> – Noted</p>
<b>Action Required</b>			None

Question 5 – Gypsy and Traveller Accommodation Needs - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
021	Heine Planning Consultancy	023	<p>The preferred approach is not agreed, if, as it would appear, you only propose to meet the need for 118 pitches for those who met the planning definition for GTS. It is not clear how/when the needs of others (unknown and cultural need) would be met.</p> <p>The GTAA has not been examined and details appear to be lacking. The report lists the sites visited but there is no attempt to summarise the planning history of all these sites and their conditions. Three sites down Tolney Lane (Riverside park, Ropewalk Farm and Church View) were found to account for some 103 non travellers. The report fails to explain whether occupation by non-Travellers of these sites is in breach of planning conditions. The status of these sites is not clear. In addition some 36 pitches were being used for transit purposes. Again it is not clear if this is authorised. Over 1/3rd of the list of pitches given to ORS are not being used as residential Traveller pitches. It seems very surprising that this has not been addressed in the Plan Review and an explanation given. It is far from clear what the actual, existing lawful provision is in the district and without this most basic of information and analysis it is really difficult to comment.</p> <p>Of the remaining 240 pitches listed, interviews were achieved with 123 households-about half of the remaining households. That is low by most standards and could not be considered robust or credible.</p> <p>The GTAA found that some 63% of GTs interviewed in this district complied with the Planning Definition. ORS claim that nationally a figure of 30% is appropriate. The compliance rate in this district would appear to be more than twice the national rate. It is therefore far from clear why a figure of 25% is proposed in Newark for the unknown households.</p> <p>The study identified a need for 30 pitches for those with a cultural need who do not meet the planning definition. The DMP agrees that provision should be made as part of housing allocations but does not appear to do so. I can find no provision for these 30 pitches. It is not clear how caravan pitches will be included/ provided as part of housing allocations.</p> <p>The ORS report was unable to determine the status of 74 households. If, as presumed, just 25% will comply with the planning definition, it is unclear what provision is proposed for need arising from the remainder? Are they presumed to have a cultural need? Or are they presumed to be non Travellers? The ORS study fails to do is include any allowance for the balance of undetermined households who are not presumed to meet the GT definition but would presumably have a cultural need for appropriate accommodation and should be added to the need for those who do not meet the planning definition.</p> <p><b>NSDC Response</b> – Comments noted, the Council believes the Gypsy and Traveller Accommodation Assessment (GTAA) to provide a robust and sound understanding of future gypsy and traveller pitch requirements. It is also recognised that the Assessment shows an overall need of 169 pitches to meet the cumulative requirements of those who met the planning</p>

		<p>definition, undetermined households and those who were shown to not meet the planning definition. Notwithstanding this the ability to meet that need in full will ultimately be dictated by the availability of suitable land. In this respect the Options Report set out a comprehensive overview of the land which is available, its suitability and what is considered to be an appropriate (and crucially deliverable) locational approach. In the event that the full need cannot be satisfied, given the constraints presented by land supply, then the minimum threshold that the Amended Allocations &amp; Development Management DPD will need to meet is clearly detailed at paragraph 10 of the Planning Policy for Traveller Sites (PPTS). This would require identification of a supply of specific deliverable sites sufficient to provide 5 years worth of sites against our locally set targets, supplemented with a supply of specific, developable sites, or broad locations for growth for years 6 to 10. With those local targets only incorporating the needs of households who meet the planning definition provided at Annex 1 to the PPTS.</p> <p>Given the land supply issues, the Options Report detailed that for the Newark Area the Newark Area the preferred approach is one that seeks to develop a detailed strategy- which as a minimum satisfies the requirements of the Planning Policy for Traveller Sites but where possible exceeds this to also address the potential need from undetermined households. With respect to the need from households who did not meet the planning definition, and who may be able to claim the right to culturally appropriate accommodation – this would be a matter left to the Development Management process, with the criteria within Core Policy 5 providing an appropriate means of considering applications on their merits. It should be noted that the criteria within CP5 were modified by the Amended Core Strategy Inspector an relaxed to ensure that they did not present an unacceptably high bar to sites that might come forward up to new sites being allocated, and crucially beyond this. The Policy is sufficiently flexible to allow windfall pitches to be brought forward beyond provision formally made through the Development Plan.</p> <p>Due to the realities of a constrained land supply in the Newark Area (and beyond) it is considered that this approach remains most appropriate. In the case of the need generated by sites in the West of the District at the time of the Options Report it appeared more likely that an approach closer to meeting the need in full would be possible. In the scenario that the need of undetermined households is not able to be formally addressed via site allocation, then this will kept under close review. Should it become clear that undetermined households are coming forward and making the demonstration that they meet the planning definition then this would trigger a review of the pitch requirements. It is also evident that through the Tolney Lane ‘pitch delivery’ efforts many of the sites which may prove to be suitable currently accommodate extended family groups, and so their intensification could entail meeting different forms of need (be that planning definition, undetermined and/or non-planning definition). Consequently the resultant picture is likely to be more nuanced than purely seeking to meet the needs of those in the Newark Area who met the planning definition.</p> <p>ORS to provide additional content on the technical GTAA comments.</p>
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023	Resident	034	<p>3.10 Transit Pitch Needs</p> <p>3.10.1 Due to low historic low numbers of unauthorised encampments, and the existence of private transit pitches, the GTAA did not recommend the need for a formal public transit site in the District.</p> <p>Although this maybe the case, I firmly believe that the GTAA has not taken into account consideration the effects travellers have on those householders who live in the vicinity of traveller encampment and these householders should not have to live with the fear and degradation some travelling communities bring when they encampment on open land.</p> <p>When travellers arrive, there is a loss of freedom to the local community. I have witnessed people avoid areas of encampment when walking their dogs for fear of attack from uncontrolled dogs. Children are concerned about playing on the land due to dogs, being physically and verbally abused by travellers’ children or vice versa. There are also times when it is unsafe to walk around these sites due to uncontrolled quad bikes and motor bikes charging around. But the worst situation is the litter and human faeces that is left to be cleaned up.</p> <p>Therefore, having a formal public transit site for travellers would be advantageous. Even though it may cost more to manage a public site, the council could charge a fee to reduce these overheads. The positives to a public site would be:</p> <p style="padding-left: 40px;">All the travellers would reside in one area as they transit through a region.</p> <p style="padding-left: 40px;">There would be less disruption to the local community and police.</p> <p>The wellbeing of the local community would be improved, as the concern of travellers arriving on their doorstep would be reduced.</p> <p><b>NSDC Response</b> – Comments noted, consideration to be given as to whether transit pitch provision needs resolving through the Plan Review. In this respect it should be noted that the Development Plan is not the only route through which such provision could be made – this could occur outside of that process.</p>
025	Fiskerton-cum-Morton Parish Council	041	<p>Yes</p> <p><b>NSDC Response</b> – Noted.</p>
037	Resident	062	<p>I would think the pitch allocation for 118 further pitches is out of date mainly to the fact that in the Gypsy &amp; Traveller Accommodation Assessment they state that only a snippet of the needs were captured as a full study wasn’t completed due to not gaining access on Tolney Lane as well as other areas of the district.</p> <p>I am quite sure if you had representatives from the community then you would have gained more access.</p> <p>Not all Travellers want to or can live on Tolney lane lots of people presume if u are a Traveller u are happy to live down Tolney lane it is not a Ghetto and u should have a choice where to live. Areas of Tolney lane are on the flood plain and at Higher risk</p>

			<p>of flooding than Land at winthorpe road when Tolney lane flooded last year some residents moved from Tolney lane to the land at winthorpe road for safety It seems to me the council are quite happy to keep giving either temporary or permanent permission on Tolney lane whether it's safe or not as they do not want Travellers outside of Tolney lane and those that are outside of Tolney lane just seem to have a unnecessary planning battle with the council it really saddens me and I would love to educate the council on this if they would be happy to Listen</p> <p>3.10.1 no need for a transit site, this is now not the case considering there has been 3 unauthorised through the district this summer with a reported clean up cost of £7000 each time, and I would imagine they will become more frequent.</p> <p><b>NSDC Response</b> – Comments noted, the Council believes the Gypsy and Traveller Accommodation Assessment (GTAA) to provide a robust and sound understanding of future gypsy and traveller pitch requirements – with a decent response rate to interviews achieved. As outlined through the Options Report the Council is seeking to identify suitable land away from Tolney Lane to accommodate future pitches – though it currently appears that this approach will not be able to satisfy the minimum requirements of national policy and so will likely entail intensification of suitable existing sites at Tolney Lane.</p> <p>The need for transit pitch provision will be reflected upon. Though it should be noted that the Development Plan is not the only route through which such provision could be made – this could occur outside of that process.</p>
040	Resident	067	<p>I would like to comment on the above report consultation.</p> <p>I would think the pitch allocation for 118 further pitches is out of date mainly to the fact that in the Gypsy &amp; Traveller Accommodation Assessment they state that only a snippet of the needs were captured as a full study wasn't completed due to not gaining access on Tolney Lane as well as other areas of the district.</p> <p>I am quite sure if you had representatives from the community then you would have gained more access.</p> <p>3.10.1 no need for a transit site, this is now not the case considering there has been 3 unauthorised through the district this summer with a reported clean up cost of £7000 each time, and I would imagine they will become more frequent.</p> <p><b>NSDC Response</b> – Comments noted, the Council believes the Gypsy and Traveller Accommodation Assessment (GTAA) to provide a robust and sound understanding of future gypsy and traveller pitch requirements – with a decent response rate to interviews achieved. The need for transit pitch provision will be reflected upon. Though it should be noted that the Development Plan is not the only route through which such provision could be made – this could occur outside of that process.</p>
053	Coddington Parish Council	100	<p>No. Provision of transit pitches is required to avoid the increasing risk of unauthorised encampments progressing around the District. We are aware that the private transit pitches already available are not being used in these circumstances, leading to a sequence of unauthorised encampments in the locality.</p>

			<b>NSDC Response</b> – Comments noted, the need for transit pitch provision will be reflected upon. Though it should be noted that the Development Plan is not the only route through which such provision could be made – this could occur outside of that process.
<b>077</b>	Harby Parish Council	182	Harby Parish Council agrees with the preferred approach <b>NSDC Response</b> – Noted.
<b>078</b>	Collingham Parish Council	237	Collingham Parish Council agrees with the preferred approach <b>NSDC Response</b> – Noted.
<b>085</b>	Resident	298	Yes <b>NSDC Response</b> – Noted.
<b>098</b>	Hawton Parish Council	347	Yes <b>NSDC Response</b> – Noted.
<b>105</b>	Murdoch Planning Ltd	421	I do not agree the the preferred approach because the full needs identified in the GTAA for at least 169 pitches should be pursued so that undetermined and non-travelling Gypsies and Travellers who live in the district have their needs met. This approach was adopted by Reigate & Banstead Council in a process that was found to be sound in their 2019 Plan. If N&SDC current preferred approach is adopted, then there will remain real need on the ground and an insufficient supply of site even if all the proposed allocations come to fruition <b>NSDC Response</b> – Comments noted, the Council believes the Gypsy and Traveller Accommodation Assessment (GTAA) to provide a robust and sound understanding of future gypsy and traveller pitch requirements. It is also recognised that the Assessment shows an overall need of 169 pitches to meet the cumulative requirements of those who met the planning definition, undetermined households and those who were shown to not meet the planning definition. Notwithstanding this the ability to meet that need in full will ultimately be dictated by the availability of suitable land. In this respect the Options Report set out a comprehensive overview of the land which is available, its suitability and what is considered to be an appropriate (and crucially deliverable) locational approach. In the event that the full need cannot be satisfied, given the constraints presented by land supply, then the minimum threshold that the Amended Allocations & Development Management DPD will need to meet is clearly detailed at paragraph 10 of the Planning Policy for Traveller Sites (PPTS). This would require identification of a supply of specific deliverable sites sufficient to provide 5 years worth of sites against our locally set targets, supplemented with a supply of specific, developable sites, or broad locations for growth for years 6 to 10. With those local targets only incorporating the needs of households who meet the planning definition provided at Annex 1 to the PPTS.

			<p>Given the land supply issues, the Options Report detailed that for the Newark Area the Newark Area the preferred approach is one that seeks to develop a detailed strategy- which as a minimum satisfies the requirements of the Planning Policy for Traveller Sites but where possible exceeds this to also address the potential need from undetermined households. With respect to the need from households who did not meet the planning definition, and who may be able to claim the right to culturally appropriate accommodation – this would be a matter left to the Development Management process, with the criteria within Core Policy 5 providing an appropriate means of considering applications on their merits. It should be noted that the criteria within CP5 were modified by the Amended Core Strategy Inspector and relaxed to ensure that they did not present an unacceptably high bar to sites that might come forward up to new sites being allocated, and crucially beyond this. The Policy is sufficiently flexible to allow windfall pitches to be brought forward beyond provision formally made through the Development Plan.</p> <p>Due to the realities of a constrained land supply in the Newark Area (and beyond) it is considered that this approach remains most appropriate. In the case of the need generated by sites in the West of the District at the time of the Options Report it appeared more likely that an approach closer to meeting the need in full would be possible. In the scenario that the need of undetermined households is not able to be formally addressed via site allocation, then this will be kept under close review. Should it become clear that undetermined households are coming forward and making the demonstration that they meet the planning definition then this would trigger a review of the pitch requirements. It is also evident that through the Tolney Lane ‘pitch delivery’ efforts many of the sites which may prove to be suitable currently accommodate extended family groups, and so their intensification could entail meeting different forms of need (be that planning definition, undetermined and/or non-planning definition). Consequently the resultant picture is likely to be more nuanced than purely seeking to meet the needs of those in the Newark Area who met the planning definition.</p>
<b>115</b>	Farndon Parish Council	473	<p>Yes</p> <p><b>NSDC Response – Noted.</b></p>
<b>131</b>	South Musham & Little Carlton Parish Council	629	<p>Yes</p> <p><b>NSDC Response – Noted.</b></p>
<b>Action Required</b>			<p>1. Consider whether transit provision needs resolving through the Plan Review.</p>

Question 6 – Locational Approach - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
021	Heine Planning Consultancy	024	<p>The locational approach agreed in CP4 is supported. Policy states at para 5.16 that pitches will be secured through ‘every avenue open to the Council’ and CP 4 states that future provision will be addressed ‘through all necessary means’.</p> <p>However, I see little evidence that this guidance has been followed. Indeed the search carried out by the Council appears to be very limited with few new sites or locations being identified. It would have been helpful to be told how many sites the council have considered suitable for compulsory purchase due to the fact they benefit from planning permission but are not in use, or, as the GTAA 2020 implies, are occupied by non Travellers. It would also be helpful to know what, if any sites, the Council would consider purchasing to reduce reliance on private land lords.</p> <p>CP4 was drafted and adopted in 2019 prior to the 2020 GTAA when it was assumed the need would be far smaller than it is. The area of search may need to be broadened and other options explored including allocations on strategic housing sites, however, it would appear the Council has missed the boat on this option judging by how many strategic allocations are already completed or underway.</p> <p><b>NSDC Response</b> – The suggestion that it was assumed in 2019 that need would be smaller than that subsequently identified through the new GTAA is rejected – no such assumption was made – particularly given the context provided by the conclusions drawn by the Amended Core Strategy Inspector, namely that the previous Assessment had very likely underestimated the need for pitches. CP4 represents adopted planning policy, having been found sound as recently as 2019 and directs the locational approach to be followed in the making of site allocations for new gypsy and traveller pitches. This is that this future pitch provision will be provided in line with the Spatial Strategy, with the focus of efforts being to secure additional provision in and around the Newark Urban Area. However it is recognised that to do so will require suitable land being available – sufficient to support a strategy which meets the minimum requirements of national policy.</p> <p>In order to support this the Council has undertaken an exhaustive site search – having written to all landowners it holds details for through the Strategic Housing and Employment Land Availability Assessment and invited submissions for Gypsy and Traveller use, examined the possibilities of other known land which was felt to have the potential to be suitable for this use and carried out a well-publicised (and ongoing) general call for sites. The Options Report provides full details of the land from this process which was considered to be deliverable – the necessary starting point in order for land to be a candidate for allocation. Running alongside this work has been the detailed investigation of the potential opportunities for further pitches on those existing sites on Tolney Lane, at least flood risk. This will work will now be brought together to provide a detailed site allocation strategy, including delivery mechanisms – in line with the approach outlined in CP4. The points raised around</p>



			sites occupied by non-Travellers are noted, these sites have formed part of the baseline thinking for the pitch delivery work but will be further investigated moving forwards.
<b>025</b>	Fiskerton-cum-Morton Parish Council	042	Yes <b>NSDC Response – Noted</b>
<b>037</b>	Resident	063	to do a desk top based investigation surely does not capture the correct information that is required to make this review robust. I really don't understand why a desk top investigation would of been done. Unfortunately some Councillors are of the opinion as stated recently that Tolney Lane should be where GRT families live, not all families wasn't to live down Tolney Lane. I don't think the council quite grasp the situation, there are no council sites in the district they are all privately owned and it is up to the site owner if you are allowed to stay on their site. <b>NSDC Response –</b> As outlined in the Options Report the initial findings included in the consultation document were based on an initial desk top exercise – and did not represent final conclusions. These would be achieved through completion of the work, which would also include speaking to site owners and occupants. The document sets out that the Council is seeking to identify additional land away from Tolney Lane. A detail strategy will be produced which will outline the approach towards site identification, and crucially how they will be delivered – including what action it will be necessary for the Council to undertake.
<b>040</b>	Resident	068	to do a desk top based investigation surely does not capture the correct information that is required to make this review robust. I really don't understand why a desk top investigation would of been done. Unfortunately some Councillors are of the opinion as stated recently that Tolney Lane should be where GRT families live, not all families want to live down Tolney Lane, and it should not be presumed they do. I don't think the council quite grasp the situation, there are no council sites in the district they are all privately owned and it is up to the site owner if you are allowed to stay on their site. <b>NSDC Response –</b> As outlined in the Options Report the initial findings included in the consultation document were based on an initial desk top exercise – and did not represent final conclusions. These would be achieved through completion of the work, which would also include speaking to site owners and occupants. The document sets out that the Council is seeking to identify additional land away from Tolney Lane. A detail strategy will be produced which will outline the approach towards site identification, and crucially how they will be delivered – including what action it will be necessary for the Council to undertake.
<b>077</b>	Harby Parish Council	183	Harby Parish Council agrees with the preferred approach <b>NSDC Response – Noted</b>

<b>078</b>	Collingham Parish Council	238	Collingham Parish Council agrees with the preferred approach <b>NSDC Response – Noted</b>
<b>085</b>	Resident	299	Yes <b>NSDC Response – Noted</b>
<b>098</b>	Hawton Parish Council	348	Yes <b>NSDC Response – Noted</b>
<b>105</b>	Murdoch Planning Ltd	422	No I do not fully agree with the preferred approach because a broader location approach from the outset is needed in addition to the existing sites I represent on Tolney Lane being allocated. <b>NSDC Response –</b> Core Policy 4 represents adopted planning policy, having been found sound as recently as 2019 and directs the locational approach to be followed in the making of site allocations for new gypsy and traveller pitches. This is that this future pitch provision will be provided in line with the Spatial Strategy, with the focus of efforts being to secure additional provision in and around the Newark Urban Area. However it is recognised that to do so will require suitable land being available – sufficient to support a strategy which meets the minimum requirements of national policy. The suitability of existing sites on Tolney Lane to help meet the needs identified through the GTAA is being considered as part of the process.
<b>115</b>	Farndon Parish Council	474	Yes <b>NSDC Response – Noted</b>
<b>130</b>	North Muskham Parish Council	603	Yes <b>NSDC Response – Noted</b>
<b>131</b>	South Musham & Little Carlton Parish Council	630	Yes <b>NSDC Response – Noted</b>
<b>Action Required</b>			1. Further assess the ability of existing sites occupied by non-Travellers to form part of the site allocation strategy.

**Question 7 – Site Identification - Do you agree with the preferred approach?**

ID	Respondent	Response Number	Comment
021	Heine Planning Consultancy	024	<p>This is supported in part. The first priority must surely be to identify which sites are available to Travellers, which sites are occupied by Travellers and establish what occupancy conditions exist on these sites. The 2020 GTAA makes clear that there are quite few sites where the nature of the occupancy is not known. The 2020 GTAA fails to carry out any assessment of the planning history of these sites to identify those with occupancy restricted to Travellers and those with occupancy conditions which predate the 2015 Planning Definition in PPTS. This information is fundamental to Traveller site planning. I fail to see how you plan to address need without this information. For instance, older sites with a pre PPTS occupancy condition could well accommodate those with a cultural need who no longer travel for an economic purpose and can not comply with sites granted post 2015 with the current planning definition of Travellers. When deciding what sites can accept additional pitches you need to be clear</p> <ul style="list-style-type: none"> <li>a) How they are currently being used and is this lawful</li> <li>b) What occupancy conditions exist</li> </ul> <p>The 2020 GTAA notes that non Travellers appear to be occupying caravans on some of the caravan sites. I fail to see how the Council can plan for Gypsy Travellers when it does not even know how many are occupying the many caravan pitches in the district, and whether occupation of some of these sites is in breach of occupancy conditions on those sites.</p> <p>As noted at para 3.16.5 you have only completed a desk top exercise for Tolney Lane. You need to visit these site and carry out a qualitative as well as a quantitative assessment. You need to be clear what a pitch is and are these sites laid out with proper pitches. This consultation seems premature and it is unreasonable to expect any meaningful responses until and unless you have completed, with due diligence, a proper investigation of existing provision and site capacity.</p> <p>For reasons that are not clear the ORS report omits to summarise all the findings of the assessment including:</p> <ul style="list-style-type: none"> <li>-type of accommodation to determine how many households are occupying their own pitch and how many are renting. I suspect given that 270 pitches are found on just 15 pitches and that 11 sites have 10 or more pitches, and one with 50 pitches, that most households are renting pitches.</li> <li>-satisfaction with the existing arrangements, The Report notes that the Council has concerns over the quality of some sites. It is not known how many households are occupying proper pitches (ie a demarcated area with space for 2 caravans, an individual day room/ utility block, parking for 2 vehicles and private amenity space). On studying aerial photos I rather suspect several sites are simply laid out with rows of static caravans for renters. Few appear to be laid out with individual pitches.</li> </ul>

		<p>The ORS study is a quantitative rather than a qualitative assessment of need. The Council must not assume existing sites can accommodate additional capacity if existing provision is substandard, fails to provide proper pitches and fails to comply with site licencing requirements. Site cramming is not a solution.</p> <p>The shortage/ absence of small private family sites is very apparent. The provision of sites in this district is not typical of most districts and I am surprised that this was not raised as an issue of concern in the ORS study. I very much doubt the current provision is suitable or adequate for the needs of most occupants. For this reason I do not accept that existing sites should be relied on to meet future need. You need to provide choice of sites. Additional land elsewhere should be identified to address the existing need and not just to meet some residual need. As for the settled population, private pitch rental is probably the last favoured of all choices as it is expensive, the standard of accommodation is often very poor, and this option provides no security of tenure.</p> <p>The approach being adopted would retain a concentration of pitches down Tolney Lane. Whilst this might be convenient for the Council as it avoids the need to find suitable alternative sites, I very much doubt this approach would comply with national guidance which advises on the need to:</p> <p>Para 4 (h) to increase the number of traveller sites in appropriate locations with planning permission.</p> <p>13 (a) promote peaceful and integrated co –existence between the site and the local community.</p> <p>13(g) do not locate sites in areas of high risk of flooding including functional floodplains..</p> <p>I also doubt that reliance on existing sites would comply with criteria 4 of CP5. The Council must consider whether existing provision is offering a suitable level of residential amenity to proposed occupiers or whether, substandard provision is being tolerated due to the absence of suitable alternative provision that is affordable, available, accessible and appropriate.</p> <p><b>NSDC Response –</b> The status of existing sites is fully understood, including those currently providing accommodation to non-travellers. The Options Report was clear in outlining that the findings detailed from this work represented an interim stage, and that the work was yet to be completed. As already outlined this will contribute towards the development of a detailed site allocation strategy, it is acknowledged as important that any site are able to achieve acceptable standards of amenity and safety in order to be suitable.</p> <p>The wholesale relocation of Tolney Lane, due to its flood risk, was considered through the update to the SFRA and agreed by the parties (including the Environment Agency) involved to be inappropriate. Whilst it may have been preferable to meet the full need requirement on land at lesser flood risk the reality is one where land supply is constrained and there are many longstanding sites in lawful use at Tolney Lane. Given the scarcity of suitable and deliverable options elsewhere the intensification of those existing Tolney Lane sites at least flood risk (and outside of the functional floodplain) was consulted upon as part of the Option Report. As detailed in the consultation it is not likely that a sound and robust approach to site allocation which meets at least the minimum requirements of national policy can be achieved without this occurring to some</p>
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			<p>degree. The approach is therefore likely to consist of identifying suitable land away from Tolney Lane, alongside some degree of increased provision in that location – alongside flood risk resiliency improvements – delivering betterment for all residents.</p> <p>In support of the next stage the Council will be preparing a detailed site allocation strategy – addressing matters including how sites will be delivered away from Tolney Lane and what form and level of involvement will be required from the Council to firstly facilitate this and secondly to ensure that provision is appropriately managed moving forwards.</p> <p>The approach to site allocation will be subject to the Sequential Test, and will need to be consistent with the various requirements of national policy – including those from paragraph 4 of the Planning Policy for Traveller Sites.</p> <p>ORS to provide additional detail around comments on the GTAA.</p>
<b>025</b>	Fiskerton-cum-Morton Parish Council	043	<p>Yes</p> <p><b><u>NSDC Response</u></b> – Noted</p>
<b>077</b>	Harby Parish Council	184	<p>Harby Parish Council agrees with the preferred approach</p> <p><b><u>NSDC Response</u></b> – Noted</p>
<b>078</b>	Collingham Parish Council	239	<p>Collingham Parish Council agrees with the preferred approach</p> <p><b><u>NSDC Response</u></b> – Noted</p>
<b>085</b>	Resident	300	<p>Yes</p> <p><b><u>NSDC Response</u></b> – Noted</p>
<b>098</b>	Hawton Parish Council	349	<p>Yes</p> <p><b><u>NSDC Response</u></b> – Noted</p>
<b>105</b>	Murdoch Planning Ltd	423	<p>No because I have no confidence that suitable sites will be considered favourably by the LPA based on previous applications, Appeals and Local Plan Inquiries I have been involved in here.</p> <p><b><u>NSDC Response</u></b> – The District Council has set out a robust assessment of the suitability of potential site allocation options. Clearly there is a strong desire to see suitable sites brought forward to allocation and development, in order to at the very least meet the minimum requirements of national policy and achieve a five year land supply.</p>
<b>115</b>	Farndon Parish Council	475	<p>Yes</p> <p><b><u>NSDC Response</u></b> – Noted</p>

<b>128</b>	Historic England	554	Agree with preferred approach to site identification which will need to be suitable in planning and technical respects, including matters relating to the historic environment. <b>NSDC Response – Noted</b>
<b>130</b>	North Muskham Parish Council	604	Yes <b>NSDC Response – Noted</b>
<b>131</b>	South Musham & Little Carlton Parish Council	631	Yes <b>NSDC Response – Noted</b>
<b>Action Required</b>			1. Produce detailed site allocation strategy to provide additional detail around the delivery and future management of sites proposed for identification through the Plan.

Question 8 – Tolney Lane - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
021	Heine Planning Consultancy	024	<p>I do find it astonishing that so many have been expected to live in a functional flood plain, where there is a recent history of serious fluvial flooding, and the Council has been prepared to tolerate this appalling situation and done NOTHING to find suitable alternative provision as part of strategic housing allocations elsewhere in Newark. What an admission of failure! No Traveller should be expected or made to live down Tolney Lane. You would not consider putting housing here and it is socially and morally wrong to think that it is safe and acceptable for families to live here in caravans just because it is available. For many they have no option. That does not make it appropriate or acceptable.</p> <p>I struggle to understand why the Council is still prepared to rely on Tolney Lane and is considering some Tolney Lane Policy Area when there is such a fundamental and real objection to reliance on this part of Newark for what is a highly vulnerable use on land at risk from flooding. The undue concentration of caravan pitches in this part of Newark is not ideal. Pitches will always be reliant on flood defences which could be overtopped or fail. The proposed access improvements are extremely expensive and it is not known how they will be funded or when. Even if the lane is protected by flood defences and served by a raised access road, the land is still likely to be affected by surface water flooding.</p> <p>I fail to see how sites down Tolney Lane will comply with criteria 6 of CP5 or guidance in NPPF/ PPTS. Not all of the district is at risk from flooding. The Council has failed to identify alternative suitable sites at lower risk of flooding. Most of the district is not at risk of flooding. Land has been found for housing that is not at risk from flooding so why should Travellers be expected to live on a functional flood plain? The desire and convenience of retaining land down Tolney Lane should not obviate the need to explore the availability of more suitable, alternative sites. In the absence of proper studies, it cannot be known with any level of clarity whether there are other sequentially preferable sites and if the Sequential Test is met. As such, this Options Report fails to accord with guidance in national policy and the Exception Test does not fall to be considered.</p> <p>In the absence of individual site plans it is not possible to tell if sites down Tolney Lane offer appropriate pitch sizes in accordance with criteria 8 of CP5-but I very much doubt that most permanent self contained residential pitches are 550 sq m in size.</p> <p><b>NSDC Response</b> – The flood risk status of Tolney Lane is something which the District Council recognises and does not seek to minimise. Notwithstanding this the wholesale relocation of Tolney Lane, due to its flood risk, was considered through the update to the SFRA and agreed by the parties (including the Environment Agency) involved to be inappropriate. Whilst it may have been preferable to meet the full need requirement on land at lesser flood risk the reality is one where land supply is constrained and there are many longstanding sites either in lawful use or tolerated at Tolney Lane with future needs that</p>

			<p>require meeting. Given the scarcity of suitable and deliverable options elsewhere then the intensification of those existing Tolney Lane sites at least flood risk (and outside of the functional floodplain) was consulted upon as part of the Option Report. As detailed in the consultation it is not likely that a sound and robust approach to site allocation which meets at least the minimum requirements of national policy can be achieved without this occurring to some degree. The approach is therefore likely to consist of identifying suitable land away from Tolney Lane, with some degree of increased provision at Tolney Lane – alongside flood risk resiliency improvements which deliver betterment for all residents. Application of the Sequential Test will be fundamental to the preparation of the next stage in the Plan Review.</p> <p>The Council has undertaken initial high level investigation into the flood resiliency options, and is confident that they are technically feasible – whilst not resulting in increased risk elsewhere. This work will now be added to with greater detail and delivery mechanisms to be provided.</p> <p>As outlined in response to previous comments from the respondent, it is acknowledged that it is crucial that any sites proposed to accommodate new pitches are able to meet appropriate levels of amenity and safety. This matter will be further investigated.</p>
025	Fiskerton-cum-Morton Parish Council	044	<p>Yes</p> <p><b>NSDC Response – Noted</b></p>
037	Resident	064	<p>how can the Land to the North West of Winthorpe Road, Newark (Ref: 19_0009) not be considered due to flood risk and noise and vibration when in fact the last time there were severe floods in Newark and Sherwood this site did not flood, did not put strain on any emergency services.</p> <p>The noise and vibration would be no higher than the train tracks on Tolney lane and the site on Main road Balderton (which is also directly under the A1) nor the A46.</p> <p>As for the open break there is also a property at the side of these plots that surely has the same effect?</p> <p><b>NSDC Response –</b> The site is located in Flood Zone 2 and the appraisal also took account of the findings of the original appeal Inspector who afforded weight to the matters identified by the respondent. Should different conclusions be reached through the re-hearing then the appraisal will be amended to reflect this. The Open Breaks are longstanding designations, and in some cases existing built development was already present within their extents. Clearly the policy can only seek to control additional development which post-dates their introduction. The Winthorpe designation is subject to additional review to take account of the emerging A46 proposals.</p>



040	Resident	069	<p>how can the Land to the North West of Winthorpe Road, Newark (Ref: 19_0009) not be considered due to flood risk and noise and vibration when in fact the last time there were severe floods in Newark and Sherwood this site did not flood, did not put strain on any emergency services.</p> <p>The noise and vibration would be no higher than the train tracks on Tolney lane and the site on Main road Balderton (which is also directly under the A1) nor the A46.</p> <p>As for the open break there is also a property at the side of these plots that surely has the same effect?</p> <p><b>NSDC Response –</b> The site is located in Flood Zone 2 and the appraisal also took account of the findings of the original appeal Inspector who afforded weight to the matters identified by the respondent. Should different conclusions be reached through the re-hearing then the appraisal will be amended to reflect this. The Open Breaks are longstanding designations, and in some cases existing built development was already present within their extents. Clearly the policy can only seek to control additional development which post-dates their introduction. The Winthorpe designation is subject to additional review to take account of the emerging A46 proposals.</p>
056	Nottinghamshire County Council (Policy)	108	<p>In relation to the Waste Core Strategy (2013), within the boundary area identified on page 20 for the Tolney Lane Policy Area there is an active waste management facility, namely TW Crowden and Daughters Ltd, which is a long-established car breaker which recycles small volumes (approximately 2,000 tonnes annually) of metal.</p> <p>Policy WCS10 of the adopted Nottinghamshire and Nottingham Replacement Waste Local Plan, Part 1: Waste Core Strategy, seeks to safeguard permitted waste management facilities and potential future sites from sterilisation by non-waste development. The policy does not, however, seek to unreasonably restrict development, but rather to take a flexible approach in order to accommodate development wherever possible. When developing future policy for this area and determining what land within the Tolney Lane Policy Area can help to meet future gypsy and traveller site needs, consideration should therefore be given to the existing waste management facility to ensure it does not become sterilised, in accordance with Policy WCS10.</p> <p>In relation to minerals, the Tolney Lane Policy area falls within the Mineral Safeguarding Area and Mineral Consultation Area for sand and gravel. Given that the proposed area is already largely developed, it is likely that any mineral within the site has been sterilised and there is unlikely to be an adequate site area to facilitate a viable extraction site in the future. From a minerals safeguarding perspective, therefore, the County Council would agree with the preferred approach.</p> <p><b>NSDC Response –</b> Noted, the impact of additional pitches on the active waste management facility will be considered.</p>
077	Harby Parish Council	185	<p>Harby Parish Council agrees with the preferred approach</p> <p><b>NSDC Response –</b> Noted</p>
078	Collingham Parish Council	240	<p>Collingham Parish Council agrees with the preferred approach</p>

			<b>NSDC Response – Noted</b>
<b>085</b>	Resident	301	Yes <b>NSDC Response – Noted</b>
<b>098</b>	Hawton Parish Council	350	Yes <b>NSDC Response – Noted</b>
<b>105</b>	Murdoch Planning Ltd	424	No there is a far greater need in Tolney Lane than for 45 pitches. Existing sites such as Green Park should be taken further. Although the EA objects to sites in FZ3, I have provided numerous examples where Inspectors have overruled the EA's objection and granted planning permission for Traveller sites in FZ3. For this LPA to start the process by failing to allocate Green Park - which has been home to 8 Traveller families since 2013 without any problems - is to undermine the effectiveness of the process by eliminating a site that is plainly suitable. <b>NSDC Response –</b> The 45 additional pitches assumed within the Options Report was not an expression of the level of need generated by existing sites at Tolney Lane (be they lawful, tolerated, temporary or unauthorised), but the conclusion drawn from a desktop investigation of the capacity at sites which were considered to be potentially suitable at the time. The approach being followed seeks to balance the issues of the need for accommodation, the availability of land elsewhere and flood risk. Given that sites located within the functional floodplain are not considered suitable for allocation this will require the identification of land elsewhere – the Options Report outlined the options for doing so. Green Park is located within the functional floodplain and so on this basis considered inappropriate for allocation.
<b>109</b>	Environment Agency	441	3.16.7: The words 'suitable in planning... terms' may need to be changed to 'necessary' or something similar, given that the National Planning Policy Framework (NPPF) and associated Planning Practice Guidance (PPG) clearly state that 'highly vulnerable' development should not be permitted in areas of Flood Zone 3. It's our opinion that it's slightly misleading to suggest only land that is 'suitable in planning... terms' will be allocated for additional pitches when it's highly likely most of them will fall within Flood Zone 3 and will therefore be unsuitable in planning terms from a flood risk perspective. 3.6.12: Development must be restricted to areas of Flood Zone 1 and 2 only, in order to comply with the requirements of the NPPF and PPG. 3.16.13:

		<p>Wording needs to be clarified here – providing ‘safe’ access and egress during a flood event doesn’t necessarily ‘remove’ the risk posed by the site itself being located in Flood Zone 3b, the functional floodplain. Unless we’re talking about modelling outputs which have demonstrated that raising Tolney Lane removes the existing site from FZ3b?</p> <p>3.16.14:</p> <p>Support the recommendation that this site is unsuitable on flood risk grounds.</p> <p>We’ve been quite clear over the years that we hold significant concerns about intensifying the occupancy of the existing Tolney Lane Gypsy and Traveller site. Whilst we are pleased to see discussion of improved access and egress during a flood event to this site, it’s our opinion that a measure like this should be used only to improve the safety of the existing properties in this location, not to justify additional development of the site.</p> <p>If your Authority intend to allocate sites in this location on the assumption that the road improvements will lead to ‘safe’ access and egress then we’d expect to see some sort of phasing strategy, to ensure that new sites only come forward once the infrastructure is in place. Alternatively, we’d want to see some sort of evidence to demonstrate that the improvements are financially viable. If this can’t be achieved then you run the risk of additional sites coming forward in advance of any ‘safe’ access and egress which would undermine your authorities reasoning for inclusion. We must be clear that in our opinion, the provision of safe access and egress alone would not mean the sites pass the flood risk exception test as the sites themselves, and future occupants, would still be exposed to significant flood risk should they be unable to evacuate the site safely prior to a flood event.</p> <p>Flood events in 2019 and 2020 have seen flooding at Tolney Lane resulting in emergency evacuations of the community. Climate change is likely to increase the risk of flooding, potentially resulting in more frequent, more severe flooding. The Tolney Lane site will be no exception to this with our current data indicating that climate change will likely increase the depth, extent and frequency of flooding in the area.</p> <p>Given the likely impacts of climate change on flood risk to the Tolney Lane area we do not believe that further intensification of the occupancy here is sustainable into the future. Nor is this in line with the National Flood and Coastal Erosion Risk Management</p> <p>Strategy’s aims of creating communities resilient to climate change. Instead we believe the current Local Plan process represents an opportunity to identify alternative locations to the Tolney Lane site which offer long term sustainable growth for the Gypsy and Traveller community outside of areas at high risk of flooding. We note that alternative sites have been discussed in the options report and some have seemingly been dismissed due to other material considerations outside of flood risk. None the less, we’d expect to see a full and formal sequential test carried out for all proposed sites, to demonstrate that any sites in the floodplain are absolutely necessary and can’t be located elsewhere in areas of lower risk.</p>
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			<p>The Tolney Lane Policy Area expands the existing Tolney Lane site boundary closer to the River Trent, suggesting that the proposed new plots may be located in this area. While this area falls outside of the functional floodplain (5% AEP event), much of it remains within flood zone 3a and is impacted during the 2% and 1.33% AEP flood events. Again, this is contrary to the aims of the NPPF and supporting PPG.</p> <p>We are supportive of any opportunities to reduce the overall flood risk to the existing properties at the Tolney Lane site, provided these works can be undertaken without increasing risk to others. We would welcome further discussion and consultation with the Council on plans to provide the site with safe access and egress during a flood event.</p> <p><b>NSDC Response</b> – Noted, further engagement with the body will be undertaken.</p>
<b>115</b>	Farndon Parish Council	476	<p>Yes</p> <p><b>NSDC Response</b> – Noted</p>
<b>130</b>	North Muskham Parish Council	605	<p>Yes</p> <p><b>NSDC Response</b> – Noted</p>
<b>131</b>	South Muskham & Little Carlton Parish Council	632	<p>Yes</p> <p><b>NSDC Response</b> – Noted</p>
<b>Action Required</b>			<ol style="list-style-type: none"> <li>1. Continue to engage with the Environment Agency;</li> <li>2. Further investigate amenity standards for sites at Tolney Lane;</li> <li>3. Prepare Sequential Test statement for site allocation options;</li> <li>4. Build detail around the design and delivery of flood resiliency measures for Tolney Lane; and</li> <li>5. Ensure that approach towards Tolney Lane accommodates the continued operation of the existing waste facility.</li> </ol>

Question 9 – Site Identification – Newark Urban Area - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
001	Resident Responses	001	<b><u>Site 1 - Chestnut Lodge, Barnby (Ref: 19 0018)</u></b>
003		005	<b>Objections:</b>
004		006	Generalised objection: 1
005		007	Local infrastructure not present to support the development: 1
006		008	Newark Lane and Long Lane both narrow, in a poor state of repair and ungritted in winter: 1
010		012	Electricity supply unreliable: 1
014		016	<b>Support:</b>
015		017	Generalised support: 1
016		018	<b>NSDC Response –</b> Noted. The site is considered to be appropriately located with respect to provision of local services and facilities, with the prospect that the necessary infrastructure is (or can be made) available to support development. No objections from the Highways Authority have been received with respect to the site.
022		033	
023		035	
025		045	<b><u>Site 2 – Belvoir Ironworks North, Newark (Ref: 19 0004)</u></b>
028		053	<b>Objections:</b>
029		054	Increase in Anti-Social Behaviour/ crime: 8
030		055	Decrease in property value: 6
031		056	Undermine delivery of remaining Middlebeck phases: 3
032		057	Area already seeing a lot of development: 1
		059	Environmental Concerns – waste and littering: 3
		070	Supporting infrastructure (schools, amenity facilities and roads etc.) unable to support development: 6
		071	Localised parking issues will be exacerbated (Flaxley Lane): 2
	095	Flood risk: 1	
		Poor public transport connections: 1	

034	129	Increased traffic: 4
041	177	Tensions between settled and travelling communities: 2
042	289	Out of keeping with character of the area: 4
051	290	Existing sites should be expanded: 5
059	302	Site too close to waste tips and sites with groundworks underway: 1
076	325	Pitch numbers too high due to impact on properties directly adjacent: 2
080	536	Thorough investigation of land contamination required: 1
081		Impact on amenity of adjoining cottages: 1
085		<b>Support:</b>
091		Generalised support: 2
120		<b>NSDC Response</b> - Noted, it is considered that the site has the potential to provide a sustainable gypsy and traveller site – with access to local services and facilities being good relative to other locations in the open countryside. It is not accepted, given experiences elsewhere, that the delivery of subsequent phases of Middlebeck would be undermined. Given the site characteristics and its surrounding context it is also judged that an acceptable level standard of design and layout should be achievable without undue landscape or visual impact. No objection was received from the Highways Authority. Site specific issues relating to ground contamination and impact on the amenity of the adjoining cottages will be further considered moving forwards.
		<b>Site 3 – Maltkiln Lane, Newark (Ref: 19 0017)</b>
		<b>Objections:</b>
		Area densely populated with residential, retail, leisure, and manufacturing uses: 2
		River pathway attracts antisocial behaviour / rubbish and littering: 1
		Existing local highway network inadequate and congested: 2
		Trent Lane / Lincoln Rd junction dangerous – includes turn into Maltkiln Ln: 1
		Current traffic volumes: 3
		Highways safety: 2
		Existing levels of noise and traffic pollution: 2
		Issues around current use of land (suggested to be gypsy and traveller accommodation) - frequent fires, health impacts from fires, Emergency Services needing to attend site including to deal with an incident of uncontrolled fire and noise at unsociable hours: 1

		<p>Local Primary School infrastructure at capacity or needing to improve outcomes: 1</p> <p>Other sites more suitable: 1</p> <p>Should look to meet pitch requirements away from Newark: 1</p> <p><b>Support:</b></p> <p>Generalised support: 2</p> <p><b>NSDC Response</b> - Noted. It is considered that the site can be brought forward in a way which ensures that local standards of amenity can be maintained, or potentially improved through the addressing of the current use of the land which many responses have made reference to. The potential to remove the current permitted waste use through delivery of the site for permanent gypsy and traveller accommodation will be investigated moving forwards. Given the location, access to services and facilities is considered good by comparison to many gypsy and traveller sites. No objection has been received from Nottinghamshire County Council with respect to the capacity of the local Primary School, nor in respect of its role as Highways Authority over highways safety or impact on the wider network. Notwithstanding this the site and its immediate vicinity are unadopted, and so further investigation will be undertaken to establish what localised improvements would be necessary to allow for safe use of the site. Consideration will also be given as to whether a suitable standard of amenity could be achieved for future occupants.</p>
		<p><b><u>Site 4 – Bower Abattoir, Tolney Lane, Newark (Ref: 19 0008)</u></b></p> <p><b>Support:</b></p> <p>Support as close to existing communities: 1</p> <p>Generalised support: 1</p> <p><b>NSDC Response</b> - Noted</p>
		<p><b><u>Site 5 – Green Park, Newark (Ref: 19 0007)</u></b></p> <p><b>Objections:</b></p> <p>Generalised objection: 2</p> <p><b>NSDC Response</b> - Noted</p>
		<p><b><u>Site 6 – Denton Close, Balderton (Ref: 19 0003)</u></b></p> <p><b>Objections:</b></p> <p>Increase in Anti-Social Behaviour: 1</p> <p>Decrease in property value: 1</p>

<p>Environmental Concerns – waste and littering: 1</p> <p>Generalised Objection: 2</p> <p><b>Site Owner Response:</b></p> <p>Site considered inaccessible and is subject to an extensive number of Tree Preservation Orders. Categorised as not currently considered suitable. How long would this be the case?</p> <p><b>NSDC Response</b> - Objections and response from the site owner noted. Site remains considered unsuitable, as no new information was received as part of the consultation to overcome the identified issues. With respect to allocation through the Development Plan the site will remain classified as unsuitable for gypsy and traveller accommodation, until such time as the factors contributing towards that status are demonstrated to have been overcome.</p>
<p><b><u>Site 7 – Fen Lane, Balderton (Ref: 19 0002)</u></b></p> <p><b>Objection:</b></p> <p>Generalised objection: 1</p> <p><b>Support:</b></p> <p>Location appropriate and suggested as used previously for pasture by Travellers: 1</p> <p><b>NSDSC Response</b> - Noted. Site remains considered unsuitable, as no new information was received as part of the consultation to overcome the identified issues.</p>
<p><b><u>Site 8 - Land to the North West of Winthorpe Road, Newark (Ref: 19 0009)</u></b></p> <p><b>Objection:</b></p> <p>Generalised objection: 1</p> <p>Impact on Open Break: 1</p> <p><b>Support:</b></p> <p>Support for occupants to remain on the site: 7</p> <p>Occupants have made environmental improvements to the area: 1</p> <p>Need for children to access education services: 1</p> <p>Location more suitable than Tolney Lane: 1</p>



			<p><b>Occupant response:</b></p> <p>Access to education and childcare provision, occupants have a need to access local healthcare services, health of occupants and Tolney Lane is an unsuitable location – flood risk and anti-social issues between different groups.</p> <p><b>NSDC Response</b> - Noted, the additional review of the Open Break is currently underway to ascertain the impact of the emerging A46 proposals on the designation. The points raised by the occupants and in support of the site are noted – and the Council accepts that there is a current need for accommodation which will require addressing. As outlined in the Options Report the Council is seeking to identify alternative land away from Tolney Lane, with details of the options having been presented.</p> <p><b>Site 9 – Land at Barnby Road / Clay Lane, Newark (Ref: 19 0001)</b></p> <p><b>Objection:</b></p> <p>Lead to reduction in use of Clay Lane by walkers – with this used both to make journeys and access local nature: 1</p> <p>Generalised objection: 1</p> <p><b>Support:</b></p> <p>Generalised support: 1</p> <p><b>NSDC Response</b> - Noted. Site remains considered unsuitable, as no new information was received as part of the consultation to overcome the identified issues.</p>
021	Heine Planning Consultancy	027	<p>The Council are proposing 69 pitches on 3 sites. Once again the Council is failing to make provision for small private family sites offering yet again no choice by tenure for those in need of pitches.</p> <p>Only 9 sites are considered. Two of these are down Tolney Lane, 3 are in open countryside and 1 is in an open break. Only 3 are in the urban boundary and one of these is not considered suitable and another has flood risk issues. Given the amount of land found for new housing development in Newark and given that this is the focus for new development, it is quite revealing that only 1 site could be found in the urban area that is not at risk from flooding.</p> <p>Given the obvious difficulties finding suitable land, the Council should seriously reconsider its open break policy to help meet the need for more Traveller sites. The Council should reconsider the suitability of the land off Winthorpe Road given that it is prepared to allocate land elsewhere on a functional flood plain.</p> <p>I doubt very much that need will be met with the options identified. I can not support either option. The Council needs to seriously reconsider its approach and consider widening the area of search if this is the best it can find within Newark.</p> <p><b>NSDC Response</b> – The site options (District-wide) presented within the Options Report represent the outcome from successive call for site exercises, and the examination of land which was known to have been previously promoted for a different form of development – but found to be unsuitable. Ultimately the approach toward site allocation which the Council will follow has to be determined by the extent to which</p>

			suitable and deliverable land is available. Prior to the next stage of the review the Council will produce a detailed site allocation strategy – providing additional detail on site delivery and management, including the extent to which the Council will be involved and matters around tenure will also be a consideration. CP4 places an emphasis on additional pitches being provided in the Newark Urban Area – and so this provides the starting point for the approach towards site allocation – notwithstanding this it is also clear that there are limited suitable and deliverable options away from this location. The minimum threshold which the Plan will need to pass are the requirements set out in national policy, paragraph 10 of the Planning Policy for Traveller Sites in this case. As outlined within the Options Report the Winthorpe Open Break designation will be subject to further review, in order to take account of the emerging A46 proposals.
025	Fiskerton-cum-Morton Parish Council	045	Q9 - Newark Urban Area – YES <b><u>NSDC Response</u></b> - Noted
046	Balderton Parish Council	083	Members question why so many of the possible sites are in, and around close proximity to Balderton which already has two such traveller sites? It is acknowledged however, that those are privately owned sites and this allocation is for District Council managed facilities.  On balance, the Council’s preferred option of the sites currently being considered is the Belvoir Ironworks North site off Bowbridge Lane. This was selected because the location provides close and safe access for children to attend the new school on Middlebeck, and easy links to roads and local facilities. Members trust that as this will be a District Council managed site it will be regularly monitored and all planning conditions duly enforced.  <b><u>NSDC Response</u></b> - The site options (District-wide) presented within the Options Report represent the outcome from successive call for site exercises, and the examination of land which was known to have been previously promoted for a different form of development – but found to be unsuitable. The support for the Belvoir Ironworks site is noted, and suggestions around management are noted.
056	Nottinghamshire County Council (Policy)	109	The preferred approach outlines how Newark & Sherwood District Council (NSDC) intend to develop a detailed site identification strategy to identify suitable land for gypsy and traveller accommodation. It is recommended that any strategy should consider the safeguarding policies set out in Policy SP7 of the Nottinghamshire Minerals Local Plan and Policy WCS10 of the Nottinghamshire and Nottingham Waste Core Strategy. This will ensure that any proposed sites do not pose a sterilisation risk to active and/or permitted waste and mineral sites, or to mineral resources within the Mineral Safeguarding and Consultation Areas.  Site 3, Maltkiln Lane, Newark, was a former waste transfer facility. Whilst it appears that waste operations have ceased on this site, as far as the County Council is aware the planning permission for waste activities is still extant, therefore waste operations at the site could lawfully resume. Policy WCS10 of the Waste Core Strategy seeks to safeguard permitted waste management facilities and potential future sites from sterilisation from non-waste development. The policy does not, however, seek to unreasonably restrict development, but rather to take a flexible approach in order to accommodate development wherever possible. NSDC should consider Policy WCS10 prior to allocating the site for gypsy and traveller accommodation.

			<b>NSDC Response</b> - The approach towards sites allocation will take account of the Minerals Local Plan and Waste Core Strategy. The comments around the Maltkiln Lane site are noted in this respect.
<b>077</b>	Harby Parish Council	186	Harby Parish Council agrees with the preferred approach. <b>NSDC Response</b> - Noted
<b>078</b>	Collingham Parish Council	241	Collingham Parish Council agrees with the preferred approach. <b>NSDC Response</b> - Noted
<b>093</b>	Urban & Civic c/o Barton Willmore	328	<p>Urban &amp; Civic <b>object</b> to the identification of Site 2 – Belvoir Ironworks North, Newark (Ref: 19_0004) as a suitable site for provision of gypsy and traveller pitches, with potential capacity for around 30 pitches. Belvoir Ironworks North lies to the south of Newark South and Urban &amp; Civic have concerns about the potential implications of this on services and facilities at Newark South, and in terms of site access and impact on the highway network. Our response to Question 9 is supported by a Transport and Highways Technical Review prepared by SLR and provided as Appendix 1.</p> <p><u>Services and facilities</u></p> <p>The site assessment, as set out at paragraph 3.16.11 of the Options Report, states that the site is considered reasonably located in respect of access to services and facilities, with specific reference to the Middlebeck development – that is, Newark South. The Transport and Highways Technical Review sets out that the Belvoir Ironworks North site cannot be considered as having sustainable access to facilities and services, including at Newark South, with, for example, Middlebeck Primary School being in excess of an 800 metre walk.</p> <p>Moreover, Urban &amp; Civic are concerned about the pressure that around 30 pitches may have on services and facilities being provided as part of the Newark South development. For example, Middlebeck Primary School, which opened September 2021, provides additional school places to meet the demand from the Newark South development only, and Urban &amp; Civic is, therefore, concerned that should children from the gypsy and traveller pitches take school spaces at Newark South then this will result in the needs of children at Newark South not being met.</p> <p>It should be noted that this additional pressure would be combined with pressure from new housing in the immediate locality, with the appeal for up to 322 dwellings on Land at Flowserve Pump Division being allowed in June 2021 (Ref: APP/B3030/W/20/326097), and also proposals within this Options Report if taken forward – in particular, the extension to Site NUA/HO/10 – Land North of Lowfield Lane, and Opportunity Sites, notably the Tarmac Site within Bowbridge Road Policy Area.</p> <p><u>Access and highways</u></p> <p>The Transport and Highways Technical Review concludes that, based on the information available, it is unclear as to whether a safe and suitable access to the Belvoir Ironworks North site can be achieved for the proposed use in visibility terms. Furthermore, based on the potential level of trip generation associated with the use, there may be a requirement for the access to the site to include a central treatment</p>

on Bowbridge Lane (such as a ghost island right turn), but no information is available to demonstrate that such a junction arrangement would be deliverable within land controlled by the local highway authority and that associated with the site.

In terms of trip generation, the Transport and Highways Technical Review sets out that daily movements to and from the site could be in the order of 300 vehicles, with potential peak hour trip generation in excess of 30 two-way movements, which is the typical threshold at which a local highway authority would require operational assessments to consider the highway impacts at off-site junctions. This level of traffic is of concern to Urban & Civic as it would be utilising highway capacity that has been designed and delivered to support the delivery of Newark South and other existing planned housing allocations in Newark.

In this respect, the Newark South development is delivering the SLR, with triggers for delivery including that no more than 600 dwellings are to be occupied unless Phase 1 of the SLR is complete and that no more than 700 dwellings are to be occupied unless construction of Phase 2 of the SLR has commenced. Urban and Civic object to additional development coming forward and taking capacity on the highway network, that should first and foremost be used to facilitate the delivery of dwellings at Newark South, whilst development at Newark South is constrained.

For the reasons given above, Urban & Civic respectfully request that Site 2 – Belvoir Ironworks North, Newark (Ref: 19\_0004) is categorised as not suitable, with the site assessment amended accordingly to take account of the constraints in terms of access to, and capacity of, services and facilities, and site access and highways.

**NSDC Response** - Noted. It is considered that when compared to other types of locations where Gypsy and Traveller sites are frequently found that the proposed site is situated within decent proximity to services and facilities. Whilst it would be preferable for these to be within walking distance (800-1000m) the ability to identify sites which meet this threshold is determined by availability, and has to be considered within a context whereby there is a pressing local need to identify new land for Gypsy and Traveller accommodation. Given the availability of footpath and cycle access direct from the site into the Middlebeck development it is considered that the ability of some occupants to make journeys through non-vehicular means will be available. It therefore remains the case that the site is viewed as well related to services and facilities.

In terms of impact on services and facilities being provided through the Middlebeck development it is suggested that the scale of development, at around 30 pitches, could be described as modest at best and is not viewed as likely to have a disproportionate effect on service provision. Notably in this regard no objections have been received from relevant stakeholders, with responsibility for education and health provision in the local area. It is also understood that the Primary School has been designed in a way which would allow for its expansion, were this to become necessary.

With respect to access and highways the technical points around whether an acceptable standard of visibility could be achieved and trip numbers will be raised with the Highways Authority, and further advice sought. The concerns around development thresholds and the Southern Link Road are noted, however it is considered that the subsequent funding announcement through the Levelling-up Fund fundamentally alters the context and will allow for completion of the road to occur.

098	Hawton Parish Council	351	Yes <b>NSDC Response -</b> Noted
100	Barnby Parish Council	407	<p>Barnby in the Willows Parish Council acknowledges the need for additional land to be allocated for use by the Gypsy/Traveller Community, however, feels that the Chestnut Lodge site (Balderton) would not be the most suitable, and that choosing this as a favourable site could have knock on effects to the surrounding communities in Balderton and Coddington, as well as Barnby itself. Comments were submitted as part of the original application to place the current facilities at Chestnut Lodge back in February this year, and are still relevant. Key points of concern are:</p> <ul style="list-style-type: none"> <li>• lack of amenities in the surrounding area.</li> <li>• additional pressure on local schooling and healthcare provision which may not be able to take on extra families.</li> <li>• additional pressures on roads which are not suitable for increased volumes in traffic.</li> <li>• lack of information about whether or not the conditions of the recent planning application are being met currently.</li> <li>• some of the reasons stated for certain sites being discounted also apply to Chestnut Lodge.</li> </ul> <p>Barnby in the Willows Parish also supports/shares concerns of the neighbouring parishes of Balderton and Coddington. Sites which would be more suitable for additional allocation include:</p> <ul style="list-style-type: none"> <li>• Tolney Lane sites - which have existing communities into which they could integrate, as well as having good access to amenities and road networks.</li> <li>• the Belvoir Ironworks / Middlebeck site - again, this site is much closer to amenities and road networks to enable ease of travelling.</li> </ul> <p><b>NSDC Response -</b> Noted. The site is considered to be appropriately located with respect to provision of local services and facilities, with the prospect that the necessary infrastructure is (or can be made) available to support development. No objections from the Highways Authority have been received with respect to the site. The support for additional provision at Tolney Lane and the Belvoir Ironworks site is noted.</p>
105	Murdoch Planning Ltd	425	<p>No because only a part of the need would be met in this way and a substantial shortfall remain even if all the allocations are made. 3.16.20 itself accepts this.</p> <p><b>NSDC Response -</b> The approach taken towards site allocation is dependent upon the availability of suitable land to service it, and the options for doing so have been set out within the Options Report. Clearly the Council is seeking to positively plan for gypsy and traveller accommodation and to ensure that future needs can be met in line with national planning policy. The minimum requirements in this respect and those that any approach will need to at least satisfy are set out at Paragraph 10 of the Planning Policy for Traveller Sites.</p>
109	Environment Agency	446	<p>EA comments on sites within Newark Urban Area:</p> <p><u>Tolney Lane site</u></p> <ul style="list-style-type: none"> <li>• Integration of delivery of the flood resilient access to Great North Road is included but also need to consider appropriate highway drainage through SuDS adjacent to access routes.</li> </ul>

			<ul style="list-style-type: none"> <li>Needs to include habitat buffer within minimum 8m to River Trent</li> <li>On-site SuDS required to address water quality.</li> </ul> <u>Belvoir Ironworks North, Newark (Ref: 19_0004)</u> <ul style="list-style-type: none"> <li>On-site SuDS required to address water quality.</li> <li>Need to check with EA with regards to it being former contaminated land to avoid risk of groundwater contamination and movement of contaminants to Middle Beck through any nearby/associated drainage of the site.</li> </ul> <u>Malkiln Lane, Newark (Ref: 19_0017)</u> <ul style="list-style-type: none"> <li>Identified as needed to 'pass the Exceptions test'.</li> <li>On-site SuDS required to address water quality.</li> <li>Needs to include habitat buffer within minimum 8m to River Trent.</li> </ul> <u>Site 4 – Bower Abattoir, Tolney Lane, Newark (Ref: 19_0008)</u> <ul style="list-style-type: none"> <li>On-site SuDS required to address water quality.</li> </ul> <u>Site 5 – Green Park, Newark (Ref: 19_0007)</u> <ul style="list-style-type: none"> <li>On-site SuDS required to address water quality.</li> <li>Needs to include habitat buffer within minimum 8m to watercourse.</li> </ul> <u>Site 6 – Denton Close, Balderton (Ref: 19_0003)</u> <ul style="list-style-type: none"> <li>On-site SuDS required to address water quality.</li> <li>Create natural green corridor with habitat buffering along existing drainage course that drains into Middle Beck.</li> </ul> <u>Site 8 - Land to the North West of Winthorpe Road, Newark (Ref: 19_0009)</u> <ul style="list-style-type: none"> <li>On-site SuDS required to address water quality.</li> </ul> <u>Site 9 – Land at Barnby Road / Clay Lane, Newark (Ref: 19_0001)</u> <ul style="list-style-type: none"> <li>On-site SuDS required to address water quality.</li> </ul> <p><b>NSDC Response</b> - Site specific recommendations noted and will be taken account of as part of those sites taken forward.</p>
<b>115</b>	Farndon Parish Council	477	<p>Yes</p> <p><b>NSDC Response</b> - Noted</p>
<b>119</b>	Nottinghamshire Wildlife Trust	532	<p>Site 2 – Belvoir Ironworks, Newark (Ref: 19_0004)</p> <p>This site is Currently Considered Suitable. Balderton Dismantled Railway South Local Wildlife Site (LWS 5/208) is immediately to the east of the site. Every effort should be made to ensure protection of the LWS.</p>

			<p>Site 4 – Bower Abattoir, Newark (Ref: 19_0008)</p> <p>This site is Currently Considered Suitable. Dairy Farm Railway Strip, Newark Local Wildlife Site (LWS2/779) is to the north of the site. Every effort should be made to ensure protection of the LWS.</p> <p>Question 9 – Site Identification – Newark Urban Area Do you agree with the preferred approach?</p> <p>We agree with the preferred approach but emphasise the N&amp;SDC’s obligation to ensure that indirect impacts on Local Wildlife Sites are avoided.</p> <p><b>NSDC Response</b> - Site specific recommendations noted and will be taken account of as part of those sites taken forward.</p>
<b>126</b>	Councillor Jack Kellas	548	<p>Site 3 Maltkin Lane, Newark.</p> <p>This site falls within Bridge Ward. I would question whether this site would be suitable for any new development, being situated so closely between a train track, The River Trent and the A46. Would the noise of the A46 (especially after works have taken place to turn it into a dual carriageway) and the train track not prove too disruptive to the families that would be settling at the location? I also have a concern about where the access road would be, and if an addition of more families and therefore more vehicles to a close to town centre location would further increase traffic in this particular area of the Bridge Ward.</p> <p><b>NSDC Response</b> - It is crucial that any site is able to support an acceptable standard of amenity to occupants, this will be further investigated should the site be taken forward. No objection has been received to the site from the Highways Authority, notwithstanding this issues around the access point being unadopted and what local highway improvements would be necessary will be undertaken.</p>
<b>128</b>	Historic England	555	<p>Agree with preferred approach.</p> <p><b>NSDC Response</b> - Noted</p>
<b>130</b>	North Muskham Parish Council	606	<p>Yes</p> <p><b>NSDC Response</b> - Noted</p>
<b>131</b>	South Musham & Little Carlton Parish Council	633	<p>Yes</p> <p><b>NSDC Response</b> - Noted</p>
<b>134</b>	Newark Town Council	661	<p>The Town Council agreed to raise No Objections to this document. However, concerns were raised on the Gypsy &amp; Traveller proposals; whilst it is understood that appropriate provision must be made by law, it was felt that the various sites identified may not be sustainable with any degree confidence that these allocations would be reflected in actual sites coming forward.</p> <p>In addition, further concerns were raised that there was insufficient diversity within the sites with regard to the various sub-groups of people within the overall Gypsy &amp; Traveller communities, which would provide sufficient pitches to satisfy demand from these various communities.</p>

		<p><b>NSDC Response</b> - Noted, those sites currently considered suitable are deemed capable of supporting sustainable development, detail around the delivery, management and tenure of site allocations will be built as part of moving to the next stage – through a site allocation strategy.</p>
<p><b>Action Required</b></p>		<ol style="list-style-type: none"> <li>1. Produce detailed site allocation strategy, addressing delivery, management and tenure issues;</li> <li>2. Belvoir Ironworks – further investigate ground contamination and issue of impact on the amenity of adjoining cottages;</li> <li>3. Belvoir Ironworks – follow up Urban &amp; Civics access and highways comments with the Highways Authority;</li> <li>4. Maltkiln Lane – investigate existing waste use and opportunities to remove permitted waste use as part of sites development;</li> <li>5. Maltkiln Lane – consider issues around unadopted highway and what local highway improvements would be necessary;</li> <li>6. Maltkiln Lane – investigate ability to provide acceptable level of amenity for occupants;</li> <li>7. Land to the North of Winthorpe Road – complete additional review of the Open Break designation;</li> <li>8. Address site specific recommendations of the Environment Agency and Nottinghamshire Wildlife Trust for those sites taken forward.</li> </ol>



Question 10 – Site Identification – West of the District - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
012 051 085	Resident Responses	014 096 303	<p><b><u>General Objections</u></b></p> <p>The Ollerton area has too many existing Gypsy and Traveller sites: 1</p> <p>Lack of current social integration between Travellers and the settled community: 1</p> <p>Existing pitches being taken up by non-Travellers: 1</p> <p>Sites should not be adjacent to the Conservation Area: 1</p> <p><b><u>General Support</u></b></p> <p>Generalised support: 1</p> <p><b><u>NSDC Response:</u></b> Noted, the starting point for the approach to site allocation (as set out through the Options Report) is considered to remain most appropriate. This is one which seeks to meet need in the broad location it arises in, i.e. those broad areas where there are existing Gypsy and Traveller communities, a tradition of this form of accommodation and support services and facilities in place. The suitability of all sites will be considered, including with respect to impact on local heritage assets. Importantly the approach to site allocation will consider the extent to which existing pitches are taken up by non-Travellers and this can be resolved.</p> <hr/> <p><b><u>Site 10 - Seven Oaks, Edingley (Ref: 19 0019)</u></b></p> <p><b><i>Support:</i></b></p> <p>Supports distribution of sites across the District: 1</p> <p><b><u>NSDC Response:</u></b> Noted</p> <hr/> <p><b><u>Site 11 – Shannon Caravan Site, Ollerton (Ref: 19 0020)</u></b></p> <p><b><i>Support:</i></b></p> <p>Generalised support: 1</p> <p><b><u>NSDC Response:</u></b> Noted</p> <hr/> <p><b><u>Site 18 – Land adjacent Shannon Caravan Park, Ollerton (Ref: 19 0011)</u></b></p> <p><b><i>Objections:</i></b></p> <p>No encroachment towards Ollerton Village, away from existing borders of sites should be allowed: 1</p>

			<p><b>NSDC Response:</b> Noted. Site was not considered necessary to identify at the Options Report stage, should this change moving forwards then landscape, visual and character consideration would all inform the approach taken towards the site.</p> <p><b>Site 19 – Cottage Farm, Blidworth/Rainworth (Ref: 19 0014)</b></p> <p><b>Support:</b> Supports distribution of sites across the District: 1</p> <p><b>NSDC Response:</b> Noted</p>
021	Heine Planning Consultancy	028	<p>I am only familiar with Site 10 Seven Oaks Edingley. The 2020 GTAA lists this site as unauthorised. I think you will find that is incorrect as permission was granted on appeal. However the site owner has extended part of the site without permission. It is laid out as an extended family site. I very much doubt there is any spare capacity on this site for another pitch but this Options Report fails to make clear what the Council consider is authorised. As such it is impossible to comment.</p> <p>With regards to 5 other sites at Ollerton I would be most worried to see so much intensification in one area. But without detailed site plans it is impossible to comment on the scope to accommodate intensification on this sites.</p> <p><b>NSDC Response:</b> At the time of the GTAA there was an unauthorised pitch exceeding that covered by the permission granted at appeal. Consequently the way the site has been considered is split between needs arising from those pitches covered by a lawful consent and the additional one which is not. The ability of the site to address the future needs of occupants is being addressed as part of the pitch delivery work, including considering the feasibility of this occurring in a way which is suitable in planning terms, safe and affords an acceptable level of amenity to occupants.</p> <p>With respect to the sites in the Ollerton – Wellow area these represent existing sites and the overall scale of need is modest when compared to the Newark Area. The ability of sites to accommodate additional pitches is being considered through the work outline above.</p>
025	Fiskerton-cum-Morton Parish Council	046	<p>Yes</p> <p><b>NSDC Response:</b> Noted</p>
056	Nottinghamshire County Council (Policy)	110	<p>The preferred approach outlines how NSDC intend to develop a detailed site identification strategy to identify suitable land for gypsy and traveller accommodation. It is recommended that any strategy should consider the safeguarding policies set out in Policy SP7 of the Nottinghamshire Minerals Local Plan and Policy WCS10 of the Nottinghamshire and Nottingham Waste Core Strategy. This will ensure that any proposed sites do not pose a sterilisation risk to active and/or permitted waste and mineral sites, or to mineral resources within the Mineral Safeguarding and Consultation Areas.</p> <p><b>NSDC Response:</b> Noted. Regard will be given to the Minerals Local Plan and Waste Core Strategy as part of taking sites forward for allocation.</p>

<b>077</b>	Harby Parish Council	187	Harby Parish Council agrees with the preferred approach. <b>NSDC Response:</b> Noted
<b>078</b>	Collingham Parish Council	242	Collingham Parish Council agrees with the preferred approach. <b>NSDC Response:</b> Noted
<b>096</b>	Wellow Toftholder & Owners' Association	341	<p><b>Site 17 – Newark Road/ Wellow Road South, Wellow (Ref 19_0013)</b></p> <p>Wellow Toftholders' &amp; Owners' Association was established with the aims and objectives: - "i.To preserve the rights to the common land granted by Lord Savile under the Enclosure Acts of 1842, for the benefit of the whole village. ii. To maintain, to the best of their ability, in good order, the common land designated in the registration of 1968.</p> <p>I have as the chairman of the Wellow Toftholders' &amp; Owners' Association been asked by the committee to write expressing our displeasure that Site 17 – Newark Road/ Wellow Road South, Wellow (Ref 19_0013) has been considered and deemed unsuitable only for highway access reasons.</p> <p>This site (Ref 19_0013) is within the Wellow conservation area and directly adjacent to the common land that is Bottom Green. It is within direct sight of the scheduled ancient monument that is Gorge Dyke and of those using the ancient common for recreation and enjoyment including Wellow Dam for fishing, the cricket pitch and the byeway to Wellow Park SSSI.</p> <p>Wellow Toftholders' &amp; Owners' Association ask that the reasons for unsuitability be expanded to include these aspects and that the site be deemed unsuitable for future consideration.</p> <p><b>NSDC Response:</b> Both sites were assessed as not currently suitable, and no information was received through the Options Report consultation that would result in this conclusion needing to be amended. The sites are therefore not proposed to take forward for allocation and so there is no need to further assess their suitability in line with the respondents comments.</p>
<b>098</b>	Hawton Parish Council	352	Yes <b>NSDC Response:</b> Noted
<b>105</b>	Murdoch Planning Ltd	426	I have no comment to make on this section. <b>NSDC Response:</b> Noted
<b>109</b>	Environment Agency	447	The same principle for comments relate to these sites in that, those adjacent to watercourses need to include a minimum 8m habitat buffer; those near to watercourses and existing drainage courses need to address water quality through appropriate SuDS measures; and consultation with groundwater team will be required for contaminated or potentially contaminated sites.

			<ul style="list-style-type: none"> <li>Allesford Lane Site – In addition to the comments above: 1) specific measures to reduce sediment input into the Cotton Mill Dyke should be explored (e.g. type of habitat buffering used and reducing erosion of banks); and 2) if there is any opportunity to improve in-channel habitat along the Cotton Mill Dyke, this would be welcomed.</li> </ul> <p><b>NSDC Response:</b> Site specific recommendations noted and will be taken account of as part of those sites taken forward.</p>
<b>115</b>	Farndon Parish Council	478	<p>Yes</p> <p><b>NSDC Response:</b> Noted</p>
<b>128</b>	Historic England	556	<p>Agree with preferred approach</p> <p><b>NSDC Response:</b> Noted</p>
<b>130</b>	North Muskham Parish Council	607	<p>Yes</p> <p><b>NSDC Response:</b> Noted</p>
<b>131</b>	South Musham & Little Carlton Parish Council	634	<p>Yes</p> <p><b>NSDC Response:</b> Noted</p>
<b>Action Required</b>			<ol style="list-style-type: none"> <li>Produce detailed site allocation strategy, addressing delivery, management and tenure issues;</li> <li>Allesford Lane – assess ability of site to accommodate additional pitch – particularly with respect to safety and amenity considerations;</li> <li>Assess whether there are implications from the Minerals Local Plan and Waste Core Strategy for sites taken forward to allocation.</li> <li>Address site specific recommendations of the Environment Agency for those sites taken forward.</li> </ol>

Question 11 – Site Identification – Rest of the District - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
013	Resident	015	<b>Site 20 – Station Road, Collingham (Ref: 19_0010)</b>
018		020	<b>Support:</b>
019		021	Support provided for distribution of sites across District: 1
024		036	<b>Object:</b>
026		051	Not located in and around Newark Urban Area: 1
027		052	Open Countryside location: 1
038		065	Contrary to Spatial Policy 3: 1
045		082	Physically divorced from settlement: 1
051		097	Impact on character: 1
060		130	Impact on drainage and sewage infrastructure: 1
061		131	Landscape character impact: 1
062		132	Separate mains water supply would need to be provided:1
079		288	No access to mains sewage drains: 1
082		291	Flood risk: 1
083		292	Substantial investment would be required to access essential services, address flood risk and provide drainage: 1
084		293	Impact on residential amenity of adjoining properties: 1
085		304	<b>NSDC Response:</b> Objections noted. Providing sufficient suitable and deliverable land is identified in and around the Newark Urban Area and in the West of the District – which is capable of meeting at least the minimum requirements of the Planning Policy for Traveller Sites then it will not be necessary to identify land in other locations. Should this position change then the matters raised within consultation responses will be given consideration.
106			<b>Site 21 – The Mulberries, Collingham</b>
133			<b>Support:</b> Support provided for distribution of sites across District: 1
			<b>Object:</b> Not located in and around Newark Urban Area: 1 Open Countryside location: 1 Contrary to Spatial Policy 3: 1 Physically divorced from settlement: 1 Impact on character: 1

		<p>Impact on drainage and sewage infrastructure: 1  Landscape character impact: 1  Separate mains water supply would need to be provided:1  No access to mains sewage drains: 1  Flood risk: 1  Substantial investment would be required to access essential services, address flood risk and provide drainage: 1  Impact on residential amenity of adjoining properties: 1  Absence of footpath to the settlement: 1  Would require lighting columns- impact on character:1  Distance from services and amenities in the village: 1  Rail line acts as a barrier: 1  Previous planning application identified potential for the site to support protected species: 1  Appeal history:1  <b>NSDC Response:</b> Objections noted. Providing sufficient suitable and deliverable land is identified in and around the Newark Urban Area and in the West of the District – which is capable of meeting at least the minimum requirements of the Planning Policy for Traveller Sites then it will not be necessary to identify land in other locations. Should this position change then the matters raised within consultation responses will be given consideration.</p> <p><b><u>Site 22 – Gravelly Lane, Fiskerton (Ref: 19_0016)</u></b>  <b>Objections:</b>  Tranquillity and natural beauty of the local area: 1  Traffic generation: 4  Low levels of pollution: 1  Anti-social behaviour: 1  Noise: 2  Gravelly Lane an unsuitable single track lane: 11  Local highway infrastructure unsuitable: 4  Traffic safety: 2  Impact on character: 4  Inadequate services and facilities: 13  Lack of employment opportunities: 3  Result in an increase in flood risk to the village: 2  Site is at flood risk: 6  Support meeting need on existing sites in the broad geographic location it arises in: 3</p>
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			<p>Reduction in house value: 1  Impact on biodiversity and public rights of way: 2  Sewage and drainage infrastructure lacking: 12  Low water pressure: 2  Poor public transport provision: 1  Located outside the village envelope: 6  Location will not appeal to Travellers: 1  No tradition of Travellers in the locality: 2  Rail crossing is unreliable: 2  Parking on Main Street makes road one way: 2</p> <p><b>NSDC Response:</b> Objections noted. Providing sufficient suitable and deliverable land is identified in and around the Newark Urban Area and in the West of the District – which is capable of meeting at least the minimum requirements of the Planning Policy for Traveller Sites then it will not be necessary to identify land in other locations. Should this position change then the matters raised within consultation responses will be given consideration.</p>
021	Heine Planning Consultancy	029	<p>This approach is not supported. I think the Council should be urgently looking at other suitable sites to replace Tolney Lane and offer choice to families wanting to live in this district. I struggle to understand the policy approach for Tolney Lane when there would appear to be suitable land elsewhere that is not at risk of flooding and not reliant on expensive flood resilient measures.</p> <p><b>NSDC Response:</b> CP4 places an emphasis on additional pitches being provided in the Newark Urban Area – and then in line with the Spatial Strategy so this provides the starting point for the approach towards site allocation. An approach which seeks to meet need in the broad location it arises in reflects this approach. The ability to do so will be determined by the availability of suitable and deliverable land, and the minimum requirements in this respect are set out in national policy- paragraph 10 of the Planning Policy for Traveller Sites in this case. With respect to potential locations away from those areas where there is a tradition of Gypsy and Traveller accommodation it is considered that there needs to be a level of reality to what kind of characteristics would likely contribute towards a successful site. Seeking in the first instance to meet need broadly where it arises is considered to maximise the prospects of the sites being both attractive and suitable – reflecting those locations where there is a demand for additional accommodation. Given the tradition of Gypsy and Travellers forming part of the community in these locations it is also likely that this is where support services and facilities will be already exist.</p>
025	Fiskerton-cum-Morton Parish Council	047	<p>YES - with regard to the proposed site at Gravelly Lane, Fiskerton (para 3.18.6) we would point out that, in addition to the flood risk and poor access due to the site being on a single track road, the site is also outside the built-up area as defined in policy FCM1 of the Neighbourhood Plan and as such any development of the site would be contrary to the plan and to the express wishes of the overwhelming majority of the residents of the parish.</p> <p>In addition, Policy FCM5 (Character &amp; Design) stipulates that the design and specifications of all developments must complement the established character of the villages.</p>

			<p>We would contest the proximity to services given that all local villages are currently serviced by just one shop. There is no local school, and the nearest Medical Centre is in Southwell and as we understand it is at capacity. The infra structure in terms of sewers is already overstretched as evidenced by regular blockages and localised flooding of wastewater.</p> <p>We support the assertion that the needs of the gypsy and traveller community will be met in the Newark Urban and Western Areas on sites in those locations which are currently considered suitable, and we support the view that Fiskerton is not suitable for the reasons identified in the report alongside those we have identified. It should be noted that there is no existing gypsy or traveller community in the vicinity of the Parish.</p> <p>Finally, given the overwhelming support for our Neighbourhood Plan we want to emphasise that any development outside the built-up area will be resisted by the parish council and by most of the residents.</p> <p><b>NSDC Response:</b> Objections noted. Providing sufficient suitable and deliverable land is identified in and around the Newark Urban Area and in the West of the District – which is capable of meeting at least the minimum requirements of the Planning Policy for Traveller Sites then it will not be necessary to identify land in other locations. Should this position change then the matters raised within consultation responses will be given consideration.</p>
053	Coddington Parish Council	101	<p>No. The Alternative Approach is more sensible in case the Preferred Approach is unachievable.</p> <p><b>NSDC Response:</b> Noted. It remains the case that providing sufficient suitable and deliverable land is identified in and around the Newark Urban Area and in the West of the District – which is capable of meeting at least the minimum requirements of the Planning Policy for Traveller Sites then it will not be necessary to identify land in other locations.</p>
077	Harby Parish Council	188	<p>Harby Parish Council agrees with the preferred approach.</p> <p><b>NSDC Response:</b> Noted</p>
078	Collingham Parish Council	243	<p>Collingham Parish Council agrees with the preferred approach and the assessment that the identified sites in the Parish are not suitable.</p> <p><b>NSDC Response:</b> Noted</p>
092	Blidworth Parish Council	326	<p><u>Site 19 – Cottage Farm, Blidworth/Rainworth (Ref: 19_0014)</u></p> <p>Blidworth Parish Council would like to object to this proposal. The land is in greenbelt, and access to the site is onto a problematic and dangerous road that would be unsuitable for this type of site. Previous planning applications have been turned down on this land due to such factors.</p>



			<b>NSDC Response:</b> Noted. No additional information was received as part of the Options Report Consultation which would require re-consideration of the conclusion that the site is not suitable.
<b>098</b>	Hawton Parish Council	353	Yes  <b>NSDC Response:</b> Noted
<b>105</b>	Murdoch Planning Ltd	427	No PPTS accepts that Traveller sites can be found in rural and semi-rural areas so such a narrow consideration as that proposed here is not consistent with national policy.  <b>NSDC Response:</b> CP4 places an emphasis on additional pitches being provided in the Newark Urban Area – and then in line with the Spatial Strategy so this provides the starting point for the approach towards site allocation. An approach which seeks to meet need in the broad location it arises in reflects this approach. The ability to do so will be determined by the availability of suitable and deliverable land, and the minimum requirements in this respect are set out in national policy- paragraph 10 of the Planning Policy for Traveller Sites in this case. With respect to potential locations away from those areas where there is a tradition of Gypsy and Traveller accommodation it is considered that there needs to be a level of reality to what kind of characteristics would likely contribute towards a successful site. Seeking in the first instance to meet need broadly where it arises is considered to maximise the prospects of the sites being both attractive and suitable – reflecting those locations where there is a demand for additional accommodation. Given the tradition of Gypsy and Travellers forming part of the community in these locations it is also likely that this is where support services and facilities will be already exist.
<b>109</b>	Environment Agency	442	The same principle for comments relate to these sites in that, those adjacent to watercourses need to include a minimum 8m habitat buffer; those near to watercourses and existing drainage courses need to address water quality through appropriate SuDS measures; and consultation with groundwater team will be required for contaminated or potentially contaminated sites.  <b>NSDC Response:</b> Recommendations noted and will be taken account of should it become necessary to take sites in the rest of the District forward.
<b>115</b>	Farndon Parish Council	479	Yes  <b>NSDC Response:</b> Noted
<b>128</b>	Historic England	557	Agree with preferred approach but we reserve the right to comment in future iterations of the Plan should new sites, or those identified as ‘not currently suitable’ come forward as potential options in due course.  <b>NSDC Response:</b> Noted

<b>130</b>	North Muskham Parish Council	608	Yes <b><u>NSDC Response:</u></b> Noted
<b>131</b>	South Musham & Little Carlton Parish Council	635	Yes <b><u>NSDC Response:</u></b> Noted
<b>Action Required</b>			None

Question 12 – Meeting the Needs of Undetermined and Non-Planning Definition Households - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
021	Heine Planning Consultancy	030	<p>The preferred approach is would appear to be contrary to PPTS. You must make provision for all those complying with the PPTS definition and that will include an element of the undetermined need.</p> <p>I think the GTAA should be redone to secure a better response rate as was required as part of the Havering EIP. In that case the need for sites increased substantially when more households were contacted. In this case it may establish that even more pitches are occupied by non Travellers. But you really need to find this out even if this requires interrogation of other date sources such as housing benefit payments.</p> <p>There can be no justification to ignore the need for unknown households especially when the GTAA had such a poor response rate. This is not a matter that should be left to review. If not, you should err on the side of caution. The Maldon Plan is not typical of the approach taken by other councils and in Maldon planning appeals have resulted in the need for more pitches. We should not forget how the Maldon Plan came to be adopted after the initial examination concluded the Traveller policy was unsound.</p> <p>There is a need for a buffer to reflect historic failure to deliver sufficient sites in appropriate locations in this district. I refer to my comments on the GTAA above.</p> <p>It is not clear how those who do not meet the planning definition but have a cultural preference to live in caravans will be accommodated. I can find no policy for this. I am unclear where they will be expected to live. Whilst it is accepted that this need can be included as part of housing allocations and there is no requirement to allocate Traveller pitches, most Councils do as they accept that the distinction is arbitrary and it is unrealistic to assume or expect families to be forced to live apart based on some arbitrary definition. We do not force or expect those who are retired, disabled or ill in the settled population to live apart/ separate from households who are still economically active so why would any one consider it appropriate to force Traveller households to be separated in this way?</p> <p><b>NSDC Response:</b> It is not considered that any buffer is necessary. The GTAA provides a robust and comprehensive assessment of the need for gypsy and traveller accommodation – setting a new baseline of August 2019 with supply and demand for the first years of the plan period having been netted to zero. The outcome supersedes that of any previous assessments of need, and takes account of any historic need which was present within the District at the baseline. The minimum requirements that any site allocation strategy will need to satisfy are those set out at paragraph 10 of the Planning Policy for Traveller Sites.</p> <p>Given the land supply issues, the Options Report detailed that for the Newark Area the Newark Area the preferred approach is one that seeks to develop a detailed strategy- which as a minimum satisfies the requirements of the Planning Policy for Traveller Sites but where possible exceeds this to also address the potential need from undetermined households. With</p>

			respect to the need from households who did not meet the planning definition, and who may be able to claim the right to culturally appropriate accommodation – this would be a matter left to the Development Management process, with the criteria within Core Policy 5 providing an appropriate means of considering applications on their merits. It should be noted that the criteria within CP5 were modified by the Amended Core Strategy Inspector an relaxed to ensure that they did not present an unacceptably high bar to sites that might come forward up to new sites being allocated, and crucially beyond this. The Policy is sufficiently flexible to allow windfall pitches to be brought forward beyond provision formally made through the Development Plan. ORS to provide additional detail on the points raised over the GTAA.
<b>025</b>	Fiskerton-cum-Morton Parish Council	048	Yes <b>NSDC Response:</b> Noted.
<b>077</b>	Harby Parish Council	189	Harby Parish Council agrees with the preferred approach. <b>NSDC Response:</b> Noted
<b>078</b>	Collingham Parish Council	244	Collingham Parish Council agrees with the preferred approach. <b>NSDC Response:</b> Noted
<b>085</b>	Resident	305	Develop existing sites. <b>NSDC Response:</b> Noted
<b>098</b>	Hawton Parish Council	354	Yes <b>NSDC Response:</b> Noted
<b>105</b>	Murdoch Planning Ltd	428	No the full needs (PPTS need; undetermined needs and non-travelling needs) should be provided for. <b>NSDC Response:</b> Noted. Given the land supply issues, the Options Report detailed that for the Newark Area the Newark Area the preferred approach is one that seeks to develop a detailed strategy- which as a minimum satisfies the requirements of the Planning Policy for Traveller Sites but where possible exceeds this to also address the potential need from undetermined households. With respect to the need from households who did not meet the planning definition, and who may be able to claim the right to culturally appropriate accommodation – this would be a matter left to the Development Management process, with the criteria within Core Policy 5 providing an appropriate means of considering applications on their merits. It is considered that this approach remains most appropriate given the land supply constraints.
<b>115</b>	Farndon Parish Council	480	Yes <b>NSDC Response:</b> Noted
<b>128</b>	Historic England	558	Agree with preferred approach

			<b><u>NSDC Response:</u></b> Noted
<b>130</b>	North Muskham Parish Council	609	Yes <b><u>NSDC Response:</u></b> Noted
<b>131</b>	South Muskham & Little Carlton Parish Council	636	Yes <b><u>NSDC Response:</u></b> Noted
<b>Action Required</b>		None.	

**Question 13 – Policy DM2 – Development on Allocated Sites - Do you agree with the preferred approach?**

<b>ID</b>	<b>Respondent</b>	<b>Response Number</b>	<b>Comment</b>
025	Fiskerton-cum-Morton Parish Council	49	Yes. <b>NSDC Response –</b> Noted.
043	Anthony Northcote	76	The approach towards the comprehensive delivery of allocated sites will lead to the inability for small developers to deliver parcels of allocated sites and will lead to the sterilisation and blight of land owned by third parties within the overall allocations for decades to come. The strategic allocations 'Land East of Newark' and 'Land South of Newark' includes substantial amounts of land owned by third parties not involved in the delivery of the housing elements. For example land in both strategic allocations is owned by a number of our clients; although included within the boundary of the allocations, some 11 years after they were first allocated; the site promoters have indicated that they do not envisage ever purchasing the land. As such the land is sterilised in not being able to be put to an alternative use. <b>NSDC Response –</b> The District Council believes that a comprehensive approach to the development of allocations is necessary to deliver sustainable development which delivers affordable housing and appropriate infrastructure.
047	Sport England	86	No comments on policy but appropriate evidence is required to understand the appropriate infrastructure requirements/financial contributions to meet demand or to understand if existing facilities can meet that demand. <b>NSDC Response –</b> Noted.
067	Southwell Town Council	139	STC strongly support the additional paragraph in DM2 which accords with the Southwell Neighbourhood Plan. The alternative option has much the same meaning but is stated in a negative way rather than a positive one in the preferred option. STC prefer the preferred option although perhaps there is a case for putting in both paragraphs for the avoidance of doubt? <b>NSDC Response –</b> Noted. We believe the wording of the Preferred Approach is sufficient.
070	Cllr Peter Harris	153	I support the additional paragraph in DM2 which accords with the views of residents as expressed in their response to the vote on the Southwell Neighbourhood Plan and this should be written in a positive way in the preferred option. <b>NSDC Response –</b> Noted.
075	Persimmon Homes	171	The provision of a site wide masterplan for sites comprising multiple ownerships delivered by multiple developers will go some way toward establishing a comprehensive vision however it is unlikely to resolve the issue of aligned delivery. The delivery component is a separate matter affected by contractual commitments typically agreed between developer/landowner prior to planning. Issues relating to ransom often present delivery delays for landlocked ownerships while collaboration agreement between developers incur significant legal delays assuming willing participants.

			<p>A pragmatic approach specific to large extension site could involve the Council underwriting large capital infrastructure improvement works in order to secure control over the timing when major works occur pump priming the chosen area allowing multi landowner / developer schemes to come forward sooner with a simple roof tax applied via s106 to enable the council to recoup their costs plus indexation.</p> <p>Reference to “in accordance with the Developer Contributions &amp; Planning Obligations SPD” should be removed as SPDs don’t convey the same weight as a DPD given SPD are not subjected to examination. As such the SPD guidance should remain that and not be introduced as policy via the backdoor.</p> <p>Finally, clarification is needed on the mechanism for approving the site wide masterplan. For example, can they be submitted and considered as part of the planning application or do they have to be approved beforehand.</p> <p><b>NSDC Response –</b> Noted. The District Council is always open to investigating ways to work with developers and infrastructure partners to deliver sites. The clause requiring accordance with the Developer Contributions &amp; Planning Obligations SPD is included in the current policy which has been found to be sound. The District Council takes a flexible approach to approving site wide master plans based on the circumstances of individual sites.</p>
077	Harby Parish Council	190	<p>Harby Parish Council agrees with the preferred approach.</p> <p><b>NSDC Response –</b> Comments welcomed and noted.</p>
078	Collingham Parish Council	245	<p>Collingham Parish Council agrees with the preferred approach.</p> <p><b>NSDC Response –</b> Comments welcomed and noted.</p>
085	Robert Oates	306	<p>Yes.</p> <p><b>NSDC Response –</b> Comments welcomed and noted.</p>
093	Barton Willmore obo Urban & Civic	329	<p>Urban &amp; Civic support the comprehensive planning and delivery of allocations. However, delivery of large-scale sites, due to their scale and complexity, takes place over a relatively long period and, as such, there are inevitable changes in circumstances, including from challenges and risks of the market and/or infrastructure delivery, which may require flexibility. In some instances, this may require flexibility to refine the extent of an allocation.</p> <p>For the reasons given above, Urban &amp; Civic respectfully request that the policy wording of the preferred approach and alternative option be revisited to allow the extent of an allocation to be amended subject to it being demonstrated that: (a) the amendment is justified; and (b) the amended scheme will result in delivery of a comprehensive and aligned scheme.</p> <p><b>NSDC Response –</b> Noted. We do not believe the amended wording of the policy would inhibit the reconsideration of elements of large sites that are to be delivered over a long period of time.</p>
098	Hawton Parish Council	355	<p>Yes.</p> <p><b>NSDC Response –</b> Comments welcomed and noted.</p>
099	Southwell Civic Society	399	<p>Agreed.</p> <p><b>NSDC Response –</b> Comments welcomed and noted.</p>

107	Home Builders Federation	432	<p>In <b>Policy DM2</b>, the reference to “<i>in accordance with the Developer Contributions &amp; Planning Obligations Supplementary Planning Document (SPD)</i>” should not be interpreted by the Council’s Development Management Officers as conveying the weight of a DPD onto this SPD, which has not been subject to examination and does not form part of the Amended Allocations &amp; Development Management DPD. The Town and Country Planning (Local Planning) (England) Regulations 2012 are clear that development management policies, which are intended to guide the determination of applications for planning permission should be set out in policy in the Local Plan. To ensure a policy is effective, it should be clearly written and unambiguous so it is evident how a decision maker should react to development proposals. The Council’s requirements should be set out in sufficient detail to determine a planning application without relying on, other criteria or guidelines set out in a separate SPD. It is noted that <b>Policy DM3</b> refers to provision of appropriate contributions being guided by the Council’s Planning Obligations &amp; Developer Contributions SPD (our emphasis underlined). National policy clearly defines the scope and nature of an SPD in the planning process as providing more detailed advice and guidance on adopted Local Plan policies. The NPPG confirms that an SPD cannot introduce new planning policies nor add unnecessarily to the financial burdens on development (ID: 61-008-20190315). Before the pre-submission Amended Allocations &amp; Development Management DPD consultation, <b>Policy DM2</b> should be modified to delete the reference “<i>in accordance with the Developer Contributions &amp; Planning Obligations SPD</i>”.</p> <p><b>NSDC Response –</b> The clause requiring accordance with the Developer Contributions &amp; Planning Obligations SPD is included in the current policy which has been found to be sound.</p>
115	Farndon Parish Council	481	<p>Yes.</p> <p><b>NSDC Response –</b> Comments welcomed and noted.</p>
117	Boyer Planning obo Avant Homes	528	<p>This representation supports the wording contained in the ‘preferred approach’ amendment to Policy DM2. Further to this, we wish to emphasise the importance of the comprehensive delivery of allocated sites, and that where comprehensive development cannot be achieved that proposals for allocated sites ensure that they do not prejudice the overall deliverability of the whole allocation. As is considered in the draft Policy, development proposals which prejudice proper overall delivery should be refused.</p> <p>The NPPG guidance makes clear that plan-makers need to assess the suitability, availability and achievability of sites, including whether the site is economically viable. This provides information on which a judgement can be made as to whether a site can be considered deliverable within the plan period.</p> <p>A site can be considered available for development, when, on the best information available there is confidence that there are no legal or ownership impediments to development. For example, land controlled by a developer or landowner who has expressed an intention to develop may be considered available.</p> <p>A site can be considered achievable for development where there is a reasonable prospect that the particular type of development will be developed on the site at a particular point in time. This is essentially a judgement about the economic viability of a site, and the capacity of the developer to complete and sell the development over a certain period.</p> <p>Where constraints have been identified, the assessment will need to consider what action could be taken to overcome them.</p> <p>[the respondent also included comments promoting SHEELA site 16_0269]</p>



			<b><u>NSDC Response</u></b> – Noted.
128	Historic England	559	Agree with preferred approach to ensure comprehensive redevelopment of sites, particularly with regard to Thoresby Colliery site for example, to ensure historic environment elements are sustained and enhanced. <b><u>NSDC Response</u></b> – Comments welcomed and noted.
130	North Muskham Parish Council	610	Yes. <b><u>NSDC Response</u></b> – Comments welcomed and noted.
131	South Muskham and Little Carlton Parish Council	637	Yes. <b><u>NSDC Response</u></b> – Comments welcomed and noted.
<b>Action Required</b>			None.

Question 14 – Policy DM3 – Developer Contributions and Planning Obligations - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
008	HSE	010	Links provided to national standing advice <b>NSDC Response</b> – Comments welcomed and noted
025	Fiskerton-cum-Morton PC	050	Fiskerton-cum-Morton Parish Council agree with the preferred approach. <b>NSDC Response</b> – Comments welcomed and noted
047	Sport England	087	No comments on policy but appropriate evidence is required to understand the appropriate infrastructure requirements/financial contributions to meet demand or to understand if existing facilities can meet that demand. <b>NSDC Response</b> – Comments welcomed and noted
050	National Grid (Avison Young)	094	No specific comments provided, although information provided on National Grid infrastructure within Newark & Sherwood <b>NSDC Response</b> – Comments welcomed and noted. This information will inform the next iteration of the Infrastructure Delivery Plan.
054	Upper Witham IDB	104	No specific comments, although an IDB area coverage map is provided <b>NSDC Response</b> – Comments welcomed and noted. This information will inform the next iteration of the Infrastructure Delivery Plan.
067	Southwell Town Council	140	With reference to para. 4.5.3, STC have concerns about the veracity of the viability assessments that relate to Southwell that we have been able to see to date. In particular the value of sales seems to be seriously understated relative to achieved sales values in all the assessments we have seen. STC believe that viability assessments should be more transparent and more readily available for public scrutiny. Some Councillors have concerns about the effect of developer contributions on house prices. <b>NSDC Response</b> – Where viability is identified as a matter of contention and requires scrutiny in the course of determining planning applications, viability assessments are published on the Public Access part of the NSDC website, along with all other submitted material. In order to test the applicant’s assumptions used in arriving at the viability conclusion, in accordance with the requirements of Core Policy 1, DM3 and the Council’s Affordable Housing SPD, an independent viability assessment is usually undertaken. Based on the most current information, these assessments typically question the validity of all inputs and data sources that may affect viability claims, identifying where there may be scope for the District Council to negotiate amendments to the proposed levels of contributions. As ongoing work on the Whole Plan Viability Assessment suggests, Southwell represents a particularly buoyant portion of the local housing market. This is reflected in the levels of CIL chargeable on new residential development. Without further information as to what Councillors mean by ‘concerns about the effect of developer contributions on house prices’, it is difficult to effectively respond here. Officers are, however, happy to discuss this matter further with the TC.
070	Cllr P Harris	154	Para. 4.5.3, Not supported. The accuracy of the Viability Assessments that relate to Southwell are seriously understated relative to the achieved sales values as shown in the Land Registry entries on recent builds. All Viability Assessments must be open book and fully available for scrutiny and this should be made a condition in all applications.

			<p><b>NSDC Response</b> – Where viability is identified as a matter of contention and requires scrutiny in the course of determining planning applications, viability assessments are published on the Public Access part of the NSDC website, along with all other submitted material. In order to test the applicant’s assumptions used in arriving at the viability conclusion, in accordance with the requirements of Core Policy 1, DM3 and the Council’s Affordable Housing SPD, an independent viability assessment is usually undertaken. Based on the most current information, these assessments typically question the validity of all inputs and data sources that may affect viability claims, identifying where there may be scope for the District Council to negotiate amendments to the proposed levels of contributions. As ongoing work on the Whole Plan Viability Assessment suggests, Southwell represents a particularly buoyant portion of the local housing market. This is reflected in the levels of CIL chargeable on new residential development.</p>
075	Persimmon Homes	172	<p>The requirement to masterplan site phasing and infrastructure delivery should be mindful of wider contractual constraints which can often pose larger obstacles to aligned delivery of multi-ownership sites.</p> <p>Policy DM3 looks at Developer Contributions and Planning Obligations. Community Infrastructure Levy and S106 Agreements must not be used to 'double up' on developer contributions. The current Developer Contributions and Planning Obligations SPD 2013 is outdated raising questions over whether this should be updated to improve its efficacy.</p> <p><b>NSDC Response</b> – In accordance with NPPF para. 34, a Whole Plan Viability Assessment has been undertaken to test the levels of contributions sought in the plan review against up to date evidence.</p> <p>Amended Core Strategy Spatial Policy 6 makes clear that CIL in Newark &amp; Sherwood is for strategic infrastructure, comprising strategic/other identified highway infrastructure and secondary education provision. The annual Infrastructure Funding Statement sets out the Council’s spending priorities for strategic infrastructure, which is separate from site specific development related S106 asks. It is the Council’s intention to update the existing 2013 Developer Contributions and Planning Obligations SPD in due course, in order to reflect changes in national policy, Nottinghamshire County Council’s Developer Contributions Strategy and to review the rationale/thresholds for contribution asks in light of up to date evidence.</p>
077	Harby PC	191	<p>Harby Parish Council agree with the preferred approach.</p> <p><b>NSDC Response</b> – Comments welcomed and noted</p>
078	Collingham PC	246	<p>Collingham Parish Council agree with the preferred approach.</p> <p><b>NSDC Response</b> – Comments welcomed and noted</p>
085	Robert Oates	307	<p>No comment.</p> <p><b>NSDC Response</b> – No response required.</p>
089	MLN Land & Properties (Broadgrove Planning)	321	<p>The draft policy states “Development that does not address its impact through provision of appropriate contributions will not be regarded as sustainable development”. This approach to Planning obligations is not considered to be in accordance with the latest NPPF. Contributions should only be sought where they are necessary to make the application acceptable in planning terms, are related to the development and fairly and reasonable related in scale and kind to the development. The policy should make it clear that obligations should only be used where it is not possible to address unacceptable issues through the imposition of planning conditions.</p>

			<p><b>NSDC Response</b> – Comments noted, with the following proposed amendments to draft Policy DM3 to more closely reflect the requirements of NPPF paragraphs 55-58:  Identified infrastructure needs will be met through a combination of Community Infrastructure Levy, planning <b>conditions and</b> obligations, <del>developer contributions</del> and, where appropriate, funding assistance from the Council.  Delivery of the planned growth set out in the Amended Core Strategy requires provision of appropriate infrastructure to ensure the development of sustainable communities. Development that does not <b>adequately</b> address its impact <del>through provision of appropriate contributions</del> will not be regarded as sustainable development.  Planning applications will be expected to demonstrate consideration of identified site-based infrastructure needs and make clear how these needs will be met, guided by the Council’s Planning Obligations and Developer Contributions SPD. The SPD provides the methodology for the delivery of appropriate infrastructure and the calculation of financial contributions.</p>
<b>098</b>	Hawton PC	356	<p>Hawton Parish Council agree with the preferred approach.  <b>NSDC Response</b> – Comments welcomed and noted</p>
<b>099</b>	Southwell Civic Society	400	<p>Southwell Civic Society agree with the preferred approach.  <b>NSDC Response</b> – Comments welcomed and noted</p>
<b>108</b>	CB Collier (Harris Lamb)	438	<p>Whilst we have no objection in principle to new development making adequate provision for any supporting infrastructure that is required to serve the new development it should be made clear that this may only be possible where it is viable to do so. There are going to be instances where development would be unviable if supporting infrastructure is required and that by insisting or seeking full contributions to be made this could undermine the achievement of wider objectives such as the delivery of housing and affordable housing. CBC would like to see reference to the ability to provide viability evidence if there are concerns over the deliverability of infrastructure and for the Council to consider this during the application process. The recent Flowserve appeal demonstrated that the Council’s approach to considering viability and its application to development proposals had not been correctly applied and that as there were viability concerns these should have been considered before insisting on the payment of developer contributions. Furthermore, we would suggest that any future requests for developer contributions need to be fully evidenced and that they meet the tests set out in paragraph 57 of the Framework, rather than seeking to apply contributions on a per unit basis.  <b>NSDC Response</b> – Comments noted and will be given careful consideration in development of the next stage of the plan.</p>
<b>109</b>	Environment Agency	448	<p>The wording ‘delivery of the planned growth set out in the Amended Core Strategy requires provision of appropriate infrastructure to ensure the development of sustainable communities. Development that does not address its impact through provision of appropriate contributions will not be regarded as sustainable development’, needs to ensure that appropriate measures are integrated into the design of development and also as part of decision making process to include avoiding negative impacts on and mitigating water quality through habitat buffering and SuDS, prioritising a blue-green infrastructure approach and securing multiple-benefits through design.  Where development is adjacent to a watercourse, on-site measures and/or contributions should be sought to soften existing channel modification (e.g. culverts, straightened channel, weirs) to support the naturalising of watercourses and improving overall connectivity for wildlife.</p>

			<p>New development should avoid the culverting of watercourses and not prejudicing future opportunities for de-culverting. The re-instatement/retro-fitting of SuDS should also be encouraged.</p> <p>Also see related comments above and Mansfield District Council Local Plan policies CC3 and CC4.</p> <p>If it doesn't already do so, the Council's Planning Obligations and Developer Contributions SPD needs to address SuDS, addressing water quality and multi-functional benefits in addition to flood risk.</p> <p><b>NSDC Response</b> – While the comments from the Environment Agency (EA) are acknowledged, it is not considered within the remit of Policy DM3 to insist upon specific design measures, hence the catchall phrasing it employs: 'appropriate infrastructure'. Instead, Policy DM5a, Design Stage 1, makes clear the need to respond to site constraints (such as those referenced in the comments above), along with DM5b points 6 (green and blue infrastructure) and 10 (flood risk and water management).</p> <p>The Planning Obligations and Developer Contributions SPD is currently under review. The current (2013) iteration of the SPD only makes reference to these issues in the context of planning conditions. In acknowledgement of the EA's comments, however, NSDC welcomes the opportunity to discuss the next iteration of the SPD and integrate the suggested areas in line with good practice and where there is evidence to provide a robust rationale for contributions.</p>
111	Fernwood PC	451	<p>Fernwood Parish Council is concerned that the current road infrastructure is inadequate to support the 3 housing developments (over 3000 extra homes), Suthers School, service station and future developments on the Business Park in Fernwood.</p> <p>With the closure of Hollowdyke Lane (HDL) there is only 1 way in and 1 way out of the village. Recent accidents on the A1 have shown how this can put this village into a gridlock (without all this extra development).</p> <p>We understand that the decision to permanently close HDL was due to road safety concerns at the Main Street Balderton end (near the bridge). Could a traffic light system overcome this issue and the road remain open?</p> <p><b>NSDC Response</b> – The Planning Policy &amp; Infrastructure Team engage with the County Council in their capacity as the Local Highways Authority throughout the development of the local plan and in the course of determining planning applications. For Fernwood, these processes have combined to deliver what is expected to be an effective and acceptable solution to the highways challenges presented by new development in this area. However, in the interim period between existing development and future planned/permitted developments being built out, it is highly likely that there will be some issues with traffic movements. In recognition of this, NSDC convenes a quarterly highways stakeholder forum to seek updates from developers, identify issues arising and to ensure all parties with interests in the area are cognisant of these issues.</p>
115	Farndon PC	482	<p>Farndon Parish Council agree with the preferred approach.</p> <p><b>NSDC Response</b> – Comments welcomed and noted</p>
128	Historic England	560	<p>Agree with preferred approach</p> <p><b>NSDC Response</b> – Comments welcomed and noted</p>
130	North Muskham PC	611	<p>North Muskham Parish Council agree with the preferred approach.</p> <p><b>NSDC Response</b> – Comments welcomed and noted</p>

131	South Muskham & Little Carlton PC	638	<p>South Muskham &amp; Little Carlton Parish Council agree with the preferred approach.</p> <p><b>NSDC Response</b> – Comments welcomed and noted</p>
<b>Action Required</b>			<p>Amendments proposed to the wording of Policy DM3:</p> <p>Identified infrastructure needs will be met through a combination of Community Infrastructure Levy, planning <b>conditions and</b> obligations, <del>developer contributions</del> and, where appropriate, funding assistance from the Council.</p> <p>Delivery of the planned growth set out in the Amended Core Strategy requires provision of appropriate infrastructure to ensure the development of sustainable communities. Development that does not <b>adequately</b> address its impact <del>through provision of appropriate contributions</del> will not be regarded as sustainable development.</p> <p>Planning applications will be expected to demonstrate consideration of identified site-based infrastructure needs and make clear how these needs will be met, guided by the Council’s Planning Obligations and Developer Contributions SPD. The SPD provides the methodology for the delivery of appropriate infrastructure and the calculation of financial contributions.</p>

Question 15 – Policy DM4 – Renewable and Low Carbon Energy Generation - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
48	Farnsfield Parish Council	91	<p>The changes to policy DM4 Renewable and Low Carbon Energy Generation are confusing. Am I correct in my understanding that unless a wind turbine is allowed under permitted development for domestic wind turbines as defined on the planning portal <a href="https://www.planningportal.co.uk/info/200130/common_projects/57/wind_turbines/2">https://www.planningportal.co.uk/info/200130/common_projects/57/wind_turbines/2</a> then unless the site has been identified in a neighbourhood plan, planning permission will not be considered?</p> <p>Would it be possible to have more clarity in the policy itself or in the justification text so that the policy is easier to understand? I'm also concerned that the policy as I understand it is too restrictive and not encouraging enough of wind generated energy.</p> <p><b>NSDC Response –</b> The proposed changes bring District policy into line with national policy as set out in footnote 54 of the NPPF.</p>
55	Halam Parish Council	105	<p>Solar farms also have a great impact on neighbourhoods/countryside. Comments regarding wind farms should be extended to include solar farms, especially the policy comments:</p> <p>“Where it is demonstrated that the local community has been consulted and are supportive”; and “where the planning impacts identified by the affected local community have been fully addressed”.</p> <p><b>NSDC Response –</b> Proposals to develop solar and wind energy schemes are treated differently within the planning system. There is no basis in national policy for assessing solar energy developments in the manner suggested.</p>
58	Severn Trent Water	122	<p>Severn Trent are supportive of the general principles, however we would note that energy efficiency and water efficiency measures generally work hand in hand and that by delivering water efficient technology within development also provides energy efficiency. We would therefore recommend that Policy DM4 highlights the need to incorporate water efficient technology alongside energy efficient technology</p> <p><b>NSDC Response –</b> Noted however it is believed that energy efficiency and water efficiency are best dealt with in Policies elsewhere in the Plan.</p>
67	Southwell Town Council	141	<p>STC feel that the DC should be more proactive in identifying and allocating areas suitable for turbines.</p> <p><b>NSDC Response –</b> Where communities wish to see wind energy developments in their local areas, the District Council will facilitate this through assisting with the production of Neighbourhood Plans which could identify appropriate locations for turbines.</p>
71	National Trust	157	<p>National Trust supports the delivery of renewable energy generation provided that the scale and design is right for the location. The Council should give careful consideration to whether it would be beneficial to identify areas suitable for wind energy development. We support the retention within Policy DM4 of protection from adverse impacts of heritage assets and their settings, and protection of key significant views within Southwell including those relating to The Workhouse.</p>

			<b>NSDC Response</b> – Comments welcomed and noted. Where communities wish to see wind energy developments in their local areas, the District Council will facilitate this through assisting with the production of Neighbourhood Plans which could identify appropriate locations for turbines.
077	Harby Parish Council	192	Harby Parish Council agrees with the preferred approach. <b>NSDC Response</b> – Comments welcomed and noted.
078	Collingham Parish Council	247	Collingham Parish Council agrees with the preferred approach. <b>NSDC Response</b> – Comments welcomed and noted.
098	Hawton Parish Council	357	Yes. <b>NSDC Response</b> – Comments welcomed and noted.
099	Southwell Civic Society	401	Agreed. <b>NSDC Response</b> – Comments welcomed and noted.
114	Lichfields obo Bourne Leisure Limited	464	We agree with the proposed additional wording added to Policy DM4 and note that whilst no areas within Newark & Sherwood have been identified as suitable for wind energy developments that would require planning permission, local communities are able to identify potentially suitable areas as part of neighbourhood plans.  The assessment for suitable wind energy developments should have regard to the effect the energy sector could have on sensitive receptors - including tourism receptors - with emerging Policy DM4 helping to ensure that wind energy developments are located in suitable locations. This would help to ensure that no substantial harm to the environment and economy is felt as a result of wind energy developments. Accordingly, the draft text currently proposed to be added to Policy DM4 should be amended as follows:  “Applications to develop new wind energy schemes involving turbines of sufficient size to require planning permission will only be considered acceptable:  <ul style="list-style-type: none"> <li>• in areas <b>set away from sensitive receptors and</b> identified as suitable for wind energy development in the Development Plan;</li> <li>• where it is demonstrated that the local community has been consulted and are supportive; and</li> <li>• where the planning impacts identified by the local community have been fully addressed.”</li> </ul> <b>NSDC Response</b> – Comments welcomed and noted. Proposed changes to be incorporated into an amended policy.
115	Farndon Parish Council	483	Yes. <b>NSDC Response</b> – Comments welcomed and noted.



128	Historic England	561	Agree with preferred approach, and welcome the retention of criteria 2 relating to Southwell and workhouse views and criteria 3 relating to heritage assets and their setting. <b>NSDC Response</b> – Comments welcomed and noted.
130	North Muskham Parish Council	612	Yes. <b>NSDC Response</b> – Comments welcomed and noted.
131	South Muskham and Little Carlton Parish Council	639	Yes. <b>NSDC Response</b> – Comments welcomed and noted.
<b>Action Required</b>			Amend the policy criterion to read “ in areas <u>set away from sensitive receptors and identified as suitable for wind energy development</u> in the Development Plan;”

Question 16 – Policy DM5a & b – Design - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
002	Canal & River Trust	002	<p>The Trust believe that the proposed changes to Policy DM5 have the potential to make the plan more effective in promoting sustainable and positive design that responds to local features and the river corridor where applicable. More details are provided below.</p> <p>The proposed changes to expand policy wording relating to design – including the splitting of Policy DM5 into two distinct policies – could help to improve decision making with regards to the quality of new development schemes in proximity to the Trust’s assets. The inclusion of a design process within DM5a could help to ensure that decision makers have a full understanding of the development of a scheme, including improve understanding of how it will impact the site and its context. This would likely include analyses with regards to how development responds to neighbouring waterway environments, which could assist in safeguarding and promoting the use of such spaces.</p> <p>Wording promoting pre-engagement with stakeholders could assist in promoting pre-application consultations with the Trust. Of note, the Trust have a pre-application process, and would be happy to provide advice in relation to proposed development at an early stage of development.</p> <p>Within part b), the reference in part 6. to Blue (as well as Green) Infrastructure would make the Local Plan more effective, as it would make the role of the River Trent corridor more apparent to decision makers and developers. The inclusion of a separate element (part 7) for Ecology would also make the need to assess for habitats clearer to decision makers, again making the policy more effective.</p> <p><b>NSDC Response –</b> Comments welcomed and noted.</p>
043	TOWN-PLANNING.CO.UK	077	<p>Policy DM5a is too prescriptive and is seeking to amend the statutory provisions in the DMPO relating to design and access statements. This policy seeks proposers to apply these principles to development such as minor proposals that do not require a design and access statement. The Government has put a greater emphasis on design in the NPPF but has chosen not to amend the DMPO in relation to the scale/type of development that needs to be supported by a design and access statement. Paragraph 133 of the NPPF identifies for example that assessment frameworks such as Building for a Healthy Life are particularly important for significant projects such as large scale housing and mixed use developments. The policy should be amended to refer either only to major development or to development where a design and access statement is required.</p>

			<p>Reference in Policy DM5a to pre-application discussions with the LPA should be removed. Legislation sets out what forms of development require mandatory pre-application engagement. The Council would appear to be looking to generate additional income through greater numbers of pre-application submissions.</p> <p>In Policy DM5b criterion 3 refers to 'adequate external and internal space'. Whilst as a concept this is supported, the policy provides no indication as to what 'adequate' means. It would be more appropriate to refer to the nationally described space standards for internal space. Alternatively the forthcoming Design SPD should set out relevant external and internal space standards.</p> <p><b>NSDC Response</b> – The DMPO stipulates what applications are mandatory to provide a DAS, it does not however stipulate this list to be exhaustive, nor does our proposed policy dictate that the evidence should be submitted in a DAS or in fact what format the evidence should take. Building for a Healthy Life does not specify the size of development it should apply to and therefore no changes are required. Legislation stipulates what applications require mandatory pre-application enquiries, and the proposed policy does not make pre-application enquiries mandatory, if however, an application is submitted which fails to demonstrate the 4 design processes, the application may be refused.</p> <p>In respect of the reference to 'adequate external and internal space', this comes down to a level of judgement, as with many parts of the Development Plan. It purposefully does not seek specific standards and allows for a certain level of flexibility. The purpose of this policy is to address the need for a high level of design and prevent development that is unacceptable. Each application will be judged individually.</p>
047	Sport England	088	<p>Concern that Health and wellbeing in design is not specifically covered as a specific principle, a wealth of guidance is now available including Active Design (See above)</p> <p><b>Health and wellbeing</b></p> <p>Sport England, in conjunction with Public Health England, has produced 'Active Design' (October 2015), a guide to planning new developments that create the right environment to help people get more active, more often in the interests of health and wellbeing. The guidance sets out ten key principles for ensuring new developments incorporate opportunities for people to take part in sport and physical activity. The Active Design principles are aimed at contributing towards the Government's desire for the planning system to promote healthy communities through good urban design. Sport England would commend the use of the guidance in the master planning process for new residential developments. The document can be downloaded via the following link:</p> <p><a href="http://www.sportengland.org/activedesign">http://www.sportengland.org/activedesign</a></p> <p>Local plan policies can support the use of active design as a means of implementing the objectives of health and wellbeing</p> <p><b>NSDC Response</b> - Comments noted. Health and wellbeing will be included within DM5B.</p>

055	Halam Parish Council	106	<p>"Developers are strongly encouraged to engage with local communities..."</p> <p>The views of local residents regarding any proposed development should be given great weight when considering planning applications. Consultation with the local community, especially as voiced through the parish council, should be considered as a major factor influencing the outcome of planning decisions.</p> <p><b>NSDC Response –</b> Comments welcomes and noted.</p>
056	NCC Policy	111	<p>From a minerals and waste perspective, it would be preferable if the policy were to be amended as proposed in the Options Report. In part 3 'Amenity' of the proposed policy the third point states: 'Development proposals should have regard to their impact on the amenity or operation of surrounding land uses and where necessary mitigate for any detrimental impact.'</p> <p>The supporting text expands upon this further explaining: 'Conversely, where a more sensitive development is proposed near to an established use with the potential for adverse environmental impacts, the proposed development should be designed to minimise the impact on eventual occupiers to an acceptable level.'</p> <p>This addresses paragraph 187 of the NPPF (2021), whereby if the operations of an existing business or community facility could have a significant adverse effect on new development in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.</p> <p>In relation to minerals and waste, both the Waste Core Strategy and Minerals Local Plan contain safeguarding policies, Policy WCS10 and Policy SP7 respectively, which seek to protect existing, permitted and allocated waste and mineral sites from being sterilised by non-waste and nonmineral development within close proximity where environmental impacts (e.g. noise, dust) may be detectable. In accordance with the agent of change principle, if development were to be proposed within close proximity to waste and/or minerals sites which could pose a sterilisation risk, the onus is on the applicant to ensure sufficient mitigation of any adverse impacts such that the existing operations may continue.</p> <p>The inclusion of this principle within Policy DM5b should help to avoid the sterilisation of waste and minerals sites in accordance with Policy WCS10 and Policy SP7. The County Council would therefore welcome such inclusion within Policy DM5b and agree with the preferred approach from a minerals and waste perspective.</p> <p><b>NSDC Response –</b> Comments welcomed and noted.</p>
058	Severn Trent Water	123	<p>Severn Trent are generally supportive of policies DM5a&amp;b, in particular the inclusion of the need to incorporate SuDS, we would however recommend that more detail regarding good SuDS design is incorporated to mitigate the risk of poor quality SuDS that underperform being delivered. We would also recommend the policy highlights the need to follow the Drainage Hierarchy.</p> <p><b>Drainage Hierarchy</b></p>

		<p>The drainage hierarchy outlined the principles of where surface water should be discharged, the hierarchy is outlined within Planning Practice Guidance paragraph 80 (Reference ID: 7-080-20150323). Severn Trent request evidence that the drainage hierarchy has been followed by developers in our conversations, however by raising the expectation at the Neighbourhood Plan stage it consideration can be incorporated into the initial a site designs resulting it better continuity of surface water through development.</p> <p>To aid in the interpretation of this request we would recommend that the following wording is incorporated into policies DM5a&amp;b:</p> <p><b><i>“All applications for new development shall demonstrate that all surface water discharges have been carried out in accordance with the principles laid out within the drainage hierarchy, in such that a discharge to the public sewerage systems are avoided, where possible.”</i></b></p> <p><b>SuDS (Sustainable Drainage Systems)</b></p> <p>Severn Trent note that Planning Policy already requires major development to incorporate SuDS through the written Ministerial Statement for Sustainable Drainage (HCWS 161) and NPPF. However current policy is very flexible on how SuDS can be incorporated into development, by incorporating appropriate references to SuDS in policies DM5a&amp;b, the need for developers to deliver high quality SuDS can be secured. Current Industry Best Practice for SuDS (The SuDS Manual CIRIA C753) highlights the need to consider SuDS from the outset of the design process and not to fit SuDS to the development site post layout. To aid in the delivery of this recommendation we would recommend wording to the effect of:</p> <p><b><i>“All major developments shall ensure that Sustainable Drainage Systems (SuDS) for the management of surface water run-off are put in place unless demonstrated to be inappropriate.</i></b></p> <p><b><i>All schemes for the inclusions of SuDS should demonstrate they have considered all four aspects of good SuDS design, Quantity, Quality, Amenity and Biodiversity, and the SuDS and development will fit into the existing landscape.</i></b></p> <p><b><i>The completed SuDS schemes should be accompanied by a maintenance schedule detailing maintenance boundaries, responsible parties and arrangements to ensure that the SuDS are maintained in perpetuity.</i></b></p> <p><b><i>Where possible, all non-major development should look to incorporate these same SuDS principles into their designs.”</i></b></p> <p>The supporting text for the policy should also include:</p> <p><b><i>“Sustainable Drainage Systems (SuDS) should be designed in accordance with current industry best practice, The SuDS Manual, CIRIA (C753), to ensure that the systems deliver both the surface water quantity and the wider benefits, without significantly increasing costs. Good SuDS design can be key for creating a strong sense of place and pride in the community for where they live, work and visit, making the surface water management features as much a part of the development as the buildings and roads.”</i></b></p>
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			<p>We would also note that as the Lead Local Flood Authority (LLFA) are the statutory consultee for the planning process in relation to surface water management that they should also be consulted on any wording regarding SuDS.</p> <p><b>NSDC Response</b> – Commented noted and suggested amendments will be included in next draft of the Allocations &amp; Development Management DPD.</p>
071	National Trust	158	<p>To promote good design, National Trust supports the proposal to highlight the need for a ‘design process’ to be followed, within a suitably flexible framework to allow designers/developers to employ their own detailed methodology. If such a process is adopted then we also support the idea that this requirement should be highlighted within the Local Validation Checklist (e.g. as part of a Design and Access Statement or Supporting Statement), along with a clear indication of which types of scheme it does or does not apply to.</p> <p><b>NSDC Response</b> – Comments welcomes and noted.</p>
075	Persimmon Homes	173	<p>Policy DM5a refers to the design process and states that the design process for all proposed development should be informed by a robust site and contextual appraisal identifying constraints and opportunities. This can be achieved through the Design &amp; Access statement which is standard for applications and this should be clarified in the policy. The policy states that applications should provide evidence of each stage from the outset and should not be retrofitted. Preventing applications from being amended through the planning process which is itself an iterative process where statutory consultee may highlight issues previously not accounted for is not developer friendly. Whilst design should be thought about before the application is submitted, it is likely that further changes will and could be made through discussions with the local planning authority to address matters raised by statutory consultees for example to ensure that planning applications are not refused unnecessarily. Frontloading design work via pre-app is admirable however design is an iterative process therefore revision made through the planning process should be permitted. If not revocation of planning and re-submission on a free go will only increase administrative burden and exacerbate housing delivery delays.</p> <p>Policy DM5b again makes reference to the recently adopted Residential Cycle and Car Parking Design Guide SPD. Reference to this should be restricted to supporting text as the SPD has not been subject to examination therefore cannot be imposed as policy via the backdoor.</p> <p><b>NSDC Response</b> – Comments noted. The intention of DM5A is to ensure that applications demonstrate evidence of careful and proper planning from the outset. The policy allows flexibility for schemes to evolve as part of this process, however it is important that design and layout is not retrofitted. This will be clarified in the policy.</p> <p>Pre-application is encourage, not mandatory to ensure the requirements of DM5a &amp; 5b are met.</p> <p>Reference to the Parking SPD provides increased clarity to the existing policy hook in the Amended Core Strategy and will be tested through examination.</p>

077	Harby Parish Council	193	Harby Parish Council agrees with the preferred approach. <b>NSDC Response –</b> Comments welcomes and noted.
078	Collingham Parish Council	248	Collingham Parish Council agrees with the preferred approach. <b>NSDC Response –</b> Comments welcomes and noted.
090	Coal Authority	324	The Coal Authority supports the inclusion of Policy DM5b: Design, specifically criteria 9 - Unstable Land which identifies the potential risks posed to new developments by past coal mining legacy features. We are also pleased to see the inclusion of the supporting text at Section 4.7.5 of the policy document which acknowledges the districts history of coal mining and the legacy this has left. <b>NSDC Response –</b> Comments welcomes and noted.
093	Urban & Civic	330	Urban & Civic acknowledge the need to engage local communities and other stakeholders in the design process and do not object to inclusion of encouragement to engage at an early stage of the process under the proposed Policy DM5a. However, the proposed supporting text encourages engagement with local communities and stakeholders at all four stages of the design process for major developments, which may be unduly onerous and result in consultation fatigue. As with the proposed approach to pre-application discussions, Urban & Civic consider a proportionate approach would be more appropriate taking account of factors such as the scale, form, type and sensitivity of the proposals. For the reasons given above, Urban & Civic respectfully request that the supporting text is amended as follows (underlined/ strikethrough): “Applicants are strongly encouraged to engage local communities and other stakeholders <del>at each stage of</del> in the design process for major or otherwise sensitive proposed developments <u>with the extent of engagement proportionate to the scale, form, type and sensitivity of the proposals.</u> <del>For instance, for major developments it is recommended that applicants undertake community and stakeholder engagement at Design Stage 1 and 2, testing and validating their findings prior to progressing to Design Stage 3. At Design Stage 3 further engagement work prior to progressing to Design Stage 4 is recommended.</del> This level of community and stakeholder engagement is in addition to the usual Planning Application notification and consultation process. Early and proactive engagement with local communities and stakeholder ensures that meaningful discussions take place at the appropriate stages in the design process when there is more scope for communities and stakeholders to shape development proposals.” <b>NSDC Response –</b> The policy and supporting text confirms it will not be mandatory to undertake public consultation at each design stage, therefore no changes are required.
098	Hawton Parish Council		Hawton Parish Council agrees with the preferred approach.

			<b>NSDC Response –</b> Comments welcomes and noted
099	Southwell Civic Society	402	<p>Yes.- We agree with the splitting of Policy DM5 into two parts. The emphasis on design is welcomed. We endorse the requirement to provide safe walking and cycle routes. This was a feature of the new towns of the 1950's and is long overdue.</p> <p>Dm5b Disagree</p> <p>3 Amenity</p> <p>This should include a statement such as- “On new developments ,Green and Open spaces should be provided on site to the area requirements identified in the nsdc Developer Contributions and Planning obligations Supplementary Planning Document. Exceptions to this will only be allowed where a strong case can be made for an alternative arrangement.”</p> <p>This should include a statement such as” Public Rights of way will be protected and enhanced to make them attractive and amenable for users.”</p> <p>Disagree</p> <p>7 Ecology</p> <p>The status of the Nottingham shire Biodiversity Action Plan needs to be confirmed or a covering statement included to say something like “or equivalent”</p> <p>Disagree.</p> <p>10 Flood Risk and Water Management</p> <p>The statement should read that Flood Risk and Water Management proposals for developments must take account of the increased risk from Climate change. The provisions should not just be related to SUDS.</p> <p>In addition there should be a statement that Proposals for development will need to include undertakings that water courses on and adjacent to the site can be accessed for maintenance.</p> <p><b>NSDC Response –</b> Comments noted. Not all developments can support the delivery of new open space on viability grounds owing to their size and nature of development. There will be instances where a development is adjacent to existing open space and it may be more appropriate to secure an off-site contribution to enhance the existing open space, rather than have two children’s play areas within a short distance of each other. Therefore such an amendment is not considered suitable. The protection of PROWs are dealt with by Nottinghamshire County Council. The Nottinghamshire Biodiversity Action Plan is an issue for Policy DM7. Issues surrounding flood risk will be dealt with by Nottinghamshire County Council as the lead local flood authority.</p>



101	Resident	408	<p>Policy DM5b: Design</p> <p>This should have the energy efficiency of the design and the wider impact on the environment as a key criteria.</p> <p>Where possible, houses should only be granted planning permission where they are designed to a PassivHaus standard or as close to this as possible.</p> <p>Impact on trees, woodland and the ecology:</p> <p>Housing on areas that have high biodiversity or ecologically sensitive should not be allowed in any circumstances. Mitigation is not enough.</p> <p>Before building any new builds, all options regarding the use of unoccupied existing buildings should be shown to have been pursued. Incentives or penalties should be used to encourage putting buildings back into use.</p> <p><b>NSDC Response</b> – Commented noted. In respect of a PassivHaus standard, to introduce building standards that are over and above current market requirements would be likely to deter potential developers and potentially render sites undevelopable. This would affect the ability to facilitate the delivery of quality housing to help create a balanced housing market. Sites with high biodiversity or ecologically sensitive are provided some protection under Policy DM7. Whilst it may be desirable to develop unoccupied buildings before new build development, it is not always possible to do this and it would not aid the delivery of housing to impose such a restriction.</p>
107	Home Builders Federation	433	<p>Under Policy DM5(a) - The Design Process, new residential development will also need to perform positively against Building for a Healthy Life (or any successor version of the tool).</p> <p>The HBF is supportive of the use of Building for a Healthy Life as best practice guidance to assist the Council, local communities and developers assess new housing schemes. The HBF has played a fundamental role in establishing Building for a Healthy Life, but it was never intended to become enshrined as a mandatory policy requirement in Local Plans. The use of Building for a Healthy Life should remain voluntary rather than becoming a requirement of Policy DM5(a), which would oblige developers to use this tool. If the Council wishes to refer to Building for a Healthy Life, it should be in supporting text only. The Council should also clearly set out the definition of performing positively against Building for a Healthy Life. A positive performance should not require achievement of a prescribed number of greens under the Building for a Healthy Life traffic light system of assessment. Before the pre-submission Amended Allocations &amp; Development Management DPD consultation, Policy DM5(a) should be modified.</p> <p>If Building for a Healthy Life is introduced as a mandatory requirement of Policy DM5(a), then the Council should assess any viability implications. The Council cannot assume that there are no additional costs as the creation of place in terms of local character and site context may involve specific elevational treatments / materials.</p>

			<p>In Policy DM5(b) – Design, the reference to “in accordance with the adopted Residential Cycle and Car Parking Design Guide SPD” should not be interpreted by the Council’s Development Management Officers as conveying the weight of a DPD onto this SPD, which has not been subject to examination and does not form part of the Amended Allocations &amp; Development Management DPD. The Town and Country Planning (Local Planning) (England) Regulations 2012 are clear that development management policies, which are intended to guide the determination of applications for planning permission should be set out in policy in the Local Plan. To ensure a policy is effective, it should be clearly written and unambiguous so it is evident how a decision maker should react to development proposals. The Council’s requirements should be set out in sufficient detail to determine a planning application without relying on, other criteria or guidelines set out in a separate SPD. National policy clearly defines the scope and nature of an SPD in the planning process as providing more detailed advice and guidance on adopted Local Plan policies. The NPPG confirms that an SPD cannot introduce new planning policies nor add unnecessarily to the financial burdens on development (ID: 61-008-20190315).</p> <p>Before the pre-submission Amended Allocations &amp; Development Management DPD consultation, Policy DM5(b) should be modified to delete the reference to</p> <p>“in accordance with the adopted Residential Cycle and Car Parking Design Guide SPD”.</p> <p><b>NSDC Response –</b> The NPPF clearly states in paragraph 133 that ‘<i>local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development... these include...assessment frameworks such as Building for a Healthy Life</i>’. The PPG also states that ‘<i>Authorities may wish to refer to the use of specific frameworks in their policies or supplementary planning guidance that are most relevant to the vision for their area, although it is important to ensure that they are used in a proportionate way and do not conflict with national or local planning policy.</i>’(Paragraph 018, Ref ID: 26-018-20191001). It is also a nationally recognised standard. Therefore we consider explicit reference to Building for a Healthy Life in the policy text to be compliant with national planning policy and guidance.</p> <p>Reference to the Parking SPD provides increased clarity to the existing policy hook in the Amended Core Strategy and will be tested through examination.</p>
109	Environment Agency	443	<p>We welcome the inclusion of flood risk and water management within policy DM5b. In addition to the stated policy wording we would like to see reference made to pursuing opportunities to reduce flood risk overall. This is relevant to developments deemed appropriate within areas at flood risk but also developments outside of Flood Zones 2 and 3 but located upstream of existing communities at risk of flooding.</p> <p>Within the policy justification text there is reference to the use of SUDs to manage surface water runoff. We would like to see more specific wording around this i.e. developments will ensure that runoff rates are maintained at their pre-development levels or reduced overall.</p>

			<b>NSDC Response</b> – Comments noted and welcomed. The recommendations will be incorporated into a new draft Policy.
<b>114</b>	Bourne Leisure Limited	465	<p>Bourne Leisure acknowledges the recent changes to Government policy and guidance in respect of design and understands the importance of creating high quality places through the development process.</p> <p>For clarity, sentence two of point 4 (Local Distinctiveness and Character) should be amended to read: “[...] <i>all development proposals will be considered <del>against</del> in the context of the assessments contained in the Landscape Character Assessment Supplementary Planning Document</i>”.</p> <p>It is also considered that the proposed revised wording of Point 6 (Trees, Woodland, Biodiversity and Green and Blue Infrastructure) of draft Policy DM5b is unduly onerous insofar as applying to ‘all natural features’, regardless of their quality. Instead, the current wording within Point 6 should be retained as part of emerging Policy DM5b as follows:</p> <p><i>“In accordance with Core Policy 12, <b>natural features of importance within or adjacent to development sites should, wherever possible, be protected and enhanced.</b> The starting point should be through integration and connectivity of Green Infrastructure to deliver multi-functional benefits and should be incorporated into a landscaping scheme that mitigates any loss and / or the effects of the development on the local landscape.</i></p> <p><i>A holistic approach shall be adopted with respect to the design and integration of green and blue infrastructure into new development, creating opportunities for habitat creation, water management and attractive and memorable places”.</i></p> <p><b>NSDC Response</b> – Comments noted. Sentence 2 of point 4 (local distinctiveness and character) is the wording currently adopted in the 2013 Allocations and Development Management DPD and it is not considered necessary to amend the wording as above. Insofar as trees, the Council considers the policy to reflect the significant importance of trees, woodland, biodiversity and green and blue infrastructure and to be sufficiently flexible and such an amendment is not considered appropriate.</p>
<b>115</b>	Farndon Parish Council	484	<p>Where there is development in areas that have previously provided garage space for adjacent residential areas, thought should be given to the impact the development will have on parking. There should be the ability to restrict the number of cars per dwelling.</p> <p><b>NSDC Response</b> – Comments noted. The Council have now adopted a Residential Cycle and Car Parking Design Guide SPD which guides developers to find a balance between providing the right number of parking spaces and limiting overspill on the road network.</p>
<b>117</b>	Avant Homes	529	<p>Policy DM5a – The Design Process</p> <p>The proposed preferred approach for Policy DM5a seeks to introduce a requirement for new residential development to “perform positively” against the Building for a Healthy Life guidance. Whilst we are supportive of its use as guidance, we consider it appropriate that conformity to Building for a Healthy Life be voluntary as opposed to a mandatory policy requirement, as meeting the requirements of the guidance can have potentially significant impacts upon the viability and</p>

		<p>the deliverability of sites. This should be reflected in the wording of the policy, or alternatively adherence to Building for a Healthy Life guidance should be kept in the policy subtext only.</p> <p>Further clarity should be provided regarding what the Council consider a “robust site and contextual appraisal” to include, in addition to the stated constraints and opportunities. This will ensure that there is as little ambiguity in the design process as possible, particularly in the early stages of the development of the design and in ensuring that these are translated through to the latter design stages and eventual submission design.</p> <p>We query the inclusion of the statement “the District Council expects applicants to ensure that their design teams are well skilled, creative and passionate about creating great places whilst also being well informed in best practice and innovation” as this is something of a throwaway comment that is not supported by corresponding paragraph/s in the NPPF.</p> <p>Policy DM5b - Design</p> <p>It is acknowledged that Policy DM5b (1. Access) seeks to encourage the integration of sustainable and active modes of travel, however the wording of the Policy should be amended to include reference to the provisions of Paragraph 105 of the NPPF. This Paragraph also seeks to maximise sustainable transport solutions; however, it recognises that opportunities for this will differ between urban and rural areas. As is considered in the Paragraph, “this should be taken into account in both plan-making and decision-making”.</p> <p>For Policy DM5b (2. Parking), reference is made to development proposals being “in accordance with the adopted Residential Cycle and Car Parking Design Guide SPD”. In effect, this ordains the SPD with the same decision-making weight as an adopted DPD, which has not been subject to examination and does not itself form part of the emerging Amended Allocations &amp; Development Management DPD.</p> <p>Per Paragraph 16d of the NPPF, Local Plan policies should be “clearly written and unambiguous”. As such, the wording for Policy DM5b (2. Parking) should be updated to contain the cycle and car parking requirements, noting that further information is available in the associated SPD.</p> <p><b>NSDC Response</b> - The NPPF clearly states in paragraph 133 that ‘<i>local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development... these include...assessment frameworks such as Building for a Healthy Life</i>’. The PPG also states that ‘<i>Authorities may wish to refer to the use of specific frameworks in their policies or supplementary planning guidance that are most relevant to the vision for their area, although it is important to ensure that they are used in a proportionate way and do not conflict with national or local planning policy.</i>’(Paragraph 018, Ref ID: 26-018-20191001). It is also a nationally recognised standard. Therefore we consider explicit reference to Building for a Healthy Life in the policy text to be compliant with national planning policy and guidance.</p>
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			<p>What the Council consider to be a 'robust site and contextual appraisal' is, like many aspects of planning policy, down to judgement.</p> <p>Reference to the Parking SPD provides increased clarity to the existing policy hook in the Amended Core Strategy and will be tested through examination.</p>
119	Nottinghamshire Wildlife Trust	533	<p>Policy DM5b: Design In accordance with the Requirements of Core Policy 9, all proposals for new development shall be assessed against the following criteria:</p> <p>Ecology</p> <p>We are supportive of the justification text but we are of the opinion that the policy text requires amending. We suggest that the following is adopted:</p> <p>Protected and Priority Habitats and Species</p> <p>Proposals having a direct or indirect adverse impact on Habitats and Species of Principal Importance identified under the Natural Environment and Rural Communities Act 2006 including legally protected species, as well as Local Nature Reserves, Local Wildlife Sites or Local Geological Sites and their buffer zones and Local Biodiversity Action Plan species will be required to submit ecological information to enable an assessment of their impact, in accordance with relevant national legislation. In all cases, where the principle of development is considered appropriate the mitigation hierarchy must be applied so that: firstly harm is avoided wherever possible including consideration of other locations; secondly appropriate mitigation is provided to ensure no net loss or a net gain of priority habitat and local populations of priority species; as a last resort, compensation is delivered to offset any residual damage to biodiversity; the objective should be to protect, restore, enhance and provide appropriate buffers around wildlife and geological features at a local and wider landscape-scale to deliver robust ecological networks, to help deliver priorities in the Nottinghamshire Biodiversity Opportunity Model for the Newark &amp; Sherwood District. Establish additional ecological links to the Nature Recovery Network. All new development should make provision for at least 10% net biodiversity gain on site, or where it can be demonstrated that for design reasons this is not practicable, off site through a financial contribution. A commuted sum equivalent to 30 years maintenance will be sought to manage the biodiversity assets in the long term.</p> <p>following is adopted:</p> <p><b>NSDC Response</b> –Reference is already made to biodiversity net gain in policy DM5 but consideration will be given as to whether additional wording is included in the policy to link to DM7.</p>
127	CPRE Notts		<p>a) 4.7.3 "strongly encourages" developers to engage with communities at pre-application stage. While we appreciate that national planning guidance does not require developers to engage with communities and that LPAs can therefore not themselves make it a firm requirement, we would like to see this aspect strengthened and clarified. It is not clear from the</p>

			<p>current wording in particular what impact if any it will have on how N&amp;S will view applications if developers have not engaged with communities in a meaningful way, or what meaningful engagement would consist in. Concerning the latter, would it for example count as engagement if only immediate neighbours of a proposed new development have been notified – which in the case of development in the more rural parts of N&amp;S may be hardly anyone.</p> <p>b) It is stated on p.46 that planning applications will be refused if scoring of the application against Building for a Healthy Life indicators results in “too many reds” “unless there are significant overriding reasons”. While we welcome the intended direction here, it should be made clearer what would count as ‘too many’ and what as an ‘overriding’ reason. As drafted, the text would weaken the policy because it appears to leave those judgements to the applicant and is also likely to lead to potentially protracted negotiations with developers due to the lack of precision and clarity. Also, developments with any ‘reds’ should not be given permission in any case.</p> <p>c) 4.7.5 makes access to public transport a requirement for “larger scale developments” but does not define what would count as ‘larger scale’. It was explained at the online consultation meeting on 16th September 2021, which we participated in, that developments of at least 10 units are intended here but that stating this in the text could lead to applications for 9 units to avoid the public transport access requirement. We appreciate that this is a risk, but our view is that the vagueness of the policy as drafted presents the greater risk.</p> <p>d) A requirement is stated on p.54 that Sustainable Urban Drainage (SUD) schemes are used “wherever possible” but does not explain circumstances in which these would not be possible. It was explained at the online consultation meeting on 16th September 2021 that geology or heritage assets may make it impossible. Our view is that this explanation should be incorporated into the text.</p> <p><b>NSDC Response –</b> Comments noted. Pre-application enquiries are encourage and are not mandatory but if developers do not demonstrate compliance with this policy, the application may be refused. Assessments against Building for a Healthy Life will come down to judgment of the Planning Officer. ‘Larger scale developments’ are defined in the NPPF as ‘<i>larger scale developments such as new settlements or significant extensions to existing villages and towns</i>’. Again, ‘<i>wherever possible</i>’ comes down to a matter of judgement and whether the Case Officer accepts the case presented by the applicant to deviate from the policy.</p>
128	Historic England	562	<p>Agree with preferred approach, and welcome the reference to conversion over re-development of buildings which have architectural or historical merit in the ‘local distinctiveness’ section (p.52). We would recommend that the Council considers reference to Historic Landscape Characterisation too</p> <p><a href="https://historicengland.org.uk/research/methods/characterisation/historic-landscape-characterisation/">https://historicengland.org.uk/research/methods/characterisation/historic-landscape-characterisation/</a></p> <p><b>NSDC Response –</b> Comments noted. Historic Landscape Characterisation will be included within the supporting text as a reference to good technical tools.</p>

<b>130</b>	North Muskham Parish Council		<p>North Muskham Parish Council agree with the preferred approach.</p> <p><b>NSDC Response</b> – Comments welcomes and noted</p>
<b>131</b>	South Muskham & Little Carlton Parish Council		<p>South Muskham &amp; Little Carlton Parish Council agree with the preferred approach.</p> <p><b>NSDC Response</b> – Comments welcomes and noted</p>
<b>Action Required</b>			<ol style="list-style-type: none"> <li>2. Amend policy to reflect Severn Trent’s comments on SuDs and drainage hierarchy.</li> <li>3. Amend policy to reflect Environment Agency comments on reducing flood risk and run off.</li> <li>4. Add a section on health and wellbeing to DM5B.</li> <li>5. Clarify text on providing evidence from the outset.</li> <li>6. Link DM5 to DM7 in respect of biodiversity net gain.</li> <li>7. Include HLC in supporting text as a reference to good technical tools for landscape analysis.</li> </ol>

Question 17 – Policy DM5c – Sequential Test - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
043	TOWN-PLANNING.CO.UK	078	<p>The lack of a policy framework on the application of the sequential test has been raised at numerous appeals and has led to inconsistent decision making. Consequently, a policy framework for consistency is welcomed in principle. However, the policy reference to district-wide ignores the findings at Appeal Ref: APP/B3030/W/18/3204708. In that appeal the Inspector specifically addressed the suggestion of the LPA that district-wide was the appropriate level at which to apply the sequential test. The Inspector concluded that the sub-area level identified in Core Strategy Spatial Policy 1 was the appropriate geographical level over which to apply the sequential test.</p> <p><b>NSDC Response –</b> Comments noted. Policy DM5c intends to provide a policy framework for consistency. The consultee is well aware of a number of appeal decisions which superseded the appeal mentioned above. In particular, the Inspector in his decision for appeal Ref: APP/B3030/W/21/3276949 states that ‘<i>Planning Practice Guidance (the PPG) supports the Council approach [entire local authority level] to the sequential test, noting that it is for local planning authorities, taking advice from the Environment Agency as appropriate to consider the extent to which sequential test considerations have been satisfied, taking into account the particular circumstances in any given case.</i>’ Policy DM5c states that ‘<i>the area of search within which to undertake the Test will normally be District-wide</i>’ (NSDC Emphasis). We consider this to be sufficiently flexible to allow the Council to consider various site specific issues which may justify restricting the sequential test area of search.</p>
067	Southwell Town Council	142	<p>STC strongly support DM5(c )</p> <p><b>NSDC Response –</b> Comments noted and welcomed.</p>
071	National Trust	159	<p>National Trust believes that through a broader policy on Flood Risk there is an opportunity for the Council to positively promote schemes that would assist in ameliorating flood risk both locally and on a wider catchment scale. This could include explicit support for flood betterment schemes and for schemes that enable appropriate forms of rural land management to reduce flood risk. Such an approach is supported by NPPF paragraph 161 which states that ‘All plans should apply a sequential, risk-based approach to the location of development... They should do this, and manage residual risk, by:... b) safeguarding land from development that is required, or likely to be required, for current or future flood management... c) using opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding, (making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management);’</p> <p><b>NSDC Response –</b> Comments noted. This policy is a development management policy in relation to the sequential test not a broader strategic policy.</p>
077	Harby Parish Council	194	<p>Harby Parish Council agrees with the preferred approach.</p> <p><b>NSDC Response –</b> Comments noted and welcomed.</p>



<b>078</b>	Collingham Parish Council	249	Collingham Parish Council agrees with the preferred approach. <b>NSDC Response</b> – Comments noted and welcomed.
<b>087</b>	Tetlow King obo The Minster Veterinary Centre	312	Tetlow King Planning consider it to be unreasonably onerous and unjustified to require sequential tests to be undertaken on a district-wide basis. The Planning Practice Guidance (PPG) at Paragraph 033 of the Flood Risk and Coastal Change section under the heading of ‘how should the sequential test be applied to planning applications’ states that: “For individual planning applications...the area to apply the sequential test across will be defined by individual circumstances relating to the catchment area for the type of development proposed” And that: “When applying the sequential test, a pragmatic approach on the availability of alternative should be taken. For example in considering planning applications for extensions to existing business premises it might be impractical to suggest that there are more suitable alternative locations for the development elsewhere” The application of the sequential test on a district-wide basis as a starting point is neither a pragmatic approach and nor have the Council provided any evidence of what individual circumstances would warrant such an approach in Newark and Sherwood District. The requirement to apply this on a districtwide basis should be removed from the proposed amendments to Policy DM5(c) as it is neither justified nor has the Council presented any evidence demonstrating such an onerous approach is necessary to reflect local circumstances. <b>NSDC Response</b> – Policy DM5c states that ‘ <i>the area of search within which to undertake the Test will normally be District-wide</i> ’ (NSDC Emphasis). We consider this to be sufficiently flexible to allow the Council to consider various site specific issues which may justify restricting the sequential test area of search.
<b>098</b>	Hawton Parish Council	359	Yes <b>NSDC Response</b> – Comments noted and welcomed.
<b>115</b>	Farndon Parish Council	485	Yes <b>NSDC Response</b> – Comments noted and welcomed.
<b>130</b>	North Muskham Parish Council	614	Yes <b>NSDC Response</b> – Comments noted and welcomed.
<b>131</b>	South Muskham & Little Carlton Parish Council	641	Yes <b>NSDC Response</b> – Comments noted and welcomed.
<b>Action Required</b>			None

Question 18– Policy DM5(d) – Water Efficiency Measures in New Dwellings - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
58	Severn Trent Water	124	<p>Severn Trent are supportive of the inclusion of the Water Efficiency Standard, we would however note that the majority of Newark and Sherwood District is supplied by Severn Trent, it is therefore important that this policy is not limited to the Anglian Water operational area. Water efficient design and technology is important for ensuring the sustainability of the water supply system for the future, both supporting existing customers and future development. NPPF supports the delivery of sustainable development and the Humber River Basin Management Plan promotes the use of the tighter Water Efficiency Target within Building Regulations Part G. We would recommend that this detailed with policy DM5(d) for the whole of the Newark and Sherwood Area so that developers are aware of what is expected of them from the outset of the design process.</p> <p>To aid with the implementation for the recommendation we have provided some example wording below:  <b><i>All development should demonstrate that they are water efficiency, where possible incorporating innovative water efficiency and water re-use measures, demonstrating that the estimated consumption of wholesome water per dwelling is calculated in accordance with the methodology in the water efficiency calculator, should not exceed 110 litres/person/day.</i></b></p> <p><b>NSDC Response</b> – Agreed. It has separately been brought to the District Council’s attention that the Severn Trent Water area has been identified as an area of water stress. The policy wording developed by Severn Trent Water will inform the drafting of the final policy.</p>
077	Harby Parish Council	195	<p>Harby Parish Council agrees with the preferred approach.  <b>NSDC Response</b> – Comments welcomed and noted.</p>
078	Collingham Parish Council	250	<p>Collingham Parish Council agrees with the preferred approach.  <b>NSDC Response</b> – Comments welcomed and noted.</p>
098	Hawton Parish Council	360	<p>Yes.  <b>NSDC Response</b> – Comments welcomed and noted.</p>
107	Home Builders Federation	434	<p>Under <b>Policy DM5(d)</b>, new dwellings should meet the Building Regulation optional higher water efficiency standard of 110 litres per person per day, or relevant successor standard, as set out through the Building Regulations.</p> <p>Under Building Regulations, all new dwellings must achieve a mandatory level of water efficiency of 125 litres per day per person, which is a higher standard than that achieved by much of the existing housing stock. This mandatory standard represents an effective demand management measure. If the Council wishes to adopt the optional standard for water efficiency of 110 litres per person per day, then the Council should justify doing so by applying the criteria set out in the NPPG. The NPPG states that where there is a “<i>clear local need, Local Planning Authority (LPA) can set out Local Plan Policies requiring new dwellings to meet tighter Building Regulations optional requirement of 110 litres per person per day</i>” (ID : 56-014-20150327). The NPPG also states that “<i>it will be for a LPA to establish a clear need based on existing sources of evidence, consultations with the local water and sewerage company, the Environment Agency and catchment partnerships and consideration of the impact on viability and housing supply of such a requirement</i>” (ID : 56-015-20150327).</p>

			<p>It is understood that Anglian Water's response to the 2019 Issues Paper consultation identified that the area of Newark &amp; Sherwood served by Anglian Water is considered by the Environment Agency to be at serious water stress but the remainder of the District is not. This reference is insufficient supporting evidence to justify <b>Policy DM5(d)</b>. Before the pre-submission Amended Allocations &amp; Development Management DPD consultation, the Council should provide further evidence to demonstrate a clear local need across the whole District. Whilst the viability implications of the optional water efficiency standard are minimal (circa £6 - 9 per dwelling), before the pre-submission Amended Allocations &amp; Development Management DPD consultation, the Council should undertake a viability assessment of the cumulative impacts of <b>Policy DM5(d)</b> in conjunction with additional proposed policy requirements under <b>Core Policies 1 &amp; 3</b> and <b>Policies DM3, DM5(a), DM5(b) &amp; DM7</b>.</p> <p><b>NSDC Response</b> – Noted. It has separately been brought to the District Council's attention that the Severn Trent Water area has been identified as an area of water stress by the Environment Agency. An update to the Whole Plan Viability Assessment taking into account these proposals will be published.</p>
108	Harris Lamb obo CB Collier	439	<p>We object to this policy as it is requiring new development to achieve a higher standard of water efficiency than is required by current Building Regulations. This is a duplication of control and is unwarranted. Any policy requiring dictating the form and type of development that would have to be achieved through Building Regulations are unnecessary.</p> <p><b>NSDC Response</b> – In areas of water stress the proposed approach is a legitimate tool for ensuring higher levels of water efficiency set out in national planning policy.</p>
115	Farndon Parish Council	486	<p>Yes.</p> <p><b>NSDC Response</b> – Comments welcomed and noted.</p>
129	Natural England	596	<p>Natural England would like to highlight the benefits for climate adaption and resources efficiency that can be achieved by adopting an integrated approach to water management. CIRIA has produced guidance on the design, delivery and maintenance of integrated water systems, this would be particularly beneficial on larger or strategic sites.</p> <p><b>NSDC Response</b> – Comments welcomed and noted.</p>
130	North Muskham Parish Council	615	<p>Yes.</p> <p><b>NSDC Response</b> – Comments welcomed and noted.</p>
131	South Muskham and Little Carlton Parish Council	642	<p>Yes.</p> <p><b>NSDC Response</b> – Comments welcomed and noted.</p>
<b>Action Required</b>			<p>The policy wording developed by Severn Trent Water will inform the drafting of the final policy. An update to the Whole Plan Viability Assessment taking into account these proposals will be published.</p>

Question 19 – Policy DM7 – Biodiversity and Green Infrastructure - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
002	The Canal & River Trust	003	<p>The Trust appreciate the need to update policy DM7 to reflect the Environment Bull. Reference to enhancements to biodiversity (net gain of 10%) within the new proposed text would help make it clearer to decision makers about this need. The Trust’s waterway resources would benefit from net gains to biodiversity on neighbouring sites, and the Trust would also (in some cases) wish to discuss with developers about the potential for off-site improvements where relevant, feasible and practical.</p> <p><b>NSDC Response</b> – Comments welcomed and noted</p>
053	Coddington Parish Council	102	<p>Paragraph 4 should be reworded: Loss or harm to ancient woodland and ancient or veteran protected or significant trees will not normally be acceptable.</p> <p><b>NSDC Response</b> – Comment welcomed and noted. The Policy will be amended to reflect more closely the current NPPF wording.</p>
058	Severn Trent Water	125	<p>Whilst Severn Trent are generally supportive of the principles of Policy DM7, we would strongly recommend that the Policy looks to protect watercourses from development as they provide access to water for wildlife, habitats, sustainable methods of conveying water through the Landscape and suitable outfalls for surface water from new development sites returning water to the natural water systems. Watercourses should where possible be incorporated into Green-Blue Infrastructure such that watercourses are protected from encroachment, allowing space for extreme weather flows to be conveyed and facilitating ecological links between the watercourses and the green infrastructure.</p> <p><b>NSDC Response</b> – Comments welcomed and noted. Whilst implicit that green infrastructure includes ‘blue’ elements given its nature it is not explicitly set out within the current Amended Core Strategy or Policy DM7, therefore it is proposed to include within the supporting text a definition of Green Infrastructure which includes blue infrastructure. The proposed amendments to DM5b on design already address issues in relation to watercourses.</p>
071	National Trust	160	<p>National Trust supports the general approach to biodiversity and green infrastructure.</p> <p><b>NSDC Response</b> – Comments welcomed and noted.</p>
075	Persimmon Homes	174	<p>Policy DM7 relates to biodiversity and green infrastructure and states that development proposals within the district should provide a net gain of at least 10% or if different relevant percentage set out in the Environment Act, as measured by the DEFRA metric or any successor document. Reference to “at least” should be removed given the policy should not seek to impose biodiversity net gain targets that exceed those set out in the bill. The policy should simply refer to the Environment Act to ensure policies directly align future proofing policy. Furthermore the policy should specify where exceptions will be made e.g. brownfield sites or challenging/highly constrained development sites.</p>

			<p>Transitional arrangements spanning 2 years are understood to be proposed. The policy implementation must therefore align fully with government transitional arrangements.</p> <p>The Environment Bill 2020 is currently with the Lords pending a 3rd reading. Until the bill has obtained royal assent the proposed change to Policy DM7, specifically reference to 10% betterment target should at the very least remain guidance until royal assent of the bill and as stated implementation observe transition arrangements.</p> <p>Viability implications posed by biodiversity offsetting must also be considered carefully when establishing the likely impact on schemes deliverability. Net to gross acreage implications must also be understood to revise allocation sites plot capacities. Where a resultant reduction in plot yield arises which is highly likely more housing allocation should be considered.</p> <p>The Council should allocate sites the number and location of which take into account individual sites capacity to meet its biodiversity net gain onsite. Proposal sites containing high impact to biodiversity reliant on credits should be sequentially put to the back of the queue if a truly sustainable form of development is to be fostered.</p> <p><b>NSDC Response –</b> Comments noted. Since the publication of the options report the Environment Act gained royal assent on the 9<sup>th</sup> November 2021. The final policy will be amended to reflect this including reference to transitional arrangements.</p> <p>An updated Whole Plan Viability Assessment will be published</p>
077	Harby Parish Council	196	<p>Harby Parish Council agrees with the preferred approach.</p> <p><b>NSDC Response –</b> Comments welcomed and noted.</p>
078	Collingham Parish Council	251	<p>Collingham Parish Council agrees with the preferred approach.</p> <p><b>NSDC Response –</b> Comments welcomed and noted.</p>
098	Hawton Parish Council	361	<p>Yes.</p> <p><b>NSDC Response –</b> Comments welcomed and noted.</p>
107	Home Builders Federation	434	<p>Under <b>Policy DM7</b>, development proposals should seek to enhance biodiversity. This enhancement should be a net gain of at least 10%, or if different the relevant percentage set out in the Environment Act, as measured by the applicable DEFRA metric or any successor document.</p> <p>The Council should not deviate from the Government’s proposals on biodiversity gain as set out in the Environment Bill. This legislation will require development to achieve a 10% net gain for biodiversity. It is the Government’s opinion that 10% strikes the right balance between the ambition for development and reversing environmental decline. 10% gain provides certainty in achieving environmental outcomes, deliverability of development and costs for developers. 10% will be a mandatory national requirement, but it is not a cap on the aspirations of developers who want to voluntarily go further. The Government will use the DEFRA Biodiversity Metric to measure changes to biodiversity under net gain requirements established in the Environment Bill. The mandatory requirement offers developers a level</p>

			<p>playing field nationally and reduced risks of unexpected costs and delays. Before the pre-submission Amended Allocations &amp; Development Management DPD consultation, the prefix “<i>at least</i>” should be removed from <b>Policy DM7</b>.</p> <p>In the Environment Bill, the Government also makes provision for a transition period of two years. The Government will work with stakeholders on the specifics of this transition period, including accounting for sites with outline planning permission, and will provide clear and timely guidance on understanding what will be required and when. Before the pre-submission Amended Allocations &amp; Development Management DPD consultation, <b>Policy DM7</b> should be modified to include transitional arrangements.</p> <p>The Council should also carry out a viability assessment of the impact of <b>Policy DM7</b>. There are significant additional costs associated with biodiversity gain. The Government has confirmed that more work needs to be undertaken to address viability concerns raised by the housebuilding industry in order that biodiversity net gain does not prevent, delay or reduce housing delivery. The DEFRA Biodiversity Net Gain &amp; Local Nature Recovery Strategies: Impact Assessment Table 16 : Net gain delivery costs per greenfield development (residential) East Midland estimates a cost of £1,011 per dwelling (based on 2017 prices and the central estimate) and Table 17 : Net gain delivery costs per brownfield development (residential) East Midland estimates a cost of £287 per dwelling (based on 2017 prices and the central estimate). There are significant cost increases for off-site delivery under Scenario C to £3,562 and £943 per dwelling respectively. There may also be an impact on the ratio of gross to net site acreage. Before the pre-submission Amended Allocations &amp; development Management DPD consultation, a viability assessment should be undertaken.</p> <p><b>NSDC Response –</b> Comments noted. Since the publication of the options report the Environment Act gained royal assent on the 9<sup>th</sup> November 2021. The final policy will be amended to reflect this including reference to transitional arrangements.</p> <p>Whilst it is anticipated that biodiversity will have an impact on viability it is also important not to ‘double count’ developer contributions in this particular area. Schemes which seek to deliver balanced sustainable development, respecting the existing site conditions will already seek to protect important environmental features (e.g. hedgerows and trees), manage drainage in a sustainable manner and provide public open space. If these are well designed, managed and maintained they will greatly contribute towards meeting the 10% net gain target without significant additional costs being incurred.</p> <p>An updated Whole Plan Viability Assessment will be published.</p>
109	Environment Agency	445	<p>This should include ‘blue’ infrastructure.</p> <p>In addition to avoiding impact and protection of species and habitats and net gain, this should also include a reference to creating bigger, better and more connected spaces for biodiversity. This needs to include ensuring that habitats are not left or created in isolation and there is an emphasis on facilitating the movement of species through the protection and enhancement of existing and creation of new green infrastructure (e.g. habitats and habitat buffering, green /wildlife corridors and blue infrastructure). This can also include the re-naturalisation of areas that have been heavily modified by existing or past industrial and land-use and management practices. It should also prioritise the de-fragmentation, restoration, retention and sensitive management of habitats and landscape features.</p>

			<p><b>NSDC Response</b> – Comments welcomed and noted. Whilst implicit that green infrastructure includes ‘blue’ elements given its nature it is not explicitly set out within the current Amended Core Strategy or Policy DM7, therefore it is proposed to include within the supporting text a definition of Green Infrastructure which includes blue infrastructure.</p> <p>It should be noted that this is the Development Management Policy in relation to Biodiversity and Green Infrastructure which supplements the strategic approach to these issues in the Amended Core Strategy which includes creating a green infrastructure network and supports strategic interventions.</p>
114	Lichfields obo Bourne Leisure Limited	466	<p>Bourne Leisure recognises the value of enhancing biodiversity and the importance of protecting veteran trees and ancient woodland. However, the proposed amendments to draft Policy DM7 are not justified and are unduly onerous in the context of the NPPF.</p> <p>With regards to veteran trees and ancient woodland, Paragraph 180(c) of the NPPF (2021) states that “development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists”. In terms of defining ‘wholly exceptional circumstances’, footnote 63 of the NPPF acknowledges that the loss of irreplaceable habitats can be justified if the habitat has deteriorated. It is, therefore, considered that Draft Policy DM7 should add that the loss of veteran trees or ancient woodland should only be permitted where the impacts are outweighed by public benefit and/or the habitat is already lost or has significantly deteriorated [Lichfields emphasis].</p> <p>The approach to achieving a 10% net gain in biodiversity is unjustified at this time. Whilst national planning policy and guidance supports the achievement of biodiversity net gain, it does not currently set a minimum requirement. In the absence of any justification, these requirements should be removed from this policy, with the extent of biodiversity net gain to be determined on a case by case basis. This will ensure that developers are not deterred from submitting applications where achieving at least 10% net gain in biodiversity would make their scheme unfeasible. Furthermore, the supporting text of draft policy DM7 should acknowledge that net gains for biodiversity can be delivered off-site as well as on-site.</p> <p>The wording within Draft Policy DM7 that relates to achieving a net gain in biodiversity should, therefore, be amended to read:</p> <p><i>“Development proposals in all areas of the District should seek to enhance biodiversity. The enhancement should <b>provide a net gain in biodiversity, with the percentage gain dependent on site and project specific considerations, and agreed between the applicant and the Council.</b> On sites of regional or local importance, including previously developed land of biodiversity value, sites supporting priority habitats or contributing to ecological networks, or sites supporting priority species, planning permission will only be granted where it can be demonstrated that the need for the development outweighs the need to safeguard the nature conservation value of the site.”</i></p> <p><b>NSDC Response</b> – Comments noted. Since the publication of the options report the Environment Act gained Royal Assent on the 9<sup>th</sup> November 2021. The final policy will be amended to reflect this including reference to transitional arrangements.</p>
115	Farndon Parish Council	487	<p>Yes.</p> <p><b>NSDC Response</b> – Comments welcomed and noted.</p>

116	Woodland Trust	524	<p>I would like to make some brief comments on behalf of the Woodland Trust on your Allocations and Development Management DPD Options Consultation. The Woodland Trust is the UK’s largest woodland conservation charity. We own over 1000 woods and sites all over the UK and we have over 500,000 members and active supporters. We are actively working in Sherwood Forest with partners on a project to enhance the landscape and specifically to protect ancient and veteran trees.</p> <p>In that regard, we have a particular concern about Policy DM7 in the options report. We welcome your proposal to include a wording giving specific protection to ancient woodland and ancient/veteran trees but we are disappointed with the wording quoted which is as follows:</p> <p><b><i>Loss or harm to ancient woodland and ancient or veteran trees will not normally be acceptable.</i></b></p> <p><b><i>Proposals resulting in such loss or harm should only be permitted where these impacts are clearly outweighed by the public benefit of the development.</i></b></p> <p>This wording appears to be taken from the wording of the previous National Planning Policy Framework (NPPF), which gave protection to these habitats but with a caveat about the impact being outweighed by the public benefit of the development. This was superseded by Paragraph 175c in the new NPPF adopted in 2019 which gives much stronger protection to ancient woodland and ancient/veteran trees, saying that any development causing damage or loss of the habitat must be “wholly exceptional”.</p> <p>We would therefore strongly request that your proposed wording be revised so that is at least as strong as that in the NPPF, or you may run the risk of this part of your plan being deemed to be unsound because of lack of compliance with national planning policy.</p> <p>Unfortunately, we have not had an opportunity to check the proposed site allocations for impacts on ancient woodland or ancient/veteran trees but we would urge you to apply para 175c of the NPPF in assessing them and also to put in buffer strips of at least 50 metres between and of these habitats and any development. For further guidance on this, please refer to our Planners’ Manual at: <a href="https://www.woodlandtrust.org.uk/publications/2019/06/planners-manual-for-ancient-woodland">https://www.woodlandtrust.org.uk/publications/2019/06/planners-manual-for-ancient-woodland</a> .</p> <p>Looking ahead to your draft local plan, we hope this will include some reference to encouraging planting of new trees and woods as part of green infrastructure in new development, as well as retaining as many existing trees and woods as possible. In order to maximise the contribution of new development to tackling both the climate and the biodiversity emergencies, and to ensure pleasant and desirable environments for new residents, we encourage adoption of a target of at least 30% tree canopy cover to be achieved in new housing estates by the time the trees mature (ie 25 to 50 years hence).</p> <p><b>NSDC Response</b> – Comment welcomed and noted the Policy will be amended to reflect more closely the current NPPF wording.</p>
119	Nottinghamshire Wildlife Trust	534 (also Q56)	<p>We agree with the inclusion in the policy of wording to ensure ancient woodland and ancient or veteran trees are protected and with the inclusion of wording to incorporate biodiversity enhancement into District policy.</p>



			<p>We do however, think that the following extracts taken from Policy DM7 conflict with each other. There should be presumption against development of a SSSI, a site designated for its national importance.</p> <p><i>On SSSI's and sites of regional or local importance, significantly harmful ecological impacts should be avoided through the design, layout and detailing of the development, with mitigation, and as a last resort, compensation (including off-site measures), provided where they cannot be avoided.</i></p> <p><i>For development proposals on, or affecting, Sites of Special Scientific Interest (SSSIs), planning permission will not be granted unless the justification for the development clearly outweighs the nature conservation value of the site.</i></p> <p>We also think that wording should be included to state that there should be a presumption against development of sites of local biodiversity value, that is, Local Wildlife Sites (LWS). LWSs, previously known in Nottinghamshire as 'Sites of Importance for Nature Conservation' are a local, non-statutory designation, that sits below (but complements) the national suite of statutorily designated Sites of Special Scientific Interest (SSSIs). They are of substantive value for the conservation of biodiversity and are home to rare and scarce species, or represent the best surviving examples of habitats that were once widespread and typical of the Nottinghamshire landscape. Collectively, these sites form an essential ecological network and act as wildlife corridors and stepping stones, allowing species to migrate and disperse between sites. The continued existence of these sites is vital to safeguard wildlife from the pressures of development, intensive agriculture and climate change. The LWS network is comprehensive (meaning that every site which qualifies as an LWS is designated as one), whereas SSSIs are representative of the best sites in an area, such that that not all sites which meet the SSSI selection criteria have been, or will be, designated as a SSSI. Because of this, a number of LWS would potentially qualify as SSSIs, meaning that LWS are best described as sites that are of at least county-level importance for their flora and/or fauna.</p> <p><b>NSDC Response</b> – Comments welcomed and noted. It is not intended that the two references in relation to SSSI's should conflict. The statements have been placed the opposite way around than in the policy text. The first element relating to SSSIs the respondent raises relates to how development proposals should be designed if it is judged that the presumption against development can be overcome. This is the first element in the policy text. The text will be amended to make this clear.</p> <p>The District Council supports the protection of Local Wildlife Sites as set out already in the policy. It is noted however that the language does not clearly set out a positive approach to protection. It is therefore proposed to amend the policy to clearly set out the importance of Local Wildlife Sites.</p>
128	Historic England	563	<p>We welcome the inclusion of veteran trees within the policy.</p> <p><b>NSDC Response</b> – Comments welcomed and noted.</p>

129	Natural England	597	<p>Policy DM7 – Green infrastructure refers to the living network of green spaces, water and other environmental features in both urban and rural areas. It is often used in an urban context to provide multiple benefits including space for recreation, access to nature, flood storage and urban cooling to support climate change mitigation, food production, wildlife habitats and health &amp; well-being improvements provided by trees, rights of way, parks, gardens, road verges, allotments, cemeteries, woodlands, rivers and wetlands.</p> <p>Green infrastructure is also relevant in a rural context, where it might additionally refer to the use of farmland, woodland, wetlands or other natural features to provide services such as flood protection, carbon storage or water purification.</p> <p>A strategic approach for green infrastructure is required to ensure its protection and enhancement, as outlined in para 171 of the NPPF. Green Infrastructure should be incorporated into the plan as a strategic policy area, supported by appropriate detailed policies and proposals to ensure effective provision and delivery. Evidence of a strategic approach can be underpinned by Green Infrastructure Strategy. Natural England are in the process of developing new green infrastructure standards, these will include mapping tools which can be used to inform policy. Although there is a timing issue with the development of the plan and the release of the standard and tools Natural England would ask that the green infrastructure policy references the forthcoming guidance.</p> <p>Biodiversity - Ecological networks are coherent systems of natural habitats organised across whole landscapes so as to maintain ecological functions. A key principle is to maintain connectivity - to enable free movement and dispersal of wildlife e.g. badger routes, river corridors for the migration of fish and staging posts for migratory birds. Local ecological networks will form a key part of the wider Nature Recovery Network proposed in the 25 Year Environment Plan. Where development is proposed, opportunities should be explored to contribute to the enhancement of ecological networks.</p> <p>Planning positively for ecological networks will also contribute towards a strategic approach for the creation, protection, enhancement and management of green infrastructure, as identified in paragraph 171 of the NPPF.</p> <p>Natural England welcome the inclusion of a 10% minimum gain for biodiversity. The reference to the minimum possibly being greater depending on the wording of the forthcoming Environment Bill is also welcome.</p> <p>Natural England also welcome the use of a recognised metric to demonstrate net gains in biodiversity and the minimum period that these gains should be secured. However as with the minimum level of gains mentioned above the period for which gains should be secured should also be amendable depending on the wording of the Environment Bill.</p> <p>Natural England would encourage the use of nature based solutions to help deliver net gains for biodiversity and climate change adaptation, this could include green roofs/walls, natural flood management etc.</p> <p>Natural England would like to highlight that there is no reference to the Governments 25 Year Environment Plan and the contributions this policy could make towards achieving the plan’s goals. There is also no reference to the Nature Recovery Network or Local Nature Recovery Strategy.</p>
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			<b>NSDC Response</b> – Comments welcomed and noted. It should be noted that this is the Development Management Policy in relation to Biodiversity and Green Infrastructure which supplements the strategic approach to these issues in the Amended Core Strategy.
130	North Muskham Parish Council	616	Yes. <b>NSDC Response</b> – Comments welcomed and noted.
131	South Muskham and Little Carlton Parish Council	643	Yes. <b>NSDC Response</b> – Comments welcomed and noted.
<b>Action Required</b>			<ul style="list-style-type: none"> <li>• Amend the policy to reflect more closely the current NPPF wording in relation to ancient and veteran trees and ancient woodland.</li> <li>• Proposed to include within the supporting text a definition of Green Infrastructure which includes blue infrastructure.</li> <li>• Amend the policy to reflect the Environment Act gained royal assent on the 9<sup>th</sup> November 2021 including reference to transitional arrangements.</li> <li>• An updated Whole Plan Viability Assessment will be published</li> <li>• Amend the policy to provide clarity on development proposals in relation to Sites of Special Scientific interest.</li> <li>• Amend the policy to clearly set out the importance of Local Wildlife Sites.</li> </ul>

Question 20 – Policy DM8 – Development in the Open Countryside - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
021	Heine Planning Consultancy	031	<p>I am unclear why this does not include Gypsy Traveller sites given that you are considering sites in open countryside? National Guidance in PPTS seeks to very strictly limit new sites in open countryside away from existing settlements but does not exclude them. Traveller sites in the open countryside can still be considered an exception to the usual presumption against new development in open countryside.</p> <p>Policy should make clear what is meant by ‘away from’ especially as the Council appears to be supportive of some Traveller sites in the open countryside.</p> <p><b>NSDC Response</b> – Comments noted additional text will be added to DM8 to address Gypsy and Travellers sites in the countryside.</p>
043	TOWN-PLANNING.CO.UK	079	<p>Criterion 3 is more reflect of paragraphs 78 to 80 of the NPPF. Criterion 5 would as proposed encourage owners to allow or even make buildings become redundant or disused in order to allow their reuse. This would be an unintended consequence of the policy, rather than allowing a planned transition from one use to another. For example the policy as proposed would not allow a building owner who has a building in current use but knows that use is to end, to plan for and obtain planning permission for a new replacement use before the current use expires. This is not in the interests of good planning.</p> <p><b>NSDC Response</b> – Comments noted and accepted we will not continue with the amendment to Criterion 5 which inserts the words ‘redundant’ and ‘disused.’</p>
053	Coddington Parish Council	103	<p>No.</p> <p>Item 2- the text should include rural worker occupancy conditions being applied to new and replacement buildings. As written, the text does not appear to require this except for extensions.</p> <p>Item 3 – The text should define the criteria to be used to assess ‘outstanding quality’, ‘innovative nature of design’ and ‘high standard of architecture’.</p> <p>Item 5 – The text should specify how architectural or historical merit will be determined.</p> <p>Item 6 – Agricultural and rural enterprises need more definition on what is included in scope.</p> <p>Item 8 – should be reworded: proposals for proportionate expansion of existing rural businesses will be supported...</p> <p><b>NSDC Response</b> – Occupancy conditions are applied to all planning permissions for new or replacement rural workers dwellings. Planning permission for an extension to an existing rural worker dwelling is protected by the existing condition applied to the original property. The terminology in item 3 is such to be in conformity with the NPPF. Despite these terms not having a clear definition in national policy, it is clear that this terminology excepts proposals to be way above the ordinary and aiming to push the contemporary boundaries of</p>

			construction and design methods. Architectural and historical merit is assessed by NSDC Conservation. Proportionality is already included in the second paragraph.
055	Halam Parish Council	107	<p>Many local villages are "straggly" or have isolated outlying properties or sections. In these cases it becomes more difficult to define what would be considered the "village" or "settlement". The wording in the current policy "the main built-up areas of..." should be reinstated as the proposed change in the policy wording removes the need for new development to be in the "main part" of the village and could potentially allow development sites around the very edges of villages, leading to a spread of development into more open countryside.</p> <p><b>NSDC Response –</b> Comments noted. During the examination of the Amended Core Strategy, the Inspector expressed concern about the ambiguity in the phrase 'the main built-up areas of villages' in Spatial Policy 3. The Inspector's report stated that '<i>Not only would the question arise as to whether an area of a village was built-up, but there would also be an issue as to the extent of the main built-up area</i>'. This was considered sufficient to render Spatial Policy 3 unsound and so the language was amended accordingly. Policy DM8 therefore needs updating to be consistent with Spatial Policy 3 of the Amended Core Strategy.</p>
068	Simons Development	148	<p>As outlined in our response to Question 24, we consider that additional land should be allocated for employment, and in particular for strategic logistics, to increase the supply of sites and offer a greater choice to potential businesses seeking to locate or expand in the District.</p> <p>If no further allocations are identified, any new proposals would have to satisfy Policy DM8 as it is likely that any strategic employment development would be located not within the urban area, but on land currently designated as open countryside.</p> <p>Whilst the amended wording of Policy DM8 provides some flexibility for larger scale proposals to come forward within the open countryside and for existing businesses to expand, the policy remains very restrictive as it continues to only permit such development where a need for a particular rural location can be demonstrated and the proposals contributes to providing or sustaining rural employment to meet local needs. The current Phase 1 proposals for development on land east of Newlink Business Park, for example, would not satisfy these policy requirements despite the clear demand for strategic logistics development in Newark which cannot be met in the short-term within the urban area or existing site allocations.</p> <p>It is submitted that the best way to increase the supply of sites and respond to market demands is the inclusion of additional employment land allocations within the Amended Allocations &amp; Development Management DPD as set out in our response to Question 24.</p> <p><b>NSDC Response –</b> Comments noted. Development in the open countryside needs to be strictly controlled.</p>
075	Persimmon Homes	175	<p>Policy DM8 relates to development in the open countryside. Proposals in the Countryside should not be limited to those identified in the policy, so long as the land subject to a planning application is close to/adjoins the settlement/village and provides an extension to the village/settlement, whereby there is still sufficient countryside beyond it to create a gap/break in between settlements.</p> <p><b>NSDC Response –</b> Comments noted. This suggested approach is not considered appropriate as DM8 recognises the value and vulnerability of the local countryside and so development needs to be strictly controlled.</p>

<b>077</b>	Harby Parish Council	197	Harby Parish Council agrees with the preferred approach. <b>NSDC Response –</b> Comments Noted.
<b>078</b>	Collingham Parish Council	252	Collingham Parish Council agrees with the preferred approach. <b>NSDC Response –</b> Comments Noted.
<b>087</b>	Tetlow King obo The Minster Veterinary Centre	313	Tetlow King Planning broadly supports the Council’s preferred approach to the amendments to Policy DM8(8), in particular the introduction of additional text related to employment uses which supports the construction of buildings for expanding existing or new businesses in the open countryside in areas such as industrial areas and, where necessary, expansion into adjacent areas where it can be demonstrated that the impacts are acceptable.  The expanded text at DM8(8) is considered to be a sensible and pragmatic approach that reflects the fact that for many of the district’s settlements existing employment areas (such as industrial estates) are located on, or close to, settlement limits with limited scope for expansion of employment uses other than outside for settlement limits and into open countryside. The increased flexibility built into the policy will ensure that growth of existing and new businesses in such location is not unduly constrained and will help to support the economic growth of the district.  <b>NSDC Response –</b> Comments noted and welcomed.
<b>093</b>	Urban & Civic	331	Urban & Civic support the proposed addition, under ‘New and Replacement Dwellings’ that provides support for the subdivision of existing residential dwellings to create new dwellings.  A proposed addition under ‘Conversion of existing buildings’ suggests that a proportionate expansion of an existing building may be acceptable. Urban & Civic support this and consider a consistent approach should be applied to replacement dwellings – that is, allowing replacement dwellings to be proportionally larger than those they replace, rather than of a similar size as under the current policy wording.  For the reasons given above, Urban & Civic respectfully request that the policy wording of ‘New and Replacement Dwellings’ is amended as follows:  “ ... replacement dwellings should enhance their immediate setting and normally be of a <del>similar</del> size, <u>and</u> scale <u>proportionate to that being replaced</u> , and <u>of a similar</u> siting to that being replaced.”  <b>NSDC Response –</b> Comments noted. It is considered that the existing phrase ‘normally be...’ adequately addresses your comments.
<b>094</b>	The Land and Planning Company	338	LPCo recognises the import of the Core Strategy para 5.20 and Core Policy 6. These provide the visioning and strategic framework for economic growth. The broad content sets the tone for DM8 and is supported, particularly in relation to: <ul style="list-style-type: none"> <li>• economic growth and prosperity.</li> <li>• securing inward investment,</li> </ul>

		<ul style="list-style-type: none"> <li>• supporting business growth,</li> <li>• facilitating and exploiting infrastructure development,</li> <li>• supporting key sectors</li> <li>• taking advantage of the District’s existing infrastructure strengths</li> </ul> <p>Whilst a major focus may be on new economic development on strategic sites planned south of the Newark Urban Area, there may be existing businesses, perhaps substantial in scale, located on existing sites that may wish to grow, but are otherwise restricted or prevented from growing because they may be located in a ‘rural area’. The policies of the Amended Allocations and Development Management Policies Development Plan Document (DPD): Options Report (subject of this current consultation) do not seem to consider this scenario positively or proactively, and present as being inconsistent with the NPPF, July 2021.</p> <p>NPPF paras 81, 82, 85 and 123 are considered relevant and ought properly to be considered as part of the final wording of an amended Policy DM8.</p> <p>Para 81 makes clear that “policies should help create the conditions in which businesses can invest, expand and adapt”. It follows that businesses, some of which may be in rural areas. should still benefit from policy that encourages expansion, investment, growth and increased productivity. The national policy includes reference to “local business needs and wider opportunities for development”. ‘Wider’ can be taken to mean such other opportunities not identified as allocations, but providing the necessary policy flexibility (see NPPF para 82) for even substantial businesses to grow, enabling further investment in new production capacity, recruitment, skills development. Investment brings direct, indirect, implied and imputed growth/investment across many sectors. Very often such investment derives from adding value to sites and changing their use.</p> <p>The local plan policy framework should not be cast restrictively in terms of whether land is inside or outside a settlement boundary. This is a particularly important point bearing in mind the wider content of the NPPF:</p> <ul style="list-style-type: none"> <li>• positive and proactive encouragement for sustainable economic growth (para 82)</li> <li>• addressing potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment (para 82)</li> <li>• flexibility to accommodate needs not anticipated in the plan and other circumstances (para 82)</li> <li>• recognise and address the specific locational requirements of different sectors (para 83)</li> </ul> <p>However, it is the particular circumstances pointed out in paras 85 and 123 which warrant consideration as part of the Options Report consultation:</p> <p>Para 85 states:</p> <p><i>“Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits</i></p>
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*any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist"*

This reference makes clear the reality business locations are often found outside settlement boundaries and can be made more sustainable. DM8 is not necessarily in line with this reference. Para 123 is also relevant and opens up a consideration of how alternative uses of developed land should be treated positively:

*"Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs..."*

The Policy DM8 (Development in the Open Countryside) indicates that development away from the main built up areas of villages or settlements, in the open countryside, will be strictly controlled and limited to types of development. In relation to employment uses, the amendment is restrictive in and introduces barriers to investment inconsistent with the positive and proactive approach pointed out in the NPPF:

- The amended Policy DM8 is restrictive
- development should be small in scale
- a larger scale has to be justified
- support is limited to particular locations
- proportionate expansion is an odd and nebulous term
- expansion might be appropriate where there are industrial estates
- the focus is on employment land within urban boundaries or village envelopes

On the basis that NPPF para 2 rehearses the point that applications for planning permission be determined in accordance with the development, it is important that the development plan provides the positive and proactive framework to facilitate investment relating to substantial unallocated existing employment sites in the rural area. Policy DM8 does not do this.

The proposed amendment justification at para 4.12.1 appears somewhat partial bearing in mind the NPPF references above.

Policy DM8(8) can be reduced to the following:

*"Employment-generating development including the expansion or relocation of existing businesses will be supported taking into account site circumstances and the impact of development on the vicinity and wider setting."*

It should not be a policy expectation that existing businesses, often with particular production requirements, should demonstrate that existing allocations or on land within urban boundaries/village envelopes should be not more appropriate. However, it is for policy to be flexible.

Informative accompanying text could also be introduced:



			<p>“Encouragement will be given to investment in existing employment generating sites which may not themselves be allocated. Such sites may be termed ‘opportunity sites’ where new production processes or redevelopment is encouraged. The Council will work with businesses to facilitate such investment where this contributes to supporting and growing the local economy.”</p> <p><b>NSDC Response</b> – Comments noted. We believe that DM8 provides sufficient flexibility (where appropriate and justified) and therefore no changes are necessary.</p>
<b>098</b>	Hawton Parish Council	362	<p>Yes</p> <p><b>NSDC Response</b> – Comments noted</p>
<b>114</b>	Bourne Leisure Limited	467	<p>Bourne Leisure endorses the proposed amendments to draft Policy DM8 so that it is better aligned with Core Policy 7. In particular, Bourne Leisure welcomes the recognition that tourism development (both accommodation and associated facilities) often needs to be located within the countryside and that this is supported – in principle – by DM8.</p> <p><b>NSDC Response</b> – Comments noted</p>
<b>115</b>	Farndon Parish Council	488	<p>Yes</p> <p><b>NSDC Response</b> – Comments noted</p>
<b>119</b>	Nottinghamshire Wildlife Trust	535	<p>Many bat species roost in buildings and are extremely vulnerable to the activities of humans. Bats using a building are directly threatened by building works if they are present while the work is underway or if a demolition is taking place. If bats disturbed at a particularly sensitive time of year (e.g. during hibernation in winter or when baby bats are born and raised in the summer), it can have hugely detrimental impacts on local bat populations.</p> <p>The legislation that is relevant for protecting bats and their roosts in England and Wales, is the Wildlife and Countryside Act (1981) (as amended); the Countryside and Rights of Way Act, 2000; the Natural Environment and Rural Communities Act (NERC, 2006); and by the Conservation of Habitats and Species Regulations (2017).</p> <p>Protected species use man-made structures and barns are important for bats and birds. There is an increasing trend for barn conversions. The re-use of barns and other associated agricultural buildings can ensure their preservation but the present situation is extremely unsatisfactory as regards to protected species because bat roost sites and bird breeding sites are being lost, often without adequate protected species surveys and no replacement of lost sites (e.g., bat feeding sites and bird breeding sites). Planning conditions should be used to replace lost bird breeding sites (e.g., provision of barn owl nest box). Wording should be included in Policy DM8 that clearly states the requirement for a protected species survey and proposed mitigation to be submitted with the planning application (i.e. a pre-determination protected species survey). Conditions must be placed on planning consents to ensure appropriate mitigation measures are carried out. This should include follow up surveys to assess the effectiveness of the mitigation work.</p> <p>‘All species of bats and their roosts’ (even if bats are not occupying the roost at the time), including obstruction of a roost, some bird species and all bird’s nests when they are being built or occupied are protected under UK and EU legislation. ‘The presence of a protected</p>

			species will be regarded as a material consideration in the determination of any planning application', and as such, surveys for protected species should be undertaken prior to determination of a planning application. <b><u>NSDC Response</u></b> – Comments noted and welcomed. We will include additional text to outline the requirement for a pre-determination protected species survey,
<b>128</b>	Historic England	564	Agree with the preferred approach. <b><u>NSDC Response</u></b> – Comments noted
<b>130</b>	North Muskham Parish Council	617	Yes <b><u>NSDC Response</u></b> – Comments noted
<b>131</b>	South Muskham & Little Carlton Parish Council	644	Yes <b><u>NSDC Response</u></b> – Comments noted
<b>Action Required</b>			<ol style="list-style-type: none"> <li>1. Additional text will be added to DM8 to address Gypsy and Travellers sites in the countryside.</li> <li>2. Include additional text to outline the requirement for a pre-determination protected species survey.</li> <li>3. Proposed amendment criterion 5 including the words 'redundant' and 'disused' will not be made.</li> </ol>

**Question 21 – Policy DM9 – Protecting and Enhancing the Historic Environment - Do you agree with the preferred approach?**

<b>ID</b>	<b>Respondent</b>	<b>Response Number</b>	<b>Comment</b>
<b>002</b>	Canal & River Trust	004	Heritage Assets in proximity to the River Trent, including within Newark, contribute to its character and appearance. Changes proposed to the wording of policy DM9 would expand the policy requirements for developers, which may make the plan more effective in achieving its aims of ensuring that impacts on heritage assets are fully assessed in line with the National Planning Policy Framework. <b>NSDC Response</b> – Comments noted and welcomed.
<b>071</b>	National Trust	161	National Trust supports the general approach to protecting and enhancing the historic environment. <b>NSDC Response</b> – Comments noted and welcomed.
<b>077</b>	Harby Parish Council	198	Harby Parish Council agrees with the preferred approach. <b>NSDC Response</b> – Comments noted and welcomed.
<b>078</b>	Collingham Parish Council	253	Collingham Parish Council agrees with the preferred approach. <b>NSDC Response</b> – Comments noted and welcomed.
<b>087</b>	Tetlow King obo The Minster Veterinary Centre	314	Tetlow King Planning consider that the additional wording proposed to DM9(5) that provides further detail of the Council’s expectations in respect of planning applications that affect heritage assets provides helpful clarification for landowners where this would be a matter to address in preparing applications for the proposed development of their land interests. <b>NSDC Response</b> – Comments noted and welcomed.
<b>089</b>	MLN (Land & Properties)	322	Policy DM9 – Protecting and Enhancing the Historic Environment: It is considered that the proposed approach in this policy is in accordance with the updated NPPF. <b>NSDC Response</b> – Comments noted and welcomed.
<b>098</b>	Hawton Parish Council	363	Yes <b>NSDC Response</b> – Comments noted and welcomed.
<b>115</b>	Farndon Parish Council	489	Yes <b>NSDC Response</b> – Comments noted and welcomed.
<b>128</b>	Historic England	565	Agree with the preferred approach and the proposed revisions/additions are welcomed. <b>NSDC Response</b> – Comments noted and welcomed.

<b>130</b>	North Muskham Parish Council	618	Yes <b><u>NSDC Response</u></b> – Comments noted and welcomed.
<b>131</b>	South Muskham & Little Carlton Parish Council	645	Yes <b><u>NSDC Response</u></b> – Comments noted and welcomed.
<b>Action Required</b>			None

Question 22 – Policy DM10 – Pollution and Hazardous Materials - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
058	Severn Trent Water	126	Severn Trent are supportive of the need to Protect Surface and ground water and welcome its inclusion within Policy DM1. <b>NSDC Response</b> – Comments welcomed and noted.
077	Harby Parish Council	199	Harby Parish Council agrees with the preferred approach. <b>NSDC Response</b> – Comments welcomed and noted.
078	Collingham Parish Council	254	Collingham Parish Council agrees with the preferred approach. <b>NSDC Response</b> – Comments welcomed and noted.
098	Hawton Parish Council	364	Yes. <b>NSDC Response</b> – Comments welcomed and noted.
109	Environment Agency	449	In relation to water, this policy only seems to address impacts on ground and surface water. It needs to address pollution of watercourses / water quality. See comments above on the overall policy approach and need to address water quality through buffering of watercourses and SuDS. Diverting clean water to watercourses that suffer from low flows is also needed. It is not understood what this wording is specifically addressing and what this means in practice: ‘Any impact should be balanced against the economic and wider social need for the development’ and ‘Any risk should be balanced against the economic and wider social need for the development’. Clarity is sought on this. Development should consider environment agency river catchment data for adjacent. <b>NSDC Response</b> – Noted. This is the currently adopted policy within the existing Plan apart from additional wording on air quality. The requirement to consider the watercourse and water quality however is noted and it is proposed to amend the policy to reflect this as a type of pollution which the policy should address.
114	Lichfields obo Bourne Leisure Limited	468	Whilst we do not seek to provide detailed comments on the proposed amendments to draft Policy DM10, it is important that the supporting text for the policy acknowledges that certain industries, such as the tourism industry, rely on countryside locations and therefore may find it more difficult to mitigate negative impacts towards air quality through traffic and travel management. This is because many tourism venues in the district, such as Thoresby Hall Hotel, depend on guests to travel via private vehicle as there are little to no alternative transport methods in the local area, such as adequate public transport provision. <b>NSDC Response</b> – Noted. It is acknowledged that the nature of accessibility varies depending on location.
115	Farndon Parish Council	490	Yes. <b>NSDC Response</b> – Comments welcomed and noted.
127	CPRE Nottinghamshire	550	It is stated at 4.14 that “unacceptable risks” from pollution should be avoided but no indication is given of what would constitute an unacceptable risk and in whose judgement. It was explained at the online consultation meeting on 16 <sup>th</sup> September 2021 that N&S would liaise with Natural England for guidance. Our view is that this explanation should be incorporated into the text.

			<b>NSDC Response</b> – Noted the term ‘unacceptable risk’ refers to the groundwater source protection zone and is a recognised term when considering matters in relation to this particular issue.
128	Historic England	566	Agree with the preferred approach. <b>NSDC Response</b> – Comments welcomed and noted.
130	North Muskham Parish Council	619	Yes. <b>NSDC Response</b> – Comments welcomed and noted.
131	South Muskham and Little Carlton Parish Council	646	Yes. <b>NSDC Response</b> – Comments welcomed and noted.
<b>Action Required</b>			Amend the policy wording to reflect watercourse and water quality pollution.

Question 23 – Policy DM11 – Retail and Main Town Centre Uses - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
043	TOWN-PLANNING.CO.UK	080	<p>Reference in criterion 3 to local centres should delete reference to ST/LC/1. The development of all of the housing on site ST/MU/1 by Charles Church is complete. The space for a potential retail store is reserved in the planning obligation; although it will never come forward as it is too small for the needs of the Lincolnshire Co-op and other retailers are not interested in the village.</p> <p>The area covered by ST/LC/1 for a future local centre cannot be delivered as this is open space prevented from being developed by the planning obligation that accompanied the housing development. Accordingly the proposed allocation cannot be delivered and should be deleted.</p> <p>The area identified as ST/LC/1 should in fact be identified as Main Open Area designation as this is now land that the planning obligation accompanying the completed Charles Church scheme requires to remain undeveloped as open space.</p> <p><b>NSDC Response</b> – The designations to reflect the situation on the ground will be amended at the next stage of the Plan review process.</p>
077	Harby Parish Council	200	<p>Harby Parish Council agrees with the preferred approach.</p> <p><b>NSDC Response</b> – Comments noted and welcomed.</p>
078	Collingham Parish Council	255	<p>Collingham Parish Council agrees with the preferred approach.</p> <p><b>NSDC Response</b> – Comments noted and welcomed.</p>
098	Hawton Parish Council	365	<p>Yes but there should also be a concerted effort to bring empty space above town centre retail space and offices into residential uses.</p> <p><b>NSDC Response</b> – Comments noted and welcomed.</p>
115	Farndon Parish Council	491	<p>Yes but there should also be a concerted effort to bring empty space above town centre retail space and offices into residential uses.</p> <p><b>NSDC Response</b> – Comments noted and welcomed.</p>
118	Sainsbury's	530	<p>Policy DM11 refers to the need for edge and out of retail proposals to be accompanied by a robust assessment of impact which addresses current and future expenditure capacity. However, this is inconsistent with national planning policy guidance which no longer requires the requirement to demonstrate need for planning applications for retail proposals outside centres.</p> <p>The tests are those referred to in paragraph 90 of the NPPF relating to impact on existing, planned or committed development, and impact on town centre vitality and viability.</p> <p>Policy DM11 also adds that capacity for additional convenience floorspace is not anticipated until the end of the plan period, with the delivery of housing growth being a particularly important influence.</p>

			<p>However, the policy is overly restrictive, and no justification has been provided to justify why there is a requirement to demonstrate the need and fundamentally, it is contrary to national policy. On this basis, the draft policy as currently worded is contrary to Paragraph 35 of the NPPF.</p> <p>Moreover, whilst retail impact assessments are only required to assess retail proposals against the sequential and impact tests, such assessments can demonstrate need through using up-to-date data sources and survey evidence to show if existing stores are overtrading, or if there is significant leakage out of a catchment area.</p> <p>As such reference in Policy DM11 to retail capacity, and in particular that there is no capacity for additional convenience floorspace until the end of the plan period, is overly restrictive and not positively prepared.</p> <p>We suggest that Policy DM11 is changed to remove reference to the need for retail impact assessments to have to consider expenditure capacity and reference to capacity for additional convenience floorspace towards the end of the plan period.</p> <p>Question 23 asks if we “agree with the preferred approach”. Given we above, we disagree with the preferred approach and ask the Council to amend the policy so that it is in line with the NPPF.</p> <p><b>NSDC Response</b>– The proposed new policy content around current and future expenditure capacity doesn’t significantly depart from the adopted wording of Policy DM11 – which already requires for assessments to take account of current and future expenditure capacity. Notably this wording has been previously found sound, and it is not considered that the national planning policy context around retail has changed to the extent which would mean this was no longer the case. Amendments proposed through the Review are intended to provide greater contextual information from the District Councils retail planning evidence base. Expenditure capacity forms a standard element of retail evidence bases produced to support the plan-making process, and it is crucial that Development Plans accurately reflect local circumstances. District-wide the lack of retail capacity expenditure until the latter stages of the Plan Period was a firm conclusion of the Town Centre and Retail Study (2016) – and reflected in the limited retail floorspace requirements outlined in the adopted Amended Core Strategy. The Planning Practice Guidance outlines that impact tests will need to be undertaken in a proportionate and locally appropriate way, drawing on existing information where possible. Clearly expenditure capacity is relevant to the degree of impact a proposal may have, and the Councils evidence base underlines its local relevance. Where there is localised evidence of ‘overtrading’ and ‘leakage’ from a retail catchment then the Development Management process provides ample opportunity for this to be explored as part of undertaking a proportionate and robust test of impact.</p>
128	Historic England	567	<p>Agree with preferred approach. The additional information relating to Newark will also support the High Street HAZ project which is also referred to under Q55.</p> <p><b>NSDC Response</b> – Comments noted and welcomed.</p>
130	North Muskham Parish Council	620	<p>Yes but there should also be a concerted effort to bring empty space above town centre retail space and offices into residential uses.</p> <p><b>NSDC Response</b> – Comments noted and welcomed.</p>



<b>131</b>	South Muskham & Little Carlton	647	Yes but there should also be a concerted effort to bring empty space above town centre retail space and offices into residential uses. <b>NSDC Response –</b> Comments noted and welcomed.
<b>Action Required</b>			None

**Question 24 – Designated Employment Area - Do you agree with the preferred approach?**

ID	Respondent	Response Number	Comment
56	Nottinghamshire County Council	112	<p>The preferred approach for designation of employment areas is that in addition to the employment allocations, there are five sites categorised as ‘available employment land in a designated employment area’ in the most recent Newark &amp; Sherwood District Employment Land Availability Study. These sites will be subject to assessment of the ongoing value of the designation and be defined on the Policies Map as part of the Plan review process.</p> <p>The 2 hectare Bilsthorpe Business Park is listed within the employment land availability study. This includes the planning permission for the Bilsthorpe Energy centre (application reference 3/13/01767/CMW). The County Council would be interested to see the new Policies Map in future versions of the Plan to see what area has been identified.</p> <p><b>NSDC Response –</b> Noted.</p>
68	Delta Planning obo Simons Development	149	<p>Paragraph 5.1.1 of the Options Paper states that when assessed against the housing and employment requirements set out in the Amended Adopted Core Strategy DPD (March 2019) sufficient capacity remains within the allocations which are being carried forward. No new allocations are therefore being sought for housing or employment as part of the review of the Allocations &amp; Development Management DPD.</p> <p>The consultation document makes clear that several new sites were put forward for consideration in response to the Issues Paper and these have been assessed through the Strategic Housing and Employment Land Availability Assessment (SHELA). However, the Council has made clear that the housing and employment provision was recently found sound and any new sites are more appropriately considered as part of the next round of plan making.</p> <p>Our main concern relates to employment land provision. Whilst the employment land policies were found sound through the Amended Core Strategy (adopted 2019), we do not agree that this provides sufficient justification to discount allocating any new sites for employment development. An examination into the soundness of the Amended Core Strategy took place in 2018 and some of the evidence base documents that underpin the strategy date as far back as 2015. The economic landscape, particularly in respect of logistics, has significantly changed since the evidence that informed the document was prepared and the strategy adopted and it no longer provides a robust basis to guide economic development and the use of land in the district.</p> <p>The recently published ‘Nottingham Core HMA and Nottingham Outer HMA Employment Land Needs Study’ (Lichfields, May 2021) summarises it well noting at Para 9.16 that “Logistics is a fast-moving sector and one that has seen an unprecedented level of change and</p>

		<p>growth over the past 12 months or so. In recent years, it has changed beyond all recognition and been a key driver of commercial property markets – maintaining significant levels of demand and activity.”</p> <p>The Lichfields Study notes that prime demand for strategic logistics in the East Midlands is focused on the M1 corridor and that the demand within locations like Newark is more subdued. However, the Council recently commissioned another study to provide a B8 market analysis with regard to a specific proposal for a logistics facility at land east of Newlink Business Park in Newark (Application Ref. 20/01452/OUTM). The study was prepared by Fisher German and shows that although Newark is a secondary location, it is attractive to the market and could become a valued location for big box development. Importantly, the Fisher German report concurs with our view that the lack of development in Newark is attributable to a lack of deliverable sites suitable for big boxes which has effectively prevented development in this sector since the completion of the Dixons Carphone development and not a lack of demand.</p> <p>Despite these recent reports identifying a clear demand for employment sites to cater for the increased demand for logistics facilities, no new allocations are proposed and the Local Plan continues to rely on existing sites. Interrogating the existing supply shows that there is only one site within the District that is suitable for strategic logistics - Land south of Newark (allocated for employment as part of Strategic Site NAP2a in the Amended Core Strategy). It is widely accepted that the site faces short-term delivery constraints as it is reliant on sufficient access being provided through the completion of the Southern Link Road. There is therefore currently no supply within the District to satisfy the immediate demand for strategic logistics sites.</p> <p>A planning application for the first phase of development on land east of Newlink Business Park in Newark is currently with the Council for consideration. If granted planning permission this development, which would provide 37,000 sq.m. (400,000 sq.ft.) of logistics floorspace with the potential to create circa 500 jobs, would be the first big box development in Newark for some time. The Fisher German report considers that this development could provide a short-term solution to addressing market demands and also kickstart attracting occupiers to Newark. We consider that this development would have a positive impact on the longer-term prospect of Land south of Newark as it would help to attract occupiers once again to Newark and start the process of re-establishing it as an important node on the A1 corridor for logistics.</p> <p>We submit that the land east of Newlink Business Park should be identified as an additional allocation in the Allocations and Development Management Plan to supplement the existing employment land supply and offer a greater choice of sites to potential businesses seeking to locate or expand in the District.</p> <p>The allocation should cover not only the current Phase 1 proposals, but a wider site to the east of Newlink Business Park extending to approximately 48.3 hectares as shown on Site Location Plan submitted with these representations. We consider that this wider site should be allocated to ensure that the mistakes of the past are not repeated. Newark has missed out previously on the growth of the logistics sector as it had no suitable and deliverable sites to offer to the market. The allocation of this land for employment will increase the supply</p>
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			<p>of sites of a sufficient size to accommodate strategic logistics/industrial occupiers in the District satisfying both immediate demands (through the delivery of the Phase 1 proposal) and supplementing the longer-term supply of sites. An Illustrative Masterplan has been prepared which shows the development potential of this site.</p> <p>Land east of Newlink Business Park, shown on the attached Site Location Plan, should be allocated for employment.</p> <p><b>NSDC Response –</b> The Employment Land Needs Study referred to above demonstrates that the District has a ‘substantial supply of committed and allocated employment land’ that is more than sufficient to meet future needs. While not all available employment land is suitable for large scale logistics developments, NAP 2A (Land South of Newark) and Land off Beacon Hill Road (G Park) together offer more than 65ha. The District Council has confidence that the Southern Link Road will be constructed within a reasonable amount of time and G Park is available now. As both these sites may be suitable for large scale logistics developments and there is a supply of land to meet other employment needs, it is considered unnecessary to allocate further land for employment uses.</p>
077	Harby Parish Council	201	<p>Harby Parish Council agrees with the preferred approach.</p> <p><b>NSDC Response –</b> Comments welcomed and noted.</p>
078	Collingham Parish Council	256	<p>Collingham Parish Council agrees with the preferred approach.</p> <p><b>NSDC Response –</b> Comments welcomed and noted.</p>
093	Barton Willmore obo Urban & Civic	332	<p>Noting that it is confirmed that there is sufficient capacity within the housing and employment allocations being carried forward (paragraph 5.1.1), Urban &amp; Civic respectfully request that emphasis is placed on the delivery of existing allocations, including both the housing and employment land at Newark South. Urban &amp; Civic reserve the right to make further comments when the Strategic Housing and Employment Land Availability Study, as referred to at paragraph 5.1.2, is made available, and when designations have been assessed and defined on the policies map as referred to at paragraph 5.1.5.</p> <p><b>NSDC Response –</b> Noted.</p>
098	Hawton Parish Council	366	<p>Yes.</p> <p><b>NSDC Response –</b> Comments welcomed and noted.</p>
115	Farndon Parish Council	492	<p>Yes.</p> <p><b>NSDC Response –</b> Comments welcomed and noted.</p>
126	Pegasus obo Thoresby Settlement	546	<p>We do not support this approach as clarification is needed as to the status of a designated employment area and if this equates to an employment allocation. However, regardless of the status of sites, the approach is flawed as it is not based on up-to-date evidence as to the full extent of the employment needs in the District and therefore it is unlikely that the quantum of employment sites identified will meet the future needs of the District. It is considered that additional employment sites are needed to ensure that the District has the ability</p>

			<p>to grow economically at similar rates to the national average. There is a particular need to allocate additional employment sites in Edwinstowe in order to reflect the housing growth allocated in this settlement and to ensure a correct balance of homes and jobs are provided.</p> <p>Further information is set out in our submitted Economic Needs Assessment which highlights the current economic position of the District and justification as to why additional employment allocations are needed. Detailed points in relation to a potential employment site in Edwinstowe.</p> <p><b>NSDC Response –</b> Designated employment areas are not being introduced by this stage of the Local Plan Review, merely carried forward subject to assessment of the ongoing value of the designation. The preferred approach is to show the designated employment areas on the Policies Map to clarify their locations and boundaries. The Nottingham Core HMA and Nottingham Outer HMA Employment Land Needs Study (ELNS), published in May 2021, found that more than 160ha of employment land were available within Newark &amp; Sherwood District, which was considered more than adequate to meet even the highest possible levels of future demand. In line with the Spatial Strategy, much of this land is located in the Newark Area, although there are several employment sites with land available in the Sherwood Area.</p>
128	Historic England	568	<p>It is not clear from the information available online as to the ‘designated employment area’ since the link on p.174 redirects to the plan review document. We would welcome further opportunity to discuss with you ahead of the next iteration of the Plan.</p> <p><b>NSDC Response –</b> Noted</p>
131	South Muskham and Little Carlton Parish Council	648	<p>Yes.</p> <p><b>NSDC Response –</b> Comments welcomed and noted.</p>
<b>Action Required</b>			None.

Question 25– NUA/HO/1 - Land at Alexander Avenue and Stephen Road - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
077	Harby Parish Council	179	Agreed <b><u>NSDC Response</u></b> – Noted
078	Collingham Parish Council	234	Agreed <b><u>NSDC Response</u></b> – Noted
098	Hawton Parish Council	344	No Comment <b><u>NSDC Response</u></b> – Noted
115	Farndon Parish Council	470	No Comment <b><u>NSDC Response</u></b> – Noted
<b>Action Required</b>			None required

Question 26 – NUA/HO/2 - Land South of Quibell’s Lane - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
077	Harby Parish Council	203	Agreed <b><u>NSDC Response</u></b> – Noted
078	Collingham Parish Council	258	Agreed <b><u>NSDC Response</u></b> – Noted
098	Hawton Parish Council	368	No Comment <b><u>NSDC Response</u></b> – Noted
115	Farndon Parish Council	494	No Comment <b><u>NSDC Response</u></b> – Noted
128	Historic England	569	We note the preferred approach and welcome the retention of the requirements for potential archaeology. <b><u>NSDC Response</u></b> – Noted
<b>Action Required</b>			None required.

Question 27 – NUA/HO/3 – Lincoln Road - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
017	Winthorpe Estate Residents Group	019	I would like to once again respectfully request that Cedar Avenue Park is removed from all documentation regarding development. <b><u>NSDC Response</u></b> – Noted. The site is to be de-allocated.
077	Harby Parish Council	204	Agreed <b><u>NSDC Response</u></b> – Noted
078	Collingham Parish Council	259	Agreed <b><u>NSDC Response</u></b> – Noted
098	Hawton Parish Council	369	No Comment <b><u>NSDC Response</u></b> – Noted
101	Resident	409	Agreed <b><u>NSDC Response</u></b> – Noted
115	Farndon Parish Council	495	No Comment <b><u>NSDC Response</u></b> – Noted
<b>Action Required</b>			None required



Question 28 – NUA/HO/5 – North of Beacon Hill Road - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
020	Persimmon Homes	022	<p>Persimmon confirm an interest in the site with work on pre submission reports already ongoing. Confirm that delivery of the site can take place with commencement on site being anticipated late 2022. Also promotes additional adjacent land.</p> <p><b>NSDC Response –</b> The site was being re-designated due to uncertainty over delivery. With a developer now confirming progress towards an application, the uncertainty has been removed. The LPA are not seeking new land for allocations as part of this Plan Review. NUA/Ho/5 to retain allocated status.</p>
056	Notts County Council	113	<p>The preferred option for this site is to make it an opportunity site to provide additional flexibility. The County Council would highlight that the site is within the Mineral Safeguarding and Consultation Area for gypsum. In accordance with Policy SP7 of the Nottinghamshire Minerals Local Plan, any application would need to demonstrate it will not needlessly sterilise the mineral resource and where this cannot be demonstrated, and there is a clear need for non-mineral development, prior extraction should be sought where practical. In some cases, large scale prior extraction might not be practical, however consideration should also be given to the potential use of minerals extracted as a result of on-site ground works rather than simply treating them as a waste material.</p> <p><b>NSDC Response –</b> Add criterion to state “proposals will need to demonstrate the mineral resource is not needlessly sterilised and where this cannot be demonstrated, prior extraction may be sought where practical”.</p>
075	Persimmon Homes	167	<p>Persimmon Homes contracted the site referred to as North of Beacon Hill Road this year with the intention of pursuing a detailed planning submission. It is therefore imperative the site remain a formal housing allocation under alternative Option 2. Indeed the scope of our interest regarding the sites limits also extend north to include British Gypsum owned land currently outside the allocation limits. Persimmon Homes understand the bounds of the allocation area for NUA/HO/5 are unlikely to be adjusted through this DPD consultation. Therefore a SHELAA submission has been made to keep this future allocation opportunity on British Gypsum land on the policy team’s radar for future plan reviews.</p> <p><b>NSDC Response –</b> The site was being re-designated due to uncertainty over delivery. With a developer now confirming progress towards an application, the uncertainty has been removed. The LPA are not seeking new land for allocations as part of this Plan Review. NUA/Ho/5 to retain allocated status.</p>
077	Harby Parish Council	205	<p>Agreed</p> <p><b>NSDC Response –</b> Noted</p>
078	Collingham Parish Council	260	<p>Agreed</p> <p><b>NSDC Response –</b> Noted</p>
093	Urban and Civic	333	<p>Proposed Policy NUA/OS – Opportunity Sites identifies three Opportunity Sites of which two are reallocations (NUA/OS/2 Land North of Beacon Hill Road &amp; NUA/OS/3 – NSK Factory) and one (NUA/OS/1 – Tarmac Site) is an additional site proposed as part of the Bowbridge</p>

Road Policy Area (NUA/Ho/7). Between them, the three Opportunity Sites have capacity for around 620 dwellings, with capacity of around 270 dwellings at the Tarmac Site, which is located at Hawton Lane/Bowbridge Road in the immediate vicinity of Newark South.

Spatial Policy 5 (Delivering the Strategy) of the ACS provides the basis for the identification of Opportunity Sites, which are to be brought forward “Where it becomes clear through the monitoring process that delivery [of allocated sites] is not taking place at the rates required ...”. This is reiterated within the proposed Policy NUA/OS. In respect of Newark South, construction has commenced and housing delivery is underway.

At odds with the above, the proposed supporting text for Opportunity Sites (paragraph 5.32.6) states that “ ... there is nothing to prevent these sites coming forward for housing development at any point in the Plan period ...”. It goes on to set out measures that may be used to bring Opportunity Sites forward. Furthermore, proposed amendments to Policy NUA/Ho/7 Newark Urban Area – Bowbridge Road Policy Area sets out that the Council will work with stakeholders within the Bowbridge Road Policy Area including to bring forward redevelopment of Opportunity Site 1 the Tarmac site (see response to Question 29).

Urban & Civic is concerned about pressure from additional housing in the vicinity of Newark South on both the highway network and services and facilities provided as part of the Newark South development, and it is Urban and Civic’s view that Opportunity Sites should not come forward that may affect delivery of Newark South.

The Newark South development is delivering significant infrastructure, not least the SLR which is to facilitate planned wider growth in Newark and not just Newark South. Moreover, delivery of dwellings at Newark South is dependent on delivery of the SLR, including occupation of more than 600 dwellings being dependent on Phase 1 of the SLR being completed and occupation of more than 700 dwellings being dependent on commencement of construction of Phase 2 of the SLR. Urban and Civic object to any Opportunity Site coming forward that increase demand on and takes any available capacity in the highway network whilst development at Newark South is constrained.

Furthermore, Newark South is delivering services and facilities including Middlebeck Primary School, which opened September 2021. This provides additional school places to meet the demand from the Newark South development only, and Urban & Civic is, therefore, concerned that should children from Opportunity Sites, notably the Tarmac Site, take school spaces at Newark South then this will result in the needs of children at Newark South not being met.

It should be noted that this additional pressure would be combined with pressure from other new housing in the immediate locality, with the appeal for up to 322 dwellings on Land at Flowserve Pump Division – a previously proposed Opportunity Site – being allowed in June 2021 (Ref: APP/B3030/W/20/326097), and also proposals within this Options Report if taken forward – in particular, the proposed gypsy and traveller pitches at Belvoir Ironworks North and extension to Site NUA/HO/10 – Land North of Lowfield Lane.

For the reasons given above, Urban & Civic respectfully request that the proposed supporting text for Policy NUA/OS – Opportunity Sites is revisited and revised to confirm that delivery of Opportunity Sites will only be supported where it is clear that delivery of allocated sites is not taking place at the rates required.

**NSDC Response** – All of the opportunity sites lie within the Urban Boundary and have already been identified in some way on the Proposals Map. Spatial Policy 5 sets out that the LPA will actively seek to bring forward opportunity sites where housing delivery is not

			progressing at the required rates. However, if development proposals were to come forward without assistance from the LPA they will need to be considered against the provisions of the Development Plan. Where housing development is considered acceptable it should be supported. To do otherwise would be contrary to the Government's objective of significantly boosting the supply of homes as set out in Paragraph 60 of the National Planning Policy Framework.
098	Hawton Parish Council	370	No Comment <b><u>NSDC Response</u></b> – Noted
115	Farndon Parish Council	496	No Comment <b><u>NSDC Response</u></b> – Noted
<b>Action Required</b>			NUA/Ho/5 to retain allocated status; Add criterion to state “proposals will need to demonstrate the mineral resource is not needlessly sterilised and where this cannot be demonstrated, prior extraction may be sought where practical”

Question 29 – NUA/HO/7 – Bowbridge Road Policy Area - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
056	Notts County Council	114	<p>The preferred approach outlined within the Options Report is to amend the existing NUA/Ho/7 policy slightly to make reference to the new Opportunity Site 1, NUA/OS/1- Tarmac Site, which is a new site identified, not allocated, as a potential area for residential development where, if NSDC are not able to meet their housing requirements, measures may be introduced, such as compulsory purchase, to secure the site’s development to meet this demand.</p> <p>Policy NUA/Ho/7 currently states that for redevelopment in this area, the impacts of neighbouring use should be fully taken into account. In between the allocations of NUA/HO/8 and NUA/HO/9 and adjacent to the Opportunity Site is a permitted waste transfer site operated by East Midlands Waste. Whilst not currently active, the site does have extant permission to operate as a waste transfer site and so if it was to become operational, this could lead to adverse impacts detected at the development sites proposed by NSDC.</p> <p>In accordance with the ‘agent of change’ principle in paragraph 187 of the NPPF (2021), the onus would be on the applicant to provide appropriate and adequate mitigation prior to the development’s completion. In order to avoid the potential sterilisation of the permitted waste facility and so satisfy Policy WCS10 of the Waste Core Strategy, the County Council would recommend that further wording is included within the policy or justification text to make it clear that the applicant for any future development will be required to provide suitable mitigation of any adverse impacts from the neighbouring use such that it may continue to operate without further restrictions introduced which could render the operations unviable.</p> <p><b>NSDC Response –</b> Noted. Add text to the justification to make it clear that the applicant for any future development will be required to provide suitable mitigation of any adverse impacts from the neighbouring use.</p>
077	Harby Parish Council	206	<p>Agreed</p> <p><b>NSDC Response –</b> Noted</p>
078	Collingham Parish Council	261	<p>Agreed</p> <p><b>NSDC Response –</b> Noted</p>
093	Urban and Civic	334	<p>Urban &amp; Civic object to the proposed wording for Policy NUA/Ho/7 in that it seeks to bring forward redevelopment of Opportunity Site 1 the Tarmac Site. This site, which has capacity for around 270 dwellings, is located at Hawton Lane/Bowbridge Road in the immediate vicinity of Newark South, and Urban &amp; Civic is concerned about pressure from additional housing in the locality on both the highway network and services and facilities provided as part of the Newark South development.</p> <p>In accordance with Spatial Policy 5 (Delivering the Strategy) of the ACS and proposed Policy NUA/OS – Opportunity Sites, Opportunity Sites should only be brought forward where it is clear that delivery of allocated sites is not taking place at the rates required. In respect of Newark South, construction has commenced and housing delivery is underway.</p>

			<p>The Newark South development is delivering significant infrastructure, not least the SLR which is to facilitate planned wider growth in Newark and not just Newark South. Moreover, delivery of dwellings at Newark South is dependent on delivery of the SLR with occupation of more than 600 dwellings being dependent on Phase 1 of the SLR being completed and occupation of more than 700 dwellings being dependent on commencement of construction of Phase 2 of the SLR. Urban and Civic object to an Opportunity Site coming forward in the immediate locality that increases demand on and takes any available capacity in the highway network whilst development at Newark South is constrained.</p> <p>Furthermore, Newark South is delivering services and facilities including Middlebeck Primary School, which opened September 2021. This provides additional school places to meet the demand from the Newark South development only, and Urban &amp; Civic is, therefore, concerned that should children from the Tarmac Site take school spaces at Newark South then this will result in the needs of children at Newark South not being met.</p> <p>It should be noted that this additional pressure would be combined with pressure from other new housing in the immediate locality, with the appeal for up to 322 dwellings on Land at Flowserve Pump Division – a previously proposed Opportunity Site – being allowed in June 2021 (Ref: APP/B3030/W/20/326097), and also proposals within this Options Report if taken forward – in particular, the proposed gypsy and traveller pitches at Belvoir Ironworks North and extension to Site NUA/HO/10 – Land North of Lowfield Lane.</p> <p>For the reasons given above, Urban &amp; Civic respectfully request that the proposed wording of Policy NUA/Ho/7 is amended to reflect that Opportunity Site 1 the Tarmac Site should only come forward where it is clear that delivery of allocated sites is not taking place at the rates required.</p> <p><b>NSDC Response –</b> All of the opportunity sites lie within the Urban Boundary and have already been identified in some way on the Proposals Map. Spatial Policy 5 sets out that the LPA will actively seek to bring forward opportunity sites where housing delivery is not progressing at the required rates. However, if development proposals were to come forward without assistance from the LPA they will need to be considered against the provisions of the Development Plan. Where housing development is considered acceptable it should be supported. To do otherwise would be contrary to the Government's objective of significantly boosting the supply of homes as set out in Paragraph 60 of the National Planning Policy Framework.</p>
098	Hawton Parish Council	371	<p>No Comment</p> <p><b>NSDC Response –</b> Noted</p>
115	Farndon Parish Council	497	<p>No Comment</p> <p><b>NSDC Response –</b> Noted</p>

128	Historic England	570	<p>Noted. No further comment.</p> <p><b><u>NSDC Response</u></b> – Noted</p>
<b>Action Required</b>			Add text to the justification to make it clear that the applicant for any future development will be required to provide suitable mitigation of any adverse impacts from the neighbouring use

Question 30 – NUA/HO/8 – Land at Bowbridge Road - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
056	Notts County Council	115	<p>The preferred approach within the Options Report is to increase the number of dwellings allocated at this site from 66 to 86. As mentioned in response to question 29, the south-eastern corner of this proposed allocation site lies immediately adjacent to the permitted waste transfer site operated by East Midlands Waste. Whilst not currently active, the site does have extant permission to operate as a waste transfer site and so if it was to become operational, this could lead to adverse impacts detected at the allocation sites proposed by NSDC. This was raised with NSDC when determining an application submitted for this site (20/00580/FULM). Policy WCS10 of the Waste Core Strategy seeks to safeguard permitted waste management facilities. The policy however does not seek to restrict development but to take a flexible approach to accommodating development wherever possible. For example, by taking into consideration any nearby waste management facilities in a site plan layout, which could include using parking or landscaping as a buffer zone from any existing or potential waste use. By increasing the number of proposed dwellings at this allocation site, the County Council would question whether this would limit the ability to provide adequate buffers between the residential element and the permitted waste site and would therefore pose a sterilisation risk and be contrary to Policy WCS10.</p> <p><b>NSDC Response –</b> Noted. Add text to the justification to make it clear that the applicant for any future development will be required to provide suitable mitigation of any adverse impacts from the neighbouring use.</p>
077	Harby Parish Council	207	<p>Agreed</p> <p><b>NSDC Response –</b> Noted</p>
078	Collingham Parish Council	262	<p>Agreed</p> <p><b>NSDC Response –</b> Noted</p>
098	Hawton Parish Council	372	<p>No Comment</p> <p><b>NSDC Response –</b> Noted</p>
115	Farndon Parish Council	498	<p>No Comment</p> <p><b>NSDC Response –</b> Noted</p>
128	Historic England	570	<p>Noted.</p> <p><b>NSDC Response –</b> Noted</p>
<b>Action Required</b>			Add text to the justification to make it clear that the applicant for any future development will be required to provide suitable mitigation of any adverse impacts from the neighbouring use.

Question 31 – NUA/HO/10 – Land North of Lowfield Lane - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
056	Notts County Council	116	<p>The County Council would highlight that the site does lie within the Mineral Safeguarding and Consultation Area for gypsum. In accordance with Policy SP7 of the Nottinghamshire Minerals Local Plan, any application would need to demonstrate it will not needlessly sterilise the mineral resource and where this cannot be demonstrated, and there is a clear need for non-mineral development, prior extraction will be sought where practical. In some cases, large scale prior extraction might not be practical, however consideration should also be given to the potential use of minerals extracted as a result of on-site ground works rather than simply treating them as a waste material.</p> <p><b>NSDC Response</b> – Add criterion to state “proposals will need to demonstrate the mineral resource is not needlessly sterilised and where this cannot be demonstrated, prior extraction may be sought where practical”.</p>
077	Harby Parish Council	208	<p>Agreed</p> <p><b>NSDC Response</b> – Noted</p>
078	Collingham Parish Council	263	<p>Agreed</p> <p><b>NSDC Response</b> – Noted</p>
093	Urban and Civic	335	<p>Urban &amp; Civic <b>object</b> to the extension to Site NUA/HO/10 Land North of Lowfield Lane, which lies to the east of Newark South. The proposed extension increases the capacity of Land North of Lowfield Lane from 120 dwellings to 170 dwellings and Urban &amp; Civic is concerned about pressure from additional housing in the locality on both the highway network and services and facilities provided as part of the Newark South development.</p> <p>Newark South is delivering significant infrastructure, not least the SLR which is to facilitate planned wider growth in Newark and not just Newark South. Moreover, delivery of dwellings at Newark South is dependent on delivery of the SLR, including occupation of more than 600 dwellings being dependent on Phase 1 of the SLR being completed and occupation of more than 700 dwellings being dependent on commencement of construction of Phase 2 of the SLR. Urban &amp; Civic object to further housing being allocated in the immediate locality that increases demand on and takes any available capacity in the highway network whilst development at Newark South is constrained.</p> <p>Furthermore, Newark South is delivering services and facilities including Middlebeck Primary School, which opened September 2021. This provides additional school places to meet the demand from the Newark South development only, and Urban &amp; Civic is, therefore, concerned that should children from additional housing at Land North of Lowfield Lane take school spaces at Newark South then this will result in the needs of children at Newark South not being met.</p>



			<p>It should be noted that the additional pressure on the highway network and services and facilities from development of Land North of Lowfield Lane would be combined with pressure from other new housing in the immediate locality, with the appeal for up to 322 dwellings on Land at Flowserve Pump Division being allowed in June 2021 (Ref: APP/B3030/W/20/326097), and also proposals within this Options Report if taken forward – in particular, the proposed gypsy and traveller pitches at Belvoir Ironworks North and Opportunity Sites, notably the Tarmac Site within Bowbridge Road Policy Area.</p> <p>For the reasons given above, Urban &amp; Civic respectfully request that the proposed extension of Site NUA/HO/10 Land North of Lowfield Lane is not taken forward.</p> <p><b>NSDC Response –</b> The area that will be added to the allocation could already be developed as it lies within the Urban Boundary. The Council is seeking to amend the site area and numbers to ensure that comprehensive development of the whole site in line with the policy aims.</p> <p>The Council does not believe that this small change reflect facts on the ground will have a demonstrable impact on the Land South of Newark development.</p>
098	Hawton Parish Council	373	<p>No Comment</p> <p><b>NSDC Response –</b> Noted</p>
115	Farndon Parish Council	499	<p>No Comment</p> <p><b>NSDC Response –</b> Noted</p>
128	Historic England	572	<p>Preferred approach, including retentions of requirements for archaeology, noted.</p> <p><b>NSDC Response –</b> Noted</p>
<b>Action Required</b>			<p>Add criterion to state “proposals will need to demonstrate the mineral resource is not needlessly sterilised and where this cannot be demonstrated, prior extraction may be sought where practical”.</p>

Question 32 – NUA/MU/2 – Land at Brownhills Motor Homes - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
077	Harby Parish Council	209	Harby Parish Council agrees with the preferred approach. <b><u>NSDC Response</u></b> – Comments welcomed and noted.
078	Collingham Parish Council	264	Collingham Parish Council agrees with the preferred approach. <b><u>NSDC Response</u></b> – Comments welcomed and noted.
098	Hawton Parish Council	374	No comment. <b><u>NSDC Response</u></b> – Noted.
115	Farndon Parish Council	500	No comment. <b><u>NSDC Response</u></b> – Noted.
<b>Action Required</b>			None

Question 33 – NUA/MU/3 – Land at NSK - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
077	Harby Parish Council	210	Agreed <b>NSDC Response – Noted</b>
078	Collingham Parish Council	265	Agreed <b>NSDC Response – Noted</b>
093	Urban and Civic	336	<p>Proposed Policy NUA/OS – Opportunity Sites identifies three Opportunity Sites of which two are reallocations (NUA/OS/2 Land North of Beacon Hill Road &amp; NUA/OS/3 – NSK Factory) and one (NUA/OS/1 – Tarmac Site) is an additional site proposed as part of the Bowbridge Road Policy Area (NUA/Ho/7). Between them, the three Opportunity Sites have capacity for around 620 dwellings, with capacity of around 270 dwellings at the Tarmac Site, which is located at Hawton Lane/Bowbridge Road in the immediate vicinity of Newark South.</p> <p>Spatial Policy 5 (Delivering the Strategy) of the ACS provides the basis for the identification of Opportunity Sites, which are to be brought forward “Where it becomes clear through the monitoring process that delivery [of allocated sites] is not taking place at the rates required ...”. This is reiterated within the proposed Policy NUA/OS. In respect of Newark South, construction has commenced and housing delivery is underway.</p> <p>At odds with the above, the proposed supporting text for Opportunity Sites (paragraph 5.32.6) states that “ ... there is nothing to prevent these sites coming forward for housing development at any point in the Plan period ...”. It goes on to set out measures that may be used to bring Opportunity Sites forward. Furthermore, proposed amendments to Policy NUA/Ho/7 Newark Urban Area – Bowbridge Road Policy Area sets out that the Council will work with stakeholders within the Bowbridge Road Policy Area including to bring forward redevelopment of Opportunity Site 1 the Tarmac site (see response to Question 29).</p> <p>Urban &amp; Civic is concerned about pressure from additional housing in the vicinity of Newark South on both the highway network and services and facilities provided as part of the Newark South development, and it is Urban and Civic’s view that Opportunity Sites should not come forward that may affect delivery of Newark South.</p> <p>The Newark South development is delivering significant infrastructure, not least the SLR which is to facilitate planned wider growth in Newark and not just Newark South. Moreover, delivery of dwellings at Newark South is dependent on delivery of the SLR, including occupation of more than 600 dwellings being dependent on Phase 1 of the SLR being completed and occupation of more than 700 dwellings being dependent on commencement of construction of Phase 2 of the SLR. Urban and Civic object to any Opportunity Site coming forward that increase demand on and takes any available capacity in the highway network whilst development at Newark South is constrained.</p> <p>Furthermore, Newark South is delivering services and facilities including Middlebeck Primary School, which opened September 2021. This provides additional school places to meet the demand from the Newark South development only, and Urban &amp; Civic is, therefore,</p>

			<p>concerned that should children from Opportunity Sites, notably the Tarmac Site, take school spaces at Newark South then this will result in the needs of children at Newark South not being met.</p> <p>It should be noted that this additional pressure would be combined with pressure from other new housing in the immediate locality, with the appeal for up to 322 dwellings on Land at Flowserve Pump Division – a previously proposed Opportunity Site – being allowed in June 2021 (Ref: APP/B3030/W/20/326097), and also proposals within this Options Report if taken forward – in particular, the proposed gypsy and traveller pitches at Belvoir Ironworks North and extension to Site NUA/HO/10 – Land North of Lowfield Lane.</p> <p>For the reasons given above, Urban &amp; Civic respectfully request that the proposed supporting text for Policy NUA/OS – Opportunity Sites is revisited and revised to confirm that delivery of Opportunity Sites will only be supported where it is clear that delivery of allocated sites is not taking place at the rates required.</p> <p><b><u>NSDC Response</u></b> – All of the opportunity sites lie within the Urban Boundary and have already been identified in some way on the Proposals Map. Spatial Policy 5 sets out that the LPA will actively seek to bring forward opportunity sites where housing delivery is not progressing at the required rates. However, if development proposals were to come forward without assistance from the LPA they will need to be considered against the provisions of the Development Plan. Where housing development is considered acceptable is should be supported. To do otherwise would be contrary to the Governments objective of significantly boosting the supply of homes as set out in Paragraph 60 of the National Planning Policy Framework.</p>
098	Hawton Parish Council	375	<p>No Comment</p> <p><b><u>NSDC Response</u></b> – Noted</p>
115	Farndon Parish Council	501	<p>No Comment</p> <p><b><u>NSDC Response</u></b> – Noted</p>
128	Historic England	573	<p>Noted</p> <p><b><u>NSDC Response</u></b> – Noted</p>
<b>Action Required</b>			None

Question 34 – NUA/E/3 – Land off Telford Drive - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
077	Harby Parish Council	211	Harby Parish Council agrees with the preferred approach. <b><u>NSDC Response</u></b> – Comments welcomed and noted.
078	Collingham Parish Council	266	Collingham Parish Council agrees with the preferred approach. <b><u>NSDC Response</u></b> – Comments welcomed and noted.
098	Hawton Parish Council	376	No comment. <b><u>NSDC Response</u></b> – Noted.
115	Farndon Parish Council	502	No comment. <b><u>NSDC Response</u></b> – Noted.
128	Historic England	574	The preferred approach to include the separate parcel of land which previously benefitted from planning permission is noted. <b><u>NSDC Response</u></b> – Noted.
<b>Action Required</b>			None

Question 35 – So/MU/1 – Land at Former Minster School - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
067	Southwell Town Council	144	Agreed <b>NSDC Response – Noted</b>
077	Harby Parish Council	212	Agreed <b>NSDC Response – Noted</b>
078	Collingham Parish Council	267	Agreed <b>NSDC Response – Noted</b>
087	Tetlow King obo local business	315	Tetlow King Planning client agrees with the preferred approach to delete this policy as it will no longer be developed given its status as Higgons Mead open space. <b>NSDC Response – Noted</b>
098	Hawton Parish Council	377	No Comment <b>NSDC Response – Noted</b>
102	Richborough Estates (c/o Fisher German)	411	As set out by the consultation document, the land at the Former Minister School is no longer available for development thus the continuation of the allocation would not have been sound, in that it would have been neither effective, justified or consistent with national policy. As such the proposed removal of this allocation for 13 dwellings is considered to be entirely sensible. <b>NSDC Response – Noted</b>
112	Norwood Park Estate c/o Fisher German	452	As set out by the consultation document, the land at the Former Minister School is no longer available for development thus the continuation of the allocation would not have been sound, in that it would have been neither effective, justified or consistent with national policy. As such the proposed removal of this allocation for 13 dwellings is considered to be entirely sensible. <b>NSDC Response – Noted</b>
115	Farndon Parish Council	503	No Comment <b>NSDC Response – Noted</b>
128	Historic England	575	Noted <b>NSDC Response – Noted</b>
<b>Action Required</b>			None required

Question 36 – So/Ho/7 – Southwell Depot - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
067	Southwell Town Council	145	<p>The sites to the south of the former Depot were available in the 2009 SHLAA and an agent for the southernmost site contacted the Town Council recently enquiring if it was to be incorporated into the Neighbourhood Plan allocations. This implies that it was available at the time. Have recent enquiries been made? Incorporating the sites to the south would not only allow potential access to the sites south of Crew Lane but would allow a reasonable layout rather than a linear development to which the current site restricts plans.</p> <p><b>NSDC Response –</b> As set out in the report, no new land is being identified for development other than for the Gypsy and Traveller population needs. Proposals to facilitate any additional housing needs in this location will be addressed through the next iteration of the Plan where it can be done in a comprehensive manner. The Plan Review proposals at this stage are seeking to protect the land for future consideration and ensure that development opportunities are not negatively impacted by the current allocations.</p>
070	Cllr Harris	155	<p>Sites to the south east of the former Depot were available in the 2009 SHLAA. The site should now incorporate the site to the south as this would allow potential access to the sites south of Crew Lane with a far better layout and access.</p> <p><b>NSDC Response –</b> As set out in the report, no new land is being identified for development other than for the Gypsy and Traveller population needs. Proposals to facilitate any additional housing needs in this location will be addressed through the next iteration of the Plan where it can be done in a comprehensive manner. The Plan Review proposals at this stage are seeking to protect the land for future consideration and ensure that development opportunities are not negatively impacted by the current allocations.</p>
077	Harby Parish Council	213	<p>Agreed <b>NSDC Response –</b> Noted</p>
078	Collingham Parish Council	268	<p>Agreed <b>NSDC Response –</b> Noted</p>
087	Tetlow King obo The Minster Veterinary Centre	310	<p>Tetlow King Planning supports the Council's review of its impacts by the deletion of the Southwell Bypass which is an entirely sensible and appropriate approach to this Plan Review process.</p> <p>The commentary at paragraph 5.17.3 that in the next round of Plan making after the current review i.e. within 5 years of the adoption of this Plan Review, will require the Council to look beyond 2033 and require the provision of housing and employment across the district as part of which decisions about the location of future new development will be considered alongside the review of the Neighbourhood Plan is noted.</p>

			<p>It is our understanding however that the Southwell Neighbourhood Plan is currently under review by the Town Council and therefore more detailed local policy priorities in relation to land south of Crew Lane may arise from such a review prior to the Council's next stage Plan Review in circa 5 years time.</p> <p>Tetlow King Planning welcome the Councils approach at paragraph 5.17.4 whereby they support an approach that does not hinder the long term future planning of Southwell and is therefore sympathetic to protecting So/E/2 from development that could undermine this.</p> <p>In respect of the approach to the Southwell Depot site itself, the expansion of this allocation to accommodate additional residential development is broadly supported. Whilst Tetlow King Planning are supportive of Southwell Town Council's ambition for access to be provided from Fiskerton Road to residential development south of Crew Lane the practical delivery difficulties, not least in terms of land ownership, are recognised with the field that separates So/Ho/7 and the former So/E/3 allocation south of Crew Lane not being in the ownership of the Town Council, County Council or District Council.</p> <p>As was first set out in our February 2017 representation to the Preferred Approach Sites and Settlement Consultation, and has been reflected in our representations at each stage of the review process since and most recently discussed with the Council's Development Management and Planning Policy Officers in May 2020, my client has had a potential highways access route from Fiskerton to Crew Lane designed by highways engineers which would provide an alternative and achievable means of access between Fiskerton Road and Crew Lane through my client's land interests. Tetlow King Planning remain open to discussing this on behalf of our client in more detail with the District Council and Town Council to aid the delivery of the growth ambitions of both the District and Town Council.</p> <p><b><u>NSDC Response</u></b> – Noted</p>
098	Hawton Parish Council	345	<p>No comment</p> <p><b><u>NSDC Response</u></b> – Noted</p>
099	Southwell Civic Society	403	<p>Agree - There is no requirement for extra housing in the near future and we think the Council should avoid setting the precedent of extending the urban boundary and the de facto allocation of further land for development. The Southwell Community Archeological Group response to consultation on the Conservation Area Appraisal review below is also relevant. (see attachments)</p> <p>Southwell Conservation Area Appraisal 2021 Information on the Easthorpe area.</p> <p>There is a small field just north of Spring Hill near the eastern extremity of the Easthorpe conservation area at coordinates 471015 353550 and marked on Map 10 in yellow. Its SW corner is approximately 70m from the conservation area boundary measured along the green line</p>



			<p>shown on Map10. It has some unusual rectangular markings, visible only in QGIS Lidar and Google Earth Pro 2000. (There has also been a suggestion that there may be some evidence of a Roman Road in this area). (Attachments provided)</p> <p><b>NSDC Response –</b> The allocation as originally identified was artificially contained by the safeguarded line of the proposed bypass. Extending the allocation to reflect the situation on the ground will prevent the land becoming landlocked and would lead to a more efficient use of land in accordance with the ethos of the NPPF. Policy So/Ho/7 includes a criterion seeking “The investigation of potential archaeology on the site and any necessary post determination mitigation measures secured by condition on any planning consent”. It is acknowledged that the level of previous industrial use will have led to considerable disturbance across the whole of the former depot site, however it is considered that it would be appropriate to amend the archaeological criterion cited above to make it more consistent with the NPPF. Amend to read “Pre-determination archaeological evaluation submitted as part of any planning application and post determination mitigation measures secured by condition on any planning consent are likely to be required.</p> <p>The employment allocations include the area of enclosure remains of the Easthorpe Medieval Shrunken Village. At this point in time the area does not form part of the Southwell Conservation Area or of a scheduled ancient monument. This land was originally allocated in the Development Plan for Employment use. The land is now proposed as Reserved Land for the next iteration of the Development Plan. Any future allocation will be based on the up to date situation and evidence available at that time. However, it is likely to include the need for a pre-determination archaeological evaluation submitted as part of any planning application and post determination mitigation measures secured by condition on any planning consent.</p>
102	Richborough Estates (c/o Fisher German)	412	<p>The District Council has proposed that due to the bypass being removed, So/Ho/7 (Southwell Depot) should be increased in size from 15 to 18 dwellings, and that the boundary of So/E/2 (Land east of Crew Lane) and So/E/3 (Land south of Crew Lane) should be moved to the existing urban edge. As noted at paragraph 1.8, we consider that the whole of Southwell should be considered afresh, not just the eastern edge of the town.</p> <p>Considering So/Ho/7 (Southwell Depot), it is first necessary to consider the site’s planning history. In 2016 an application for 9 dwellings was refused on the basis of reasons related to housing mix, density, design, impact on trees, impact on privacy of existing dwellings, archaeology and highway safety. Some of the reasons for refusal seem to contradict each other. For example, the density reason for refusal sets out that the site does not make efficient use of land, thus suggesting that further dwellings should be located on the site. However, increasing the number of units would undoubtedly worsen issues relating to impacts on trees, highway safety and privacy. Whilst the officer has set out some forms of development which may be acceptable, there has been no master planning provided that we have seen which demonstrates how a comprehensive layout can be delivered on the site having regard for the site’s constraints. Following refusal of the 2016 planning application, the applicant sought to appeal the decision. However, the appeal was dismissed in September 2021 due to inappropriate housing mix, impacts on Southwell Conservation area, impacts on trees, impacts on privacy and highway safety. A second application was submitted in May 2021 for 13 dwellings but was withdrawn due to the Council recommending</p>

refusal of the application. Outstanding issues related to parking, design, impacts on conservation area, issues relating to trees, lack of ecology evidence and drainage.

On the above basis, it is clear that the site is proving difficult to deliver and as such the key question for this Plan is whether or not the site should continue to be allocated at all, let alone that the notional capacity of the site should be increased. If the Council are to persist with this allocation, then it will be incumbent on the Council or promoter to provide a layout which shows how a scheme can be delivered on the site having regard for the myriad of issues demonstrably present on site with no solution. This site has been allocated since 2013 and the fact that so many fundamental issues remain demonstrates that the site is likely non-deliverable. Many of the issues would logically lead to the conclusion at the very least the notional capacity of the site should be reduced. Despite this the Council are now attempting to increase delivery on the site. This approach, and the allocation more generally, is not sound, as it is not justified or effective.

Having regard for the clear issues with the site it should be de-allocated. If the Council are to persist with an allocation, significant evidence will be needed to satisfactorily address all known issues. Given the site is brownfield, and thus could come forward under normal windfall rules, the need for an allocation is questioned, particularly given the known issues relating to the site. De-allocation would not preclude the site coming forward but would only require that any application satisfied all issues relating to the redevelopment of the site. As such, unless evidence is provided, the site should be removed as an allocation.

Notwithstanding the above, we do not agree with the preferred approach adopted by Southwell Town Council in respect of the site, in particular the request that an access road be placed through the depot site to facilitate residential development to the north. Such a request would reduce the developable area of the site to serve access to a site which the Town Council only propose as 'Future Housing'. We have not seen any evidence that such a link is required. Moreover, such a requirement would not be permissible nor could be guaranteed to be fully delivered, without ransom payments. The Council are therefore entirely correct to reject such a requirement.

With regards to the Town Council's suggested Plan that further land to the south of the site could be included, this is further not supported. As set out by the District Council, land to the south of the Depot is not known to be available for development. In any event, this part of Southwell forms a highly attractive entrance to Southwell on Fiskerton Road, as noted by the Inspector of the aforementioned appeal, and concern is raised as to any proposals which would damage this approach and the impacts this would have on the Conservation Area. Moreover, concern is raised that any significant development south of Fiskerton Road will damage the historic existing field structure and character of this attractive area. Whilst this would always have an impact on non-designated heritage and character, clearly given this site is within Southwell's Conservation Area, this only emphasises the inappropriateness of this suggestion. As discussed later, this is a result of the Town Council seeking to direct all future growth in one small part of Southwell, without any obvious justification other than to prevent development elsewhere in the town. Clearly this is not an appropriate approach nor one endorsed by any formal evidence.

**NSDC Response** – Noted. The Local Planning Authority is satisfied that the allocation remains deliverable. The allocation as originally identified was artificially contained by the safeguarded line of the proposed bypass. Extending the allocation to reflect the situation on the ground will prevent the land becoming landlocked and would lead to a more efficient use of land in accordance with the ethos of the NPPF.

112	Norwood Park Estate c/o Fisher German	453	<p>The District Council has proposed that due to the bypass being removed, So/Ho/7 (Southwell Depot) should be increased in size from 15 to 18 dwellings, and that the boundary of So/E/2 (Land east of Crew Lane) and So/E/3 (Land south of Crew Lane) should be moved to the existing urban edge.</p> <p>Considering So/Ho/7 (Southwell Depot), it is first necessary to consider the site’s planning history. In 2016 an application for 9 dwellings was refused on the basis of reasons related to housing mix, density, design, impact on trees, impact on privacy of existing dwellings, archaeology and highway safety. Some of the reasons for refusal seem to contradict each other. For example, the density reason for refusal sets out that the site does not make efficient use of land, thus suggesting that further dwellings should be located on the site. However, increasing the number of units would undoubtedly worsen issues relating to impacts on trees, highway safety and privacy. Whilst the officer has set out some forms of development which may be acceptable, there has been no masterplanning provided that we have seen which demonstrates how a comprehensive layout can be delivered on the site having regard for the site’s constraints.</p> <p>Following refusal of the 2016 planning application, the applicant sought to appeal the decision. However, the appeal was dismissed in September 2021 due to inappropriate housing mix, impacts on Southwell Conservation area, impacts on trees, impacts on privacy and highway safety.</p> <p>A second application was submitted in May 2021 for 13 dwellings but was withdrawn due to the Council recommending refusal of the application. Outstanding issues related to parking, design, impacts on conservation area, issues relating to trees, lack of ecology evidence and drainage.</p> <p>On the above basis, it is clear that the site is proving difficult to deliver and as such the key question for this Plan is whether or not the site should continue to be allocated at all, let alone that the notional capacity of the site should be increased. If the Council are to persist with this allocation, then it will be incumbent on the Council or promoter to provide a layout which shows how a scheme can be delivered on the site having regard for the myriad of issues demonstrably present on site with no solution. This site has been allocated since 2013 and the fact that so many fundamental issues remain demonstrates that the site is likely non-deliverable. Many of the issues would logically lead to the conclusion at the very least the notional capacity of the site should be reduced. Despite this the Council are now attempting to increase delivery on the site. This approach, and the allocation more generally, is not sound, as it is not justified or effective.</p> <p>Having regard for the clear issues with the site it should be de-allocated. If the Council are to persist with an allocation, significant evidence will be needed to satisfactorily address all known issues. Given the site is brownfield, and thus could come forward under normal windfall rules, the need for an allocation is questioned, particularly given the known issues relating to the site. De-allocation would not preclude the site coming forward but would only require that any application satisfied all issues relating to the redevelopment of the site. As such, unless evidence is provided, the site should be removed as an allocation.</p> <p>Notwithstanding the above, we do not agree with the preferred approach adopted by Southwell Town Council in respect of the site, in particular the request that an access road be placed through the depot site to facilitate residential development to the north. Such a request would reduce the developable area of the site to serve access to a site which the Town Council only propose as ‘Future Housing’. We have not seen any evidence that such a link is required. Moreover, such a requirement would not be permissible nor could be guaranteed to be fully delivered, without ransom payments. The Council are therefore entirely correct to reject such a requirement.</p>
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			<p>With regards to the Town Council’s suggested Plan that further land to the south of the site could be included, this is further not supported. As set out by the District Council, land to the south of the Depot is not known to be available for development. In any event, this part of Southwell forms a highly attractive entrance to Southwell on Fiskerton Road, as noted by the Inspector of the aforementioned appeal, and concern is raised as to any proposals which would damage this approach and the impacts this would have on the Conservation Area. Moreover, concern is raised that any significant development south of Fiskerton Road will damage the historic existing field structure and character of this attractive area. Whilst this would always have an impact on non-designated heritage and character, clearly given this site is within Southwell’s Conservation Area, this only emphasises the inappropriateness of this suggestion. As discussed later, this is a result of the Town Council seeking to direct all future growth in one small part of Southwell, without any obvious justification other than to prevent development elsewhere in the town. Clearly this is not an appropriate approach, nor one endorsed by any formal evidence.</p> <p><b>NSDC Response –</b> Noted. The Local Planning Authority is satisfied that the allocation remains deliverable. The allocation as originally identified was artificially contained by the safeguarded line of the proposed bypass. Extending the allocation to reflect the situation on the ground will prevent the land becoming landlocked and would lead to a more efficient use of land in accordance with the ethos of the NPPF.</p>
115	Farndon Parish Council	504	<p>No comment</p> <p><b>NSDC Response –</b> Noted</p>
128	Historic England	576	<p>It is not clear how the additional area of land has been assessed in relation to the enclosure remains associated with the shrunken medieval village of Easthorpe. The limit of settlement is defined by ridge and furrow.</p> <p><b>NSDC Response –</b> The allocation as originally identified was artificially contained by the safeguarded line of the proposed bypass. Extending the allocation to reflect the situation on the ground will prevent the land becoming landlocked and would lead to a more efficient use of land in accordance with the ethos of the NPPF. Policy So/Ho/7 includes a criterion seeking “The investigation of potential archaeology on the site and any necessary post determination mitigation measures secured by condition on any planning consent”. It is acknowledged that the level of previous industrial use will have led to considerable disturbance across the whole of the former depot site, however it is considered that it would be appropriate to amend the archaeological criterion cited above to make it more consistent with the NPPF. Amend to read “Pre-determination archaeological evaluation submitted as part of any planning application and post determination mitigation measures secured by condition on any planning consent are likely to be required.”</p>
<b>Action Required</b>			<p>Amend the criterion seeking “The investigation of potential archaeology on the site and any necessary post determination mitigation measures secured by condition on any planning consent” to read “Pre-determination archaeological evaluation submitted as part of any planning application and post determination mitigation measures secured by condition on any planning consent are likely to be required.”</p>

**Question 37 – So/E/2 – Land East of Crew Lane - Do you agree with the preferred approach?**

ID	Respondent	Response Number	Comment
67	Southwell Town Council	146	<p>Yes, but see answer to Q28 sic (Q38?) below: STC agree with the preferred approach, however we have lost site So/E/3 in this process. STC have suggested replacing it east of site So/E/2 but this has not been done. Has the need for employment site area been reduced?</p> <p>STC support the reservation of the land for housing but without an access from Fiskerton Road the site would be approached through an employment area, a situation which we understood was thought to be unacceptable when the Allocations DPD was first produced. It would certainly have a detrimental impact on the approach to houses there so we request that the option of access from Fiskerton Road be seriously reconsidered.</p> <p>There is some concern that reserving land for housing in the future might make it more vulnerable to being granted approval before the end of the plan period. Is there any means of protecting it in the short term?</p> <p><b>NSDC Response –</b> The LPA is satisfied that sufficient employment land remains available to meet the requirements both District Wide and within the Southwell Area. The reserved land remains under the control of the District Council and any future allocation included within the next iteration of the Development Plan will be based on the up to date situation and evidence available at that time. A policy for the reserved land will be included within the next stage of the Plan Review to set out its reserved status and that the land should not come forward without prior allocation in a Development Plan.</p>
71	National Trust	162	<p>Land East of Crew Lane is located to the southeast of Southwell Workhouse - a listed building within registered parkland owned by the National Trust. National Trust has no objection to the retention of this employment allocation provided that any future development is sensitive to the setting of The Workhouse (for example, tall structures are avoided). We explicitly support the removal of land that is subject to flood risk associated with the River Greet from the northern part of the site.</p> <p><b>NSDC Response –</b> Comments welcomed and noted. The District Council seeks to protect and enhance the setting of Thurgarton Hundred Workhouse through Policy So/Wh, of the Allocations and Development Management DPD, to which no changes are proposed.</p>
077	Harby Parish Council	214	<p>Harby Parish Council agrees with the preferred approach.</p> <p><b>NSDC Response –</b> Comments welcomed and noted.</p>
078	Collingham Parish Council	269	<p>Collingham Parish Council agrees with the preferred approach.</p> <p><b>NSDC Response –</b> Comments welcomed and noted.</p>

87	Tetlow King obo The Minster Vet. Centre	317	Tetlow King Planning support the Council's preferred approach to remove the element of the existing allocation adversely affected by flood risk. <b>NSDC Response –</b> Comments welcomed and noted.
098	Hawton Parish Council	379	No comment. <b>NSDC Response –</b> Noted.
102	Fisher German obo Richborough Estates	413	The approach in respect of So/E/2 is supported and it is considered that Crew Lane remains the most logical approach to future employment land delivery in the Southwell. As discussed below, Crew Lane is the only real area of employment land within Southwell, so for the continued economic self-sufficiency of the settlement, it is of vital importance that sufficient employment land is safeguarded, including beyond the next Plan period. It is however noted that the reduction of employment area will mean other employment sites should be retained to protect such a loss. <b>NSDC Response –</b> The LPA is satisfied that sufficient employment land remains available to meet the requirements both District Wide and within the Southwell Area.
112	Fisher German obo Norwood Park Estates	454	The approach in respect of So/E/2 is supported and it is considered that Crew Lane remains the most logical approach to future employment land delivery in Southwell. As discussed below, Crew Lane is the only real area of employment land within Southwell, so for the continued economic self-sufficiency of the settlement, it is of vital importance that sufficient employment land is safeguarded, including beyond the next Plan period. It is however noted that the reduction of employment area will mean other employment sites should be retained to protect such a loss. <b>NSDC Response –</b> The LPA is satisfied that sufficient employment land remains available to meet the requirements both District Wide and within the Southwell Area.
115	Farndon Parish Council	505	No comment. <b>NSDC Response –</b> Noted.
128	Historic England	577	It is not clear how the additional area of land has been assessed in relation to the enclosure remains associated with the shrunken medieval village of Easthorpe. The limit of settlement is defined by ridge and furrow. <b>NSDC Response –</b> The allocation as originally identified was artificially contained by the safeguarded line of the proposed bypass. Extending the allocation to reflect the situation on the ground will prevent the land becoming landlocked and would lead to a more efficient use of land in accordance with the ethos of the NPPF. Policy So/Ho/7 includes a criterion seeking "The investigation of potential archaeology on the site and any necessary post determination mitigation measures secured by condition on any planning consent". It is acknowledged that the level of previous industrial use will have led to considerable disturbance across the whole of the former depot site, however it is considered that it would be appropriate to amend the archaeological criterion cited above to make it more consistent with the NPPF. Amend

		to read "Pre-determination archaeological evaluation submitted as part of any planning application and post determination mitigation measures secured by condition on any planning consent are likely to be required.
<b>Action Required</b>		<ul style="list-style-type: none"> <li>• Amend the criterion seeking "The investigation of potential archaeology on the site and any necessary post determination mitigation measures secured by condition on any planning consent" to read "Pre-determination archaeological evaluation submitted as part of any planning application and post determination mitigation measures secured by condition on any planning consent are likely to be required."</li> <li>• A policy for the reserved land will be included within the next stage of the Plan Review to set out its reserved status and that the land should not come forward without prior allocation in a Development Plan.</li> </ul>

Question 38 – So/E/3 – Land South of Crew Lane - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
067	Southwell Town Council	147	<p>STC agree with the preferred approach, however we have lost site So/E/3 in this process. STC have suggested replacing it east of site So/E/2 but this has not been done. Has the need for employment site area been reduced?</p> <p>STC support the reservation of the land for housing but without an access from Fiskerton Road the site would be approached through an employment area, a situation which we understood was thought to be unacceptable when the Allocations DPD was first produced. It would certainly have a detrimental impact on the approach to houses there so we request that the option of access from Fiskerton Road be seriously reconsidered.</p> <p>There is some concern that reserving land for housing in the future might make it more vulnerable to being granted approval before the end of the plan period. Is there any means of protecting it in the short term?</p> <p><b>NSDC Response –</b> The LPA is satisfied that sufficient employment land remains available to meet the requirements both District Wide and within the Southwell Area. The reserved land remains under the control of the District Council and any future allocation included within the next iteration of the Development Plan will be based on the up to date situation and evidence available at that time. A policy for the reserved land will be included within the next stage of the Plan Review to set out its reserved status and that the land should not come forward without prior allocation in a Development Plan.</p>
070	Cllr Peter Harris	156	<p>I support the preferred approach, but do not support the loss of site So/E/3 in this process. It should be replaced by a site east of site So/E/2. I support the reservation of the land for housing but this has to have an alternative approach as access through an employment area is unacceptable.</p> <p>Reserving land for housing in the future will make it vulnerable to being granted approval before the end of the plan period by the Inspectorate, and the community cannot take significant rapid expansion as was demonstrated in the 1970's. If land is reserved in this way, there must be a way of protecting it in the short term - otherwise this approach is not supported.</p> <p><b>NSDC Response –</b> The LPA is satisfied that sufficient employment land remains available to meet the requirements both District Wide and within the Southwell Area. The reserved land remains under the control of the District Council and any future allocation included within the next iteration of the Development Plan will be based on the up to date situation and evidence available at that time. A policy for the reserved land will be included within the next stage of the Plan Review to set out its reserved status and that the land should not come forward without prior allocation in a Development Plan.</p>
71	National Trust	163	<p>National Trust has no objection to the de-allocation of this site and its use as a reserve site for housing. However, any future proposal for housing development should be subject to assessment of traffic impacts on the road network in the vicinity.</p>



			<b>NSDC Response</b> – Comments welcomed and noted. Traffic impacts from any proposed development would be assessed as part of development management processes.
077	Harby Parish Council	215	Harby Parish Council agrees with the preferred approach. <b>NSDC Response</b> – Comments welcomed and noted.
078	Collingham Parish Council	270	Collingham Parish Council agrees with the preferred approach. <b>NSDC Response</b> – Comments welcomed and noted.
87	Tetlow King obo The Minster Veterinary Centre	318	<p>Tetlow King Planning support the Council’s preferred approach of de-allocating land south of Crew Lane as employment land and re-designating it as reserved land So/RL/1 for future housing development. Given the representations made by the Town Council on previous stages of the Plan Review (replicated below) this appears to accord with their aspirations for the future eastwards growth of the town which includes my clients land interests as potential future housing, albeit noting that the Council has indicated that this will be a matter for consideration at the next stage of Plan Review in circa 5 years times.</p> <p>It is important to note of course that in the intervening period should the reserved land south of Crew Lane be developed for housing then my clients land interests will then be immediately adjacent to the settlement boundary and built-development which in turn opens up the potential for my client to pursue development options such as Entry-Level Exception Housing under emerging Core Policy 2A, or in the event that the Council is unable to demonstrate 5YHLS at that point a market housing led development may be appropriate.</p> <p>Given our understanding of the timings of the Neighbourhood Plan Review and the Town Council’s ambitions for future growth as illustrated by their previous representation above, [image not included] there is the potential that more detailed locally focused policy will emerge to address the reserve land at So/RL/1 and any future development eastwards beyond this through the Neighbourhood Plan Review which may take precedence as the most up-to-date Development Plan document should it be ‘Made’ after the adoption of the current Plan Review.</p> <p>The emerging Plan provides no definition of what ‘Reserved Land’ means in the glossary and it is noted that the existing Site Allocations DPD also provides no such reference point. Tetlow King Planning would welcome the opportunity to comment on what the Council proposes as a definition of ‘Reserved Land’ in the context of the Council’s preferred approach to the Southwell area.</p> <p><u>Consequential Changes to So/E/1</u></p> <p>Tetlow King Planning support the Council’s proposed amendments to So/E/1 which reflect the preferred approach to So/Ho/7. So/E/2 and So/E/3 all of which are also supported.</p> <p><b>NSDC Response</b> – A policy for the reserved land will be included within the next stage of the Plan Review to set out its reserved status and that the land should not come forward without prior allocation in a Development Plan.</p>
098	Hawton Parish Council	380	No comment. <b>NSDC Response</b> – Noted.

102	Fisher German obo Richborough Estates	414	<p>The proposed re-allocation of employment land to the east of the settlement, South of Crew Lane, as 'Reserved Land/Future Housing' is not consistent with the rest of the Plan, where no such designation is present. As the Council are well aware, the allocation of any land, including earmarking land for Future Housing, would need to be undertaken in accordance with a wider assessment of all available options. Whilst the land in question is within the settlement boundary, this is only by virtue of its allocation for employment uses. It does not stand to reason that this automatically makes it appropriate for residential development, particularly having regard for neighbouring uses.</p> <p>The removal of the employment land in lieu of additional housing is again something which we would consider to be entirely inappropriate. When looking strategically at Southwell, particularly in the long term, the area at Crew Lane is the only area of significant employment in the town. As such, it represents the most appropriate location for future employment growth. We would object to any approach which would serve to sterilise this area for future employment growth. Future housing growth could be delivered, more sensitively, in other parts of the town, whereas we do not consider that future employment provision could. Whilst the landowner may have more immediate aspirations for the delivery of residential development, and the Town Council keen to ensure future residential development is out of sight of existing properties, these are not material planning considerations. The need for land to be retained south of Crew Lane for employment uses is further demonstrated by the presence of areas of flood risk to the north of So/E/2 which reduces the size of the retained allocation. If the land to the south is lost to residential development, this could sterilise employment generating uses to the north of Crew Lane by adding new sensitive receptors immediately adjacent to retained allocated employment land.</p> <p>If the Council are to release the land to the south of Crew Lane from employment generating purposes, the Council will also need to consider and evidence future locations for employment growth. Whilst the Plan period is up to 2033, it is incumbent upon the Plan to consider issues post plan period, in particular where the Council is promoting an action which will likely sterilise future employment growth in the Southwell.</p> <p>We fully disagree with the assertion at paragraph 5.20.2 that continuing to allocate the development site for employment land "<i>could prejudice the comprehensive future planning of Southwell</i>". For the reasons set out above, we consider the inverse to be true. That in planning in a manner which would lead to the removal of one of the few remaining areas suitable for employment development in Southwell, this would constitute an action which would prejudice the comprehensive future planning of Southwell. As mentioned earlier, having regard for the sensitive nature of Southwell, the delivery of employment in other locations would be very challenging. Residential development, however, can more sensitivity be located elsewhere in Southwell, in particular this has been demonstrated through the planning approvals east of Allenby Lane (built by Miller Homes) and land east of Kirklington Road. Our client's land west of Allenby Road would clearly constitute a suitable location for future residential growth. In this regard, unless significant evidence is provided regarding the long-term capacity for Southwell to deliver employment land post 2033, we would object to any policy which would seek to prevent the natural use of the site being realised.</p> <p>In the event that the land to the south of Crew Lane is considered for residential development, significant buffers would need to be included to the north and west to ensure new residential development does not unduly impact existing and allocated employment development. It would not be appropriate for residential development to be delivered to the south of Crew Lane, to then restrict of employment land to the</p>
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north, particularly given growth to the north is restricted by flood risk. Residential development is a sensitive receptor and as such it must be located away from potentially noise generating uses, including the adjacent existing employment provision.

In respect of employment provision in Southwell, the current adopted approach remains the most robust. At paragraph 5.17.3 the Plan sets out that the Council are obliged to update the Local Plan every 5 years, and as such this offered a suitable opportunity to look at future changes in policy or land use. We consider that the Council should not seek to alter the current allocations to the east of the town until this time, when further information is received on likely employment provision and needs. Certainly, there is no justification for the proposed removal of the employment allocation and the addition of essentially an entirely new designation to the overall Plan. There is a risk that in assigning the land as “future housing”, the Council are in essence are stating that the site is suitable for housing. This has occurred numerous times where land is designated as a reserve site, and there are a number of appeals to show the risks of this approach. Clearly at this stage the Council has not conducted the proper due process to establish whether this site is the best location for future housing and this designation would in effect prejudice any future discussions on this matter through pre-determination.

Having regard for the above, we conclude that the proposed changes to the Allocations & Development Management DPD are not sound, in that they are not justified or effective. Whilst there might not be as large of a requirement for employment land in this Plan period, that in itself does not justify the loss of the only available employment land in the settlement for growth beyond the Plan period. If the Council remain of the position that a change can be made, this should be delivered as part of the next Local Plan Review.

#### Consequential Changes to So/E/1

Having regard for the above, we consider any discussions on potential alterations to Policy So/E/1 are premature. We have already set out a range of objections and issues with the Council’s suggested approach, both in terms of planning principle and the issues associated with the sterilisation of the only logical remaining employment land in Southwell, but also in terms of the procedure undertaken by the Council in putting forward this suggested amendment, without due evidence or process. The allocation of any land as ‘future housing’ must be done in accordance with an appropriate process, including the consideration of alternative land, not just in Southwell but in the District, which would be appropriate for such a designation, supported by an appropriate methodology. It is not clear why this approach has not been applied uniformly across the District. In terms of justification, simply being suggested it by the Town Council does not satisfy the requirements of the NPPF or PPG as an approach to Plan making. Should the Parish Council wish for this to be included within their own Plan, they are fully entitled to undertake the appropriate stages of reviewing the Neighbourhood Plan.

**NSDC Response –** The proposal to remove the land from employment allocation and reserve it for future use post the current round of plan making does not prejudice the future planning employment or otherwise of this area of Southwell by virtue of the fact that the land will no longer have proposals on it. Decisions about future housing and employment growth can then be made at the appropriate time based on the up to date situation and evidence available

112	Fisher German obo Norwood Park Estates	455 / 456	<p>The proposed re-allocation of employment land to the east of the settlement, South of Crew Lane, as 'Reserved Land/Future Housing' is not consistent with the rest of the Plan, where no such designation is present. As the Council are well aware, the allocation of any land, including earmarking land for Future Housing, would need to be undertaken in accordance with a wider assessment of all available options. Whilst the land in question is within the settlement boundary, this is only by virtue of its allocation for employment uses. It does not stand to reason that this automatically makes it appropriate for residential development, particularly having regard for neighbouring uses.</p> <p>The removal of the employment land in lieu of additional housing is again something which we would consider to be entirely inappropriate. When looking strategically at Southwell, particularly in the long term, the area at Crew Lane is the only area of significant employment in the town. As such, it represents the most appropriate location for future employment growth. We would object to any approach which would serve to sterilise this area for future employment growth. Future housing growth could be delivered, more sensitively, in other parts of the town, whereas we do not consider that future employment provision could. Whilst the landowner may have more immediate aspirations for the delivery of residential development, and the Town Council keen to ensure future residential development is out of sight of existing properties, these are not material planning considerations. The need for land to be retained south of Crew Lane for employment uses is further demonstrated by the presence of areas of flood risk to the north of So/E/2 which reduces the size of the retained allocation. If the land to the south is lost to residential development, this could sterilise employment generating uses to the north of Crew Lane by adding new sensitive receptors immediately adjacent to retained allocated employment land.</p> <p>If the Council are to release the land to the south of Crew Lane from employment generating purposes, the Council will also need to consider and evidence future locations for employment growth. Whilst the Plan period is up to 2033, it is incumbent upon the Plan to consider issues post plan period, in particular where the Council is promoting an action which will likely sterilise future employment growth in the Southwell.</p> <p>We fully disagree with the assertion at paragraph 5.20.2 that continuing to allocate the development site for employment land "<i>could prejudice the comprehensive future planning of Southwell</i>". For the reasons set out above, we consider the inverse to be true; that in planning in a manner which would lead to the removal of one of the few remaining areas suitable for employment development in Southwell, this would constitute an action which would prejudice the comprehensive future planning of Southwell. As mentioned earlier, having regard for the sensitive nature of Southwell, the delivery of employment in other locations would be very challenging. Residential development, however, can more sensitively be located elsewhere in Southwell. In this regard, unless significant evidence is provided regarding the long-term capacity for Southwell to deliver employment land post 2033, we would object to any policy which would seek to prevent the natural use of the site being realised.</p> <p>In the event that the land to the south of Crew Lane is considered for residential development, significant buffers would need to be included to the north and west to ensure new residential development does not unduly impact existing and allocated employment development. It would not be appropriate for residential development to be delivered to the south of Crew Lane, to then restrict employment land to the north, particularly given growth to the north is restricted by flood risk. Residential development is a sensitive receptor and as such it must be located away from potentially noise generating uses, including the adjacent existing employment provision.</p>
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			<p>In respect of employment provision in Southwell, the current adopted approach remains the most robust. At paragraph 5.17.3 the Plan sets out that the Council are obliged to update the Local Plan every 5 years, and as such this offered a suitable opportunity to look at future changes in policy or land use. We consider that the Council should not seek to alter the current allocations to the east of the town until this time, when further information is received on likely employment provision and needs. Certainly, there is no justification for the proposed removal of the employment allocation and the addition of essentially an entirely new designation to the overall Plan. There is a risk that in assigning the land as “future housing”, the Council are in essence stating that the site is suitable for housing. This has occurred numerous times where land is designated as a reserve site, and there are a number of appeals to show the risks of this approach. Clearly at this stage the Council has not conducted the proper due process to establish whether this site is the best location for future housing and this designation would in effect prejudice any future discussions on this matter through pre-determination.</p> <p>Having regard for the above, we conclude that the proposed changes to the Allocations &amp; Development Management DPD are not sound, in that they are not justified or effective. Whilst there might not be as large of a requirement for employment land in this Plan period, that in itself does not justify the loss of the only available employment land in the settlement for growth beyond the Plan period. If the Council remain of the position that a change can be made, this should be delivered as part of the next Local Plan Review.</p> <p><u>Consequential Changes to So/E/1</u></p> <p>Having regard for the above, we consider any discussions on potential alterations to Policy So/E/1 are premature. We have already set out a range of objections and issues with the Council’s suggested approach, both in terms of planning principle and the issues associated with the sterilisation of the only logical remaining employment land in Southwell, but also in terms of the procedure undertaken by the Council in putting forward this suggested amendment, without due evidence or process. The allocation of any land as ‘future housing’ must be done in accordance with an appropriate process, including the consideration of alternative land, not just in Southwell but in the District, which would be appropriate for such a designation, supported by an appropriate methodology. It is not clear why this approach has not been applied uniformly across the District. In terms of justification, simply being suggested it by the Town Council does not satisfy the requirements of the NPPF or PPG as an approach to Plan making. Should the Parish Council wish for this to be included within their own Plan, they are fully entitled to undertake the appropriate stages of reviewing the Neighbourhood Plan.</p> <p><b><u>NSDC Response</u></b> – The proposal to remove the land from employment allocation and reserve it for future use post the current round of plan making does not prejudice the future planning employment or otherwise of this area of Southwell by virtue of the fact that the land will no longer have proposals on it. Decisions about future housing and employment growth can then be made at the appropriate time based on the up to date situation and evidence available.</p>
115	Farndon Parish Council	506	<p>No comment.</p> <p><b><u>NSDC Response</u></b> – Noted.</p>
128	Historic England	578	<p>It is not clear how the additional area of land has been assessed in relation to the enclosure remains associated with the shrunken medieval village of Easthorpe. The limit of settlement is defined by ridge and furrow.</p>

		<p><b>NSDC Response</b> – The allocation as originally identified was artificially contained by the safeguarded line of the proposed bypass. Extending the allocation to reflect the situation on the ground will prevent the land becoming landlocked and would lead to a more efficient use of land in accordance with the ethos of the NPPF. Policy So/Ho/7 includes a criterion seeking “The investigation of potential archaeology on the site and any necessary post determination mitigation measures secured by condition on any planning consent”. It is acknowledged that the level of previous industrial use will have led to considerable disturbance across the whole of the former depot site, however it is considered that it would be appropriate to amend the archaeological criterion cited above to make it more consistent with the NPPF. Amend to read “Pre-determination archaeological evaluation submitted as part of any planning application and post determination mitigation measures secured by condition on any planning consent are likely to be required.</p>
<p><b>Action Required</b></p>		<ul style="list-style-type: none"> <li>• <del>Amend the criterion seeking “The investigation of potential archaeology on the site and any necessary post determination mitigation measures secured by condition on any planning consent” to read “Pre-determination archaeological evaluation submitted as part of any planning application and post determination mitigation measures secured by condition on any planning consent are likely to be required.”</del></li> <li>• A policy for the reserved land will be included within the next stage of the Plan Review to set out its reserved status and that the land should not come forward without prior allocation in a Development Plan.</li> </ul>

Question 39 – Bi/Ho/1 – North of Kirklington Road - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
077	Harby Parish Council	216	Agreed <b><u>NSDC Response – Noted</u></b>
078	Collingham Parish Council	271	Agreed <b><u>NSDC Response – Noted</u></b>
098	Hawton Parish Council	381	No Comment <b><u>NSDC Response – Noted</u></b>
115	Farndon Parish Council	507	No Comment <b><u>NSDC Response – Noted</u></b>
128	Historic England	579	Noted <b><u>NSDC Response – Noted</u></b>
<b>Action Required</b>			None required

Question 40 – Bi/Ho/2 – Wycar Leys - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
056	Notts County Council	118	The County Council would highlight that the site does lie within the Mineral Safeguarding and Consultation Area for gypsum. In accordance with Policy SP7 of the Nottinghamshire Minerals Local Plan, any application would need to demonstrate it will not needlessly sterilise the mineral resource and where this cannot be demonstrated, and there is a clear need for non-mineral development, prior extraction will be sought where practical. In some cases, large scale prior extraction might not be practical, however consideration should also be given to the potential use of minerals extracted as a result of on-site ground works rather than simply treating them as a waste material. <b>NSDC Response</b> – Add criterion to state “proposals will need to demonstrate the mineral resource is not needlessly sterilised and where this cannot be demonstrated, prior extraction may be sought where practical”.
077	Harby Parish Council	217	Agreed <b>NSDC Response</b> – Noted
078	Collingham Parish Council	272	Agreed <b>NSDC Response</b> – Noted
098	Hawton Parish Council	382	No Comment <b>NSDC Response</b> – Noted
115	Farndon Parish Council	508	No Comment <b>NSDC Response</b> – Noted
128	Historic England	581	Noted <b>NSDC Response</b> – Noted
<b>Action Required</b>			Add criterion to state “proposals will need to demonstrate the mineral resource is not needlessly sterilised and where this cannot be demonstrated, prior extraction may be sought where practical”.



Question 41 – BI/Ho/3 – New Lane - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
077	Harby Parish Council	218	Agreed <b><u>NSDC Response</u></b> – Noted
078	Collingham Parish Council	273	Agreed <b><u>NSDC Response</u></b> – Noted
098	Hawton Parish Council	383	No Comment <b><u>NSDC Response</u></b> – Noted
115	Farndon Parish Council	509	No Comment <b><u>NSDC Response</u></b> – Noted
128	Historic England	581	Noted <b><u>NSDC Response</u></b> – Noted
<b>Action Required</b>			None required

Question 42 – BI/Ho/4 – Dale Lane Allotments - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
077	Harby Parish Council	219	Agreed <b><u>NSDC Response</u></b> – Noted
078	Collingham Parish Council	274	Agreed <b><u>NSDC Response</u></b> – Noted
098	Hawton Parish Council	384	No Comment <b><u>NSDC Response</u></b> – Noted
115	Farndon Parish Council	510	No Comment <b><u>NSDC Response</u></b> – Noted
128	Historic England	582	Noted <b><u>NSDC Response</u></b> – Noted
<b>Action Required</b>			None required

Question 43 – BI/E/1 – Land on Blidworth Industrial Park - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
077	Harby Parish Council	220	Harby Parish Council agrees with the preferred approach. <b><u>NSDC Response</u></b> – Comments welcomed and noted.
078	Collingham Parish Council	275	Collingham Parish Council agrees with the preferred approach. <b><u>NSDC Response</u></b> – Comments welcomed and noted.
098	Hawton Parish Council	385	No comment. <b><u>NSDC Response</u></b> – Noted.
115	Farndon Parish Council	511	No comment. <b><u>NSDC Response</u></b> – Noted.
128	Historic England	583	Preferred approach noted. <b><u>NSDC Response</u></b> – Noted.
<b>Action Required</b>			None

**Question 44 – Opportunity Sites - Do you agree with the preferred approach?**

ID	Respondent	Response Number	Comment
047	Sport England	089	<p>NUA/OS/1 Tarmac site Hawton Lane. The development of this site should be assessed against the impact on the YMCA sports Village and the impact of noise from the Artificial Grass Pitches at the YMCA and noise separation requirements. In addition the allocation boundary is not consistent with the planning application boundary for the YMCA Sports Village site.</p> <p><b><u>NSDC Response</u></b> – Noted. Boundaries to be checked.</p>
056	Notts County Council	119	<p>This new policy identifies, not allocates, sites within the urban boundary which are considered suitable for residential development where, if NSDC are not able to meet their housing requirements, measures may be introduced, such as compulsory purchase, to secure the sites' development to meet this demand.</p> <p>As outlined in question 29, to the west of Opportunity Site 1 (NUA/OS/1) is the permitted, though not currently active, waste transfer site operated by East Midlands Waste. In accordance with Policy WCS10, the Waste Core Strategy seeks to safeguard permitted waste management facilities for non-waste development. The policy though does not seek to restrict development but to take a flexible approach to accommodate development wherever possible. For example, taking into consideration any nearby waste management facilities in a site plan layout, which could include using parking or landscaping as a buffer zone from any existing or potential waste use. Any application within this opportunity site therefore will need to address Policy WCS10 and ensure, as per the agent of change principle in paragraph 187 of the NPPF, that adequate mitigation is provided prior to the development's completion to ensure the permitted waste facility is not sterilised by the proposed development.</p> <p>In relation to sites NUA/OS/2 and NUA/OS/3, both sites lie within the Mineral Safeguarding and consultation area for gypsum. In accordance with Policy SP7 of the Nottinghamshire Minerals Local Plan, any application would need to demonstrate it will not needlessly sterilise the mineral resource and where this cannot be demonstrated, and there is a clear need for non-mineral development, prior extraction should be sought where practical. In some cases, large scale prior extraction might not be practical, however consideration should also be given to the potential use of minerals extracted as a result of on-site ground works rather than simply treating them as a waste material</p> <p><b><u>NSDC Response</u></b> – Noted</p>

058	Severn Trent Water	127	<p>Severn Trent would note that the sites now identified as Opportunity sites have less Certainty of being delivered as such we would not be able to consider these sites early and in a strategic way. Where capacity improvements are required it therefore may not be possible to deliver the improvements ahead of development as such this approach increases the likelihood of Grampian conditions being requested on these development sites. Please keep us informed when your plans are further developed when we will be able to offer more detailed comments and advice.</p> <p><b><u>NSDC Response –Noted</u></b></p>
077	Harby Parish Council	221	<p>Agreed</p> <p><b><u>NSDC Response – Noted</u></b></p>
078	Collingham Parish Council	276	<p>Agreed</p> <p><b><u>NSDC Response – Noted</u></b></p>
086	Harworth Group c/o Pegasus	309	<p>I write on behalf of Harworth Group plc, in relation to their land interests at the former Rufford Colliery, Rainworth. The land interest is identified on the Site Location Plan provided at Appendix 1. These comments have been prepared in response to Question 44 of the Amended Allocations &amp; Development Management Development Plan Options Document which seeks comments on the preferred approach to Opportunity Sites (Policy NUA/OS).</p> <p>Harworth Group plc is one of the leading land and property regeneration companies, operating across the Midlands and the north of England, owning and managing circa 16,000 acres across 100 sites. Harworth specialise in redeveloping brownfield sites into new employment areas and homes. Harworth is an experienced developer of brownfield sites, with a proven track record and a large portfolio of employment and residential sites. Harworth’s flagship sites, such as Waverley in Rotherham and Logistics North in Bolton, are of national economic significance and are at the forefront of regeneration in the UK. Harworth work closely with local communities, public bodies, developers and other professionals to bring forward previously developed sites into employment areas and new homes.</p> <p>Harworth secured planning permission for 800 new homes, together with a new primary school, commercial and leisure space in 2019 at the former Thoresby Colliery, located in Edwinstowe. The site was promoted through the Newark and Sherwood Amended Core Strategy and forms a strategic site allocation at Policy ShAP4. Harworth has subsequently sold serviced land parcels to housebuilders and work has commenced on the first two phases of residential development at Thoresby Vale. The site is an important regeneration site within the District.</p> <p>Draft Policy NUA/OS Opportunity Sites advises that sufficient sites have been allocated to more than meet requirements for housing and employment. The draft policy confirms that three opportunity sites have been identified; NUA/OS/1 Tarmac Site, Hawton Lane/Bowbridge</p>

Road, Newark (around 270 dwellings), NUA/OS/2 Land North of Beacon Hill Road (former NUA/Ho/5), Newark (around 200 dwellings) and NUA/OS/2 NSK Factory (former NUA/MU/3), Northern Road, Newark (around 150 dwellings). The proposed supporting text confirms that the sites are not the subject of formal housing allocations as although they are still considered developable, they are subject to uncertainty over timescales for delivery. The policy wording confirms that the Council will keep these opportunity sites under review and may identify additional opportunity sites within the settlements central to delivering the Spatial Strategy through the annual monitoring process. This approach is supported. It is important that the Local Plan allows for additional such opportunity sites to be delivered, particularly brownfield sites within sustainable locations, such as land at the former Rufford Colliery.

Harworth Group plc own land at the former Rufford Colliery, Rainworth. The Colliery closed in 2003 and the site has been gradually restored over time, with the southern part of the former colliery site now restored as part of the County's largest ever heathland recreation programme, totalling over 100 hectares, which was completed in 2019. The site the subject of these representations comprises the former coal staking yard. Access to the site is provided from the A617 Rainworth Bypass (dual carriageway) via a signal controlled junction onto Rufford Colliery Lane. The existing site access can accommodate HGV traffic. Access to the M1 is via the A617 Rainworth Bypass and the A38 - the Mansfield and Ashfield Regeneration Route (MARR). The MARR is a major east-west corridor between the M1 and the A1, and the route plays an essential role in delivering growth in the area. Rainworth village is located immediately to the south of the A617. Also located to the south of the A617 lies a circa 6.7ha site employment allocation (Policy Ra/E/1) that is currently being marketed for potential residential uses. The site at the former Rufford Colliery has excellent connections to the strategic highway network, together with a suitable existing access onto the A617 MARR, which can accommodate HGV traffic.

Harworth has proposals for employment development on the former coal stocking site of Rufford Colliery, which extends to approximately 26.8ha. A Proposed Sketch Plan by The Harris Partnership has been produced which shows that the site can be developed to provide some 817,000sqft of storage and distribution and office units. The Sketch Layout includes 800,000sqft of storage and distribution units, to include ancillary office accommodation, together with 17,000sqft of office units. The Sketch Plan is provided at Appendix 2.

The role of ecommerce, which has accelerated due to the Covid-19 pandemic, has resulted in the continued growth of the storage and distribution sector, particularly within the East Midlands. This move away from traditional High Street retail towards online retail is expected to continue for the foreseeable future. Online retail increased by 51% from December 2019 to December 2020 and has created an increased demand from e-commerce occupiers to find appropriate units to meet consumer demand. 2020 was a record year for transactions in the storage and distribution sector at the national level, and at the regional level, the East Midlands represented the strongest regional market, with over 25% of all take up in the UK. The East Midlands has been the dominant region over the last few years, and whilst the majority of this activity has taken place along the M1 corridor and the 'Golden Triangle', demand and take up in secondary locations, with the benefit of good transport connections, has also improved. The lack of storage and distribution sites in Newark and

Sherwood is considered to be partly attributable to a lack of suitable sites in the District, and there is the potential for Newark to be a valued location for the sector, providing the potential to attract occupiers to the District. To summarise, the market for storage and distribution units is currently very strong, particularly in the East Midlands, and this is expected to continue.

The National Planning Policy Framework (NPPF) confirms that strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed land. Paragraph 120 notes that planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land. The Amended Core Strategy confirms that the Mansfield Fringe Area, comprising Rainworth, Blidworth and Clipstone, are self-sufficient for daily needs, however, notes that they are closely linked to Mansfield for major services. The Core Strategy advises that these main settlements grew as a result of rapid exploitation of coal reserves, however since the 1970s the area has seen major industrial change and large scale job losses. The Core Strategy confirms that the need to combat unemployment, diversify the economic base and promote regeneration have therefore been important priorities. Policy MFAP1 confirms that the Council will seek the redevelopment of key regeneration sites in the Mansfield Fringe Area to aid the development of the area. Rainworth is included as a Service Centre within the Settlement Hierarchy (Spatial Policy 1) whereby residential and employment opportunities are to be promoted.

Land at the former Rufford Colliery presents an opportunity for the Council to identify the site in order to positively re-use a longstanding brownfield site and facilitate its sustainable redevelopment for employment uses. The accompanying Economic Benefits Report by Pegasus Group (Appendix 3) presents the economic benefits of developing the site for employment uses. In terms of construction impacts, the proposed development would support approximately 403 temporary roles and contribute an estimated £76.5m of gross value added (GVA) during the 3-year construction period. In terms of operational impacts, the proposed development would support up to 1,360 gross permanent full-time equivalent jobs once built and occupied. Additional GVA once fully occupied is estimated at up to £38.7m per annum, with an estimated £39m per annum generated in wages for onsite employees. Business rates generated by the scheme could be in the region of £1.3m per annum. The proposed development will provide employment opportunities for people with a range of different skills in different occupations. The site at Rufford Colliery also represents an opportunity to mitigate the potential loss of the nearby employment allocation, south of the A617, which we understand is currently being marketed for potential residential uses.

The Local Plan Review can play an important role in bringing forward brownfield land, which is a core principle of the NPPF. The site is located adjacent to Rainworth, a Service Centre located within the Mansfield Fringe Area, whereby the Core Strategy confirms that the redevelopment of key regeneration sites will be sought. Rufford Colliery provides the opportunity to deliver a high quality employment development, conveniently located within close proximity of the strategic highway network, including the MARR, maximising the regeneration benefits of redeveloping a brownfield site. Draft Policy NUA/OS confirms that opportunity sites will be kept under review,

			<p>particularly within settlements that are key to delivering the spatial strategy. Rufford Colliery lies adjacent to Rainworth, which is identified as a Service Centre whereby new housing and employment opportunities, together with the redevelopment of key regeneration sites, is sought. The site should be included as an Opportunity Site within Policy NUA/OS.</p> <p><b>NSDC Response –</b> Noted. All of the opportunity sites are already identified on the Proposals Map in some form and are located within the existing Urban Boundary. No further sites are currently being sought for allocation as part of the review process and Village Envelopes and Urban Boundaries are only being proposed for amendment where it brings existing development proposals within the boundary.</p>
093	Urban & Civic	337	<p>Proposed Policy NUA/OS – Opportunity Sites identifies three Opportunity Sites of which two are reallocations (NUA/OS/2 Land North of Beacon Hill Road &amp; NUA/OS/3 – NSK Factory) and one (NUA/OS/1 – Tarmac Site) is an additional site proposed as part of the Bowbridge Road Policy Area (NUA/Ho/7). Between them, the three Opportunity Sites have capacity for around 620 dwellings, with capacity of around 270 dwellings at the Tarmac Site, which is located at Hawton Lane/Bowbridge Road in the immediate vicinity of Newark South.</p> <p>Spatial Policy 5 (Delivering the Strategy) of the ACS provides the basis for the identification of Opportunity Sites, which are to be brought forward “Where it becomes clear through the monitoring process that delivery [of allocated sites] is not taking place at the rates required ...”. This is reiterated within the proposed Policy NUA/OS. In respect of Newark South, construction has commenced and housing delivery is underway.</p> <p>At odds with the above, the proposed supporting text for Opportunity Sites (paragraph 5.32.6) states that “ ... there is nothing to prevent these sites coming forward for housing development at any point in the Plan period ...”. It goes on to set out measures that may be used to bring Opportunity Sites forward. Furthermore, proposed amendments to Policy NUA/Ho/7 Newark Urban Area – Bowbridge Road Policy Area sets out that the Council will work with stakeholders within the Bowbridge Road Policy Area including to bring forward redevelopment of Opportunity Site 1 the Tarmac site (see response to Question 29).</p> <p>Urban &amp; Civic is concerned about pressure from additional housing in the vicinity of Newark South on both the highway network and services and facilities provided as part of the Newark South development, and it is Urban and Civic’s view that Opportunity Sites should not come forward that may affect delivery of Newark South.</p> <p>The Newark South development is delivering significant infrastructure, not least the SLR which is to facilitate planned wider growth in Newark and not just Newark South. Moreover, delivery of dwellings at Newark South is dependent on delivery of the SLR, including occupation of more than 600 dwellings being dependent on Phase 1 of the SLR being completed and occupation of more than 700 dwellings being dependent on commencement of construction of Phase 2 of the SLR. Urban and Civic object to any Opportunity Site</p>



			<p>coming forward that increase demand on and takes any available capacity in the highway network whilst development at Newark South is constrained.</p> <p>Furthermore, Newark South is delivering services and facilities including Middlebeck Primary School, which opened September 2021. This provides additional school places to meet the demand from the Newark South development only, and Urban &amp; Civic is, therefore, concerned that should children from Opportunity Sites, notably the Tarmac Site, take school spaces at Newark South then this will result in the needs of children at Newark South not being met.</p> <p>It should be noted that this additional pressure would be combined with pressure from other new housing in the immediate locality, with the appeal for up to 322 dwellings on Land at Flowserve Pump Division – a previously proposed Opportunity Site – being allowed in June 2021 (Ref: APP/B3030/W/20/326097), and also proposals within this Options Report if taken forward – in particular, the proposed gypsy and traveller pitches at Belvoir Ironworks North and extension to Site NUA/HO/10 – Land North of Lowfield Lane.</p> <p>For the reasons given above, Urban &amp; Civic respectfully request that the proposed supporting text for Policy NUA/OS – Opportunity Sites is revisited and revised to confirm that delivery of Opportunity Sites will only be supported where it is clear that delivery of allocated sites is not taking place at the rates required.</p> <p><b><u>NSDC Response</u></b> – Noted. As set out in the Amended Core Strategy, if sufficient housing delivery is not being achieved the LPA will seek to use appropriate measure to help bring forward opportunity site. Should those site come forward in the meantime without assistance from the LPA they would need to be assessed against the policies of the Development Plan and the provisions of the National Planning Policy Framework.</p>
098	Hawton Parish Council	386	<p>Agreed</p> <p><b><u>NSDC Response</u></b> – Noted</p>
113	Gladman	462	<p>As part of the Local Plan’s proposals, the Council is not seeking to allocate any additional housing land for development. However, it is noted that a number of allocations are now being deallocated. This serves as a reminder that sites can lapse for a variety of reasons and as such, flexibility needs to be built into the emerging Local Plan to ensure a flexible and responsive supply of housing land is available. Gladman note the Council is seeking to identify a number of ‘opportunity sites’. These sites have previously benefitted from allocation in previous plans and/or planning consents, however development of these sites has not materialised. For instance, proposed Opportunity Site ‘NUA/Ho/5 – North of Beacon Hill Road’ states the preferred option is for re-allocation as an Opportunity Site yet there has been no recent contact with the owners and delivery of the site within the plan period is no longer certain. Similarly, Opportunity Site NUA/MU/3 –</p>

			<p>Land at NSK states that there is currently no fixed timeframe for the transfer of the existing NSK engineering plant to a new site within the Newark Urban Area and therefore the delivery of the site within the plan period is no longer certain.</p> <p>Gladman disagree with the Council’s decision that the identification of these Opportunity Sites to provide extra flexibility because there is no certainty that these sites will be available or deliverable during the plan period. Should any slippage occur on the proposed allocated sites then these sites do not provide the necessary contingency to ensure that housing needs can be met.</p> <p>Gladman consider that additional housing allocations are required across the settlement hierarchy and it is important that the Local Plan Review provides a sufficient amount and variety of suitable sites which are available and deliverable and are able to come forward where they are needed and to ensure that these respond to the housing needs of groups with specific housing requirements and land with permission is developed without unnecessary delay.</p> <p><b><u>NSDC Response</u></b> – Noted. The LPA is satisfied that sufficient flexibility is available.</p>
115	Farndon Parish Council	512	<p>Agreed</p> <p><b><u>NSDC Response</u></b> – Noted</p>
123	Gascoines Group c/o Pegasus	542	<p>The inclusion of opportunity sites is supported and is considered an appropriate response to providing additional housing capacity should the proposed and extant allocations not progress as anticipated. It is, however, considered that additional opportunity sites should be included to provide sufficient buffer to deal with any under-delivery from the allocations.</p> <p>Whilst the principal of opportunity sites is supported it is unclear how they have been selected. In addition, it is noted that the deliverability from these sites is uncertain (Consultation document, paragraph 5.32.3). Their inclusion is therefore questionable. To provide adequate flexibility opportunity sites should be capable of delivery within the plan period.</p> <p>Furthermore, it is important that the plan does not unduly constrain other sustainable sites which are well located in relation to existing settlements, be they within or adjacent the urban boundary/village envelope. For example, it is noted that only minor alterations are proposed to the urban boundary/village envelopes and that there is no policy proposed which considers development adjacent to the urban boundary/village envelope.</p> <p>A supportive policy framework to bring forward such sites in instances where the Council has either failed the Housing Delivery Test or can no longer demonstrate a five-year housing land supply would provide additional flexibility and certainty to the plan.</p>

			<b><u>NSDC Response</u></b> – Noted. All of the opportunity sites are already identified on the Proposals Map in some form and are located within the existing Urban Boundary. No further sites are currently being sought for allocation as part of the review process and Village Envelopes and Urban Boundaries are only being proposed for amendment where it brings existing development proposals within the boundary.
128	Historic England	584	Noted <b><u>NSDC Response</u></b> – Noted
130	North Muskham Parish Council	621	Agreed <b><u>NSDC Response</u></b> – Noted
131	South Musham & Little Carlton Parish Council	649	Agreed <b><u>NSDC Response</u></b> – Noted
<b>Action Required</b>			Boundaries of the YMCA Sports Village and the Opportunity site will be checked and amended as necessary.

Question 45 – Newark Urban Area – Open Breaks - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
021	Heine Planning Consultancy	032	<p>I struggle to see how open breaks help settlements retain their separate identities and characteristics or what those are. That can be achieved even as suburbs. All the Open Break policy appears to do is prevent the coalescence of settlements and stop villages becoming suburbs of the nearest large town. I remain unconvinced that they serve any real planning purpose. It is hard to reconcile the desire to focus new development in and around Newark yet retain some artificial and arbitrary break between Newark and edge of town settlements which to all intents and purposes are already functioning as suburbs of Newark. The open break policy is simply safeguarding the transport corridor connecting settlements.</p> <p>The proposed re-wording does not go far enough. All development appropriate in rural areas outside settlement boundaries should be permitted in Open Breaks. It is somewhat bizarre to impose a stricter policy for areas that are sustainably located. I fail to understand why there is a need for a different policy approach to DM8?</p> <p>The likely impacts of the dualling of the A46 needs to be given urgent consideration as this will surely have considerable impact on the open break policy areas.</p> <p>I do not think you are offering sensible or realistic options. In my view it is morally unacceptable to require Travellers to remain living on a functional flood plain whilst more suitable land exists around Newark. Instead of spending huge sums of money to keep Travellers in a functional flood plain, why not save this money, retain parts of Tolney Lane undeveloped and suitable for rewilding as part of a the river corridor to benefit residents in Newark, and relocate pitches elsewhere-if necessary within the Open Break land which will be blighted by the A46 roadworks.</p> <p><b>NSDC Response –</b> It is considered that the principle of Open Breaks remains appropriate, and as per the supporting evidence base their use is consistent with national policy. They are viewed as an important policy tool for shaping and managing development in and around the Newark Urban Area, assisting in retaining the separate nature and character of surrounding villages. The consultation document clearly sets out that the Newark-Winthorpe Open Break will be further reviewed to take account of the emerging A46 proposals – the findings of this will then inform the future of that specific designation.</p>
077	Harby Parish Council	222	<p>Harby Parish Council agrees with the preferred approach.</p> <p><b>NSDC Response –</b> Comments welcomed and noted.</p>
078	Collingham Parish Council	277	<p>Collingham Parish Council agrees with the preferred approach.</p> <p><b>NSDC Response –</b> Comments welcomed and noted.</p>
095	001 Hardy Ltd	339	<p>The proposed extension to the Newark - Farndon Open Break is not supported. The link in the preferred options document to the evidence doesn't work because rather foolishly the Council has reconfigured its website using altered webpage titles. The current plan review page does not include the evidence document which undermines the consultation process. The evidence alongside that relating to Tolney Lane has been placed on a webpage headed 'Previous stages of plan review' which is highly misleading.</p>

The Newark - Farndon Open Break is somewhat odd in that it actually separates part of Newark from the remainder of Newark as well as from Farndon.

The evidence appears to lack clarity on what is the purpose of the open break. The current open break is based on the existing built-form rather than the planned form. The preferred approach document in paragraph 6.1.12 discounts consideration of an open-break between Newark and Hawton because 'development pressure does not yet exist at this location and no detailed landscape analysis was undertaken due to planned changes in the area.' The same position applies between Farndon and the future Newark South urban extension; but nonetheless the evidence tries to justify extension by referring to the future development of Middlebeck. The LPA is being inconsistent on this matter.

The methodology is mixing up two elements, it is looking at the juxtaposition between Newark and Farndon; along with the setting of the River Devon. The setting of the River Devon has no role to play in the concept of coalescence which the open breaks are principally trying to prevent. In fact probably the most appropriate notation for the northern part of the open break separating the Farndon Road part of Newark from the rest of Newark would be 'Main Open Area' designation rather than 'Open Break'. Historically the Farndon Road part of Newark up to the River Devon was still part of the Parish of Farndon; we are unclear as to when the Farndon Road area transferred to the Parish of Newark.

The policy seeks to resist all forms of built development within the Open Breaks. Any proposal to increase the area covered therefore has serious consequences for any additional land included. A significant amount of land included in the existing open break is important agricultural land and the proposed extension would cover substantial areas of additional important agricultural land upon which appropriate agricultural development may need to be undertaken.

As the LPA is aware excavations and engineering operations reasonably necessary for agriculture are permitted development under Class A of Part 6 of Schedule 2 of the GPDO 2015. Some of these can be undertaken without even the need for prior notification to the LPA. The erection of buildings reasonably necessary for agriculture are also permitted development. As confirmed in Appeal Decision APP/R1010/W/20/3265080 there is no ability to impose conditions on a prior approval nor to request information beyond what the GPDO states. The land is important agricultural land and we are concerned that the LPA will seek to resist agricultural development in this area on the basis of this notation. This would be inappropriate given that agricultural development constitutes permitted development under Part 6 even within open breaks or similar; and the prior approval process is not intended to undermine or revisit the principle of acceptability set out in the GPDO. The policy seeks to be more restrictive than Green Belt policy which is inappropriate for large tracts of land. A restrictive policy seeking to resist all development should cover the absolute minimum land, for example a single field.

The Open Break between Newark - Farndon and Newark - Winthorpe are to undergo significant structural change through the proposed dualling of the A46. The alignment that this will take is still to be decided but this will fundamentally change the nature of the land use and the relationship between the settlements. As such no review of the open breaks should be undertaken until the implications of the A46 dualling is known. The policy as currently written seeks to resist built development; in literal terms therefore it could be used to resist the provision of the important infrastructure of the A46 dualling and the provision of the southern relief road.

The Newark - Farndon open break is also to undergo further change at a point that is unknown in relation to the provision of the Southern Relief Road and the western end of the Land South of Newark urban extension. The proposed extension of the open break overlaps land allocated for housing development in the Land South of Newark which already has outline planning permission; together with land allocated for the Southern Relief Road. This approach is wholly inconsistent within the DPD and the preferred approach would not be in conformity with policies NAP 1 and NAP 2A of the Amended Core Strategy.

The methodology for the open breaks refers to having considered three headings: physical separation; perceptual separation; and landscape value. Policy NUA/OB/1 in the existing DPD does not set out what factors were considered and there is no evidence document shown in the evidence base for the 2012 public examination. The DPD only refers to separate identities which implies it relates to coalescence; this would only relate to physical or visual separation. There is no suggestion that the existing policy in any way was based on landscape value; as such this appears to be an entirely new factor.

Table 4.1 in the methodology includes four categories of assessment; there is no explanation as to what 'Contribution to open break' means'; and as identified earlier in our view it also incorrectly assesses 'landscape value'. The key factors are in our view 'physical separation' and 'perceptual separation'. These factors have as referred to above incorrectly included the setting of the River Devon.

The preferred approach is to include part of unit 10 and all of units 11 and 12; the evidence document assesses these as follows:

- \* Unit 10 - physical - High; perceptual - Medium
- \* Unit 11 - physical - Medium; perceptual - Low;
- \* Unit 12 - physical - High; perceptual - Low

The LPA evidence does not support the suggested extension, 'Low perceptual' is defined in the evidence methodology as 'Land unit does not contribute or only makes a weak contribution to the sense of separation of Newark and Farndon'. Accordingly this does not support the inclusion of units 11 and 12 in the proposed extended open break. Even 'Medium perceptual' or 'Medium physical' is defined as 'Land unit partially contributes to the sense of separation of the two settlements'. This again does not support the inclusion of part of units 10 and 11 in the open break.

Units 10, 11 & 12 do not site between the existing settlement of Farndon and Newark. The units are also in parts a very significant distance from the urban areas. The southern end of unit 12 is at the maximum 1.25km away from the edge of Newark and 0.62km from the edge of Farndon. The southern end of unit 11 is 1.34km from the edge of Newark. These units do not even fall within the space between Farndon and the planned edge of the Land South of Newark. Given these distances the assessment of units 10 and 12 are incorrectly assessed as being high in relation to physical separation.

The conclusions in the methodology in paragraph 5.12 refer to the justification being that Middlebeck will extend towards Hawton. There is no mention of Farndon and the evidence overall does not support any extension to the open break between Newark - Farndon. The reserved matters for the western end of Middlebeck is yet to be submitted and approved; therefore the amount of new green infrastructure to be provided to the east of the River Devon is unknown. However, in parts flood zones 2 and 3 extend over 100m to the east of the River Devon; as such the actual built housing development will have to stop some distance east of the River Devon.

			<p>The open break should either be retained in its current arrangement (save for excluding the parcel of land associated with no.77 Fosse Road, Farndon and the southern extent being amended to follow defined features on the ground); or the open break should only relate to the existing part actually between Newark and Farndon with the northern bit separating the main part of Newark from Farndon Road in Newark replaced with Main Open Area designation. We have submitted an annotated diagram to indicate what we mean.</p> <p><b>NSDC Response –</b> Comments are noted, it is considered that the designations remain consistent with national planning policy, and that the review has followed an appropriate methodology. Notwithstanding this the detailed comments raised by the respondent will be reviewed.</p>
<b>098</b>	Hawton Parish Council	387	<p>Given the level of development at Middlebeck, it is considered that there will be pressure to develop closer to the village at some future point. The Parish Council would welcome the introduction of an Open Break to keep its identity separate and unique from the encroaching conurbation.</p> <p><b>NSDC Response –</b> Comments are noted, this matter was considered as part of the review of the designations and concluded to not be necessary at this stage. This is a matter which would be more appropriately investigated and considered as part of future rounds of plan-making.</p>
<b>115</b>	Farndon Parish Council	513	<p>The Parish Council is pleased that the Open Break that protects the village from being integrated into Newark has been extended. The Parish Council does not, however, support the change to the wording. If it is considered important in policy that there should be an Open Break to protect identity no development should be allowed, other than enhancing the areas as a green space, i.e. planted as woodland or made into a community park.</p> <p><b>NSDC Response –</b> Comments are noted and the qualified support welcomed. It is considered that the proposed wording strikes the right balance and that the suggested exceptions are necessary to provide a realistic basis for implementation. The policy is only capable of dealing with change that requires planning permission – it will not be able to prevent this from occurring where that is not the case.</p>
<b>128</b>	Historic England	585	<p>Agree with preferred approach and it is noted that the proposed open breaks also have the potential to sustain or enhance Hawton moated site (Farndon) and Coddington moated site Scheduled Monuments which is welcomed.</p> <p><b>NSDC Response –</b> Noted and welcomed.</p>
<b>130</b>	North Muskham Parish Council	622	<p>Due regard should be taken to the views of the communities that those Open Breaks serve to protect.</p> <p><b>NSDC Response –</b> Comments noted.</p>
<b>131</b>	South Muskham & Little Carlton Parish Council	650	<p>Due regard should be taken to the views of the communities that those Open Breaks serve to protect.</p> <p><b>NSDC Response –</b> Comments noted.</p>
<b>Action Required</b>			<p>Carry out a review of the impact from the emerging A46 proposals on the Newark – Winthorpe Open Break, and address the detailed methodological comments raised by respondent 095.</p>

Question 46 – Policy NA/MOA Newark Urban Area – Main Open Areas - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
077	Harby Parish Council	223	Harby Parish Council agrees with the preferred approach. <b>NSDC Response</b> – Comments noted and welcomed.
078	Collingham Parish Council	278	Collingham Parish Council agrees with the preferred approach. <b>NSDC Response</b> – Comments noted and welcomed.
098	Hawton Parish Council	388	Yes <b>NSDC Response</b> – Comments noted and welcomed.
115	Farndon Parish Council	514	Yes <b>NSDC Response</b> – Comments noted and welcomed.
128	Historic England	586	The proposed revisions and preferred approach are noted. <b>NSDC Response</b> – Comments noted and welcomed.
130	North Muskham Parish Council	623	Yes <b>NSDC Response</b> – Comments noted and welcomed.
131	South Muskham & Little Carlton Parish Council	651	Yes <b>NSDC Response</b> – Comments noted and welcomed.
<b>Action Required</b>			None



Question 47 – Policy NUA/TC/1 – Newark Urban Area – Newark Town Centre - Do you agree with the preferred approach

ID	Respondent	Response Number	Comment ?
077	Harby Parish Council	224	Harby Parish Council agrees with the preferred approach. <b>NSDC Response</b> – Comments noted and welcomed.
078	Collingham Parish Council	279	Collingham Parish Council agrees with the preferred approach. <b>NSDC Response</b> – Comments noted and welcomed.
098	Hawton Parish Council	389	Yes <b>NSDC Response</b> – Comments noted and welcomed.
115	Farndon Parish Council	515	Yes <b>NSDC Response</b> – Comments noted and welcomed.
128	Historic England	587	The proposed revisions and preferred approach are noted. <b>NSDC Response</b> – Comments noted and welcomed.
130	North Muskham Parish Council	624	Yes <b>NSDC Response</b> – Comments noted and welcomed.
131	South Muskham & Little Carlton Parish Council	652	Yes <b>NSDC Response</b> – Comments noted and welcomed.
<b>Action Required</b>			None

Question 48 – Policy So/DC/1 – Southwell – Southwell District Centre - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
077	Harby Parish Council	225	Harby Parish Council agrees with the preferred approach. <b><u>NSDC Response – Noted.</u></b>
078	Collingham Parish Council	280	Collingham Parish Council agrees with the preferred approach. <b><u>NSDC Response – Noted.</u></b>
098	Hawton Parish Council	390	No comment. <b><u>NSDC Response – Noted.</u></b>
115	Farndon Parish Council	516	No comment. <b><u>NSDC Response – Noted.</u></b>
128	Historic England	588	The proposed revisions and preferred approach are noted. <b><u>NSDC Response – Noted.</u></b>
<b>Action Required</b>			None

Question 49 – Policy OB/DC/1 & OB/LC/1 - Ollerton District Centre & Boughton Local Centre - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
077	Harby Parish Council	226	Harby Parish Council agrees with the preferred approach. <b><u>NSDC Response</u></b> – Comments noted.
078	Collingham Parish Council	281	Collingham Parish Council agrees with the preferred approach. <b><u>NSDC Response</u></b> – Comments noted.
098	Hawton Parish Council	391	No comment. <b><u>NSDC Response</u></b> – Comments noted.
115	Farndon Parish Council	517	No comment. <b><u>NSDC Response</u></b> – Comments noted.
128	Historic England	589	The proposed revisions and preferred approach are noted <b><u>NSDC Response</u></b> – Comments noted.
<b>Action Required</b>			None

Question 50 – Open Space - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
007	Resident	009	<p>My view is there is not enough decent open space in Newark, this was also reported not many weeks ago saying we were X amount of football pitch sizes short of open Spaces in the area. It appears any green patch is being built on at the moment, Newark does not have the infrastructure to cope and as the town grows our resources are cut, like hospital, police, courts etc., not to mention the continued road issues. We need much more good quality accessible green spaces, for our physical and mental wellbeing. Less talk more action.</p> <p><b>NSDC Response</b> – Comments noted.</p>
009	Resident	011	<p>I support the group's goal of securing open green spaces for the population of Newark and Sherwood. I am a residence in Boughton and I am concerned about a meritorious site that will negatively impact green space.</p> <p>Are you aware of the proposed new houses set to be built in Ollerton and Boughton in the vicinity of the Retford Road estate, Hallam Road estate and Dukeries Academy sports fields?</p> <p>The proposed new large housing estate between Benting Close on the terrors road estate and Hallam road which is currently waste scrub land makes sense, and will bring an otherwise unusable piece of land into practical use.</p> <p>However, the smaller amount of newly proposed houses set to be nestled in the small space between Ferndale Close, Maid Marion Way and the back of the Dukeries Leisure Centre, serves no rational purpose other than to squeeze in more houses when the above proposed sight is yards away and is already substantial. These houses will also require a road to be built in front of Stepnall heights making an otherwise safe green space used by locals and children potentially dangerous, increasing pollution and pressure on the green space. This will also reduce the usability of the site which before Covid was used as an events space, hosting fairs and the circus.</p> <p>The former miner's welfare site on Whinney Lane once served the purpose of an events space in Ollerton but has since been lost to housing. It would be a shame for this space to be lost as well when there are few open areas remaining in the town that can be enjoyed.</p> <p>Although the planning application by Newark and Sherwood seeks to purchase land from the Dukeries to act as green space, this makes little sense and will only remove much needed educational and sports land. The growing population of the local and wider catchment area of the secondary school, is likely going to require the land to accommodate an increased number of secondary students. The level of new build taking place will inevitably lead to a larger child population making educational land all the more precious and necessary.</p> <p><b>NSDC Response</b> – Comments noted but this is outside the scope of the Open Space Strategy.</p>
011	Resident	013	<p>You're right - this is a long document!</p> <p>I would like to comment on Coddington - page 93 ff.</p>

			<p>Firstly Millennium Garden. I have lived 400 yards from this for nearly five years and had no idea it had an official name. As far as I am concerned it is a bench overlooking a main road! Welcome at times, certainly, but I wouldn't let my dog off his lead nor allow a child to run free there. I struggle to accept its definition as amenity green space.</p> <p>Secondly, please note on p. 96 at the bottom of the Typology column, it should read Coddington and not Sutton-on-Trent.</p> <p>Thank you for doing this project. It sounds a really good idea and I'm sure will prove immensely useful in the future.</p> <p><b>NSDC Response</b> – Comments welcomed and noted. In respect of Millennium Garden, sites like this are assessed on a site by site basis so in some cases open spaces have been included where they provides public benefit or visual amenity. The typo on page 96 will be amended accordingly.</p>
047	Sport England	084	<p>Open space provision and protection is a matter for Newark and Sherwood District Council, however we would make the following comments on the Assessment and Strategy</p> <p>Local planning authorities are required by law to consult Sport England (the brand name for the English Sports Council) when they receive planning applications for development affecting playing fields. Our role is therefore to protect playing fields which as the open assessment confirms are covered in a separate Playing Pitch Strategy. The Newark Playing Pitch Strategy dates from 2014 but was fully reviewed in 2017, it is understood that the PPS is to be updated shortly to ensure that it remains robust and up to date in accordance with para 98 of NPPF 2021.</p> <p>The relationship between the Open Space Assessment/Strategy and the PPS is important this is covered in the final paragraph of the introduction and within other references within the report.</p> <p>There is clearly a number of sites which have an overlap between its formal sports function and its function as an open space (many are multi-functional). Sport England will continue to protect those sites which meet the definition of a playing field and consider that the PPS is the primary evidence in this regard in our role as a statutory consultee.</p> <p>Sport England notes that the Developer Contributions and Planning Obligations SPD contains a standard for outdoor sports the footnote and the reference to the Sport England Playing Pitch Calculator confirms that Sport England does not support standards , but does support locally derived evidence which secures the right facilities in the right place or an appropriate off site contributions based on an assessment of the demand generated from development and evidence of the available capacity or shortfalls.</p> <p>It is noted that in table 11 a number of sites which may have potential for climate change resilience, which could include tree planting are also playing fields. The planning of tree planting should be carefully considered with regard to the formal sports function of the site including pitch locations, layout flexibility and usability. Just because parts of a site are not currently marked out with pitches does not mean that they are surplus. Our role is to protect the whole of the playing field area. Sport England would be happy to discuss appropriate locations for tree planting.</p>

			<p>It is noted that Turner Lane Park (280) is referenced as Amenity Green Space, but further evidence confirms that this is indeed a playing field confirmed by aerial photography and resident comments wanting see an ‘improved football pitch’, in comment on the neighbourhood strategy and the annotation as ‘playing field’ on the Local development Framework Policies Map.</p> <p>In addition site 209 East of Dukeries Academy is clearly formal playing field not Amenity Green Space.</p> <p><b>NSDC Response</b> – Comments noted and welcomed. The Council have double checked the status of the two sites mentioned (Turner Lane Park and East of Dukeries Academy) and we are believe they fall under the typology of amenity greenspace for the purposes of the Open Space Strategy owing to the fact that they are publicly accessible and can be used for recreational purposes. It is understood however that they have a multi-functional role and this is reflected in the report.</p>
048	Farnsfield Parish Council	090	<p>Thanks for the opportunity to give feedback on the draft Open Space Strategy. I have some comments in relation to Farnsfield.</p> <ol style="list-style-type: none"> <li>1. The size of site 459 Farnsfield Allotments is incorrect. The allotments only takes up part of Reynold's Field, the rest of the field is used for recreation. Could this be reassessed please? It was pointed out when the parish council gave their feedback earlier in the year.</li> <li>2. In Table 23.1.3: Sites of low quality and/or value Farnsfield is spelt incorrectly as Farnsifeld.</li> <li>3. Site 461 Bellway at Farnsfield is in fact a SUDS and has no amenity value. It should be secured against public access. The sides of the SUDS are steep sided and should the SUDS fill with water there would be a danger to life. The whole area has not been designed for public access and is only visible from two properties. Please refer to correspondence between planning enforcement and myself. Can this be reassessed and removed as an amenity area in the Open Spaces Strategy as planning enforcement have indicated the area cannot be improved to be of amenity value?</li> <li>4. Part of site 143 The Acres (identified as amenity greenspace) is used as a football pitch and there is a changing rooms on site. Should this be included in Table 15.3: Key to outdoor sports sites mapped and the associated map?</li> </ol> <p><b>NSDC Response</b> – Comments noted. Part of the allotment site is currently turned over to amenity greenspace at the moment but has been included in the allotment site. The typo has been corrected. Site 461 falls below the site size threshold and will be removed accordingly. Site 143 has been assessed as AGS as it has a dual use and the public can walk across it.</p>
058	Severn Trent Water	121	<p>With regards to the Open space strategy we do not have many comments to make, we would however recommend that where policies are made relating to Open Spaces that polices do not restrict the development of Flood Alleviation projects, provided they do not adversely impact on the primary function of the Open Space. We would note that in a number of cases SuDS Based Flood alleviations schemes can be installed within open spaces resulting benefits to both amenity and Biodiversity.</p> <p><b>NSDC Response</b> – Comments welcomed and noted.</p>
065	Protect Newark's Green Spaces	135	<p><b>PROTECT NEWARK'S GREEN SPACES (PNGS)</b> is a Community Focus Group formed in 2018 with a Facebook page and 378 followers. We have consistently campaigned in Newark, holding public events and protests and started a petition, garnering 1,770 signatures, which was presented to N&amp;SDC in March 2019 about the planned destruction of trees in order to build a carpark at Library Gardens in Newark. We</p>

have been active in opposing the loss of Elm Avenue Playing Field and loss of green spaces on Bowbridge road, Clay Lane and Beacon Hill to name a few. We were promised consultation on a Car Parking Strategy for Newark which has not happened.

**CLIMATE CRISIS:** We know that Newark & Sherwood District Council (N&SDC) published a **CLIMATE EMERGENCY STRATEGY** in SEPT 2020, but we feel this valuable strategy does not go far enough. Their targets for reducing carbon emissions in Council properties, working practices, development practices, their vehicles and a mention of “offsetting” to reduce their overall Carbon Footprint are admirable. We note that in this Strategy document, they consistently ignore the biggest carbon reduction asset in Newark and Sherwood. This is the already existing mature trees, younger trees, shrubs and green spaces; especially in Newark itself, which includes Balderton, thereby making it by far the largest conurbation in the district.

**While plans are made to destroy mature trees** in the Town Centre at the Library Gardens to tarmac the green space so as to make an unnecessary carpark, just three of those mature trees are sequestering **9.297 tonnes of carbon**. (Natural Resources Wales carbon calculator using tree measurements).

**How many tonnes of CO2 are stored in all the trees** at Library Gardens and Beaumont Gardens? And in all the mature trees on the green space next to St. Mary’s Parish Church? And in the mature trees in Castle Gardens? We can do this survey too, but it should already be done and published by N&SDC. These are the only public green spaces in the town centre.

**Tree planting:** we have seen that N&SDC have been active over the past 2 or 3 years planting young saplings and offering very small saplings to locals to plant in their gardens. These trees are often not watered in hot weather (e.g., 2020 summer) and so do not survive their first year or they are snapped off and mown down by vandals. We have plenty of photographic evidence of this at Clay Lane and other areas. Therefore, the Greening of Newark and Sherwood Agenda, referred to in the Engagement page of the Climate Emergency Strategy will take at least 40-50 years to result in any kind of meaningful extra carbon capture provided proper care is given to saplings planted.

We will now turn to **CLIMATE SPECIAL**, a compendium of information and resources compiled by the **National Federation of Parks and Green Spaces** as part of their Great Big Green Week, 18th to 26th Sept, **which forms Part II of our response**.

## **PART II**

### **Challenges faced by parks and green spaces**

Changes to weather patterns will impact on our parks and, without investment now, could pose significant harm to precious areas.

- **Continuing declines in funding overall into the parks sector limits strategic approaches to environmental improvements.** Our own research highlights how stretched parks teams are and how this limits collaborations. This loss of funding exacerbates the declining quality of infrastructure, adds to pressures to sell, and increasingly, concessions and large-scale events are being used to make up shortfalls (Ref 1).

- **Extreme weather impacts parks environments.** Climate change in the UK will bring intense rains and stronger winds; in the past 10 years the impact of flooding has been seen and felt. There are hotter, drier summers (Ref. 2). Plants and wildlife will need support, particularly through the linking of habitat sites, to be resilient (Ref 3 and 4).
- **Plant and animal pathogens are increasing.** It's not just Covid-19 for humans; plants and other wildlife are severely affected by incoming pests and diseases (Ref 5 and 6). A changing climate changes the range of pests and their ability to take hold in different areas (Ref 7).

**Parks and green spaces are essential**

Whilst the challenges are concerning, green spaces, and wider green and blue infrastructure, can also play a huge part in providing answers. Parks, green and blue spaces across the UK can be part of the solutions in different ways.

Resilience against extreme weather

- **Urban green spaces reduce the 'heat-island' effect.** As global temperatures rise, the temperatures in cities and towns soar. Increasing the number of street trees, and adding other greenery, parks and ponds throughout streets and neighbourhoods, improves shading and reduces the amount of heat conduction (Ref 8).
- **Green spaces can protect properties against flooding.** Many urban parks already function as flood mitigation spaces, protecting homes and businesses against flooding (Ref 9). Additional green infrastructure, such as gardens, green roofs or street trees, can also slow the flow of water through built up areas, helping to manage localised rainfall (Ref 10).
- **Rural green spaces can be better managed to prevent downstream flooding.** Many partnerships of NGOs, water companies, farmers and environmental groups, are transforming their estates and catchment areas to better manage intense rainfall and prevent downstream flooding (Ref 11).

Sustainable solutions

- **Carbon sequestration can be delivered in green spaces.** In addition to providing space for new trees and woodlands, our large existing trees play a significant role in holding carbon and regulating air pollution (Ref 12). There is also emerging research about how managed parks, green spaces and urban soils can help absorb carbon (Ref 13).
- **Parks could help in the transition to clean energy.** Some parks could become places where renewable energy is generated, helping deliver localised power solutions (Ref 14 and 15).
- **Greener streets encourage more active travel choices.** New pocket parks and planters can be carefully placed to reduce through traffic, improving the environment for walkers and cyclists (Ref 16). Improving the health of communities by reducing air pollution and encouraging active travel is recommended by health experts (Ref 17 and 18) and will also reduce carbon emissions (Ref 19).
- **Public green spaces provide attractive alternative travel routes.** Encouraging active travel and achieving healthier communities is a priority for local authorities. There is also a great map for those in London, showing how to travel from park to park (Ref 20).



Benefits for wildlife

- **Parks and green spaces, including private gardens, are havens for wildlife.** The combined network of green spaces across towns and cities, supports urban wildlife populations (Ref 21).
- **Planned well, new developments can bring our communities and wildlife closer together.** There are many ways to build that contribute to better living spaces for people and nature (Ref 22). A requirement to leave natural areas improved after development, called Biodiversity Net Gain, is likely to become mandatory in future (Ref 23).
- **Even humble verges can support pollinators and wildflowers.** At the bottom of the food chain insects underpin healthy ecosystems yet have declined hugely in the UK in the last few decades (Ref 24). Changes to management can create important corridors, networks in and out of urban areas, in addition to looking more beautiful (Ref 25).

Benefits for people

- **Parks and green spaces support good physical and mental health.** The pandemic saw a huge increase in the use of our local parks and green spaces (Ref 26). Estimated well-being benefits of access to parks and green spaces is £34.2 billion a year, with annual savings to the NHS of circa £100m, just in reduced GP visits alone (Ref 27 and 28). According to the NHS, healthier populations and reductions in healthcare needs also translates into carbon emission reductions (Ref 29).
- **New parks can revitalise town centres.** Changes in shopping habits, and latterly the pandemic, have left empty retail spaces with opportunities provided to create new parks and green spaces (Ref 30 and 31).
- **Green and blue spaces can build resilience into our food systems.** Developing new areas for food growing, for example community allotments or open orchard areas in parks, rooftop farms or food gardens, can provide a good proportion of local fruit and vegetables (Ref 32). Growing food locally provides more nutritious food with a lower carbon footprint (Ref 33). Consumers want sustainable products (Ref 34), which could provide a ready market for community-led schemes (Ref 35).
- **Public green space provides unparalleled opportunities for promoting environmental education, awareness and volunteering.** The experiences of our Friends groups and environmental volunteers across the UK, show the range and scope of projects and improvements undertaken (Ref 36). All this work brings education, awareness and opportunities to be involved for the future.

\* The resources for all the above references are included at the end of this document.

**PART III**

We now turn to points and questions raised by PNGS members:

1. The “PUBLIC CONSULTATION NO. 2 OPEN SPACES” CONSULTATION document tells us that “A priority for N&SDC is the role and ability open space can provide in helping to tackle wider social issues such as health deprivation and climate change”. We look forward to finding out exactly where and how this priority will be realized in traffic-jammed, tree and green space deprived Newark town centre, and would like to stress that this should be a very urgent priority. It is difficult to discern any

data on the vital contribution green spaces and trees make to the mitigation of climate change in terms of their carbon capture function.

2. We also read that “the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimize vulnerability and improve resilience; encourage the re-use of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.”

Assuming that one of the outcomes of the survey will be to identify land that can justifiably be developed, how will N&SDC improve on its current developments which most certainly do not contribute to “radical reductions in greenhouse gas emissions”? The conversion of existing buildings in an environmentally sound way should also be an urgent priority for Newark town centre.

3. One of the problems with this very detailed and systematic survey is that it fails to reflect residents’ lived experience of the various locations surveyed. For example, Collingham is shown to be very deprived of open space (rating 1.23h). Local knowledge tells us that the majority of Collingham residents feel that they live in a very pleasant, green village with easy, walking access to open countryside, two large nature reserves and the village is home to many ancient trees that are protected. We have a large, green, well-maintained children’s park and see havens for nature wherever we look. Whereas Newark (with a rating of 2.84h) has a town centre that is seriously deprived of open green space, trees and havens for nature; the trees and green spaces it has are now in danger of destruction for development. Not to mention the damaging levels of traffic and traffic jams, the nature of the building development (which is not carbon-free), planning decisions that add to carbon emissions, and evidence of deprivation/neglect everywhere you look. So, the survey presents a misleading comparison of these two locations, and I assume others, by completely failing to reflect the lived experience of residents or the quality of life offered by the two locations and their contribution to the mitigation of climate change.

4. Finally, some specific questions on this section:

“Table 24.1.3 sets out the impacts from the known and anticipated changes to open space provision and population for the NUA settlement. It highlights that the NUA will see an increase in the overall provision level for open space (from 2.94 to 4.65 hectares per 1,000 population). **However, for parks a decrease compared to current provision levels is likely to be experienced.**”

**Q. Why? Parks are the ideal open space for the health of people and the planet.**

“Assessed against the Local Standards for Green Space contained within the SPD, a decrease in all except amenity greenspace is noted. However, for play provision the decrease is likely to be less than shown when surrounding amenity greenspace land is also included. This is further supported by the increases in amenity greenspace observed (+0.68). The quantitative decrease in natural/semi-natural greenspace is also likely to be less as **the settlement is served in terms of access to some extent by the proximity of significantly large sites such as Stapleford Wood (92 hectares).**”

**Q. People living in Newark, Balderton and Fernwood without cars have access to Stapleford Woods? This type of nonsensical claim damages the validity of the report.**

### CONCLUDING REMARKS

PROTECT NEWARK'S GREEN SPACES campaigners believe that Newark & Sherwood District Council and the Councillors on different Planning and Policy and Finance Committees (most of whom do not actually live in Newark) rely on Sherwood Forest and the rural, small towns and villages pattern of most of the District to delude themselves that the Newark / Balderton conurbation (prob about 75,000 residents now, we must await the results of the census in 2022) has a lot of green space and have not published lived experience reports from the District.

Meanwhile the **Fields in Trust** figures quoted in The Newark Advertiser show a different picture entirely. Their figures show that, nationally, the recommended benchmark is 4.0 hectares of open green space per 1000 people.

The District Council has admirably set a target of 11.85 hectares per 1000 people.

However:

- Newark has 2.84 hectares per 1000 residents.
- Balderton has 2.65 hectares per 1000 residents.
- Coddington has 2.22 h.
- Collingham has 1.23 h
- Farndon has 8.53 h
- Fernwood has 4.83 h

Which means only two areas near to the Newark/Balderton conurbation borders, have more than the recommended area.

#### **We recommend that:**

- These figures of below 4 hectares per 1000 be raised as soon as possible.
- The cutting down of mature trees which are not diseased is banned and Tree Protection Orders enforced. (See recent case of negligence in Appletongate)
- While we are consulting, we need input from **Newark Town Council** which manages Newark Cemetery and some other small open green areas in the Town Centre.
- N&SDC stops granting permission for home building development on green spaces and uses brownfield and empty shops/offices in the town centre for housing.
- The plans to develop the green space and destroy some mature trees at Library Gardens **MUST NOT BE AGREED**

**NSDC Response** – Comments noted. The Open Space Strategy document is a starting point which is intended to form part of a wider management strategy and additional work needs to be undertaken to allow for more strategic thinking to take place. Whilst some open spaces contain trees owing to their nature, the role of the Open Space Strategy is to detail what open space provision exists in the area, its condition, distribution and overall quality. The Open Space Strategy also highlights the importance of parks and open spaces by including

			<p>an assessment of future anticipated development and anticipated population growth to make it possible to identify where additional intervention beyond that which can be reasonably secured from new development may be needed.</p> <p>In response to Point 2 of Section 3, as explained above, the Open Space Strategy has a very specific role which sites within a wider management strategy and it is not the role of this particular document to reduce greenhouse emissions.</p> <p>In response to Point 3 of Section 3, the Open Space Strategy needs to have a quantitative benchmark to allow for comparisons between settlements to occur to establish where shortfalls in open space exist. Residents' lived experience does not take into consideration future need for open space as population grows.</p> <p>In response to the questions in Section 4:</p> <ul style="list-style-type: none"> <li>• Firstly the open space typologies of 'parks &amp; gardens' is defined as 'accessible, high quality opportunities for informal recreation and community events'. This includes formally maintained public urban parks (including designed landscapes) but this typology does not include Country Parks, which are included within the natural / semi-natural typology. Parks &amp; Gardens are integral to the urban landscape but the rural nature of the District means it is less common to see new formal parks &amp; gardens being delivered outside urban areas.</li> <li>• The report does not say that Stapleford Woods is accessed by all residents and is very clear that the settlement is served <b><i>'to some extent by the proximity of significantly large sites such as Stapleford Woods (92 hectares)'</i></b></li> </ul> <p>The Open Space Strategy sets quantity standards to identify areas of shortfalls and help with determining requirements for the future. The quantity standards applied to open space have been set using a locally based approach. Whilst there are no formal national standards established, the Fields in Trust standard is a long-established benchmark for open spaces, originally known as the '6 Acre Standard'. In setting the District's open space standards, it was considered at the time to be essential that they were locally determined (i.e. higher) to reflect the District's open space assets but also that it reflected the aspirations of stakeholders to ensure sustainability for future generations. As such, the standards applied by the District Council are far more aspirational than the Fields in Trust benchmark.</p>
066	Newark Town Council	136	<p>We have some feedback from a Town Councillor, who wished NSDC to be notified, regarding the Options Report Consultation timing as follows:</p> <p>'I think that the Open Spaces consultation is very poorly timed, being mostly over the peak holiday period. It is not best practice to time consultations in this way'.</p> <p><b>NSDC Response</b> – Comments noted. The consultation period ran for a total of eight weeks, three of which were outside of the summer holidays and was undertaken in full accordance with the Statement of Community Involvement.</p>
069	Green Southwell and STC Climate	150	<p>I write with reference to the above plan and specifically the use of 'natural and semi-natural greenspaces' whose 'primary purpose is wildlife conservation, biodiversity and environmental education and awareness'.</p>

	Change Working Party	<p>I would like to see a thoughtful management plan put in place to enhance the value of all public footpath margins in the Newark and Sherwood area as this represents a potentially massive area of land which is presently managed with a default mowing regime once or twice per year, the main purpose being to ensure public access and safety. There seems to be no consideration for the potential value of the land for wild flowers and wildlife.</p> <p>My recommendations below were written with specific reference to Southwell where I live but should be applied across the district, in my opinion.</p> <p>We have over a hundred numbered footpaths in Southwell and its immediate environs. We have an environmental policy implementation plan which commits us to review and suggest improvements to these footpaths to encourage their use as an alternative to the car. We are also committed to wilding appropriate areas to help offset the town's carbon emissions.</p> <p>Given this, I propose that STC work with NCC, Via, the district council and local residents to manage the footpath verges in a way that maximises their potential for both pedestrians and wildlife.</p> <p>This would involve:</p> <ul style="list-style-type: none"> <li>· One cut of the immediate edge of the footpath up to 70cm from mid-July to end of August. This allows flowers to set seed and is recommended by Plantlife <a href="https://www.plantlife.org.uk">https://www.plantlife.org.uk</a>. Ideally the arisings would be removed as according to NWT 'It doesn't help that vegetation is cut and left. This adds nutrients to the ground and encourages nettle and bramble to thrive to the detriment of wildflowers' but if this isn't possible, the cuttings should at least be removed from the footpath itself as they present a hazard.</li> <li>· Considered and intelligent use of the mower and strimmer. If tall nettles, thistles or briars overhang the path, these should be taken back, even if they originate further back than 70cm from the path edge as these present a hazard. Most wildflowers like Honesty and Cow parsley do not present a hazard or obstruction to pedestrians, however, and should be strimmed around if in flower or setting seed.</li> <li>· NCC and Via to be responsive to complaints about footpath obstruction from residents or STC and tackle any overhanging vegetation in the most conservative way possible so plants are not unduly damaged. However, vegetation should not be cut back for reasons of 'safety and accessibility' without any evidence on site that this is actually justified.</li> <li>· A publicity campaign aimed at residents living next to footpaths advising them against the dumping of garden waste and use of chemical sprays along public footpaths. STC/other councils to follow up on contraventions and remove fly tipping if appropriate.</li> <li>· Where possible, seeding of gaps in the footpath verges with low growing native wildflowers to enhance its value for wildflowers and wildlife.</li> </ul> <p>In conclusion, we need a template for footpath verge management, agreed by all councils involved and publicised to residents, which would serve to protect and enhance the value of these footpaths for local flora and fauna and the pedestrians who use them. The aim would be to develop a network of green wildflower corridors around the town in our efforts to tackle climate change one verge at a time.</p>
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			<p><b>NSDC Response</b> - Comments noted. The Open Space Strategy document is a starting point which is intended to form part of a wider management strategy and additional work needs to be undertaken to allow for more strategic thinking to take place. Whilst some open spaces will include public footpath verges, the role of the Open Space Strategy is to detail what open space provision exists in the area, its condition, distribution and overall quality.</p>
073	Resident	165	<p>According to Newark &amp; Sherwood District Council's 2012 Green Strategy, their Cleaner, Safer, Greener Campaign (October 2018) and various concerns raised by residents in the Newark Advertiser (2019) the impression is given that there appears to be a lack of green spaces, and with some given over to housing. I accept that there is a need, particularly for social housing as well as for affordable housing, and there has to be a balance between the two.</p> <p>Developments have already occurred on green spaces as at near Coddington Primary School for example which was a small car park near that school, but as a result some parents now park on a bend of the A17, thus possibly causing a road safety issue in the morning and mid-afternoon!</p> <p><b>HEALTH ISSUES:</b></p> <p>It seems very clear that Open Spaces make a positive contribution to individual's physical and mental health issues; scientists have suggested that a 20 minute walk in a park or (large) garden has a positive effect.</p> <p>In this aspect perhaps more trees (of suitable type) could be planted in larger Open Spaces as they transform urban landscapes and the lives of town dwellers.</p> <p>Collectively trees in parks and gardens, on amenity land and along roads (as in France), railways and canals constitute a 'forest' and they have many benefits as they absorb pollutants such as nitrogen dioxide, and act as barriers to soot, dust and noise.</p> <p>In addition, they can support wildlife, including birds and mammals. Given the ongoing problems of Climate Change we need to create MORE Open Spaces, and where possible plant more trees in them. This should be done NOW as it takes some years for young trees to grow into maturity and then absorb the many pollutants in the air.</p> <p><b>SUTTON-ON-TRENT</b></p> <p>I noted that Sutton on Trent has six open spaces totalling 1.81 (0.59) population which appear to be Sternthorpe Close, Sternthorpe Close Play area, Sternthorpe Close Basketball area, Sternthorpe Close Allotments, All Saints Churchyard (closed) and Ingram Lane Cemetery.</p> <p>No mention is made of the Pocket Park which is at the junction of Crow Park Avenue and the Meerings.</p> <p>There is also a reference to Besthorpe Nature Reserve (North) which suggests that residents of Sutton on Trent is likely to be served by this site, even though the village of Besthorpe is on the A1133 and the other side of the River Trent.</p> <p>At Annex I show a suggested layout for housing which surrounds a Green Space. This could be planted with suitable trees, or just left as grass.</p>

			<p><b>NSDC Response</b> - Comments noted. The pocket park has not been included as it falls outside of the site search parameters (typically greater than 0.2ha in size), but will still protected under Policy SP8 however for the purposes of this Strategy has not received an individual site assessment. The Strategy also promotes the planting of trees to support climate change resilience. The Strategy will be amended to remove reference to Besthorpe Nature Reserve North.</p>
077	Harby Parish Council	227	<p>Harby Parish Council agrees with the preferred approach.</p> <p>With regard to the Open Space strategy consultation – the Parish Council cannot be sure that all land has been included.</p> <p>ID number 170 is for “allotments” – does this include both the allotment sites (Wigsley Road and Millfield Close) and the wood which is adjacent to the Wigsley Road allotments? The description is not as informative as it might be and without any supporting mapping, no clarification is available.</p> <p>The size (ha) does appear to be similar in size to all of the allotments, although smaller than our records show and certainly doesn’t appear to include Jowetts Wood.</p> <p>All of these sites are valuable open spaces within the community and should be recorded.</p> <p><b>NSDC Response –</b> Comments noted. As explained in previous email correspondence, KKP have confirmed that both allotments site have been assessed as one site under ID 170. The description of the site will be amended to make this clearer. Jowett’s Wood would be a natural / semi-natural open space typology and does not meet the parameters to be assessed in the study (typically based on site size for this typology). All open space is protected under Spatial Policy 8.</p>
078	Collingham Parish Council	282	<p>Collingham Parish Council agrees with the preferred approach. With regard to the Open Space strategy consultation – the Parish Council has no comments to make as we have been in discussion with officers previously and amended all the issues that we identified. It has just occurred to me that there is a new public open space on the new development which hasn’t been included in the Open Space Strategy Consultation. It has only recently been finished/planted. I assume that you will be able to pick this up from the planning application for The Hedgerows?</p> <p><b>NSDC Response –</b> Comments noted. The site visits for the Open Space Strategy were undertaken in February / March 2020 and this is the current baseline date for the report. As the site was not completed at the time of the site visit assessments, it will be picked up and included in the first revision to the Strategy.</p>
089	MLN (Land & Properties)	323	<p>Firstly, it is highlighted that the rationale behind the preparation of the Open Space Assessment and Strategy, in that it will provide the Council with a better understanding of the existing and future open space requirements in the District, is supported. The document provides detail on what open space provision exists in an area, its condition, distribution and overall quality.</p> <p>Whilst the Strategy will therefore be a useful in assisting with the implementation of Spatial Policy 8, it is noted that no additional or amended policies are proposed. Development proposals will continue to be assessed against the same criteria which allow for the loss of existing community and leisure facilities providing it can be clearly demonstrated that, inter alia:</p>

			<ul style="list-style-type: none"> <li>• Continued use as a community facility or service is no longer feasible, having had regard to appropriate marketing, the demand for the use of the site or premises, its usability and the identification of a potential future occupier; or</li> <li>• There is sufficient provision of such facilities in the area; or</li> <li>• That sufficient alternative provision has been, or will be, made elsewhere which is equally accessible and of the same quality or better as the facility being lost.</li> </ul> <p>The document provides a useful baseline of the types and amounts of open space in the district, it is noted however that outdoor sports facilities do not form part of the assessment as this is to be carried separately in line with Sport England guidance. Therefore, whilst the former playing fields associated with my client’s land are briefly mentioned in the document, no detailed analysis of the quality, amount and supply is undertaken. Given the value of playing fields has not been assessed, the Strategy cannot be used to afford such facilities the highest level of protection. As set out above once evidence has been produced in relation to outdoor playing pitch provision, we reserve the right to provide additional representations.</p> <p>Notwithstanding the point made above relating to the lack of evidence relating to outdoor sport provision, Tables 22.3.2 and 22.3.3 show the position of each settlement against the current standards contained in the SPD for each type of open space. Newark is pretty much on standard for parks and gardens and over for amenity grassland. However, current deficiencies are identified for allotments, children/young people’s provision and natural and semi-natural spaces.</p> <p>Pages 135-136 set out the suggested approach to developer contributions. It advocates that the requirement for open space should be based on the number of persons generated by the proposed development. Given the approach to Planning Obligations set out in the NPPF as set out in relation to Draft Policy DM3 above, contributions should only be provided where they are justified and relate to the development proposed.</p> <p>Therefore, the suggestion that the provision should be undertaken in conjunction with the accessibility and quality of existing open space provision is welcomed. This means that if an existing form of open space is located within access to the development there may not be a requirement to provide on-site spaces or off-site contributions.</p> <p>In the context of our client’s site at the Former Lilley &amp; Stone School, the proposed residential redevelopment will provide an opportunity to provide new on-site open spaces where current deficiencies have been identified in the Draft Strategy. This could include children’s play and natural &amp; semi-natural greenspace among other spaces. Such provision would benefit the wider community as well as providing new residents with an attractive living environment and convenient access too various types of open space.</p> <p><b><u>NSDC Response</u></b> – Comments noted and welcomed. The Council believes existing open spaces are afforded enough protection under Spatial Policy 8 of the Amended Core Strategy</p>
098	Hawton Parish Council	392	<p>Yes</p> <p><b><u>NSDC Response</u></b> – Comments welcomed and noted.</p>



099	Southwell Civic Society	406	<p>The strategy document states at Page 7 that “Sites allocated to a settlement if they are within or adjacent to the boundary of a settlement. Any sites located outside the settlement but which are likely to help serving the settlement are highlighted within the settlement summaries.”</p> <p>However the map on page 45, for Southwell, excludes the new allotment site on Lower Kirklington Road towards Maythorne. This has been developed to replace the site off Kirklington Road, (487 on the map) which has been allocated for development as Land east of Kirklington Road (So/Ho/4).</p> <p>Allotments 487 should therefore be removed from the map.</p> <p>Similarly there does not appear to be any reference to the Norwood Golf Course, Archery Ground or the Brackenhurst Cricket Ground. Why has Westhorpe been exclude from the map? Although it is outside the urban boundary it is considered part of Southwell town for all amenities.</p> <p>There is a piece of “Main Open Area” missed from the map i.e. running from the urban boundary west along the Westhorpe Dumble.</p> <p>There also appears to be a small allotment piece missing from the map on the opposite side of Crink Lane to the main allotment block there.</p> <p>This new study does not adequately consider the distance of some open space categories from existing or proposed development. An earlier NSDC study showed that Southwell’s North and West Wards were suffering under provision of a variety of open spaces. It is still the case that residents from Westgate or Westhorpe will have to drive across town to reach an allotment, for example.</p> <p><b>NSDC Response</b> – Comments noted. The new allotment site to the north of Lower Kirklington Road is the allotment site that has been assessed but the mapping has not been updated to reflect this. We will ask KKP to amend the mapping accordingly. Norwood Golf Course, Archery Ground and Brackenhurst Cricket Ground have not been included in the study as they constitute formal sports provision and it is the view of the consultants that they do not provide a multi-functional role (i.e. amenity greenspace role) to be included. Main Open Areas is not the same as Open Space and is therefore outside the scope of the study.</p>
101	Resident	410	<p>I would like to comment on the Open Space Strategy document.</p> <p>Firstly, I would like to state that this was a very dull and fairly inaccessible 204 page document and should you receive only a small number of comments from your consultation, this is likely to be why. This will not be a reflection of apathy by local people or a lack of passionate feeling about their open spaces. A list of figures with writing in between which does not invite anyone to delve deeper is not the ideal way to present the information. I know there were sessions put on inviting people to attend and ask questions, but these are unlikely to appeal when the initial document suggests those involved will make no attempts to make the information meaningful. An accompanying patronising video which says very little does not increase the accessibility.</p> <p>Having looked through the report, it is clear that there is a disparity in the open space provision across the district. Rather than see a list of open spaces with various percentages and coloured boxes, I would like to see information on open space usage, such as who is using them</p>

and how much benefit is gained from them. It is clear that some of the areas with the greatest need for access to quality open space are least well served.

I have concerns about recommendation 3 on pages 126 and 127. Before the poor quality area is designated as 'surplus to requirement', I would recommend that residents are engaged in high quality consultation. This should be face-to-face and residents need to be engaged in the discussion, not just invited by a boring page on a website that many probably won't want to read. I do not know all other areas of the District well, but conversations with many local people in Newark in recent years suggest that they do not feel adequately provided with good quality open space but they want what they do have to be protected and improved, not sold off for development. Public opinion on issues such as the trees between the library and the old Municipal building, the allocation of Clay Lane for development and the Cedar Avenue playing fields as been widely expressed in recent years. People feel that the little green space that they can access is under threat. Newark Town centre has many beautiful buildings but the lack of trees or greenery is readily apparent to anyone passing through, and detracts from the aesthetic value of the Town.

Much of the Green Space that there is, is not readily accessible to all. Everyone should have easy access by foot to natural areas. There has been a great deal of research on the mental health benefits of time outdoors, exercise and access to nature. An open space elsewhere in the district, or even across town, is not sufficient. The green spaces we have need to be protected and improved as quickly as possible. Rather than focus on percentages and hectares per 1000, please focus on the actual lived experience of local people. What do they value and what do they want to change?

Developments of pockets of open space such as the current, recent or imminent projects at the Municipal Gardens, Elm Avenue playing field, Lord Hawke Way and Clay Lane (to name but a few current or allocated sites), need to end. I realise there is a need for housing, but the current strategy is turning Newark into an over developed town. More imagination and proper consideration of the needs of the whole town are necessary.

It would have been open, helpful and informative for the report to show how much open space has been built on in the past 10 years and how much is likely to be lost through current allocations in the next 5.

This report is a start but it's not a good consultation document to engage public dialogue, it doesn't give the full picture and it doesn't offer reassurance that the true value of open space is recognised by the district council.

**NSDC Response –** Comments noted. In respect of recommendation 3, sites are not 'surplus to requirements' in the traditional sense. It actually means that the quantity standards for a particular open space typology may have been met and so a low quality open space might be more appropriately converted to another open space typology where there is a shortfall in provision (for example a low quality amenity greenspace to natural / semi-natural greenspace). This absolutely does not mean that an open space site will be lost.

The Open Space Strategy sets out accessibility standards so that the Council, moving forward, has a good idea what open spaces need to be secured through new development and / or other means.

			<p>The Open Space Strategy document is a starting point which is intended to form part of a wider management strategy and additional work needs to be undertaken to allow for more strategic thinking to take place. The role of the Open Space Strategy is to detail what open space provision exists in the area, its condition, distribution and overall quality. The purpose of the Open Space Strategy is to assess the open space that exists now and what might be needed in the future and not what existed in the past.</p> <p>The Open Space Strategy has been produced in accordance with best practice guidance and fulfils the necessary requirements.</p>
108	CB Collier	436	<p>Harris Lamb Planning Consultancy ('HLPC') are instructed by CB Collier NK Ltd. ('CBC') to submit comments to the Open Space Assessment and Strategy Report. CBC have recently secured outline planning permission the former Flowserve site in Newark for residential development and retain ownership of the Flowserve Sports and Social Club, which is currently vacant.</p> <p>It is our understanding that the purpose of the Report is to help the Council understand what the existing provision of open space is within the District and to be able to make a quantified assessment of the quality of it. Having assessed the quantity and quality of open space available, this will then inform the Council's decision making on where to target future investment in improvements or addressing deficiencies in the overall supply. It is, therefore, an evidence base document to help consideration of issues relating to the future demand for and supply of open space.</p> <p>In light of the overall purpose of the document, it focuses on 5 main typologies of open space including:</p> <ul style="list-style-type: none"> <li>• Parks and gardens</li> <li>• Amenity open space</li> <li>• Natural and semi-natural greenspaces</li> <li>• Provision for children and young people</li> <li>• Allotments</li> </ul> <p>The Report confirms that <i>"Outdoor sports facilities are not analysed as part of the study as a different methodology in line with national guidance (Sport England) is prescribed and is contained in a separate standalone Playing Pitch Strategy (PPS)."</i></p> <p>In light of CBC's interest and ownership of the Flowserve Sports and Social Club, which is identified and confirmed as an 'Outdoor Sports Facility' (Site ref 536) we understand that any assessment of its suitability for ongoing or future use as a sports facility will be assessed as part of a separate process, and to which we reserve the right to comment on at the appropriate time.</p> <p>As the focus of the Open Space Assessment and Strategy is on existing open space, the availability or otherwise of Outdoor Sports Facilities is not a contributory factor in determining whether existing provision is of sufficient quality/value and whether or not additional facilities are required as a result. We support this distinction and welcome the acknowledgement that there is a separate process to go through in order to justify the loss of Outdoor Sports Facilities, as per the guidance in paragraph 99 of the Framework. As such, we do not propose to rehearse those arguments here in respect of the Flowserve Sports and Social Club and will do so instead at the appropriate juncture.</p> <p>CBC do not wish to comment on the assessment of individual sites and whether or not they agree with the Council's view of these. What is clear is that there are a number of sites that are deemed to be in need to improvement/investment and that certain parts of the District</p>

			<p>are deficient in some typologies whilst others have an over provision against standards. How the Council seeks to reconcile this is a matter for them to consider although again we note that the presence or otherwise of Outdoor Sports Facilities is not a consideration that should weigh in the balance when determining future needs or demands for open space.</p> <p><b>NSDC Response –</b> Comments noted.</p>
112	Norwood Park Estate	458	<p>Southwell</p> <p>The Open Space Strategy covers Southwell specifically at Part 8 (page 44). A map of existing open spaces is provided for at Figure 8.1. This shows 26 open spaces which form the current provision for the settlement. It is noted that this map includes open space ref 487, which forms part of Local Plan allocation So/Ho/4. As referenced, this is a Local and Neighbourhood Plan allocation (as referenced elsewhere within the Strategy) and there is now an outline planning consent of this site. Clearly therefore the site no longer forms part of the allotment provision moving forward for the settlement.</p> <p>Replacement provision has been provided for north of Kirklington Road, and as such the document should be amended to reflect this. Notwithstanding this, it is important that the Open Space Strategy correctly assesses allotments, and this includes reference and appropriate regard for the ownership and statutory protections relevant to assessed allotments. There are demonstrable differences in terms of legal protection and operation of allotments, whether they are privately owned or statutory, which are afforded significant extra protections. The consultation document does not differentiate between either, something which could serve to be problematic given the lack of certainty as to whether non-statutory allotments will remain in perpetuity and that any improvements could not be guaranteed to be made. Furthermore, the nature of leases available on allotment sites is a material consideration. In Southwell it is noted that the Crink Lane allotments are leased, whereas the former provision east of Kirklington Road were provided under an annual licence.</p> <p>Replacement provision has already been agreed and will be provided north of Kirklington Road and the Open Space Strategy should be amended to reflect this provision.</p> <p>As such the consultation document should be amended to provide an up-to-date position in respect of Southwell. In particular this will require amendments to the maps provided at page 45 and to remove the references to Site ID Lower Kirklington Road Allotments where it appears in the document, such as at page 46.</p> <p>Considering Southwell more generally, the consultation document sets out that there are identified gaps in provision for young people (particularly older children) to the north of the settlement and a similar gap in provision in respect of parks and gardens. In terms of overall quantum, Southwell has a significant deficit of Natural &amp; Semi-natural open space, equating to circa 9ha. Southwell is one of only two settlements therefore to have insufficient provision across all open space types.</p> <p>On this basis the Council should seek to deliver new open space either as part of new development proposals with provision provided on site, or alternatively through the delivery of new open space paid for with developer contributions. In Southwell, as part of long-term planning, future housing needs may best be met on larger sites which can provide significant areas of open space to meet such</p>

			<p>deficiencies. Conversations should also be had with landowners within the area to see if any land may be available for sale to deliver new open space and even potentially biodiversity offsetting which may be necessary to achieve environmental net gains.</p> <p><b>Policy Recommendations</b></p> <p>The consultation document sets out a number of recommendations to inform both the approach to planning applications and also to inform the development of future policy. We concur with the approach recommended by the consultation document which advocates a flexible approach to new provision. In particular we agree that off site contributions are likely to be preferable and appropriate to secure provision of a suitable size and location, rather than small areas of incremental open space which do not adequately or sensibly serve the required purpose. We also agree that minimum thresholds are useful albeit no recommendations for new updated thresholds are provided.</p> <p>We also agree that in some circumstances, improvement of existing provision may be more beneficial and effective than new provision, both in terms of spatial location relative to the wider population and also with regards to long term management and maintenance. Accessibility will be a key consideration in this regard, and accessible open spaces should be a key focus of such improvements.</p> <p>In respect of the requirements for Natural and Semi-Natural Greenspace, we still are not clear why such a high requirement is suggested nor that it has been appropriately justified. Whilst deviations in standards from that proposed by Fields in Trust are likely to be justifiable, we have not seen any specific evidence in respect of Natural and Semi-Natural Greenspace which would logically lead to a requirement in excess of 5 times that proposed by Fields in Trust. It is not clear why the Fields in Trust standards are insufficient in this regard in this area. The same is also applicable to provision of play space for children, which is double that recommended by Fields in Trust. Having regard for the Council's requirements to deliver CIL in addition to forthcoming requirements relating to environmental net gain, significant concern is raised as to the realistic deliverability of these requirements. The relationship between open space provision and environmental net gains has also not been adequately explored and the inter-relationship between these two requirements requires further thought to ensure the developer contribution burden does not become unduly significant, creating issues of viability and thus impacting delivery.</p> <p><b>NSDC Response</b> – Comments noted. The new allotment site to the north of Lower Kirklington Road is the allotment site that has been assessed under reference 487 but the mapping had not been updated to reflect this (historic mapping issue). We have asked KKP to amend the mapping accordingly. Your comments are noted regarding ownership and statutory protections in terms of allotment provision but this is outside the scope of the Open Space Strategy and could be picked up as part of a wider management strategy but additional work needs to be undertaken to allow for more strategic thinking on issues like this to take place. The standard for natural / semi-natural greenspace reflects the characteristics of the District with a degree of ambition. These standards have been reviewed by the consultant and concluded that in line with the evidence in front of them, they remain the most appropriate standards to adopt.</p>
115	Farndon Parish Council	518	<p>We have sought to protect our open spaces by registering them with Fields in Trust. It is vital that as much open space is protected for our environment and by encouraging wide scale tree planting as a tool to mitigate climate change.</p> <p><b>NSDC Response</b> – Comments noted.</p>

116	Woodland Trust	525	<p>We also have one comment in relation to your Draft Open Space Assessment and Strategy and specifically our comment relates to page 97 of the document. We welcome the fact that you are applying access standards to determine the need for new open space and that one of these is the Natural England Access to Natural Greenspace Standard, which we fully support. However, the Woodland Trust has developed an Access to Woodland Standard (which is complementary to the Natural England ANGST standard) and which could be used to refine it further by looking specifically at access to woodland. Our standard aspires that everyone should have access to a small wood of at least 2ha in size within 500m of their home and a larger wood of at least 20ha in size within 4km of their home. Further information on the Access to Woodland Standard can be found in our Space for People report at <a href="https://www.woodlandtrust.org.uk/publications/2017/06/space-for-people-woodland-access">https://www.woodlandtrust.org.uk/publications/2017/06/space-for-people-woodland-access</a>. At the back of the report, we give tables of statistics showing how each council performs against the standard and we hope you may find these useful.</p> <p><b>NSDC Response</b> - Comments noted. The Access to Woodland standard has been included in the background section of the Open Space Strategy Report.</p>
127	CPRE Notts	552	<p>We welcome the addition of 'value' as a criterion. It was explained at the online consultation meeting on 16th September 2021 that normal procedure is only to assess the quality of an open space (amenity, biodiversity etc.), whereas its value takes into account its significance. For example, if an open space is of low quality but the only one near where people live or will live in an area, it has higher value and should therefore be protected and enhanced.</p> <p><b>NSDC Response</b> – Comments noted and welcomed.</p>
128	Historic England	590	<p>The preferred approach is noted.</p> <p><b>NSDC Response</b> – Comments noted.</p>
129	Natural England	595	<p>As highlighted above Natural England is working with Defra and other partners and stakeholders to deliver the Governments 25 YEP commitment to develop a National Framework of Green Infrastructure Standards.</p> <p>Green infrastructure delivers multiple policy drivers – importantly for health and wellbeing; for nature recovery; for greener more attractive and investable places; boosting environmental or green jobs; and as nature based solutions helping to enhance resilience to climate change, achieve clean air and contribute to net zero.</p> <p>The expected outcomes of the green infrastructure standards project are:</p> <ul style="list-style-type: none"> <li>• to deliver more good quality green infrastructure that provides benefits for health, nature, climate and prosperity, in particular for disadvantaged urban communities;</li> <li>• to help the country recover from Covid 19 by ensuring good quality green infrastructure is available to all.</li> <li>• to embed the framework within national planning policy and guidance and support local authorities in assessing their GI against the framework of standards</li> </ul> <p>The framework will set out:</p>

			<ul style="list-style-type: none"> <li>• <b>Principles of good green infrastructure</b>, which cover why and how to do good green infrastructure</li> <li>• <b>Benchmarks</b> that set standards for good green infrastructure. This may include the following; <ul style="list-style-type: none"> <li>• Accessible natural greenspace standards</li> <li>• New urban greening factors</li> <li>• Technical standards for sustainable drainage</li> </ul> </li> <li>• <b>National maps of green infrastructure</b> overlain with socio-economic data on physical and mental health, deprivation ethnic diversity, and demographics. Analysis of these maps against benchmarks will help us identify gaps in provision of green infrastructure, and where interventions are likely to have the greatest impact.</li> <li>• <b>Guidance</b> <ul style="list-style-type: none"> <li>• How to self-assess against the principles of good green infrastructure</li> <li>• How to apply the GI Standards – process maps on how to apply the full suite of products (for planners, developers, communities, greenspace managers)</li> <li>• How to design – an evidence based GI design guide</li> </ul> </li> </ul> <p>During Covid we have seen how much people value a ‘daily dose of nature’, and the importance of truly local green spaces close to where people live for both mental and physical health and wellbeing. In response we have accelerated some of our work, and in Autumn 2020 we published the health and wellbeing evidence review undertaken for the project by the University of Exeter.</p> <p>We plan early release of products such as the baseline green infrastructure mapping and the Green Infrastructure Design Guide in Autumn 2021, followed by further testing to refine the products and full launch of the Framework of GI Standards in 2022.</p> <p><b>NSDC Response</b> – Comments noted and welcomed. Whilst green infrastructure is not entirely within the scope of the Open Space Strategy, the document is a starting point which is intended to form part of a wider management strategy and additional work needs to be undertaken to allow for more strategic thinking to take place.</p>
130	North Muskham Parish Council	598/625	<p>We would seek to protect our existing open spaces, and look to include a Local Green Space Designation for other areas as part of the Neighbourhood Plan process we will be starting shortly. It is vital that as much open space is protected for our environment and by encouraging wide scale tree planting as a tool to mitigate climate change.</p> <p>In terms of the Open Space Strategy, could the below be included please:</p> <ul style="list-style-type: none"> <li>• Gilbert's Field Allotments, Main Street</li> <li>• North Muskham Nature Reserve (under the ownership of Notts Wildlife Trust)</li> <li>• Nelson Lane Playing Field</li> <li>• Nelson Lane Playing Field play area</li> <li>• St Wilfrid's Church</li> <li>• Verges on corner of Main Street &amp; Nelson Lane</li> </ul>

			<p>There is also the Multi Use Games Area (MUGA) that is situated behind the School that should perhaps be included.</p> <p><b>NSDC Response</b> – Comments noted. All of the sites have been included except for the new allotments at Gilbert’s Field Allotments and Verges. The allotments were not completed at the time of the site visit assessments so will be included in a future iteration of the Open Space Strategy. The verges do not meet the size threshold of 0.2ha in size but all open spaces are protected under Spatial Policy 8. Formal sports pitches have not been included in the assessment unless they are publicly accessible and can be used for informal recreation.</p>
<b>131</b>	South Muskham & Little Carlton Parish Council	653	<p>We would seek to protect our existing open spaces, and look to include a Local Green Space Designation for other areas as part of the Neighbourhood / Village Plan process we will be starting shortly. It is vital that as much open space is protected for our environment and by encouraging wide scale tree planting as a tool to mitigate climate change.</p> <p><b>NSDC Response</b> – Comments noted.</p>
<b>132</b>	Newark Sports Association	659	<p>Introduction:</p> <p>A precondition for the development of all sport is space.</p> <p>Whatever the sport or activity it requires space that is suitable for the activity and accessible. So it is entirely appropriate that the NSA involve itself in the consultation on the Open Space Strategy (OSS) prepared by Knight Kavanagh Page (KKP) which aims to , “inform direction on the future provision of accessible, high quality, sustainable provision of open spaces across Newark and Sherwood District.”</p> <p>Newark and Sherwood District Council (NSDC) is also consulting on their Allocations and Development Plan (DPD). The DPD is a key planning document and promises to guide future development in the District. The preferred approach by NSDC is to use the findings of the Open Space Strategy to update the open space summaries in each area chapter within the DPD.</p> <p>For formal sports pitch provision NSDC’s preferred approach is to use Sport England’s Playing Pitch Strategy (PPS) methodology to assess existing provision of outdoor sports pitches and to map current and future demand. Whilst the PPS is intended to calculate demand generated from an increase in population derived from planned housing and/or housing targets, it only measures demand for formal sports pitch provision. It takes no account of the other roles and functions of sports pitches and playing fields. There are sports and physical activities both formal and informal that are not covered by the PPS such as cycling, running, walking and angling, this list is not exhaustive. For that reason the NSA will propose that the PPS sits within the OSS with a wider analysis of sport and physical activity so that it can identify any shortfalls, future demands, opportunities or risks to the development of sports and physical activity space.</p> <p>Background:</p> <p>The consultants recognise that assessment of open space facilities is still normally carried out in accordance with Planning Policy Guidance 17 (PPG17) Planning for open space, sport and recreation and Assessing needs and opportunities: a companion guide to PPG17 2002 as it still remains the only national best practice guidance on the conduct of an open space assessment.</p> <p>“Open space is defined in the Town and Country Planning Act 1990 as land laid out as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground. However, in applying the policies in this Guidance, open space should be taken to</p>



mean all open space of public value, including not just land, but also areas of water such as rivers, canals, lakes and reservoirs which offer important opportunities for sport and recreation and can also act as a visual amenity.”

It is vital that the OSS is up to date and so it must take into account important strategy documents, recent changes in Government policy and the changes in the strategy of important partners.

In 2021 Sport England published its new ten year strategy Uniting the Movement. This strategy proposes to increase the emphasis on active environments by “Creating and protecting the places and spaces that make it easier for people to be active.” The policy recognises the important role that sport and physical activity plays in connecting people with their own health and well-being and it aligns closely with changes in Government health policy and the development of Integrated Care Systems. It promises to capitalise on sport and physical activity’s ability to make better places to live and bring people together and to tackle the long standing inequalities some people suffer in trying to access sport and physical activity. In this respect Sport England’s new policy fully supports the Government’s ambitious Levelling Up agenda.

Supplementary to but supportive of the Government and Sport England’s approach is important guidance and research Public Health England’s (PHE) review Improving access to greenspace 2020. This report recognises that greenspace is ‘natural capital’ and “can help local authorities address local issues that they face, including improving health and wellbeing, managing health and social care costs, reducing health inequalities, improving social cohesion and taking positive action to address climate change.” The report references the important review Health equity in England: The Marmot Review 10 years on which highlights the fact that those at the bottom of the social gradient tend to have less access to both quality and quantity of greenspace. These important reports correlate with Newark and Sherwood DC’s Physical Activity and Sport Plan 2018 - 21 which highlight’s three local areas which will be prioritised in terms of intervention.

All local plans and proposals now need to be considered in the light of the recent pandemic. We have come to realise how important it is for people to have easy access to safe local places where they can play sport both formally and informally and stay active.

#### Open Space Strategy

On page one of the document KKP state “Under paragraph 96 of the NPPF, it is set out that planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. Specific needs and quantitative and qualitative deficiencies and surpluses in local areas should also be identified.” This information should be used to inform what provision is required in an area. Whilst the NSA supports the development of robust and up to date strategy there are weaknesses in the document that prevent it from addressing the specific needs of local areas.

- In the OSS 2021 playing fields with sports pitches are all listed as amenity green space. In previous iterations of Newark and Sherwood’s green space strategy produced by KKP sites are recorded as Outdoor Sports facilities which are directly comparable to the population standards for Outdoor Sports. It also overstates the provision of amenity green space. In their analysis KKP have adopted Fields in Trust benchmark standards except for the standard for Outdoor Sports of 1.6ha per 1,000 of the population. Adopting a clear benchmark for

outdoor sports space will help guide Councillors in their decision making and meet the need to identify quantitative and qualitative deficiencies and surpluses.

- The OSS aggregates the provision of open space across a settlement, an urban area or in some sections the District. For smaller local typologies such as children’s play and amenity green space this is unhelpful and misleading. Amenity green space has an accessibility catchment of 480m, by definition it is local. Open space catchments should be mapped against the population standard so that areas of under and over provision can be clearly identified to meet the requirements of paragraph 96 of the NPPF. For example there are three areas of amenity green space (KKP 103, 158 and 159) that are on the parish boundary between Newark and Coddington totalling 6.01ha. However according to KKP Newark is overprovided in terms of amenity green space. By aggregating provision for the whole of the settlement the fact that the Newbury Road area is overprovided and other areas under provided is hidden.
- There are areas of sports space and open space that have been excluded from the OSS. They have however appeared in earlier iterations of Newark and Sherwood’s open space strategy documents produced by KKP. The primary purpose of sports clubs and playing fields is the provision of formal sports space. However it has to be recognised that these facilities have other roles and contribute to biodiversity and the mitigation of climate change and flood risk. The OSS states “A priority for NSDC is the role and ability open space can provide in helping to tackle wider social issues such as health deprivation and climate change. In 2019, the United Kingdom Parliament and many local authorities (including NSDC) declared a climate emergency.” Part 22.4 highlights areas of the District vulnerable to climate change and the open space sites located in these areas. It utilises data mapping on flood risk, fuel poverty and Indices of Multiple Deprivation. “This is in order to inform appropriate policy responses and actions for the future.” There are sports spaces and playing fields in Newark that are at risk of flooding that are not recognised in this study. This may prevent the authority from adopting the appropriate policy responses to protect these facilities.
- In the section Summary of Future Strategy Climate change considerations, the reports states that, “There are 27 sites identified as meeting two or more of the other considerations relating to health and climate change. These sites should be considered crucial for the role and potential they may have in helping to tackle such wider social issues.” Site KKP 147 Bowbridge Road is listed as meeting two or more other considerations, but it has already been lost to development. This is in an area of under provision, however there is currently an unused site on Elm Avenue (The Stadium) that is in the ownership of the local authority which could replace some of the provision that has been lost. This should be allocated as amenity green space or a park and playing field.
- On page 123 of the OSS its states, “In addition, as part of the audit process, researchers undertaking the site visits were asked to highlight any sites considered as having the potential to accommodate greater resilience measures to climate change at a local level. This included simple measures such as more tree planting and wildflower meadow creation to potentially help reduce CO2 levels, provide flood reduction, mitigate impacts of urban heat island effects, and poor air quality.” By excluding sports clubs and playing fields from is study it fails to recognise the important role that sports clubs and playing fields play in reducing CO2 levels, flood reduction, mitigating the impact of urban heat islands and improving air quality.

- On page 98 item 21.3 Accessibility its states, “Accessibility catchments for different types of provision are a tool to identify communities currently not served by existing facilities. It is recognised that factors that underpin catchment areas vary from person to person, day to day and hour to hour. For the purposes of this study this problem is overcome by accepting the concept of ‘effective catchments’, defined as the distance that would be travelled by most users.” Sport England research tells us that that people on low incomes generally have less access to open space and tend not travel out of their neighbourhood to take part in physical exercise. Adopting a distance travelled by most users disadvantages further groups that already have poor access to open space. The OSS should adopt catchments based on the social demography of the area, to tackle long standing inequalities and improve access for people who have poor access. This would be consistent with SE’s new strategy and the Governments Levelling Up agenda.
- On page 103 the report states, “This exercise demonstrates that in general there has not been a significant loss or creation of open space. The initial difference in figures is predominantly attributed to the differences in how sites have been categorised.” Changing the categorisation of outdoor sports facilities to amenity green space or redesignating, “any surrounding amenity greenspace hosting a play facility” as a play area to increase provision hides “quantitative and qualitative deficiencies and surpluses in local areas”.
- In item 22.2 Accessibility it is suggested that “a gap in one form of provision may exist but the area in question may be served by another form of suitable open space.” On page 107, Table 22.2.3 it is suggested that Newark Cemetery cover the gaps in Natural and semi-natural greenspace. Fields in Trust define natural and semi natural greenspace as “Woodland, scrub, grassland, wetlands, open and running water, and open access land.” Cemeteries fail to meet that definition and the requirements paragraph 96 of the NPPF because it will hide local deficiencies.
- Item 23.2 Implications sets out the policy implications in terms of planning process “to help guide the Council in seeking contributions to the improvement and/or provision of any new forms of open space.” This section discusses how extra provision might be made, maintained and managed. It fails to consider however recent changes in Government policy, the Levelling up agenda, and the funds available attached to the new agenda. These funds are conditional on greater community involvement and ownership, community asset transfer and giving communities a stronger voice to take over local assets working with developers or local authorities.
- Part 24 Future Growth page 137. The report states that, “It should be noted that where the creation of sports/playing pitches is identified, this has been combined with the figures for amenity greenspace to reflect the dual use/crossover such forms of provision often have.” The purpose of the OSS is to identify quantitative and qualitative deficiencies and surpluses. From this study it is difficult to see how the PPS will correlate with the OSS. Defining sports and playing pitches as amenity green space will make it more difficult to quantify under or over provision.
- Similarly on page 138 Table 24.1.1: Summary of committed developments and changes in open space – Newark Urban Area (NUA) (Newark, Balderton and Fernwood). For Yorke Drive Estate and Lincoln Road Playing Fields there is a 2.7ha gain for sport but an unspecified loss of 7.43ha. This raises the question as to whether any sports pitches are being created or is it amenity green space and what space is being lost?

On page 139 “Table 24.1.3 sets out the impacts from the known and anticipated changes to open space provision and population for the NUA settlement. It highlights that the NUA will see an increase in the overall provision level for open space (from 2.94 to 4.65 hectares per 1,000 population). However, for parks a decrease compared to current provision levels is likely to be experienced.” An overall assessment for NUA (Newark, Balderton and Fernwood) in terms of provision is not specific and it will not enable Councillors to identify quantitative and qualitative deficiencies and surpluses in local areas. Accessibility catchments must be applied to developments. Increases in provision at Fernwood and land South of Newark will not increase provision in Central and North Newark.

- Fuel Poverty page 117. The report utilises fuel poverty as a measure to prioritise sites “to explore opportunities to enhance their quality given the role they could provide in this context.” An important determining factor in the measure for fuel poverty is the cost of fuel. Given recent rises in fuel prices (forward prices for fuel have hit all-time highs) there are likely to be many more people in fuel poverty than when this reports was written. Secondly in Figure 22.4.2: Fuel poverty levels on page 118 the fuel poverty levels are banded with the highest level being 13.6% to 15.8% fuel poor households. Why are not all fuel poor households above 13.6% listed? The banding is likely to exclude the poorest families. Open space strategies should be robust and up to date.

- Water. The Town and Country Planning Act recognises water as open space and in areas like Newark it is an important resource. There are sports and sports clubs that use local waterways and ponds, they have recreational and amenity value and they are a local attraction. The banks and tow paths provide level ground for walking and jogging and they are a visual amenity. Water and waterways should be included in the study, and the OSS should identify suitable areas for investment.

- Whilst we do not have the resources or the time to check all of the sites and their designation for accuracy there are some issues that we have been able to identify, this list is not exhaustive.

- KKP 30 Land adjacent to Sconce and Devon Park behind locked gates and inaccessible.

- KKP 16 Lockside Park appears to be permanently locked and inaccessible.

- KKP 32 Former Sconce School Playing Field this locked and inaccessible in the evenings.

- KKP 75 London Road - Barnby Road Pond not accessible

- KKP 91 Land east of railway line Beacon Hill and Clay Lane this land floods it is not maintained and should be re classified as natural and semi natural green space.

- KKP 257 Greenway recorded as 0.21ha measured at 0.14ha

- There are sites recorded KKP5 49 Lilley and Stone and KKP 536 Flowserve that appear to have been lost and should not be recorded. Similarly there are schools sites that are not accessible 545 Mount School. This list is not exhaustive, but sites that are not accessible should not be recorded.

Conclusions/Recommendations:

The review of the Allocations and Development Plan and the development of a robust and up to date Open Space Strategy is welcome and necessary. However there are weaknesses and inaccuracies in the OSS that devalue the study. If the OSS is to achieve its objective and be used to update the open space summaries in each area chapter within the Allocations & Development Management DPD, it requires revision. The document must be able to identify specific needs and quantitative and qualitative deficiencies and surpluses in local areas and the document does not do that. There are a number of issues.

1. Aggregating provision across settlements, urban areas and on occasion the District hides specific and local areas of under and over provision. Accessibility catchments should be used based on social demography.
2. Formal sports pitches and playing fields are open spaces and they have more than one role, particularly in areas of flood risk and so they should be included in the study and their contribution to the mitigation of climate change and flood risk acknowledged.
3. The PPS should sit within the OSS so that future pitch demand and team generation can be matched to identified opportunities in the OSS.
4. The calculation for the % of households in Fuel Poverty should be updated to take account of recent prices rises and the upper band should be the % of households over 13.6% with no upper limit.
5. Water is open space and an important resource, particularly in Newark and so should be included in the study.
6. Sites that are not accessible should be excluded from the study.
7. Redesignation of sites should be agreed with local communities that they serve.
8. There should be opportunities to give communities a stronger voice to take over local assets working with developers or local authorities.
9. The Stadium site on Elm Avenue should be designated as a park or playing field working with local residents.
10. Errors and anomalies in the study need to be corrected and updated with the latest information.

**NSDC Response** - Comments noted. The Open Space Strategy document is a starting point which is intended to form part of a wider management strategy and additional work needs to be undertaken to allow for more strategic thinking to take place. The role of the Open Space Strategy is to detail what open space provision exists in the area, its condition, distribution and overall quality. Formal sports provision does not form part of the strategy and this has been made clear from the outset. Playing fields are not automatically classified as amenity green space. The Open Space Strategy clearly explains that any site recognised as outdoor sports provision but with a clear multifunctional role is included in the study and used to inform quantity standards. On these dual use sites, the pitch playing surfaces are counted as part of the overall site size as they are considered to contribute to the total open space site and reflect its multifunctionality. Pitches on dual use sites are identified in the PPS too but only by number and pitch type (as prescribed in Sport England Guidance) and not by site area, therefore no double counting has occurred.

The mapping of site 147 is a legacy issue with the mapping and has already been removed from the Strategy prior to public consultation.

Sites which serve a gap for another open space typology do not mean the aforementioned open space is recategorised as such, it is clearly explained in the Open Space Strategy that those sites currently help to meet identified catchment gaps for other open space typologies and where possible, the Council should seek to adapt these sites to provide a stronger secondary role (where appropriate) or enhance the quality of the primary role. No open spaces have been recategorised to reduce deficiencies in open space.

The Open Space Strategy does not including surrounding amenity greenspace within Children’s Play provision figures.

Firstly with Yorke Drive, the loss figure should read -4.73ha not -7.43ha. This is comprised of a loss of 3.8ha of playing pitches, 0.73ha of disused allotments and 0.2ha of incidental open space. This is, based on the figures in the outline planning permission, to be replaced with 2.7ha of formal playing pitches, 1.6ha of amenity greenspace and 0.14ha of children’s play provision (page 79 of the DAS). The exact figures may be subject to change as the planning permission is outline only and the table will be amended accordingly as new updates occur. The correction has resulted in the Newark and NUA future growth tables being updated in the Open Space Strategy.

KKP have been asked about the fuel poverty figures and have provided us with the following response:

“The figures are based on the datasets available at the time of writing and do not reflect the most recent changes in fuel costs (as national datasets will not be available yet). Within the data there are no areas with a % fuel poor households higher than 13.6%-15.8% (i.e. this is the banding of most % fuel poor households).”

Water will not be included in the OSS as it provides a different offer of recreation beyond the parameters of the study and is not a quantifiable useable area of open space.

No amendments are necessary in respect of the sites listed. The reasons are included below:

- a. KKP 30 Land adjacent to Sconce and Devon Park behind locked gates and inaccessible.- It is considered as being of public and visual value.
- b. KKP 16 Lockside Park appears to be permanently locked and inaccessible. – Canal & River Trust confirm it is accessible and not locked.
- c. KKP 32 Former Sconce School Playing Field this locked and inaccessible in the evenings. – NCC have confirmed the site is unlocked during the day.
- d. KKP 75 London Road - Barnby Road Pond not accessible – There is a footpath running alongside this space.
- e. KKP 91 Land east of railway line Beacon Hill and Clay Lane this land floods it is not maintained and should be re classified as natural and semi natural green space. – It is clearly amenity greenspace.
- f. KKP 257 Greenway recorded as 0.21ha measured at 0.14ha – This is measured using GIS and does not need to be changed.
- g. There are sites recorded KKP5 49 Lilley and Stone and KKP 536 Flowserve that appear to have been lost and should not be recorded.

Similarly there are schools sites that are not accessible 545 Mount School. This list is not exhaustive, but sites that are not accessible

			should not be recorded. – Sites will not be removed from the strategy until they have been physically redeveloped on the ground. Some sites which may be not accessible on foot are included due to their visual amenity and public benefits, determined on a case by case basis.
134	Newark Town Council	662	<p>1.Overall Purpose/Introduction</p> <p>This Strategy appears to serve two purposes; a formal Planning Policy as well as a Strategy to inform works to improve existing sites that are classified within the parameters of the document. This results in a rather confused set of recommendations which seek to address both the future policy with regard to the provision of Open space sites as well improvements to existing sites.</p> <p>Irrespective of the above the document doesn't seek to identify the ownership of which open space is assessed by this document or a future Strategy. It would appear that sites have been included following a review by the Parks &amp; Open Spaces Business Unit &amp; Planning Policy overlaid with the views of Parish Councils as part of the initial consultation process.</p> <p>The outcome of this appears to have resulted in the inclusion of sites which are broadly within the ownership of NSDC &amp; Parish Councils. By way of example, it doesn't include any County Council sites like School Playing Fields, nor does it distinguish between sites that are freely open to the public and those that are in private ownership and may/or may not allow public access.</p> <p>The consultation document also ignores household gardens; whilst these are clearly not 'open spaces' they are frequently 'green' and if the document is to be used as a Planning Policy will result in a possible missed opportunity of setting minimum garden standards for new developments.</p> <p>2.Outdoor Sports Facilities</p> <p>The Strategy states that such facilities have not been included within the document on the basis that Sport England 'prescribe' that a separate standalone Playing pitch Strategy should be produced.</p> <p>Irrespective of Sport England's' guidance the exclusion of these sites in the context of overall level of 'Open Space' assessment provides a misleading picture and potentially could lead to some perverse future policy decisions. Particularly in seeking to deal with a perceived shortfall in open space. It is not always clear whether or not a site should be classed as Open Space or a Sports Field; Lincoln Road Playing Fields has been included in this document even though it is also has a number of football pitches on it, it would appear that Beaumont Gardens has been included in its entirety even though part of the site is a Bowling Green whereas the Sherwood Avenue Bowling Green isn't included!</p> <p>It is presumed that the exclusion of School Playing Fields is also a result of this somewhat confused position of what sites are classed as 'Outdoor Sports'.</p> <p>3.Methodology</p> <p>Each identified site has been scored by Quality &amp; Value according to the Green Flag Award Scheme. However, there is no information as to who has undertaken the scoring or the methodology used. The result is a % score for each site, the voracity of which cannot be challenged.</p>

This presupposes that the Green Flag Criteria is the appropriate mechanism for this process and includes appropriate weighting for more important / Less important factors. The Town Council is, for example, increasingly looking at its sites to improve their contribution to bio-diversity and Climate Change; these will be far more important to us than say the Parking criteria. It is also worth noting that these Green factors appear to be included in the Value assessment only, this runs the risk of having competing scores for example a site is given over to become a wildlife meadow resulting in a very low Quality score against a high Value score. How does the scoring mechanism deal with these potentially competing purposes?

There appears to be no distinction in the scoring or standards applied to different areas. The standards that are used to assess 'Urban' area should be different to those applied to 'Rural' areas. Applying the same standards across the whole District can/will result in a focus on the wrong sites in any order of prioritization.

#### 4. Specific Sites

Site 11 & 119 – St Marys' Churchyard & Gardens – this remains a Churchyard NSDC maintain it as such with an agreement with the Southwell Dioceses, they are not Amenity Greenspace sites.

Site 13 – Riverside Park B – this is a children's Playground not sure it is separate from Site 59?

Site 220 - Otter Park - not sure this should be included; it is very small and has almost no grass; suggest it is removed.

The narrative on pages 25-28 regarding existing individual sites with regard to possible improvements etc. has been compiled without any reference to the Town Council for those sites which are under its ownership. At present there has been no discussion as to what future changes the Town Council may wish to make to its sites; the Town Council intends to review all of its parks & open spaces to assess what purpose they serve and whether or not they can be remodelled to provide more 'Meadow Areas' for example to enhance bio-diversity. In addition, some of this narrative is already out of date; Fountain Garden paths for example have recently been repaired.

#### 5. Summary

Given the above comments the Town Council doesn't believe that any future actions for individual sites can be determined from this document.

The Town Council is willing to enter into an ongoing conversation with NSDC with regard to the future for existing and new Open Spaces in Newark. However, this document cannot be static it must reflect changes as they occur. To use it as reference point for future planning applications without it being updated on a regular basis is wrong and isn't accepted by the Town Council to be of any value.

**NSDC Response** - Comments noted.

School Playing Fields have not been included where they are not publicly accessible as this falls outside the definition of public open space. Only sites which are publicly accessible have been included in the Strategy.



		<p>As previously explained, gardens do not meet the definition of open space and therefore as it is outside the scope of the strategy is not an issue the document can look to address. If you would like minimum garden standards setting, this is something which can be done as part of a Neighbourhood Plan.</p> <p>The Strategy clearly explains that Outdoor sports facilities are not analysed as part of the study as a different methodology in line with national guidance (Sport England) is prescribed and is contained in a separate standalone Playing Pitch Strategy (PPS). However, any site recognised as outdoor sports provision but with a clear multifunctional role (i.e. where it is also available for wider community use as open space) is included in this study and used to inform quantity standards. On these dual use sites, the pitch playing surfaces are counted as part of the overall site size as they are considered to contribute to the total open space site and reflect its multifunctionality. Pitches on dual use sites are identified in the PPS too but only by number and pitch type (as prescribed in Sport England Guidance). If outdoor sport is not publicly accessible, it is not included in the Strategy as per the guidelines.</p> <p>The scoring was undertaken by a Green Flag assessor employed by KKP. The scoring methodology is commercially sensitive, but the methodology chapter clearly explains what factors were taken into consideration. The criteria enables a consistent approach to the scoring and is a document which can be used to inform decisions. If a Town/Parish Council has particular priorities they seek to address, we can pull out the key elements of the scoring to assist you further.</p> <p>Site 11 has been assessed as parks &amp; gardens not amenity greenspace. Site 119 is the amenity greenspace off Eton Avenue, not the Churchyard &amp; Gardens you refer to.</p> <p>Site 13 has been assessed separately because it is a separate open space typology to the rest of the park (it is children’s play, not amenity greenspace).</p> <p>Site 220 has visual and public amenity value and so has been included accordingly.</p> <p>The site visits were undertaken in March 2020, and the document has been endorsed, Environmental Services will be keeping the scoring up to date and undertaking a review of all improvements made since this time. It is not possible to continuously update the document given how many improvements are made annually.</p>
<p><b>Action Required</b></p>	<ol style="list-style-type: none"> <li>1. Correct typo on page 96 to refer to the correct settlement.</li> <li>2. Remove reference in Sutton chapter to Besthorpe nature reserve.</li> <li>3. Update site name for ID170 to reflect both sites.</li> <li>4. Correct error in Yorke Drive figures from -7.43 to -4.73 (numbers incorrectly inputted in wrong order) and update future growth tables accordingly.</li> <li>5. Update mapping to reflect correct location of allotment site in Southwell.</li> <li>6. Assess new allotments in North Muskham and include in next review of the Strategy.</li> <li>7. Remove Site 461 from OSS (mapping and table).</li> </ol>	

Question 51 – Playing Pitch Strategy - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
047	Sport England	085	<p>Local planning authorities are required by law to consult Sport England (the brand name for the English Sports Council) when they receive planning applications for development affecting playing fields. Our role is therefore to protect playing fields which as the open assessment confirms are covered in a separate Playing Pitch Strategy. The Newark Playing Pitch Strategy dates from 2014 but was fully reviewed in 2017, it is understood that the PPS is to be updated shortly to ensure that it remains robust and up to date in accordance with para 98 of NPPF 2021.</p> <p>The relationship between the Open Space Assessment/Strategy and the PPS is important this is covered in the final paragraph of the introduction and within other references within the report.</p> <p>There is clearly a number of sites which have an overlap between its formal sports function and its function as an open space (many are multi-functional). Sport England will continue to protect those sites which meet the definition of a playing field and consider that the PPS is the primary evidence in this regard in our role as a statutory consultee.</p> <p>Sport England notes that the Developer Contributions and Planning Obligations SPD contains a standard for outdoor sports the footnote and the reference to the Sport England Playing Pitch Calculator confirms that Sport England does not support standards , but does support locally derived evidence which secures the right facilities in the right place or an appropriate off site contributions based on an assessment of the demand generated from development and evidence of the available capacity or shortfalls.</p> <p><b><u>Evidence base</u></b></p> <p>Need to ensure that the evidence base is maintained up to date and Robust – Para 99 NPPF 2021</p> <p>This includes the Playing Pitch Strategy (PPS) and Built Sports Facilities Strategy both strategies are now 2 years older, this concern was raised in our 2019 consultation response. The PPs was review in 2017 but the initial data was gathered in 2014. In addition the Newark Sports and Facilities plan was completed in 2014.</p> <p>Question 51 – given the above we support this approach</p> <p>Is it planned to review the sports and facilities plan?</p> <p>Para 93 NPPF 2021 - To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: .... plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space</p> <p><b><u>NSDC Response</u></b> – Comments noted and welcomed. The Playing Pitch Strategy is due to be updated.</p>
077	Harby Parish Council	228	<p>Harby Parish Council agrees with the preferred approach.</p> <p><b><u>NSDC Response</u></b> – Comments welcomed and noted.</p>
078	Collingham Parish Council	283	<p>Collingham Parish Council agrees with the preferred approach.</p> <p><b><u>NSDC Response</u></b> – Comments welcomed and noted.</p>

<b>098</b>	Hawton Parish Council	393	Yes <b>NSDC Response –</b> Comments welcomed and noted.
<b>115</b>	Farndon Parish Council	519	Yes <b>NSDC Response –</b> Comments welcomed and noted.
<b>131</b>	South Muskham & Little Carlton	654	Yes <b>NSDC Response –</b> Comments welcomed and noted.
<b>132</b>	Newark Sports Association	659	<p>Introduction:</p> <p>A precondition for the development of all sport is space. Whatever the sport or activity it requires space that is suitable for the activity and accessible. So it is entirely appropriate that the NSA involve itself in the consultation on the Open Space Strategy (OSS) prepared by Knight Kavanagh Page (KKP) which aims to , “inform direction on the future provision of accessible, high quality, sustainable provision of open spaces across Newark and Sherwood District.”</p> <p>Newark and Sherwood District Council (NSDC) is also consulting on their Allocations and Development Plan (DPD). The DPD is a key planning document and promises to guide future development in the District. The preferred approach by NSDC is to use the findings of the Open Space Strategy to update the open space summaries in each area chapter within the DPD.</p> <p>For formal sports pitch provision NSDC’s preferred approach is to use Sport England’s Playing Pitch Strategy (PPS) methodology to assess existing provision of outdoor sports pitches and to map current and future demand. Whilst the PPS is intended to calculate demand generated from an increase in population derived from planned housing and/or housing targets, it only measures demand for formal sports pitch provision. It takes no account of the other roles and functions of sports pitches and playing fields. There are sports and physical activities both formal and informal that are not covered by the PPS such as cycling, running, walking and angling, this list is not exhaustive. For that reason the NSA will propose that the PPS sits within the OSS with a wider analysis of sport and physical activity so that it can identify any shortfalls, future demands, opportunities or risks to the development of sports and physical activity space.</p> <p>Background:</p> <p>The consultants recognise that assessment of open space facilities is still normally carried out in accordance with Planning Policy Guidance 17 (PPG17) Planning for open space, sport and recreation and Assessing needs and opportunities: a companion guide to PPG17 2002 as it still remains the only national best practice guidance on the conduct of an open space assessment.</p> <p>“Open space is defined in the Town and Country Planning Act 1990 as land laid out as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground. However, in applying the policies in this Guidance, open space should be taken to mean all open space of public value, including not just land, but also areas of water such as rivers, canals, lakes and reservoirs which offer important opportunities for sport and recreation and can also act as a visual amenity.”</p>

It is vital that the OSS is up to date and so it must take into account important strategy documents, recent changes in Government policy and the changes in the strategy of important partners.

In 2021 Sport England published its new ten year strategy Uniting the Movement. This strategy proposes to increase the emphasis on active environments by “Creating and protecting the places and spaces that make it easier for people to be active.” The policy recognises the important role that sport and physical activity plays in connecting people with their own health and well-being and it aligns closely with changes in Government health policy and the development of Integrated Care Systems. It promises to capitalise on sport and physical activity’s ability to make better places to live and bring people together and to tackle the long standing inequalities some people suffer in trying to access sport and physical activity. In this respect Sport England’s new policy fully supports the Government’s ambitious Levelling Up agenda.

Supplementary to but supportive of the Government and Sport England’s approach is important guidance and research Public Health England’s (PHE) review Improving access to greenspace 2020. This report recognises that greenspace is ‘natural capital’ and “can help local authorities address local issues that they face, including improving health and wellbeing, managing health and social care costs, reducing health inequalities, improving social cohesion and taking positive action to address climate change.” The report references the important review Health equity in England: The Marmot Review 10 years on which highlights the fact that those at the bottom of the social gradient tend to have less access to both quality and quantity of greenspace. These important reports correlate with Newark and Sherwood DC’s Physical Activity and Sport Plan 2018 - 21 which highlight’s three local areas which will be prioritised in terms of intervention.

All local plans and proposals now need to be considered in the light of the recent pandemic. We have come to realise how important it is for people to have easy access to safe local places where they can play sport both formally and informally and stay active.

#### Open Space Strategy

On page one of the document KKP state “Under paragraph 96 of the NPPF, it is set out that planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. Specific needs and quantitative and qualitative deficiencies and surpluses in local areas should also be identified.” This information should be used to inform what provision is required in an area. Whilst the NSA supports the development of robust and up to date strategy there are weaknesses in the document that prevent it from addressing the specific needs of local areas.

- In the OSS 2021 playing fields with sports pitches are all listed as amenity green space. In previous iterations of Newark and Sherwood’s green space strategy produced by KKP sites are recorded as Outdoor Sports facilities which are directly comparable to the population standards for Outdoor Sports. It also overstates the provision of amenity green space. In their analysis KKP have adopted Fields in Trust benchmark standards except for the standard for Outdoor Sports of 1.6ha per 1,000 of the population. Adopting a clear benchmark for outdoor sports space will help guide Councillors in their decision making and meet the need to identify quantitative and qualitative deficiencies and surpluses.

- The OSS aggregates the provision of open space across a settlement, an urban area or in some sections the District. For smaller local typologies such as children’s play and amenity green space this is unhelpful and misleading. Amenity green space has an accessibility catchment of 480m, by definition it is local. Open space catchments should be mapped against the population standard so that areas of under and over provision can be clearly identified to meet the requirements of paragraph 96 of the NPPF. For example there are three areas of amenity green space (KKP 103, 158 and 159) that are on the parish boundary between Newark and Coddington totalling 6.01ha. However according to KKP Newark is overprovided in terms of amenity green space. By aggregating provision for the whole of the settlement the fact that the Newbury Road area is overprovided and other areas under provided is hidden.
- There are areas of sports space and open space that have been excluded from the OSS. They have however appeared in earlier iterations of Newark and Sherwood’s open space strategy documents produced by KKP. The primary purpose of sports clubs and playing fields is the provision of formal sports space. However it has to be recognised that these facilities have other roles and contribute to biodiversity and the mitigation of climate change and flood risk. The OSS states “A priority for NSDC is the role and ability open space can provide in helping to tackle wider social issues such as health deprivation and climate change. In 2019, the United Kingdom Parliament and many local authorities (including NSDC) declared a climate emergency.” Part 22.4 highlights areas of the District vulnerable to climate change and the open space sites located in these areas. It utilises data mapping on flood risk, fuel poverty and Indices of Multiple Deprivation. “This is in order to inform appropriate policy responses and actions for the future.” There are sports spaces and playing fields in Newark that are at risk of flooding that are not recognised in this study. This may prevent the authority from adopting the appropriate policy responses to protect these facilities.
- In the section Summary of Future Strategy Climate change considerations, the reports states that, “There are 27 sites identified as meeting two or more of the other considerations relating to health and climate change. These sites should be considered crucial for the role and potential they may have in helping to tackle such wider social issues.” Site KKP 147 Bowbridge Road is listed as meeting two or more other considerations, but it has already been lost to development. This is in an area of under provision, however there is currently an unused site on Elm Avenue (The Stadium) that is in the ownership of the local authority which could replace some of the provision that has been lost. This should be allocated as amenity green space or a park and playing field.
- On page 123 of the OSS its states, “In addition, as part of the audit process, researchers undertaking the site visits were asked to highlight any sites considered as having the potential to accommodate greater resilience measures to climate change at a local level. This included simple measures such as more tree planting and wildflower meadow creation to potentially help reduce CO2 levels, provide flood reduction, mitigate impacts of urban heat island effects, and poor air quality.” By excluding sports clubs and playing fields from is study it fails to recognise the important role that sports clubs and playing fields play in reducing CO2 levels, flood reduction, mitigating the impact of urban heat islands and improving air quality.
- On page 98 item 21.3 Accessibility its states, “Accessibility catchments for different types of provision are a tool to identify communities currently not served by existing facilities. It is recognised that factors that underpin catchment areas vary from person to person, day to day and hour to hour. For the purposes of this study this problem is overcome by accepting the concept of ‘effective catchments’, defined

as the distance that would be travelled by most users.” Sport England research tells us that that people on low incomes generally have less access to open space and tend not travel out of their neighbourhood to take part in physical exercise. Adopting a distance travelled by most users disadvantages further groups that already have poor access to open space. The OSS should adopt catchments based on the social demography of the area, to tackle long standing inequalities and improve access for people who have poor access. This would be consistent with SE’s new strategy and the Governments Levelling Up agenda.

- On page 103 the report states, “This exercise demonstrates that in general there has not been a significant loss or creation of open space. The initial difference in figures is predominantly attributed to the differences in how sites have been categorised.” Changing the categorisation of outdoor sports facilities to amenity green space or redesignating, “any surrounding amenity greenspace hosting a play facility” as a play area to increase provision hides “quantitative and qualitative deficiencies and surpluses in local areas”.
- In item 22.2 Accessibility it is suggested that “a gap in one form of provision may exist but the area in question may be served by another form of suitable open space.” On page 107, Table 22.2.3 it is suggested that Newark Cemetery cover the gaps in Natural and semi-natural greenspace. Fields in Trust define natural and semi natural greenspace as “Woodland, scrub, grassland, wetlands, open and running water, and open access land.” Cemeteries fail to meet that definition and the requirements paragraph 96 of the NPPF because it will hide local deficiencies.
- Item 23.2 Implications sets out the policy implications in terms of planning process “to help guide the Council in seeking contributions to the improvement and/or provision of any new forms of open space.” This section discusses how extra provision might be made, maintained and managed. It fails to consider however recent changes in Government policy, the Levelling up agenda, and the funds available attached to the new agenda. These funds are conditional on greater community involvement and ownership, community asset transfer and giving communities a stronger voice to take over local assets working with developers or local authorities.
- Part 24 Future Growth page 137. The report states that, “It should be noted that where the creation of sports/playing pitches is identified, this has been combined with the figures for amenity greenspace to reflect the dual use/crossover such forms of provision often have.” The purpose of the OSS is to identify quantitative and qualitative deficiencies and surpluses. From this study it is difficult to see how the PPS will correlate with the OSS. Defining sports and playing pitches as amenity green space will make it more difficult to quantify under or over provision.
- Similarly on page 138 Table 24.1.1: Summary of committed developments and changes in open space – Newark Urban Area (NUA) (Newark, Balderton and Fernwood). For Yorke Drive Estate and Lincoln Road Playing Fields there is a 2.7ha gain for sport but an unspecified loss of 7.43ha. This raises the question as to whether any sports pitches are being created or is it amenity green space and what space is being lost?

On page 139 “Table 24.1.3 sets out the impacts from the known and anticipated changes to open space provision and population for the NUA settlement. It highlights that the NUA will see an increase in the overall provision level for open space (from 2.94 to 4.65 hectares per 1,000 population). However, for parks a decrease compared to current provision levels is likely to be experienced.” An overall assessment

for NUA (Newark, Balderton and Fernwood) in terms of provision is not specific and it will not enable Councillors to identify quantitative and qualitative deficiencies and surpluses in local areas. Accessibility catchments must be applied to developments. Increases in provision at Fernwood and land South of Newark will not increase provision in Central and North Newark.

- Fuel Poverty page 117. The report utilises fuel poverty as a measure to prioritise sites “to explore opportunities to enhance their quality given the role they could provide in this context.” An important determining factor in the measure for fuel poverty is the cost of fuel. Given recent rises in fuel prices (forward prices for fuel have hit all-time highs) there are likely to be many more people in fuel poverty than when this reports was written. Secondly in Figure 22.4.2: Fuel poverty levels on page 118 the fuel poverty levels are banded with the highest level being 13.6% to 15.8% fuel poor households. Why are not all fuel poor households above 13.6% listed? The banding is likely to exclude the poorest families. Open space strategies should be robust and up to date.

- Water. The Town and Country Planning Act recognises water as open space and in areas like Newark it is an important resource. There are sports and sports clubs that use local waterways and ponds, they have recreational and amenity value and they are a local attraction. The banks and tow paths provide level ground for walking and jogging and they are a visual amenity. Water and waterways should be included in the study, and the OSS should identify suitable areas for investment.

- Whilst we do not have the resources or the time to check all of the sites and their designation for accuracy there are some issues that we have been able to identify, this list is not exhaustive.

a. KKP 30 Land adjacent to Sconce and Devon Park behind locked gates and inaccessible.

b. KKP 16 Lockside Park appears to be permanently locked and inaccessible.

c. KKP 32 Former Sconce School Playing Field this locked and inaccessible in the evenings.

d. KKP 75 London Road - Barnby Road Pond not accessible

e. KKP 91 Land east of railway line Beacon Hill and Clay Lane this land floods it is not maintained and should be re classified as natural and semi natural green space.

f. KKP 257 Greenway recorded as 0.21ha measured at 0.14ha

g. There are sites recorded KKP5 49 Lilley and Stone and KKP 536 Flowserve that appear to have been lost and should not be recorded. Similarly there are schools sites that are not accessible 545 Mount School. This list is not exhaustive, but sites that are not accessible should not be recorded.

Conclusions/Recommendations:

The review of the Allocations and Development Plan and the development of a robust and up to date Open Space Strategy is welcome and necessary. However there are weaknesses and inaccuracies in the OSS that devalue the study. If the OSS is to achieve its objective and be used to update the open space summaries in each area chapter within the Allocations & Development Management DPD, it requires

revision. The document must be able to identify specific needs and quantitative and qualitative deficiencies and surpluses in local areas and the document does not do that. There are a number of issues.

1. Aggregating provision across settlements, urban areas and on occasion the District hides specific and local areas of under and over provision. Accessibility catchments should be used based on social demography.
2. Formal sports pitches and playing fields are open spaces and they have more than one role, particularly in areas of flood risk and so they should be included in the study and their contribution to the mitigation of climate change and flood risk acknowledged.
3. The PPS should sit within the OSS so that future pitch demand and team generation can be matched to identified opportunities in the OSS.
4. The calculation for the % of households in Fuel Poverty should be updated to take account of recent prices rises and the upper band should be the % of households over 13.6% with no upper limit.
5. Water is open space and an important resource, particularly in Newark and so should be included in the study.
6. Sites that are not accessible should be excluded from the study.
7. Redesignation of sites should be agreed with local communities that they serve.
8. There should be opportunities to give communities a stronger voice to take over local assets working with developers or local authorities.
9. The Stadium site on Elm Avenue should be designated as a park or playing field working with local residents.
10. Errors and anomalies in the study need to be corrected and updated with the latest information.

**NSDC Response** – Notwithstanding the Council’s response to Question 50 above, the Council will be commissioning independent consultants to undertake the Playing Pitch Strategy in accordance with national policy and guidance from Sport England.

As explained in the Council’s response to Question 50, the Open Space Strategy clearly explains that any site recognised as outdoor sports provision but with a clear multifunctional role is included in the study. On these dual use sites, the pitch playing surfaces are counted as part of the overall site size as they are considered to contribute to the total open space site and reflect its multifunctionality. Pitches on dual use sites are identified in the PPS too but only by number and pitch type (as prescribed in Sport England Guidance) and not by site area, therefore no double counting has occurred. Therefore the Open Space Strategy does in fact take account of the wider role and function of sport pitches and playing fields and the recreational benefits for walking, running and cycling that an open space may have (quality and value score). However not all playing pitches and sports facilities are available to the public and so can’t be defined as open space for the purposes of the Open Space Strategy nor capable of having a dual use. The Open Space Strategy and Playing Pitch Strategy



			are documents which assess very different things and therefore it not appropriate to encapsulate two different methodologies into one document nor is it best practice to do so.
<b>Action Required</b>			None

Question 52 – Archaeology - Farndon and River Devon Ice Age Landscape - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
077	Harby Parish Council	229	<p>Harby Parish Council agrees with the preferred approach.</p> <p><b>NSDC Response</b> – Comments noted and welcomed.</p>
078	Collingham Parish Council	284	<p>Collingham Parish Council agrees with the preferred approach.</p> <p><b>NSDC Response</b> – Comments noted and welcomed.</p>
095	001 Hardy Ltd	340	<p>This proposed policy is not supported by evidence that has been published for consultation alongside the Options Report; thereby making it very difficult for parties such as the landowners to meaningfully engage on aspects including the suggested geographical area covered and the two tier approach. In particular the rationale for Area B being where the geological conditions are conducive to material surviving at depth is not fully explained or evidenced. Area B includes gardens of residential properties; extensive areas of agricultural land; land within the strategic allocation south of Newark; and land required for the Newark Southern Relief Road. It has the potential to frustrate development, including that fundamental to the delivery of strategic development and infrastructure. The overall notation covers around 100 hectares of land. We do not support the preferred policy approach.</p> <p>Agricultural activity means that ground across both Areas A and B have been extensively disturbed by intensive modern agricultural activities, the most interaction with any archaeological resource being sub soiling to depths of 400 – 450mm. Agricultural activity including ploughing has led to many of the finds within Area A; this is accepted to have demonstrated some evidence to underpin the identification of Area A. Similar agricultural activity including ploughing has taken place over many decades in Area B but has not led to finds within Area B. Therefore the evidence to underpin the identification of Area B lacks justification.</p> <p>The report 'ICE AGE JOURNEYS: RESEARCH BY A COMMUNITY ARCHAEOLOGY GROUP AT FARNDON FIELDS, NEWARK, NOTTINGHAMSHIRE' produced in 2015 only considered part of Area A, it didn't address the wider extent of Area A and certainly not the even wider Area B. We can find no publicly available report, document or similar produced by the LPA, Historic England or any other party that considers the overall area being suggested for inclusion within this policy.</p> <p>As the LPA is aware excavations and engineering operations reasonably necessary for agriculture are permitted development under Class A of Part 6 of Schedule 2 of the GPDO 2015. Some of these can be undertaken without even the need for prior notification to the LPA. The erection of buildings reasonably necessary for agriculture are also permitted development. As confirmed in Appeal Decision APP/R1010/W/20/3265080 there is no ability to impose conditions on a prior approval even as in that case there was archaeology involved. There is also no ability through the prior approval process to request information such as archaeological investigations. The land is important agricultural land and we are concerned that the LPA will seek to resist agricultural development in this area on the basis of</p>

			<p>this notation. This would be inappropriate given that agricultural development constitutes permitted development under Part 6 even within scheduled monuments; and the prior approval process is not intended to undermine or revisit the principle of acceptability set out in the GPDO.</p> <p><b>NSDC Response</b> – Comments noted, the designation has been developed in conjunction with Historic England – and is supported by a justification and academic paper which will be made publically available. This justification informed the supporting context provided in the Options Report consultation. Notwithstanding this the respondent raises detailed issues which will be discussed with Historic England.</p>
<b>098</b>	Hawton Parish Council	394	<p>Yes</p> <p><b>NSDC Response</b> – Comments noted and welcomed.</p>
<b>115</b>	Farndon Parish Council	520	<p>The Parish Council would like to see this area designated as a Heritage Asset of National Archaeological importance to protect it in perpetuity, in addition to the protection afforded to it being included as part of the Open Break.</p> <p><b>NSDC Response</b> – Comments noted, however the proposed approach would provide for an appropriate level of protection within the appropriate legal framework.</p>
<b>128</b>	Historic England	591	<p>The preferred approach to include new policy context is welcomed.</p> <p><b>NSDC Response</b> – Comments noted and welcomed.</p>
<b>131</b>	South Muskham & Little Carlton Parish Council	655	<p>Yes</p> <p><b>NSDC Response</b> – Comments noted and welcomed.</p>
<b>Action Required</b>			<ol style="list-style-type: none"> <li>1. Make the supporting information to the proposed designation available, and investigate detailed comments raised by respondent 095 with Historic England.</li> </ol>

**Question 53 – Archaeology – Newark Civil War - Do you agree with the preferred approach?**

<b>ID</b>	<b>Respondent</b>	<b>Response Number</b>	<b>Comment</b>
<b>077</b>	Harby Parish Council	230	Harby Parish Council agrees with the preferred approach. <b><u>NSDC Response</u></b> – Comments welcomed and noted.
<b>078</b>	Collingham Parish Council	285	Collingham Parish Council agrees with the preferred approach. <b><u>NSDC Response</u></b> – Comments welcomed and noted.
<b>098</b>	Hawton Parish Council	395	The Parish Council is aware of the importance of the Civil War Redoubt situated on land in private ownership within the village. If a coherent approach towards Civil War heritage assets is to be undertaken it considers it vital that this Redoubt be included and given protection in perpetuity. <b><u>NSDC Response</u></b> – Comments noted and the merits of this suggestion will be considered in moving to the next stage of the Plan Review.
<b>099</b>	Southwell Civic Society	404	Agree <b><u>NSDC Response</u></b> – Comments welcomed and noted.
<b>115</b>	Farndon Parish Council	521	Yes <b><u>NSDC Response</u></b> – Comments welcomed and noted.
<b>128</b>	Historic England	592	The preferred approach to explore this unique selling point for the district is noted and we would welcome the opportunity to discuss this with you ahead of the next iteration of the Plan. <b><u>NSDC Response</u></b> – Comments welcomed and noted.
<b>131</b>	South Muskham & Little Carlton Parish Council	656	Yes <b><u>NSDC Response</u></b> – Comments welcomed and noted.
<b>Action Required</b>			1. Investigate the comments made by respondent 098 over the Civil War Redoubt in Hawton.

Question 54 – Archaeology – Southwell Villa - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
077	Harby Parish Council	231	Harby Parish Council agrees with the preferred approach. <b>NSDC Response</b> – Comments noted and welcomed.
078	Collingham Parish Council	286	Collingham Parish Council agrees with the preferred approach. <b>NSDC Response</b> – Comments noted and welcomed.
098	Hawton Parish Council	396	Yes <b>NSDC Response</b> – Comments noted and welcomed.
115	Farndon Parish Council	522	Yes <b>NSDC Response</b> – Comments noted and welcomed.
128	Historic England	593	The preferred approach is noted. <b>NSDC Response</b> – Comments noted and welcomed.
131	South Muskham & Little Carlton Parish Council	657	Yes <b>NSDC Response</b> – Comments noted and welcomed.
<b>Action Required</b>			None

Question 55 – Regeneration Programmes and Schemes - Do you agree with the preferred approach?

ID	Respondent	Response Number	Comment
077	Harby Parish Council	232	Harby Parish Council agrees with the preferred approach. <b>NSDC Response</b> – Comments noted and welcomed.
078	Collingham Parish Council	287	Collingham Parish Council agrees with the preferred approach. <b>NSDC Response</b> – Comments noted and welcomed.
098	Hawton Parish Council	397	Yes <b>NSDC Response</b> – Comments noted and welcomed.
115	Farndon Parish Council	523	Yes <b>NSDC Response</b> – Comments noted and welcomed.
128	Historic England	594	Agree with the preferred approach. <b>NSDC Response</b> – Comments noted and welcomed.
131	South Muskham & Little Carlton Parish Council	658	Agree with the preferred approach. <b>NSDC Response</b> – Comments noted and welcomed.
<b>Action Required</b>			None

Question 56 – General - Do you have any further comments? - Housing only

	Respondent	Response Number	Comment
043	TOWN-PLANNING.CO.UK	072	<p>Sutton on Trent - Policy ST/MU/1 (Sutton on Trent - Mixed Use Site 1)</p> <p>Policy ST/LC/1 (Sutton on Trent - Local Centre)</p> <p>Policy ST/MOA (Sutton on Trent - Main Open Areas)</p> <p>The development of all of the housing on site ST/MU/1 by Charles Church is complete. The space for a potential retail store is reserved in the planning obligation; although it will never come forward as it is too small for the needs of the Lincolnshire Co-op and other retailers are not interested in the village. Land reserved for the village hall is also secured in the planning obligation. As such site ST/MU/1 is no longer required.</p> <p>The area covered by ST/LC/1 for a future local centre cannot be delivered as this is open space prevented from being developed by the planning obligation that accompanied the housing development. Accordingly the proposed allocation cannot be delivered and should be deleted.</p> <p>The Main Open Area designation needs to be amended to reflect the housing built by Charles Church which included land identified as MOA. This was allowed supposedly because of the delivery of community benefits, which have not yet been delivered due to ongoing planning enforcement issues relating to land levels, and due to additional open space at the western end. The MOA designation should be amended as indicated on the accompanying plan.</p> <p><b>NSDC Response –</b> Noted. The designations to reflect the situation on the ground will be amended at the next stage of the Plan review process.</p>
044	Local Business c/o TOWN-PLANNING.CO.UK	081	<p>Sutton on Trent - Village Envelope and Proposed Site Allocation</p> <p>Sutton on Trent is a village of unusual character in that it is a settlement made up of numerous but distinct parts. Whilst it has a main core that has been defined for many years, that core is punctuated by a number of large open areas. Although the recent development by Charles Church has removed one of the largest open areas.</p> <p>The main core is surrounded by a large number of open areas, including traditional orchards beyond which there are then large areas of village which are currently considered part of the open countryside. These areas are home to large parts of the village community and their exclusion from the village boundary potentially prevents their redevelopment or consolidation through appropriate infill. Approximately 100 dwellings and commercial premises form the part of the village outside of the defined village envelope; this accounts for just under a fifth of the number of premises in the overall village.</p>

It is considered that the character, form and layout of Sutton on Trent as a village is unique within the District and as such it requires a modified approach to the designation of a village boundary. These more outlying parts of the village include residential, industrial, recreation, tourism and agricultural uses. These are integral land uses to the future success of the settlement as a defined Principal Village. The current village envelope means that in fact parts of Sutton on Trent are deemed unsuitable for development; where in fact if the village was otherwise classed as an 'other settlement' under Spatial Policy 3 of the Core Strategy then such areas would be likely to be deemed suitable for development. This is an inconsistent approach which should be addressed.

The LPA has sought to argue that as this is a local plan review it is inappropriate to review the settlement boundary. This is illogical as the purpose of a local plan review is to amend and review appropriate parts of the DPD.

The village boundary should include the areas shown in the attached document in order to properly reflect the actual defined settlement of Sutton on Trent.

Whilst the village has a main core that has been defined for many years, that core is punctuated by a number of large open areas that form an integral part of the overall form, structure, character and appearance of this Principal Village.

To the north of the main core is an area of recently enhanced and expanded employment, beyond which is the village Sports facilities. Sutton on Trent as an overall village does not have a nucleated form, it is an expansive settlement measuring around 1.8km from the southern extent along Great North Road to the northern extent around the Sports Ground. It measures some 1.5km from the western extent around Mercia Garden Products to the Holmes to the east. A footprint of some 2.7 square km is a large footprint for a settlement of the population that Sutton on Trent has.

The area of Sutton on Trent focussed around Main Street, Great North Road, Shires Way, Floral Villas and Carlton Lane forms the southern 'gateway' into the village. This area contains Roy Walker Furniture, the Lindens Farm Caravan Site, the Lindens Fishing Lake, Hadleys Fine Meats, the Petrol Filling Station and MOT Garage along with some 50+ dwellings. The number of dwellings in the village excluded from the current settlement boundary at around 100 in total is the scale of a settlement in itself.

That southern gateway to the village contains historic parts of the village as identified by the Conservation Area. Areas of the village outside of flood zones 2 and 3 are extremely limited.

It is considered that the character, form and layout of Sutton on Trent as a village is unique within the District and as such it requires a modified approach to the designation of a village boundary and to the choice of any site(s) for future development. The more outlying parts of the village include residential, industrial, recreation, tourism and agricultural uses. These are integral land uses to the future success of the settlement as a defined Principal Village. The village boundary should include these areas in order to properly reflect the actual defined settlement of Sutton on Trent.

Any new site(s) chosen for a housing or mixed use allocation should reflect the traditional spread out village form and should not seek to remove the core open areas which underpin the form of the southern 'gateway' and the main bulk of the village.



			<p>Sutton on Trent has a low density of development due to its spread out nature, that density has been increased in some parts through infill development and through development in rear gardens. This windfall infill nature of development has been a typical feature of the village and this is what accounts for the relatively high level of existing commitment. Any new site(s) for development should be at a low density to reflect the character and appearance of the village.</p> <p>In moving forward alternative sites within the overall village built up area should be considered, an example of such a location would be the Lindens Farm site which is a previously developed industrial site now partially used for leisure activity in part.</p> <p>The access entrance to the main part of the site has previously been upgraded to be suitable for employment use. The front part of the site now has a separate access which was recently approved, under construction. The whole site could be used for a low density scheme of around 10 dwellings or a normal density scheme involving 15 to 20 dwellings depending upon whether the furniture use is retained as part of a mixed use. However if just the flood zone 1 area is used the site could be used for a low density scheme of around 5 dwellings or a normal density scheme of up to 10 dwellings. The rear half of the site is in flood zone 2; this part of the site could be retained in use for the caravan site, with the site frontage being available for a small-scale housing scheme. Alternatively if the land is included within the village envelope then the opportunity for small-scale windfall housing in the future could come forward.</p> <p>We would urge you to consider this site for residential development through the Local Plan Review. The site was suggested in the 2019 call-for-sites, a plan showing the site is attached. Also attached is a scan of the suggested alteration to the settlement boundary we suggest.</p> <p><b>NSDC Response –</b> This part of the Plan Review sets out to update the Adopted Allocations &amp; Development Management DPD, reflecting changes on the ground and necessary changes to policy where current guidance has changed. Where allocations are no longer deliverable this will be reflected through the Review. The submitted site will be assessed and included within an addendum to the SHELAA which will be published as part of the next stage of the Plan Review. As set out in the Options Report, sufficient provision is identified within the Plan and further no allocations will be included within the Plan Review. However, sufficient capacity exists to meet the strategic requirements as set out in the Adopted Amended Core Strategy and any further allocations or amendments to Urban Boundaries and Village Envelopes to allow additional capacity are not required at this time.</p>
049	Local resident c/o TOWN- PLANNING.CO. UK	092	<p>Site Lo/Ho/1 - Lowdham Housing Site 1</p> <p>The plan review proposes to continue to allocate this site for housing. As the landowner this approach is NOT supported and the site Lo/Ho/1 should be DEALLOCATED. There should be no changes to the defined village boundary or the Green Belt boundary.</p> <p>Site Lo/Ho/1 is no longer deliverable or available. Following the allocation in the DPD we firstly devised a draft scheme in early 2014 and sought formal pre-application advice from NSDC in May 2014 (PREAPP/00120/14). We met Martin Russell on site and met with Martin and a colleague at Kelham Hall to discuss options for moving forward.</p> <p>We then followed up some outstanding highway matters with Stella Euerby at the County Council in October 2014 regarding the costs associated with the moving of highway furniture. We undertook further pre-application advice request (PREAPP/00190/15). In July 2015</p>

we highlighted concerns to the LPA including that the requirements of Policy Lo/HN/1 seeking mostly 2 bedroom dwellings, does currently adversely affect the viability of the site given the costs associated with the moving of highway furniture and the relocation of the large building on site. In November 2015 we suggested an extension to the site as part of the Call for Sites process. Despite extensive discussions and us disputing the evidence, including referring to the 2014 DCA study, the LPA flatly refused to move on the issue of 2 bedroom units and continued to contend that Policy Lo/HN/1 must be met. As such it was not appropriate to follow up the pre-app request with a planning application.

The site has always been in effect two halves, the eastern half laid to grass which has been associated with the dwelling. The western half contained the agricultural building and hardstanding. These two halves have become even more settled in their respective differing uses. This is part of the wider holding of Mr Fletcher which includes No.28; agricultural land to the rear (north) and ecological land further to the north.

In June 2016 the building on site was changed to B1 Business Use under permitted development rights under the notification 16/00673/CPRIOR. Lowdham Joinery run by Mr Fletcher's son started operating from the building. This is a business manufacturing bespoke joinery including hardwood doors, windows and gates. As a manufacturing business it requires a fixed base.

In May 2018 under 18/00017/OUT, outline planning permission for one dwelling was granted. In this submission we identified the difficulties associated with the delivery of the entire allocation being both Policy Lo/HN/1 and the need to relocate the building for the joinery business which was thriving. In the planning committee report dealing with that outline application, indicated that the LPA would be unlikely to support the relocation of the building on site into the Green Belt to the rear.

Since 2018, the Lowdham Joinery business has continued to flourish and has a large established customer base and a thriving order book. Significant investment has been made into equipment and the building to suit the specific use. Even during the recent pandemic the business has spent over £30k on investing in new specialist machinery. It now employs 5 people all of whom live within just a few miles of the premises. The premises is also central to its customer base and the business has no intentions to relocate as the site location and the building meets their needs. It is anticipated that the business will now continue to operate from this location in the long-term throughout the plan period.

In June 2019 in commenting on the SHELAA we identified that the site was in two halves with the eastern area having the outline planning permission; and the western area having the existing business. At that time we identified that the business would not be likely to relocate which would impact on any potential timescales for deliverability. In the two years since that time the joinery business has grown further. The pandemic has also demonstrated the benefits of the rural business location and the fundamental benefits associated with a business owning the land and premises on which it is based. The business has therefore consolidated its investment in the building on site and therefore has a need to remain on this site in the long-term and has no intention to relocate at all.

The current order book already extends well into 2022 and the business is actively seeking to recruit additional staff; although finding suitably skilled staff at present is difficult.

			<p>Access to the agricultural land to the rear also needs to be retained which poses a further constraint.</p> <p>Given the retention of the business on this site in the long-term, the site is no longer deliverable or available as a housing site allocation. Hence why we now say it should be deallocated. There may be potential to deliver a windfall housing plot on the area approved under 18/00017/OUT under the provisions of Spatial Policy 2 of the Amended Core Strategy in due course. Such limited housing numbers, probably just a single dwelling, does not however justify a site allocation.</p> <p>Spatial Policy 2 of the Amended Core Strategy looks to support employment to provide local jobs. Retention of this very successful business would be in line with this policy. Retaining the village boundary in the current form to include the joinery building within the boundary would allow the opportunity for the business to grow in the future as and when required. It would also allow for some windfall housing potential which would also contribute to housing delivery under Spatial Policy 2.</p> <p>We do not see any merit in amending the allocation to a mixed-use allocation; there is no intention to allow any other businesses to locate on this site as that would prejudice the potential future expansion of the joinery business.</p> <p>There are no exceptional circumstances appropriate to justify a review of the Green Belt boundary. In any event any Green Belt review is a matter for the Core Strategy and Spatial Policy 4A confirmed that no Green Belt review was to be undertaken.</p> <p>Allocations have to be available, achievable and deliverable in order to be justified for inclusion in the Local Plan. It is now 10 years since work on the current allocations document started and this is now the first review of that DPD so numerous changes of circumstances will have changed during that intervening period. The individual circumstances of this allocation have fundamentally changed. The housing market has also changed quite markedly over the last 18 months and in strategic terms Newark &amp; Sherwood are not short of housing land so there is no imperative for the DPD to keep every allocation. Indeed the Plan Review is looking to deallocate some sites elsewhere.</p> <p>The housing requirements of Lowdham have been met through the delivery of the other allocated site Lo/Ho/2 which is now completed; and the approved windfall scheme at 10 Epperstone Road which is currently under construction. That windfall site has delivered as many dwellings as was anticipated to come forward on Lo/Ho/1; therefore the deallocation of this site would not result in any greater shortfall of housing than the Core Strategy and the DPD already planned for.</p> <p><b>NSDC Response –</b> Noted. As the site is no longer deliverable, it should be deallocated.</p>
057	Bowden Consultants	120	<p>Consideration should be given to expanding the residential allocation at the former Clipstone Colliery to improve its viability and encourage it to be brought forward.</p> <p><b>NSDC Response –</b> Noted.</p>
058	Severn Trent Water	128	<p>Severn Trent note that there are a number of changes to the allocations including some increases in the number of dwellings within certain allocations, we would request that we are provided with an up-to date GIS data set and excel table for the allocations such that these can be accounted for when considering any network improvement schemes. We will also be able to re-assess sites where there has</p>

			<p>been a significant change in the number of dwellings and provide feedback on any reduction or increase in infrastructure constraints for the specific site.</p> <p>It is recommended that this is undertaken when feedback from this consultation has been accounted for so that any further changes to the allocations do not result in additional re-work.</p> <p><b><u>NSDC Response</u></b> – Noted. Amended polygons and detail to be sent at Publication stage.</p>
074	Resident	166	<p>(Brief summary) Housing developments need to be supported by appropriate infrastructure. More bungalows need to be built and all new housing need decent sized gardens.</p> <p><b><u>NSDC Response</u></b> – Noted</p>
088	Resident	319	<p>(Brief summary) Seeking a smaller dwelling on her garden in Norwell.</p> <p><b><u>NSDC Response</u></b> – Noted. Applications for development in rural areas is guided by the Amended Core Strategy Policy SP3 - Rural Areas. This documents does not form part of the current consultations.</p>
097	Cllr Paul Peacock	342	<p>I would like to make comment on the housing allocation in Edwinstowe, ED/HO/2.</p> <p>This allocation is not required anymore to meet any kind of government target in the Edwinstowe area.</p> <p>Edwinstowe has been engulfed in building developments over the last 20 years and from 2019 to 2025 Edwinstowe will grow by a further 1000 homes.</p> <p>Current infrastructure in the area cannot sustain current numbers with the GP surgery over subscribed and families not being able to take up places at local primary schools.</p> <p>The land ED/HO/2 is agricultural land and is in constant use for this purpose. It has a secure economic purpose already.</p> <p>I hope this issue is given the necessary consideration, I am writing on behalf of many local people who have raised this matter with me.</p> <p><b><u>NSDC Response</u></b> – Noted. As part of the Plan review process, the LPA has only deallocated sites where it has become evident that they are no longer deliverable.</p>
099	Southwell Civic Society	405	<p>Can we ask whether it is intended to change the housing numbers and mix for So/Ho/4 and So/Ho/5?</p> <p><b><u>NSDC Response</u></b> – There are no proposals to change the housing numbers or mix for So/Ho/4 and So/Ho/5 at this time.</p>

102	Richborough Estates (c/o Fisher German)	416	<p>The retention of So/Ho/5 is questioned. Similar to the Depot site, this site has had two recent planning applications rejected, with the first application also having an appeal dismissed. There appears to be an impasse in delivering an acceptable access to the site. The applicant of the aforementioned planning applications and appeal's preferred solution was a 4-armed mini roundabout, stating that traffic lights were incongruous with the overriding character of Southwell. The Highways Authority however would not accept a 4-armed mini roundabout, requiring a traffic light arrangement to enter the site. This meant the applicant had to apply with traffic light junction, despite having outlined the inappropriateness of such an approach. Whilst this was the requirement of the Highways Authority this was not accepted by the Council's Planning Committee who agreed that the proposed traffic lights would harm the character of the settlement and as such forms one of the reasons for refusal. Paragraph 108 of the NPPF confirms that when considering whether a site should be allocated for development, it should be ensured that safe and suitable access to the site can be achieved for all users. Having regard for the severe doubts that must exist regarding the ability to successfully access the site, this allocation must now be regarded as undeliverable and should not be continued as an allocation, unless significant evidence can be provided outlining that an acceptable scheme is available on the site.</p> <p><b>NSDC Response –</b> Noted. The LPA is satisfied that the allocations remain deliverable.</p>
102	Richborough Estates (c/o Fisher German)	417	<p>The loss of the Southwell Depot and Lower Kirklington Road allocations would lead to a shortfall of housing delivery within Southwell – see Figure 1 overleaf. This demonstrates that just 208 dwellings are likely to be delivered, despite being directed 264 dwellings to the town. This equates to a shortfall of 56 dwellings in the town.</p> <p>Whilst this shortfall may not result in an overall shortfall across the District, it does result in a shortfall within the settlement, which does not accord with the spatial strategy, and as a consequence replacement allocations should be made to meet the shortfall. It is not sound to simply assume that there is no justification to replace these allocations.</p> <p>The Council are also reminded that it is incumbent upon them to seek to boost significantly the supply of housing. The targets contained in the Core Strategy are minimums, not maximums and as part of future reviews of the strategic housing requirement, increases in housing requirement above local housing need may be adopted to help achieve economic growth for example. Given the low levels of growth directed towards Southwell generally, there are likely to be significant positives through increasing delivery levels within the Service Centre settlement. This would support existing services and facilities. It is noted that there appears to be capacity at local schools also.</p> <p>The Council are also reminded that it is necessary to maintain housing delivery and a five-year supply of housing land and there must be a demonstrably robust land supply at the Examination or the Planning Inspector cannot find the Plan sound. As such, we consider there is significant merit in replacing any allocations lost to ensure a continued integrity of supply.</p>

It is further noted that the original Core Strategy outlined that Southwell 'has a serious housing need which is perpetuated by high local house prices'. We have seen no evidence that this is an issue which has been resolved. Despite this, adopted planning policy has sought to continue to restrict housing growth in the town to only a very low level. We do not agree that the level of housing directed to Southwell is commensurate to either its sustainability or likely levels of housing need. The Amended Core Strategy directs only 3% of the housing requirement here (10% of the Service Centre growth). This will not sufficiently improve affordability within the settlement and the reality is that without sufficient growth affordability is likely to worsen. Post pandemic rates of home working are likely to increase significantly. The lack of a need to be close to the office will see many professionals seek to move from larger centres into the more attractive settlements.

The Newark and Sherwood 2020 Housing Needs Assessment<sup>5</sup> illustrates that in terms of median house prices, houses in the Southwell Sub-Area (which in terms of properties is predominantly Southwell) have increased by 39.3% since 2007. The Southwell Sub-Area also has the second highest house prices in the District at £348,226, narrowly below the Nottingham Fringe Sub-Area at £386,193, but significantly above both the next highest Sub-Area, Collingham at £279,437 and even more so above the Newark and Sherwood Median at £211,644.

In terms of affordability, the Council's Housing Needs assessment sets out that the median gross household income in the Southwell Sub-Area is £32,5006 . As set out above, the Median house price in the Southwell Sub-Area is £348,226. This equates to a median house price to median gross annual income ratio of 10.7, i.e. a house is over 10 times the mean income. For context, this compares to only 7.03 for the district as a whole (ONS Ratio of median house price to median gross annual (where available) workplace-based earnings by local authority district, England and Wales, Year 2020 (published 2021)). This shows that Southwell is demonstrably more unaffordable than Newark and Sherwood as whole. It is important to note that this metric does not consider affordability by utilising house prices as the sole metric, but it looks at house prices in accordance with earnings, showing the true level of affordability. As previously mentioned, with increased freedom in terms of working now afforded through a significant post pandemic growth in home working, there is likely to be somewhat of a migration from urban centres to attractive locations such as Southwell, further increasing demand and house prices and likely displacing current residents, particularly those who do not qualify for social housing but will be out competed for available stock by higher earning professionals.

Notwithstanding the above, the Council's own Housing Needs Assessment (Southwell Sub-area Summary) sets out that in the Southwell Sub-Area there is a there is an annual need for 54 affordable dwellings per annum, including 32 homes for annual rent. Having regard for the restrictive approach to new housing in the Sub-Area, particularly the sustainable settlement of Southwell itself, this figure will not be delivered as currently planned. Whilst provision may be made elsewhere in the District, this will increase commuting or result in issues of social isolation or exclusion with people being dispersed from the settlement.

			<p>The availability of sites which have been previously assessed as acceptable indicate that there is little justification in restricting further growth here. Southwell is a highly sustainable settlement, the third largest in the District, and benefiting from the best retail offer outside of Newark. As such it is considered growth can be brought well above the 264 dwellings established in the Amended Core Strategy. Such housing targets contained within the Amended Core Strategy are minimums and not maximums, and it is entirely reasonable and consistent with national policy to seek to deliver levels of growth in excess of minimum targets. This is particularly pertinent in areas such as Southwell, which have well documented affordability and house-type composition issues. Whilst a larger than expected level of windfall growth has provided for housing growth in Southwell above what was likely expected, windfall sites do not deliver the same range of benefits as allocations, which can provide affordable housing and significant contributions towards local services and infrastructure. Windfall growth can therefore be very damaging, in that it increases the pressure of local services and facilities, but rarely are developer contributions secured to facilitate the subsequent population growth. As per the NPPF, growth should be Plan-led.</p> <p>The Council's Housing Monitoring and 5 Year Land Supply Report, covering 2013/14 to 2019/20, states that only 30 affordable homes have been delivered in Southwell, at a rate of only 4 per annum. Having regard for the likely issues relating to affordability as discussed above, it is considered this will significantly be outstripped by increasing affordable housing demand.</p> <p>Considering these points, we consider there to be compelling justification to allocate additional residential land within Southwell.</p> <p><b>NSDC Response –</b> Noted. The LPA is satisfied that the allocations remain deliverable and sufficient capacity remains to meet the requirements.</p>
102	Richborough Estates (c/o Fisher German)	418	<p>Having regard for the significant justification for further residential allocations within Southwell, as discussed above, these representations seek the allocation of Land West of Allenby Road, Southwell. This site was a preferred residential site within the preparatory stages of the Allocations &amp; Development Management DPD (Options Report October 2011). Significant supporting evidence is also included within the representation.</p> <p><b>NSDC Response –</b> The submitted site will be assessed and included within an addendum to the SHELAA which will be published as part of the next stage of the Plan Review. As set out in the Options Report, sufficient provision is identified within the Plan and further no allocations will be included within the Plan Review.</p>
108	CB Collier c/o Harris Lamb	440	<p>We note the statement that the Council are not proposing to make any additional allocations or update the allocations in the Plan and that the changes mainly focus on changes to the Development Management policies.</p> <p>Notwithstanding the above, we note at paragraph 5.1.4 that it states that allocations that are now completed will not be carried forward as allocations in the amended DPD but where sites have planning permission or are under construction then they will continue to be</p>

			<p>allocated in the Plan. The Flowserve site in Newark now has planning permission, having been granted at appeal. On the basis that it does have planning permission and is not yet completed on the reasoning set out above we consider that the site should be allocated. Allocating the site will confirm its suitability for development and will enable the consideration of reserved matters to be undertaken in accordance with a site specific policy, which can only assist the planning process by providing certainty to the developer but also setting out exactly what the Council wish to see delivered on the site (having regard to the outline permission that has been granted).</p> <p>Finally, we note at paragraph 5.32.1 the Council’s intention not to identify the Flowserve site as an opportunity site in the revised plan. Clearly, as the site has planning permission now, it can no longer be considered an opportunity site. As such, it reinforces our view that it has moved from the opportunity site category to a commitment and that by identifying it as an allocation this would confirm the site’s status going forward.</p> <p>Notwithstanding that the Council have decided to remove the main Flowserve site as an opportunity site from the Plan, CBC propose that the vacant Flowserve Sports and Social Club could and should be identified as an opportunity site instead. The site immediately adjacent to a site that has recently been granted planning permission for residential development so the location is considered suitable for this type of use. The site is also vacant and underused and could, therefore, make a contribution to the future housing needs of the town going forward</p> <p><b>NSDC Response</b> – As set out above, the Flowserve site now has the benefit of planning permission. Many windfall sites come forward over time but they are not then identified as allocations. The Flowserve Sports and Social Club is covered by Amended Core Strategy Spatial Policy 8 – Protecting and Promoting Leisure and Community Facilities. The site is not one which was previously identified as being suitable for development and is therefore not considered appropriate as an opportunity site.</p>
112	Norwood Park Estate c/o Fisher German	457	<p>The Council are also reminded that it is incumbent upon them to seek to boost significantly the supply of housing. The targets contained in the Core Strategy are minimums, not maximums and given the low levels of growth directed towards Southwell generally, there are likely to be significant positives through increasing delivery levels within the Service Centre settlement. The Council are also reminded that it is necessary to maintain housing delivery and a five-year supply of housing land and there must be a demonstrably robust land supply at the Examination or the Planning Inspector cannot find the Plan sound. As such, we consider there is significant merit in replacing any allocations lost to ensure a continued integrity of supply.</p> <p>It is further noted that the original Core Strategy outlined that Southwell ‘has a serious housing need which is perpetuated by high local house prices’. We have seen no evidence that this is an issue which has been resolved. Despite this, adopted planning policy has sought to continue to restrict housing growth in the town to only a very low level. We do not agree that the level of housing directed to Southwell is commensurate to either its sustainability or likely levels of housing need. The Amended Core Strategy directs only 3% of the housing</p>



requirement here (10% of the Service Centre growth). This will not sufficiently improve affordability within the settlement and the reality is that without sufficient growth, affordability is likely to worsen. Post pandemic rates of home working are likely to increase significantly. The lack of a need to be close to the office will see many professionals seek to move from larger urban cities and centres to more attractive, semi-rural settlements.

The Newark and Sherwood 2020 Housing Needs Assessment illustrates that in terms of median house prices, houses in the Southwell Sub-Area (which in terms of properties is predominantly Southwell) have increased by 39.3% since 2007. The Southwell Sub-Area also has the second highest house prices in the District at £348,226, narrowly below the Nottingham Fringe Sub-Area at £386,193, but significantly above both the next highest Sub-Area, Collingham at £279,437 and even more so above the Newark and Sherwood Median at £211,644.

In terms of affordability, the Council's Housing Needs assessment sets out that the median gross household income in the Southwell Sub-Area is £32,5006 . As set out above, the Median house price in the Southwell Sub-Area is £348,226. This equates to a median house price to median gross annual income ratio of 10.7, i.e. a house is over 10 times the mean income. For context, this compares to only 7.03 for the district as a whole (ONS Ratio of median house price to median gross annual (where available) workplace-based earnings by local authority district, England and Wales, Year 2020 (published 2021)). This shows that Southwell is demonstrably more unaffordable than Newark and Sherwood as a whole. It is important to note that this metric does not consider affordability by utilising house prices as the sole metric, but it looks at house prices in accordance with earnings, showing the true level of affordability. As previously mentioned, with increased freedom in terms of working now afforded through a significant post pandemic growth in home working, there is likely to be somewhat of a migration from urban centres to attractive locations such as Southwell, further increasing demand and house prices and likely displacing current residents, particularly those who do not qualify for social housing but will be out competed for available stock by higher earning professionals.

Notwithstanding the above, the Council's own Housing Needs Assessment (Southwell Sub-area Summary) sets out that in the Southwell Sub-Area there is an annual need for 54 affordable dwellings per annum, including 32 homes for annual rent. Having regard for the restrictive approach to new housing in the Sub-Area, particularly the sustainable settlement of Southwell itself, this figure will not be delivered as currently planned. Whilst provision may be made elsewhere in the District, this will increase commuting or result in issues of social isolation or exclusion with people being dispersed from the settlement.

The availability of sites which have been previously assessed as acceptable indicate that there is little justification in restricting further growth here. Southwell is a highly sustainable settlement, the third largest in the District, and benefiting from the best retail offer outside of Newark. As such it is considered growth can be brought well above the 264 dwellings established in the Amended Core Strategy. Such housing targets contained within the Amended Core Strategy are minimums and not maximums, and it is entirely reasonable and

			<p>consistent with national policy to seek to deliver levels of growth in excess of minimum targets. This is particularly pertinent in areas such as Southwell, which have well documented affordability and house-type composition issues. Whilst a larger than expected level of windfall growth has provided for housing growth in Southwell above what was likely expected, windfall sites do not deliver the same range of benefits as allocations, which can provide affordable housing and significant contributions towards local services and infrastructure. Windfall growth can therefore be very damaging, in that it increases the pressure on local services and facilities, but rarely are developer contributions secured to facilitate the subsequent population growth. As per the NPPF, growth should be Plan-led.</p> <p>Considering these points, we consider there to be compelling justification to allocate additional residential land within Southwell.</p> <p><b>NSDC Response –</b> Noted. The LPA is satisfied that sufficient capacity remains to meet the requirements of the Adopted Amended Core Strategy.</p>
123	Gascoines Group c/o Pegasus	540	<p>Our client is principally concerned with housing allocations. The proposed deallocation of some housing sites, which have failed to progress over the plan period to date, is noted and welcome. However, the process of retaining some allocations yet to progress and the allocation of other sites is opaque and should be addressed through clear and robust evidence. For example site NUA /Ho/1 – Land at Alexander Avenue and Stephen Road is de-allocated due to lack of contact with the owner, whereas NUA/E/4 - Former Highways Depot, Great North Road similarly appears to have made no progress but remains an allocation.</p> <p>At this stage, our client does not wish to object to the inclusion of individual sites. We do, however, question the continued inclusion of sites which are yet to progress since the adoption of the extant Allocations and Development Management DPD. The lack of progress places raises significant questions about their deliverability. If they are retained clear evidence of their deliverability should be provided.</p> <p>It is noted that to date the Council has supplied sufficient homes to meet its annual housing requirement, as set out within the Amended Core Strategy. However, the retention of sites which are yet to progress brings into question whether the housing requirement will be met overall. In this regard additional deliverable allocations, such as our clients, should be considered for inclusion.</p> <p><b>NSDC Response –</b> Noted. The LPA is satisfied that the allocations remain deliverable and sufficient capacity remains to meet the requirements.</p>
125	Thoresby Settlement c/o Pegasus	547	<p>These representations set out the importance of Laxton, the significance of the open field system and the need to allow the future needs of the Estate to be met to ensure the preservation of this unique system and settlement.</p> <p>We are assisting the Conservation Team in the current Conservation Area Character Appraisal for Laxton and have submitted a pre-application enquiry in relation to proposed new almhouse development in Laxton to house retired farmers (LPA ref: PREAPP/00221/20).</p>

We have also submitted a Village Appraisal to the planning department following this pre-application enquiry to further progress possible suitable residential sites in Laxton.

The significance of Laxton is fundamentally derived from the historic function of the open field system and the traditional farmsteads within the village. The continuation of the Court Leet system, the presence of extensive mediaeval archaeological interest and the many historic buildings which makes this a unique settlement.

Thoresby Settlement purchased their land interests in Laxton from the Crown Estate and is committed to maintain the open field system and historic institutions. These come in two parts:

- a. The open fields themselves which are a physical feature consisting of large open fields divided into strips which are in different tenancies and the “gaits and commons” which are those parts of the Open Fields which are unfarmed roads, headlands, and grassed areas.
- b. The Court Leet or Manorial Court which manages the open fields and gaits and commons and disputes between individual farmers. Like many institutions it needs a quorum to function.

The long-term preservation of the historic field system of Laxton and its Court Leet is dependent on the fields being actively farmed. There are 15 farm tenancies but only between 7 and 8 are active farmers who both take part in the Court Leet and farm their land, the remainder are retired and remain in the farmhouses under the lifetime Agricultural Holding Act 1948 tenancies.

Over the duration of the Local Plan period, it is probable that more farms will enter retirement resulting in a discontinuation of farming of the open field system. The target would be to try to increase the active farmers in the village to at least ten to ensure there is a quorum for the Court Leet. In order to achieve this, it is necessary for the Estate to be able to provide alternative accommodation for the retired farmers to enable new farmers to move in to actively farm the land holdings.

The type of property that the Estate needs to provide for the retired farmers comprises single-story, well-insulated, easily maintained, accessible accommodation suitable for elderly residents. This type of accommodation is not available within the Estate's portfolio within Laxton. These needs cannot be met by converting an existing agricultural barn due to the structural restrictions that are apparent in heritage barn constructions and due to the significant cost of such conversions. This would not make the project viable for the Estate to undertake. A significant proportion of barns within the Estate's control are connected to agricultural holdings and are in use for agricultural purposes and therefore are not available for residential conversions anyhow.

Due to the current Local Plan policy constraints and sustainability credentials of Laxton, new residential development is restricted in the village. It is considered that due to the unique nature of Laxton, a special policy should be included within the Local Plan which deals specifically with the needs and characteristics of the village.

It is not appropriate to rely on the general local plan policies restricting new development in 'other villages' (Policy SP3) as this does not allow the special characteristics of Laxton and the needs of the Estate to be taken into account when considering new development for retired farmers.

Other Villages do not have defined built up areas in terms of a designated village boundary. The Local Plan acknowledges that the Council must plan for the District as a whole and help to sustain the communities across Newark and Sherwood. Spatial Policy 3 guides development and investment in rural areas. SP3 seeks to control residential development in rural areas against a sustainability criterion including location, scale, need, impact and character.

There has been no new residential development permitted in Laxton since 1992 apart from the conversion of an existing redundant building. This level of development is not considered adequate to meet the changing needs of the village, the Estate or the District and will not assist in ensuring the maintenance of the vitality and viability of the village and the services and facilities within it. It is considered that Spatial policy SP3 is not a suitable mechanism to management development in this location.

The village has a bus route to Newark (which operates twice a week) and also access to a bus route to Tuxford (which operates eight times a week). There is also a school bus between Laxton and Tuxford School on school days. Tuxford is located outside of the district of Newark and Sherwood but it is considered to be a sustainable centre with a secondary school, primary school, shops and pubs. In terms of local services in the village itself, there is a public house (with overnight accommodation) and a church, with a museum and a visitor centre. The nearby centre of Tuxford does have more local services which Laxton does rely on. Whilst it is acknowledged that the services are limited in Laxton, there is a need to ensure that this limited service provision is retained to ensure that the village and the heritage assets within it are preserved and maintained.

The National Planning Policy Framework (2021) recognises that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities (paragraph 79). It is important to note the rural context of Newark and Sherwood District and to recognise that some locations will have poorer public transport access; this is also consistent with paragraph 105 of the Framework which recognises that solutions for sustainable travel will differ between urban and rural areas.

There was a previous Special Circumstances Policy for Laxton in the 1999 Adopted Local Plan (C7) in order to protect the historic landscape in and around Laxton and to encourage the maintenance of the open field system. The previous 1999 Local Plan included a policy (C7) that

ensured that the farms within Laxton were retained in agricultural uses. The general principal of that former policy is supported by Thoresby Estate, but the Local Plan did not provide any additional policy that could encourage that to happen or consider the impact of the long-term tenancies and retirement. It is suggested that this Special Circumstances Policy is reintroduced as part of this Site Allocations and DM DPD review and updated to take into account the changing needs of the village since 1999.

It was not uncommon for large rural estates to provide housing to retirees in the form of Alms houses to ensure the continuity of the management of an estate and its landholdings/farms. The need for continuity of farming at Laxton is considered essential for the preservation of historic landscape, buildings, tradition and culture in the village, which is unique within the County.

The Thoresby Estate acknowledge that heritage assets within the village require repair, and investment should be directed to heritage assets and the working farms to ensure the long-term preservation of their fabric and use. To enable the repair of heritage assets, especially the farm buildings and secure their long-term agricultural use, new almshouses within the village are required to provide new, local accommodation for retired farmers and a degree of market housing to enable their development.

A new Special Circumstances Policy for Laxton needs to include this flexibility to allow for modest development as part of the Estate's management of the village. The following chapter provides the detailed historic significance of Laxton and sets out the context for this Special Circumstances Policy. (Further details relating to the Court Leet system included)

The Court of Laxton was the only one of its kind which retained full powers to determine legal proceedings and levy fines under the Administration of Justice Act (1977). The survival of the management system alongside a functioning strip farming makes Laxton unique and it is considered to be a living piece of history. The importance of Laxton was recognised by Gervas Pierrepont, the 6th Earl Manvers and owner of the Thoresby Estate. In order to prevent death duties which would result in the break-up of the estate, Pierrepont sold the manor and open field farms in 1952 to the Ministry of Agriculture. In 1981, Laxton was subsequently sold to the Crown Estate which was able to maintain the open field system as long as there were tenants who were willing to continue this cultivation practice. The open fields and associated farmsteads have recently returned to the ownership of the Thoresby Estate in 2019.

The Pierrepont family originally acquired the lands at Thoresby in 1633 and with exception of the period of ownership by the Crown Estate have managed and maintained the Estate since. The majority of the landholding of Laxton village and the fields are owned by the Thoresby Estate with the properties and farms being tenanted. The long-term preservation of the historic field system of Laxton and its Court Leet is of high importance to the Estate and is dependent on the fields being actively farmed and ensuring that the fields will not be fragmented from the farms through long-term tenancy agreements. (Further detail included)

The National Planning Policy Framework (NPPF) was published in July 2021 and sets out the Government’s economic, environmental and social planning policies for England. Heritage Assets are defined in the NPPF as:

“A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing)”. 1

Under paragraph 189 of the NPPF, we consider that the open field system, associated farms and Court Leet at Laxton are an irreplaceable resource and should be conserved in a manner appropriate to its significance so that it can be enjoyed for future generations. The full wording of paragraph 189 is as follows: “Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value<sup>66</sup>. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations”.

Under paragraph 190 of the NPPF, it is of the utmost importance that the significance of heritage assets be sustained and enhanced where possible. The full wording of paragraph 190 is as follows: “Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:

- a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;
- b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- c) the desirability of new development making a positive contribution to local character and distinctiveness; and d) opportunities to draw on the contribution made by the historic environment to the character of a place”.

It is considered to be important that the open field system and Court Leet at Laxton are recognised as a heritage asset by the Local Planning Authority and conserved in a manner appropriate to its significance so that it can be enjoyed for future generations. Key to this is retaining the number of working farms as part of the system, to avoid the amalgamation of some of the strips. Whilst another medieval open strip field system still survives in Braunton, North Devon this is not overseen by a Court Leet and due to the number of farmers reducing dramatically in the 20th and 21st centuries some of the strips have had to be merged. To avoid this risk to Laxton, it is essential to retain working farmers in the associated farmhouses.

The open field system and Court Leet at Laxton is a tradition that is unique to the village and therefore is considered to be cultural heritage and should be protected. The Court Leet and the farming of the open field system are intrinsically linked; without the open field system farming, the Court Leet would disappear; and without farmers living in the associated farmhouses to farm the open fields, both systems would disappear completely.

In order to sustainably manage the open field system and Court Leet at Laxton it is necessary to ensure that the tenants of the farmhouses at Laxton work the fields and continue the traditional medieval farming techniques, otherwise this will be lost in Britain. This would avoid the fragmentation of farmhouses from the system.

The long-term future of the open field system and Court Leet at Laxton can only be secured by maintaining the active use of the farms in order for the tenants to continue working on the strip fields. Maintaining historic ownership or ties for the benefit and conservation of heritage assets, especially those that are considered to be historic entities is advocated by Historic England as part of Historic Environment Good Practice Advice in Planning Note 4 (GPA4)<sup>2</sup> which relates to Enabling Development. Whilst the guidance in GPA4 is often applied to securing the future of heritage assets at risk, the guidance, in our professional considered view, should also be applied in adopting a proactive approach to policy making, as required by paragraph 190 of the NPPF, to ensure a heritage asset such as the Laxton field system does not become at risk.

A challenge for the Estate and a risk to the field system and Court Leet is the lack of retirement housing in the village for agricultural workers to move into and thus free up the farms and enable them to remain in active farming use.

Cultural heritage can effectively contribute to sustainable development through economic, social and environmental means. Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs. This is relevant to Laxton for the reasons described above and in order to preserve the Court Leet and open field system for the future.

The above demonstrates that Laxton is a settlement of heritage significance and is unique within the district, with specific challenges and risks. Historic England in their guidance<sup>3</sup> states that specific management policies may be needed in order for decision takers to determine how they should react to an application affecting a heritage asset, especially for example:

- To deal with a particularly distinctive or important historic environment features or significance.
- Where development management policies may be necessary to address the local circumstance of the Plan area.

In our professionally considered opinion, the settlement at Laxton and its field system is particularly distinctive and warrants a specific Local Plan policy to preserve its special character and cultural heritage that fully recognises the need to ensure that the essential ties between the farmsteads and the fields is maintained. We understand that previous, now obsolete Local Plans recognised the need for a specific policy for Laxton and we thereby would urge the Local Planning Authority to consider such a policy again that responds to the specific needs of the village and Estate at this time.

A specific Local Plan policy that serves to preserve the historical relationship between the farmsteads and the fields by keeping the farms in active agricultural use and tenancy should include the following policy wording:

- New Tenanted retirement housing for agricultural workers from the Laxton / Court Leet Farms will be supported where it is demonstrated the retirement housing will enable the farms to return to active agricultural use as part of the open field system.
- New development within Laxton will be supported where it is demonstrated it will enable the repair, restoration and return to agricultural use (open field cultivation) of the heritage assets that are the Laxton / Court Leet Farms.
- The conversion or change of use of any of the Laxton Farms, fully or in part, that are considered to be heritage assets, will be supported only where it is demonstrated it will not have a harmful impact on the significance of the Conservation Area, the setting of any heritage asset or the open field system.
- New development within Laxton will be supported where it will preserve heritage assets and their settings, or any harm is outweighed by public benefits.

The farms which form part of the Court Leet include: Step Farm; Manor Farm; Top Farm; Cherry Tree Farm; High Street Farm; New House Farm; School Farm; Holme View farm; Bar Farm; Smithy Farm; Corner Farm; Ide farm; Bottom farm; Ivy House farm; and Town End Farm.

It is requested that a Special Circumstances Policy is adopted for Laxton in the Allocations and Development Management Policies DPD to allow for the unique circumstances of the village to be adequately considered as part of any future development proposals. It has been demonstrated that the open-field and Court Leet system are key characteristics of the village and in order to preserve and enhance these, it is necessary to allow the Estate to manage their assets and the future options of both existing and proposed residents within the remit of a special Local Plan policy.

Appropriate wording has been suggested for inclusion in a Special Circumstances Policy and we would welcome further discussions with the LPA as to how to formulate this policy wording further to ensure the needs of Laxton are fully protected.



			<p><b>NSDC Response –</b> Agreed. Core Policy 14 recognises the importance of maintaining the Court Leet and open field system in Laxton. It states that it will support new development which facilitates this. Given the particular needs of Laxton it is proposed that a new criteria based policy will be introduced which seeks to facilitate the provision of an element of retirement housing, either within the village or in other suitable local settlements, for agricultural workers from the Laxton / Court Leet Farms where it is demonstrated the retirement housing will enable the farms to return to active agricultural use as part of the open field system.</p>
101	Resident	661	<p>There is no mention of the Land South of Clay Lane. This should be de-allocated as this is a much used open green- space. Any development here would have a detrimental effect on this popular and attractive area used regularly by dog-walkers and families.</p> <p><b>NSDC Response –</b> Land south of Clay Lane forms part of the Land East of Newark Strategic Allocation. This is part of the Adopted Amended Core Strategy and does not form part of this consultation.</p>
<b>Action Required</b>			<ul style="list-style-type: none"> <li>• Amend the proposals map to reflect the situation on the ground (Sutton on Trent).</li> <li>• De-allocate site Lo/Ho/1 as it is no longer deliverable.</li> <li>• Amended polygons and detail to be sent to Severn Trent Water at Publication stage.</li> <li>• New policy to facilitate the provision of an element of retirement housing, either within the village or in other suitable local settlements, for agricultural workers from the Laxton / Court Leet Farms where it is demonstrated the retirement housing will enable the farms to return to active agricultural use as part of the open field system.</li> </ul>

Question 56 – General - Do you have any further comments? - New site submissions

ID	Respondent	Response Number	Comment
020	Persimmon Homes	022	Persimmon have submitted land adjacent to NUA/HO/5 to be assessed and included within the addendum to the SHELAA. <b>NSDC Response</b> - The submitted site will be assessed and included within an addendum to the SHELAA which will be published as part of the next stage of the Plan Review. As set out in the Options Report, sufficient provision is identified within the Plan and further no allocations will be included within the Plan Review.
063	Resident	133	The site land off Old Hall Gardens, Coddington has been submitted to be assessed and included within the addendum to the SHELAA. <b>NSDC Response</b> – The submitted site will be assessed and included within an addendum to the SHELAA which will be published as part of the next stage of the Plan Review. As set out in the Options Report, sufficient provision is identified within the Plan and further no allocations will be included within the Plan Review.
064	Resident	134	The site at Greet Farm has been submitted to be assessed and included within the addendum to the SHELAA. <b>NSDC Response</b> – A formal site submission has been made however a Plan has not yet been provided and we are unable to assess the site until this has been received. However, sufficient provision is identified within the Plan and further no allocations will be included within the Plan Review.
072	Resident	164	The sites land adjoining Willow Cottage and Wingroves Cottage at Besthorpe to be assessed and included within the addendum to the SHELAA. <b>NSDC Response</b> – The submitted site will be assessed and included within an addendum to the SHELAA which will be published as part of the next stage of the Plan Review. As set out in the Options Report, sufficient provision is identified within the Plan and further no allocations will be included within the Plan Review.
086	Harworth Group	308	The site land at Rufford Colliery to be assessed and included within the addendum to the SHELAA. <b>NSDC Response</b> – The submitted site will be assessed and included within an addendum to the SHELAA which will be published as part of the next stage of the Plan Review. As set out in the Options Report, sufficient provision is identified within the Plan and further no allocations will be included within the Plan Review.
087	Minster Veterinary Centre		The site land at Crew Lane, Southwell to be assessed and included within the addendum to the SHELAA. <b>NSDC Response</b> – The submitted site will be assessed and included within an addendum to the SHELAA which will be published as part of the next stage of the Plan Review. As set out in the Options Report, sufficient provision is identified within the Plan and further no allocations will be included within the Plan Review.

<b>110</b>	Radford Holdings	450	<p>The site at Marlock Close, Fiskerton to be assessed and included within the addendum to the SHELAA.</p> <p><b>NSDC Response</b> – The submitted site will be assessed and included within an addendum to the SHELAA which will be published as part of the next stage of the Plan Review. As set out in the Options Report, sufficient provision is identified within the Plan and further no allocations will be included within the Plan Review.</p>
<b>113</b>	Gladman	461	<p>The site at Mansfield Road, Rainworth was submitted by Gladman to be assessed and included within the addendum to the SHELAA.</p> <p><b>NSDC Response</b> – A Site Plan has been provided, but the supporting SHELAA site submission form has not yet been provided and we are unable to assess the site until this has been received. However, sufficient provision is identified within the Plan and further no allocations will be included within the Plan Review.</p>
<b>121</b>	Oxton Farms Trust	537	<p>The following sites were submitted by Oxton Farms Trust to be assessed and included within the addendum to the SHELAA:</p> <ol style="list-style-type: none"> <li>1. Land between Forest Road and Windmill Hill, Oxton</li> <li>2. Land to the west of Forest Road, Oxton</li> <li>3. Land to the south of Hatfield Lane Oxton</li> <li>4. Land south of Elmcroft, Oxton</li> <li>5. Land to the east of Main Street Oxton</li> <li>6. Old Hall Plant Nursery, Southwell Road Oxton</li> <li>7. Land to the east of Windmill Hill Oxton</li> </ol> <p><b>NSDC Response</b> - The submitted sites will be assessed and included within an addendum to the SHELAA which will be published as part of the next stage of the Plan Review. As set out in the Options Report, sufficient provision is identified within the Plan and further no allocations will be included within the Plan Review.</p>
<b>122</b>	Walesby Forest	538	<p>The site at Walesby Forest was submitted to be assessed and included within the addendum to the SHELAA.</p> <p><b>NSDC Response</b> - The submitted site will be assessed and included within an addendum to the SHELAA which will be published as part of the next stage of the Plan Review. As set out in the Options Report, sufficient provision is identified within the Plan and further no allocations will be included within the Plan Review.</p>
<b>124</b>	Tarmac		<p>The site at Land east of the A1, Cromwell was submitted to be assessed and included within the addendum to the SHELAA.</p> <p><b>NSDC Response</b> - The submitted site will be assessed and included within an addendum to the SHELAA which will be published as part of the next stage of the Plan Review. As set out in the Options Report, sufficient provision is identified within the Plan and further no allocations will be included within the Plan Review.</p>

<b>125</b>	Thoresby Settlement	544	The site at Blackhills Farm, Edwinstowe was submitted to be assessed and included within the addendum to the SHELAA. <b>NSDC Response</b> - The submitted site will be assessed and included within an addendum to the SHELAA which will be published as part of the next stage of the Plan Review. As set out in the Options Report, sufficient provision is identified within the Plan and further no allocations will be included within the Plan Review.
<b>136</b>	The Impact Branch Ltd	665	The site at Bilsthorpe Business Park was submitted to be assessed and included within the addendum to the SHELAA. <b>NSDC Response</b> - The submitted site will be assessed and included within an addendum to the SHELAA which will be published as part of the next stage of the Plan Review. As set out in the Options Report, sufficient provision is identified within the Plan and further no allocations will be included within the Plan Review.
<b>137</b>	Mike Sibthorp Planning	667	The site at Sutton on Trent was submitted to be assessed and included within the addendum to the SHELAA. <b>NSDC Response</b> - The submitted site has already been assessed and included within the 2021 SHELAA Main Report which is now published. The assessment will be reviewed in light of any new information submitted by the consultee and if any amendments are required, will be included in the Addendum to the 2021 SHELAA. As set out in the Options Report, sufficient provision is identified within the Plan and further no allocations will be included within the Plan Review.
<b>Action Required</b>			Assess all sites and include within an addendum to the SHELAA.

Question 56 – General - Do you have any further comments?

ID	Respondent	Response Number	Comment
033	Highways England	058	In principle we have no concerns with the Housing and Employment Allocations detailed in Section 5 as we note that the Policy acknowledges the need to address the constraints at the adjacent A46 and A1 junctions, and give consideration to the Newark Northern Bypass scheme. <b>NSDC Response</b> – Comments welcomed and noted.
039	Theatres Trust	066	For conformity with the NPPF, the plan should support and guard against unnecessary loss of community facilities including cultural facilities. We urge inclusion of a policy to achieve that, setting robust criteria to demonstrate a facility is surplus to requirements and has been appropriately marketed at a rent or sale price appropriate to its existing use and condition without development potential. <b>NSDC Response</b> – Spatial Policy 8 of the Amended Core Strategy fulfils the requirements set out above.
043	TOWN-PLANNING.CO.UK	666	Proposing to amend policies in the Core Strategy through a review of the DPD raises concerns. The Core Strategy contains strategic policies which are not found in the Allocations and DM DPD. The consultation on the plan review is clearly badged as relating to the DPD; as such parties interested only in strategic policies in the Core Strategy may reasonably have chosen not to look at this DPD consultation. The proposed review of Core Policies 1 and 3, together with creating a new Core Policy 2A should be taken forward as a limited scope review of the Core Strategy in line with paragraph 33 of the NPPF. <b>NSDC Response</b> – Noted. At the next stage the Council will clearly sign post that some policy changes are being proposed to the Adopted Amended Core Strategy.
056	Nottinghamshire County Council	117	The County Council would ask for clarity to be given within any masterplan on whether the area within NUA/SPA/1 is within the open countryside. The policy map identifies the area as being outside the urban area boundary and so falls within the open countryside however a recent determination noted that because of the designation under Policy NUA/SPA/1, this removed the land from the open countryside. It would be helpful if the showground opportunity policy made clear it was not part of the open countryside or the urban boundary was amended to include the showground area. <b>NSDC Response</b> – The correct interpretation is as per the Policies Map which shows the Showground Policy Area to not fall within the Urban Boundary for the Newark Urban Area - and so consequently it is located within the Open Countryside. However the extent of the Policy Area is clearly defined and the accompanying policy outlines what forms of development are acceptable within its extent, including on the allocation NUA/MU/1. No change is considered necessary.
089	Broadgrove Planning obo	320	Policy DM1 – Development within Settlements Central to Delivering the Spatial Strategy:

	MLN (Land & Properties)		<p>We welcome the proposed changes to this policy which reiterate the Council’s support for development, including housing, within the urban boundaries of the sub-regional centre. This approach supports the provision of sustainable development in accordance with the latest NPPF (July 2021). The Former Lilley &amp; Stone School site is located within the Newark Urban Area just outside the Town Centre Boundary and therefore is an appropriate site for housing development.</p> <p><b>NSDC Response</b> – Noted.</p>
104	Marine Management	420	<p><b><u>Marine Management Organisation Functions</u></b></p> <p>The MMO is a non-departmental public body responsible for the management of England’s marine area on behalf of the UK government. The MMO’s delivery functions are: marine planning, marine licensing, wildlife licensing and enforcement, marine protected area management, marine emergencies, fisheries management and issuing grants.</p> <p><b><u>Marine Planning and Local Plan development</u></b></p> <p>Under delegation from the Secretary of State for Environment, Food and Rural Affairs (the marine planning authority), the MMO is responsible for preparing marine plans for English inshore and offshore waters. At its landward extent, a marine plan will apply up to the Mean High Water Springs (MHWS) mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of MHWS, there will be an overlap with terrestrial plans, which generally extend to the Mean Low Water Springs (MLWS) mark. To work together in this overlap, the Department of Environment, Food and Rural Affairs (Defra) created the <a href="#">Coastal Concordat</a>. This is a framework enabling decision-makers to co-ordinate processes for coastal development consents. It is designed to streamline the process where multiple consents are required from numerous decision-makers, thereby saving time and resources. Defra encourage coastal authorities to sign up as it provides a road map to simplify the process of consenting a development, which may require both a terrestrial planning consent and a marine licence. Furthermore, marine plans inform and guide decision-makers on development in marine and coastal areas.</p> <p>Under Section 58(3) of <a href="#">Marine and Coastal Access Act (MCAA) 2009</a> all public authorities making decisions capable of affecting the UK marine area (but which are not for authorisation or enforcement) <u>must have regard to</u> the relevant marine plan and the UK <a href="#">Marine Policy Statement</a>. This includes local authorities developing planning documents for areas with a coastal influence. We advise that all marine plan objectives and policies are taken into consideration by local planning authorities when plan-making. It is important to note that individual marine plan policies do not work in isolation, and decision-makers should consider a whole-plan approach. Local authorities may also wish to refer to our <a href="#">online guidance</a> and the <a href="#">Planning Advisory Service: soundness self-assessment checklist</a>. We have also produced a <a href="#">guidance note</a> aimed at local authorities who wish to consider how local plans could have regard to marine plans. For any other information please contact your local marine planning officer. You can find their details on our <a href="#">gov.uk page</a>.</p> <p>See <a href="#">this map on our website to locate</a> the marine plan areas in England. For further information on how to apply the marine plans and the subsequent policies, please visit our <a href="#">Explore Marine Plans</a> online digital service.</p>

The adoption of the [North East, North West, South East, and South West Marine Plans](#) in 2021 follows the adoption of the [East Marine Plans](#) in 2014 and the [South Marine Plans](#) in 2018. All marine plans for English waters are a material consideration for public authorities with decision-making functions and provide a framework for integrated plan-led management.

#### **Marine Licensing and consultation requests below MHWS**

Activities taking place below MHWS (which includes the tidal influence/limit of any river or estuary) may require a [marine licence](#) in accordance with the MCAA. Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object. Activities between MHWS and MLWS may also require a local authority planning permission. Such permissions would need to be in accordance with the relevant marine plan under section 58(1) of the MCAA. Local authorities may wish to refer to our [marine licensing guide for local planning authorities](#) for more detailed information. We have produced a [guidance note](#) (worked example) on the decision-making process under S58(1) of MCAA, which decision-makers may find useful. The licensing team can be contacted at: [marine.consents@marinemanagement.org.uk](mailto:marine.consents@marinemanagement.org.uk).

#### **Consultation requests for development above MHWS**

If you are requesting a consultee response from the MMO on a planning application, which your authority considers will affect the UK marine area, please consider the following points:

- The UK Marine Policy Statement and relevant marine plan are material considerations for decision-making, but Local Plans may be a more relevant consideration in certain circumstances. This is because a marine plan is not a ‘development plan’ under the [Planning and Compulsory Purchase Act 2004](#). Local planning authorities will wish to consider this when determining whether a planning application above MHWS should be referred to the MMO for a consultee response.
- It is for the relevant decision-maker to ensure s58 of MCAA has been considered as part of the decision-making process. If a public authority takes a decision under s58(1) of MCAA that is not in accordance with a marine plan, then the authority must state its reasons under s58(2) of the same Act.
- If the MMO does not respond to specific consultation requests then please use the above guidance to assist in making a determination on any planning application.

#### **Minerals and Waste Local Plans and Local Aggregate Assessments**

If you are consulting on a minerals and waste local plan or local aggregate assessment, the MMO recommends reference to marine aggregates, and to the documents below, to be included:

- The [Marine Policy Statement \(MPS\)](#), Section 3.5 which highlights the importance of marine aggregates and its supply to England’s (and the UK’s) construction industry.
- The [National Planning Policy Framework \(NPPF\)](#), which sets out policies for national (England) construction mineral supply.

			<ul style="list-style-type: none"> <li>• <a href="#">The minerals planning practice guidance</a> which includes specific references to the role of marine aggregates in the wider portfolio of supply.</li> <li>• <a href="#">The national and regional guidelines for aggregates provision in England 2005-2020</a> predict likely aggregate demand over this period, including marine supply.</li> </ul> <p>The minerals planning practice guidance requires local mineral planning authorities to prepare Local Aggregate Assessments. These assessments must consider the opportunities and constraints of all mineral supplies into their planning regions – including marine sources. This means that even land-locked counties may have to consider the role that marine-sourced supplies (delivered by rail or river) have – particularly where land-based resources are becoming increasingly constrained.</p> <p><b>NSDC Response –</b> Noted.</p>
112	Norwood Park Estate c/o Fisher German	668	<p>Southwell benefits from a made Neighbourhood Plan, which was developed to align with the original Core Strategy and Allocations &amp; Development Management DPD. Whilst it is necessary to be aware of the policies contained within this document, this Plan Review is not bound to follow the Neighbourhood Plan, particularly where more updated information or evidence is available. Notwithstanding this, planning law dictates that where there is a conflict within the Development Plan, it is the document made most recently which takes precedent<sup>4</sup>. Furthermore, it is not appropriate that an emerging District Plan be restrained by a Neighbourhood Plan, especially where the Neighbourhood Plan was originally based on the Plan being reviewed. Quite often, when strategic and district policies are reviewed, Neighbourhood Plan Groups conduct a Neighbourhood Plan Review to ensure there is no issue caused by this primacy.</p> <p><b>NSDC Response –</b> Noted. Southwell Town Council are proposing to review the Neighbour Plan.</p>
113	Gladman	461	<p>Policy DM1 seeks to modify the existing policy to include factual amendments. However, Gladman consider that this policy should be amended so that it provides clarity on what forms of development would be considered acceptable beyond the urban boundaries of the sub-regional centre, service centres and the village envelopes of the principal villages. In this regard, Gladman are generally opposed to the use of settlement boundaries, as these are often used as an arbitrary tool to prevent otherwise sustainable proposals for development from coming forward. Gladman believe that this policy should be modified to a criteria-based policy which provides a more appropriate mechanism for assessing the merits of individual development proposals, based on their specific circumstances and ability to deliver sustainable development rather than being discounted simply due to a site’s location beyond an artificial boundary.</p> <p>To achieve this, Gladman would recommend a criteria-based approach would allow the AADMDPD to protect itself against unsustainable development, whilst at the same time, offering a flexible solution to the consideration of development opportunities outside these boundaries which are able to come forward to meet identified housing needs should the Council’s housing land supply start to fail. Gladman refer to the submission version of the Harborough Local Plan, Policy GD2, which states:</p>



			<p>“In addition to sites allocated by this Local Plan and neighbourhood plans, development within or contiguous with the existing or committed built up area of Market Harborough, Key Centres, the Leicestershire Principal Urban Area (PUA), Rural Centres and Selected Rural Villages will be permitted where...”</p> <p>A series of criteria follows. Clearly the policy here would need to reflect the local circumstances of Newark and Sherwood, however it does provide an example of a local planning authority taking a proactive approach to guiding development and ensuring that it can meet its housing target as well as planning for approaches if and when problems arise over the course of the plan period with regard to the delivery of allocated sites. Accordingly, Gladman recommend that a similar criteria-based policy should be included within the AADMDPD to ensure that housing needs are met in full.</p> <p><b>NSDC Response –</b> Noted guidance on these matters are provided in Spatial Policy 3 Rural Areas which set the broad criteria for development in locations beyond settlements central to delivering the Spatial Strategy.</p>
113	Gladman	463	<p>In accordance with Section 19 of the 2004 Planning and Compulsory Purchase Act, policies set out in Local Plans must be subject to Sustainability Appraisal (SA). Incorporating the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004, the SA is a systematic process that should be undertaken at each stage of the Plan’s preparation, assessing the effects of the Local Plan’s proposals on sustainable development when judged against reasonable alternatives.</p> <p>The AADMDPD should ensure that the results of the SA process clearly justify its policy choices. In meeting the development needs of the district, it should be clear from the results of the assessment why some policy options have been progressed, and others have been rejected. Undertaking a comparative and equal assessment of each reasonable alternative, the Council’s decision-making and scoring should be robust, justified and transparent.</p> <p>Gladman is concerned that the SA, in its current form, does not appropriately consider reasonable alternatives. In this regard, the SA simply considers the preferred option for development of individual sites against an alternative of ‘no change’ or ‘deallocate the site’ etc. It does not assess reasonable alternatives for sites which are available for development and could be proven to be sustainably better than the preferred approach if tested through the SA process.</p> <p>Gladman consider there is a need to expand the SA process to test sites which the Council may not be aware of such as ‘land at Mansfield Road, Rainworth’. Should the SA process determine that such sites score more positively than the preferred approach then these sites should also be included as potential allocations within the amended AADMDPD.</p> <p><b>NSDC Response –</b> The terms on which the Plan Review is being undertaken have been clearly set from the outset, in that it represents a limited exercise with no new allocation of land being necessary – other than that to satisfy the District’s Gypsy and Traveller accommodation needs (a new matter not already addressed through the existing plan). The only changes to currently allocated sites are amendments to take account of changes in circumstance and/or the availability of new information, or their deletion where they are no longer deliverable. It is emphasised that this is largely a review of the adopted Development Plan Document and does not represent the</p>

			production of a new Local Plan. The SA undertaken as part of the IIA appropriately reflects the parameters set for the review and accords with relevant regulations.
119	Nottinghamshire Wildlife Trust	534 (also Q19)	<p>We are of the opinion that details should be included in relation to the possible potential Special Protection Area (ppSPA), ppSPA core area and Important Bird Area (IBA) core area (<a href="http://datazone.birdlife.org/site/factsheet/sherwood-forest-iba-united-kingdom/map">http://datazone.birdlife.org/site/factsheet/sherwood-forest-iba-united-kingdom/map</a>).</p> <p>It is a statutory requirement to comply with the ppSPA policy and Natural England’s 2014 Guidance Note. NE’s Guidance Note makes clear that the impacts of any development on nightjar and woodlark should be given particular consideration, and the ppSPA should be treated as potential European Protected Site. This may require an Appropriate Assessment to be undertaken, and any assessment should follow NE’s guidance:</p> <p>“The potential direct, indirect and cumulative impacts which may include, but may not be limited to, the following;</p> <ul style="list-style-type: none"> <li>○ disturbance to breeding birds from people, their pets and traffic</li> <li>○ loss, fragmentation and/or damage to breeding and/or feeding habitat</li> <li>○ bird mortality arising from domestic pets and/or predatory mammals and birds</li> <li>○ bird mortality arising from road traffic and/or wind turbines</li> <li>○ pollution and/or nutrient enrichment of breeding habitats “</li> </ul> <p>NE’s Guidance regarding the ppSPA states the requirement to assess the combined effects of losses of greenspace and resultant increase in recreational use of nightjar and woodlark breeding sites as a result of multiple developments in the area. In other SPA areas, there is a well-established procedure for the requirement for Suitable Alternative Natural Greenspace (SANG) to reduce likely impacts on nightjar and woodlark from increased recreational disturbance, particularly from increases in dog walkers. The Sherwood IBA is an internationally recognised designation, and it is important that LPAs take this into account in their planning decisions. The IBA information for this area (<a href="#">BirdLife Data Zone</a>) identifies housing development as one of the highest risk factors that could damage the success of nightjar and woodlark in the IBA.</p> <p><b>NSDC Response –</b> Noted, the Council previously attempted to integrate the ppSPA into the original Core Strategy – however in the Inspectors view, what was referred to at the time as, the possible future Special Protection Area (SPA) in Sherwood Forest to protect the habitats of nightjars and wood larks had not been identified by Natural England, the responsible body, and did not constitute a “potential” SPA where the Habitat Regulations would apply. Neither the possible extent of the designation, albeit theoretically large, nor any actual requirements for habitat protection were known and no selection process had been commenced with the European Union. Consequently he came to the view that there would be inevitable delays involved, as well as the uncertainty as to whether any such designation would</p>

			<p>actually make it through the many obstacles that lay ahead, before final endorsement. Accordingly, he concluded that the policy and its supporting text were neither necessary nor sound and should be deleted. The absence of such a policy did not affect the soundness of the Core Strategy. Whilst it is accepted that the process has moved on, slightly, from that point it is still nevertheless the case that a “potential” SPA has not been identified – and so it is not considered that any material change in circumstance which would now warrant departing from the view of the previous Inspector has occurred.</p> <p>It is considered that, given the birds status as protected species, this matter is currently satisfactorily addressed through application of Core Policy 12 in the Amended Core Strategy and Policy DM7, as proposed for amendment through this process, as part of our day-to-day decision making – drawing on the habitat evidence referred to in the respondent’s comments.</p>
123	Pegasus obo Gascoines Group	539	<p>The Amended Allocations and Development Management DPD seeks to update the extant Allocations and Development Management DPD adopted in July 2013. The policy background has changed significantly since 2013 through 3 iterations of the NPPF, the latest being July 2021, and the Council’s adoption of its ‘Amended Core Strategy’ in March 2019.</p> <p>Given the dated nature of the extant Allocations and Development Management DPD and the changes to the policy background the need for a review is welcomed. It is, however, questioned whether a more detailed review should have been undertaken rather than selective amendments to a dated plan. It is notable that the policies and allocations within the Amended Allocations and Development Management DPD will have a maximum timeframe of just 10-years, presuming the plan is adopted in 2023 as indicated.</p> <p>The Council will be aware that the NPPF, paragraph 22, requires strategic policies to look forward over a minimum 15-year timeframe. Whilst it is recognised the number of strategic policies within the Amended Allocations and Development Management DPD are limited, the proposal is contrary to the NPPF in this regard. Furthermore, paragraph 68, requires plans to identify a supply of:</p> <ul style="list-style-type: none"> <li>a) specific, deliverable sites for years one to five of the plan period; and</li> <li>b) b) specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan.</li> </ul> <p>Clearly the preference in part (b) will not be met.</p> <p>NSDC Response – Noted the amendments to this DPD are being made to demonstrate that the Council can deliver the requirements of the Amended Core Strategy. The plan period runs from 2013 to 2033.</p>
123	Pegasus obo Gascoines Group	541	<p>Our client is principally concerned with housing allocations. The proposed deallocation of some housing sites, which have failed to progress over the plan period to date, is noted and welcome. However, the process of retaining some allocations yet to progress and the allocation of other sites is opaque and should be addressed through clear and robust evidence. For example site NUA /Ho/1 – Land at Alexander Avenue and Stephen Road is de-allocated due to lack of contact with the owner, whereas NUA/E/4 - Former Highways Depot, Great North Road similarly appears to have made no progress but remains an allocation.</p>

			<p>At this stage, our client does not wish to object to the inclusion of individual sites. We do, however, question the continued inclusion of sites which are yet to progress since the adoption of the extant Allocations and Development Management DPD. The lack of progress places raises significant questions about their deliverability. If they are retained clear evidence of their deliverability should be provided.</p> <p>It is noted that to date the Council has supplied sufficient homes to meet its annual housing requirement, as set out within the Amended Core Strategy. However, the retention of sites which are yet to progress brings into question whether the housing requirement will be met overall. In this regard additional deliverable allocations, such as our clients, should be considered for inclusion.</p> <p><b>NSDC Response –</b> Noted, the Council is content that, whilst having not progressed up to this point, the employment allocation remains deliverable within the plan period. In respect of the respondent’s comments on the deliverability of existing housing sites it is the case that the Council has objectively considered their continued deliverability and made amendments where the confidence that a site will come forward on anticipated timescales is lacking. Taking the capacity of site allocations which remain deliverable, committed development and completions that occurred in earlier stages of the plan period the Council is content that it is supporting a level of development which comfortably exceeds its objectively assessed need, and which will continue to contribute towards the maintenance of a five year land supply.</p>
124	Heatons Planning obo Tarmac Trading	543	<p><u>Introduction</u></p> <p>Heatons have been instructed by our clients, Tarmac Trading Limited (‘Tarmac’), to prepare and submit a formal representation to the above consultation in relation to their land and mineral interests within Newark and Sherwood District, and the wider county region of Nottinghamshire. The reason for submitting representation is twofold; to ensure that known mineral resources are safeguarded from unnecessary sterilisation, and to promote several sites within Tarmac’s land interest for alternative and complimentary uses within the emerging Plan period.</p> <p>Tarmac retain a number of allocated, operational, and restored minerals sites within Newark and Sherwood District. Of direct relevance are Tarmac’s sand and gravel quarries at Girton, Besthorpe and Langford and Cromwell river wharf.</p> <p>We seek to ensure that policies contained within the emerging Local Plan provide sufficient safeguarding for minerals resources and minerals development, in accordance with the National Planning Policy Framework (NPPF). The letter provides a summary of the local and regional importance of mineral resource within Nottinghamshire and, more specifically, Newark and Sherwood District. The letter then sets out the approved approach to mineral safeguarding as set out in national policy, and the importance of maintaining a consistent approach to national policy. Secondly, the letter provides a short description of available sites under Tarmac’s ownership which are located within the district.</p> <p><u>Regionally Important Mineral Resource</u></p> <p>Paragraph 210 (a) of the NPPF requires planning policies to provide for the extraction of mineral resources of local and national importance. According to the latest Local Aggregate Assessment (LAA) for Nottingham and Nottinghamshire (December 2019) ‘Nottinghamshire is an important producer of sand and gravel and Sherwood Sandstone and has a large export market, particularly to South Yorkshire and the</p>

wider East Midlands' (between a third and a half of production supplies to these markets). The majority of reserve comes from the Trent and Idle Valleys.

The adopted Minerals Local Plan for Nottinghamshire (March 2021) has allocated 6 additional sites for sand and gravel to meet the identified shortfall over the plan period to 2036. Of the 11.8 million tonnes (mt) of allocated sand and gravel reserves within the adopted MLP, 8 mt are located within Newark and Sherwood District.

Although aggregate mineral resources are present in Nottingham City, opportunities to work these minerals are constrained by the built-up nature of the area and , therefore, the majority of aggregates consumed in the City are supplied by Nottinghamshire or further afield. Resource depletion is occurring in the Idle Valley as identified in paragraph 2.27 of the adopted MLP for Nottinghamshire (March 2021) and reflected within the latest LAA (December 2019). As these reserves are used up, longer term output from the Idle Valley is likely to fall. However, demand from the South Yorkshire markets will remain. To continue to serve that demand in the longer term, resource from within the Trent Valley close to Newark is likely to be required (para 5.19 of the LAA December 2019). In addition, there is an evidenced shortfall in Leicestershire's permitted and allocated sand and gravel reserves to meet anticipated requirements over the period to 2031 (Leicestershire's LAA, 2020). Therefore, sand and gravel resources within Nottinghamshire, and in particular those resources within the Trent Valley close to Newark, may be relied upon to serve markets from adjoining Counties, particularly given the presence of key transport links between counties. There is an existing and future local and regional dependence upon Nottinghamshire's mineral resources which demonstrates their importance.

The location of the planned route of High Speed 2 (HS2) is also a material consideration when determining the importance of mineral resources within Nottinghamshire County. The proposed route of HS2 Phase 2b eastern leg (West Midlands to Leeds) is scheduled to pass through west Nottinghamshire, with a proposed East Midlands Hub Station at Toton, Nottinghamshire. Although there is some uncertainty over the deliverability of Phase 2b eastern leg, the government has announced that they are still committed to its delivery.

According to the latest LAA (2019) an estimated 30-40 million tonnes of aggregates is required for HS2 Phase 2b which includes approximately 2 million tonnes of concrete. HS2 Phase 2b, and the wider Phase 2a route, will lead to the sterilisation of mineral resources, in conjunction with increasing overall demand for aggregates in the Midlands.

The Department for Transport's Road Investment Strategy 2 (RIS2) sets out the strategic vision for England's road network between 2020 – 2025. The A46 Newark Bypass is a committed project within the RIS2 which involves improving the capacity of the single carriageway and junctions of the A46 at Newark and providing better links to the A1. Construction of the bypass will require additional aggregate resources from Nottinghamshire.

In conjunction with HS2 and the A46 improvements, significant residential development is also planned in Newark and Sherwood District. Appendix C of the adopted Core Strategy for Newark and Sherwood (March 2019) sets out an overall requirement of 9,080 dwellings over the Plan period to 2033, of which 4,155 had been completed by March 2021.

Mineral Safeguarding Policy

Nottinghamshire is a two-tier authority area where Nottinghamshire County Council, as the Mineral Planning Authority (MPA), provides the overarching planning policy position in relation to minerals development as set out in the adopted MLP (March 2021). The Minerals Local Plan for Nottinghamshire (March 2021) has adopted Mineral Safeguarding Areas (MSAs) in areas of known, viable mineral resource.

In two-tier authority areas, the NPPF requires planning policies to ‘provide for the extraction of mineral resources of local and national importance’ (P. 210 (a)) and ‘safeguard mineral resources by defining... Mineral Consultation Areas (MCA)’ (P. 210 (c)). MCAs, which are based upon MSAs, are a geographical area where the district or borough council is required to consult the Mineral Planning Authority for non-minerals development proposals.

Mineral safeguarding is referred to singularly in the adopted Core Strategy (March 2019) in Spatial Policy 9 (Selecting Appropriate Sites for Allocation). Spatial Policy 9 states that ‘the allocation of sites for development will not lead to the sterilisation of known mineral resources as defined within the Minerals Local Plan’. There is no indication of whether Spatial Policy 9 refers to permitted and allocated sites only, or whether MSAs are also to be considered. Furthermore, there is no requirement for planning applications which are submitted to the district, and located within MSAs, to consider mineral sterilisation.

The current version of the adopted Local Plan is not considered to meet the ‘soundness’ test as set out in paragraph 35 of the NPPF, being in conflict with national policy requirements by not identifying MCAs. We consider that this should be addressed within the current Plan review, whereby the policies map is updated to include MCAs. Furthermore, in the interests of avoiding mineral sterilisation, we consider that the emerging Development Management Policies should include a requirement for non-minerals development within a MCA to prepare a minerals resource assessment which contains sufficient information on the mineral resource to allow the LPA to determine a planning application within a MSA. We suggest that this could be included as a criteria within Policy DM5b (Design).

Cromwell River Wharf, located within the district, is operated by Tarmac as a river dredging transfer facility and safeguarded under Policy SP7 of the MLP (March 2021). We wish to support the wharf’s safeguarded status within the County and propose that the updated policies map makes reference to Cromwell River Wharf as a safeguarded site.

As well-established mineral operators within Nottinghamshire and Newark and Sherwood District more specifically, Tarmac are aware of the supply and demand pressures that exist with regards to facilitating strategic rail and road infrastructure projects in combination with planned / unplanned development in the local area. The MLP (March 2021) explains, in paragraph 3.8.2, that the County’s mineral safeguarding approach ‘does not seek to predict how much mineral is likely to be needed over the plan period but safeguards the viable mineral resource’. Paragraph 3.8.2 goes on to state that viability will change over time and with ‘increasing scarcity, resources that are currently considered non-viable will become increasingly viable’. Therefore, as a minimum, the district council should be ensuring that existing viable mineral resources of local and regional importance are sufficiently safeguarded through both the site allocation process and in determining planning applications in MSAs.

Conclusion

			<p>This letter has set out the local and regional contribution that mineral resources within the district and, more broadly, the county makes by facilitating planned / un-planned growth and the construction of strategic rail and road infrastructure. This important contribution is forecast to increase over the emerging Plan period, setting out the rationale for ensuring that mineral safeguarding is a key consideration at both the county and district level, as required by the NPPF.</p> <p>The recommendations set out in this letter seek to ensure that policies contained within the emerging Local Plan for Newark and Sherwood District provide sufficient safeguarding for minerals resources and minerals development, in accordance with the NPPF.</p> <p><b>NSDC Response –</b> Noted, relevant site allocation policies will be updated to make reference to mineral planning matters where relevant. Beyond this the request for minerals safeguarding to be addressed through Development Management policy content and for relevant areas to be shown on the Policies Map is accepted and will be undertaken.</p>
125	Pegasus obo Thoresby Settlement	545	<p>Chapter 5.0 of the Allocations and Development Management Policies DPD (A&amp;DM DPM) sets out the proposed housing and employment allocations for the District. Paragraph 5.1.1 states that when assessing the housing and employment requirements in the Adopted Core Strategy (2019) it is considered that sufficient capacity remains within the allocations being carried forward. This position is disputed as set out in detail in the attached Economic Needs Assessment which concludes that there is no employment land supply available for current or prospective occupiers in need of new, unconsented space in the next five years in six of the seven districts areas. The previous Core Strategy is based on evidence that is out of date to such an extent that it has not been possible for the Council to accurately assess the current employment needs and provision of the District and to adequately take into account the changing position caused by recent significant events such as the COVID-19 global pandemic and Britain's withdrawal from the European Union.</p> <p>The current Strategic Housing and Employment Land Availability Assessment (SHELAA 2021) was published late with this consultation and not all appendices are available. The late publication of this supporting material will have made it difficult for most consultees to adequately assess the current economic position of the District. The SHELAA only identifies 5.62 hectares of employment land in the Sherwood Area and only 3.23 ha of land in Edwinstowe (Thoresby Colliery site). None of this is forecast to be delivered within the first five years of the plan period. This seems disproportionate compared with the 1766 new dwellings identified in Edwinstowe for the plan period.</p> <p>The preferred approach set out in paragraph 5.1.5 refers to categorising five sites (in addition to the employment allocations) as 'available employment land in a designated employment area' which will be, subject to assessment of the ongoing value of the designation, defined on the Policies Map. The additional five sites to have this status are not located within the Sherwood Area and no additional employment sites (apart from the employment allocation at Thoresby Colliery) are identified in Edwinstowe.</p> <p><b>Summary</b></p> <p>It is considered that the Allocations &amp; Development Management Policies DPD does not identify adequate commercial sites within the District and particularly in the Sherwood area especially as there is limited new unconsented sites available within the first 5 years of the Plan.</p>

		<p>It is set out in our submission that there is unmet demand for such uses in the District. It is considered that the identification of commercial sites, including land at Blackhills, Edwinstowe would support the provision of jobs and assist the Council in meeting the objectives as set out in the Core Strategy for job and economic growth in the area.</p> <p>It is considered that the Allocations &amp; Development Management Policies DPD does not identify adequate commercial sites within the District and particularly in the Sherwood area especially as there is limited new unconsented sites available within the first 5 years of the Plan.</p> <p><b>NSDC Response</b> – The conclusion of the ELNS is that with a supply of 160.19ha of employment land (be that allocated, consented or serviced employment land) the land requirements to service all of the scenarios modelled, including that for past take-up, are exceeded. Specifically in respect of the Sherwood Area, and Edwinstowe, there is an appropriate supply of employment land to service local economic growth and job creation.</p>
<b>Action Required</b>		<ol style="list-style-type: none"> <li>1. At the next stage the Council will clearly sign post that some policy changes are being proposed to the Adopted Amended Core Strategy.</li> <li>2. Address minerals safeguarding through new Development Management policy content; and</li> <li>3. Show safeguarded minerals sites on the Policies Map.</li> </ol>