

Appendix 1 – Main Modifications

The modifications below are expressed either in the conventional form of ~~strike through~~ for deletions and underlining for additions of text.

The page numbers and paragraph numbering refer to the submission version of the Plan

Chapter 1: Introduction

MM No.	Local Plan Page	Paragraph/ Policy/ Table	Main Modifications
MM1	8	Para 1.32	This DPD supports the delivery of the Amended Core Strategy adopted in 2019. It reflects the somewhat unusual situation that our earlier 2011 Core Strategy had higher development targets and therefore rolling the plan period forward to 2033 has not required additional housing and employment allocations to be made. Now that the Amended Allocations & Development Management DPD The NPPF will require that in 2024 the Council reviews the Amended Core Strategy to see if it remains up to date, at that point it is likely that the Council will begin the process of developing a new Local Plan. As the Amended Core Strategy is now over five years old the Council will begin a process of producing a new Local Plan during 2025. <u>It is not proposed to simply review the Amended Core Strategy as the preference now in the NPPF (and in the reformed development plan system) is for a single Local Plan document. A Local Development Scheme has been prepared setting out a timetable for preparing a new Local Plan. Preparatory work will commence at the beginning of 2025 and once the government have introduced the guidance and regulations associated with the new system, the Council will pursue a new plan under which ever system is the most appropriate. It is proposed that a new plan will be in place in 2029.</u>

Chapter 2: Newark Area

MM No.	Local Plan Page	Paragraph/ Policy/ Table	Main Modifications
MM2	10	NUA/Ho/2	Land south of Quibells Lane has been allocated on the Policies Map for residential development providing around 25 dwellings <u>of which 5 have already been completed</u> .
MM3	12	NUA/Ho/5	Amend bullet 4: Proposals should consider <u>will need to demonstrate that the impact of development on any identified mineral resource ensuring it is not needlessly sterilised. and w</u>Where this cannot be demonstrated, prior extraction may be sought <u>in accordance with Policy SP7 of the Nottinghamshire Minerals Local Plan (2021). where practical;</u> <u>Consideration should also be given to the potential use of minerals extracted as a result of on site ground works rather than treating them as a waste material.</u> Amend bullet 5: Pre-determination archaeological evaluation submitted as part of any planning application. and Any post-determination mitigation measures; <u>required will be</u> secured by condition on any planning consent are likely to be required; and
MM4	13	NUA/Ho/6	Land between 55 and 65 Millgate has been allocated on the Policies Map for residential development providing around 10-5 <u>5 dwellings on the remainder of the site.</u> Amend bullet 3: Pre-determination archaeological evaluation submitted as part of any planning application. and Any post-determination mitigation measures; <u>required will be</u> secured by condition on any planning consent are likely to be required;.
MM5	14	NUA/Ho/8	Amend bullet 2:

			Pre-determination archaeological evaluation submitted as part of any planning application. and Any post-determination mitigation measures, required will be secured by condition on any planning consent are likely to be required,.
MM6	14	NUA/Ho/9	Amend bullet 2: Pre-determination archaeological evaluation submitted as part of any planning application. and Any post-determination mitigation measures, required will be secured by condition on any planning consent are likely to be required,.
MM7	15	NUA/Ho/10	Amend bullet 5: Proposals should consider will need to demonstrate that the impact of development on any identified mineral resource ensuring it is not needlessly sterilised. and w Where this cannot be demonstrated, prior extraction may be sought in accordance with Policy SP7 of the Nottinghamshire Minerals Local Plan (2021). where practical; Consideration should also be given to the potential use of minerals extracted as a result of on site ground works rather than treating them as a waste material; and Amend bullet 6: Pre-determination archaeological evaluation submitted as part of any planning application. and Any post-determination mitigation measures required will be secured by condition on any planning consent. are likely to be required; New development here should respect the plot shapes of the medieval field system.
MM8	16	NUA/MU/1	Land North of the A17 has been allocated on the Policies Map for mixed use development. The site will accommodate a Hotel/Conference Facility , restaurant facilities to support the wider showground uses, and employment uses.
MM9	17	NUA/MU/4	Policy deleted
MM10	18	NUA/E/1	Amend criterion iv: Pre-determination archaeological evaluation submitted as part of any planning application. and Any post-determination mitigation measures, required will be secured by condition on any planning consent. are likely to be required;

MM11	20	NUA/E/4	Amend bullet 3: Pre-determination archaeological evaluation submitted as part of any planning application. and Any post-determination mitigation measures, required will be secured by condition on any planning consent are likely to be required, .
MM12	31	Co/MU/1	Policy deleted
MM13	35	ST/MU/1	Policy deleted

Chapter 3: Southwell Area

MM No.	Local Plan Page	Paragraph/ Policy/ Table	Main Modifications
MM14	40	So/Ho/2	Policy deleted
MM15	42	So/Ho/5	Amend criterion vii: Development will be required to seek to maintain and enhance the current provision of Rights of Ways which traverse the site; and Amend criterion viii: Pre-determination archaeological evaluation submitted as part of any planning application. and Any post-determination mitigation measures, required will be secured by condition on any planning consent reflecting the high archaeological potential of the site.
MM16	43	So/Ho/7	Southwell Depot has been allocated on the Policies Map for residential development providing around 48 <u>15</u> dwellings. Delete criterion i: The extent of the site's eastern boundary being defined by the safeguarded line of the Southwell Bypass; Amend criterion iv:

			Pre-determination archaeological evaluation submitted as part of any planning application. and Any post-determination mitigation measures, required will be secured by condition on any planning consent are likely to be required,.
MM17	45	So/E/2	Amend bullet 4: Pre-determination archaeological evaluation submitted as part of any planning application. And Any post-determination mitigation measures, required will be secured by condition on any planning consent are likely to be required,.

Chapter 5: Sherwood Area

MM No.	Local Plan Page	Paragraph/ Policy/ Table	Main Modifications
MM18	62	OB/MU/1	Amend bullet 2: Include public open space within the site or at alternative locations within the area, provided in accordance with Policy DM3 Developer Contributions and Planning Obligations. <u>This</u> shall be designed to reflect the need to provide SANGS to relieve recreational pressure on the Birklands & Bilhaugh SAC in line with Policy DM7.
MM19	72	Ed/Ho/2	Amend bullet 4: Pre-determination archaeological evaluation submitted as part of any planning application. and Any post-determination mitigation measures, required will be secured by condition on any planning consent are likely to be required; <u>to reflect the medium archaeological potential of the site</u>
MM20	75	Para 5.23	The village envelope became an urban boundary and was extended as part of the Amended Core Strategy process to include the Strategic Site allocated at Thoresby Colliery. <u>An additional amendment has been made at Mill Lane to better reflect the urban boundary.</u>

MM21	77	Bi/Ho/1	Delete bullet 2
MM22	77	Bi/Ho/2	Amend bullet 3: Proposals <u>should consider</u> will need to demonstrate that the impact of development on any identified mineral resource <u>ensuring</u> it is not needlessly sterilised. and wWhere this cannot be demonstrated, prior extraction may be sought <u>in accordance with Policy SP7 of the Nottinghamshire Minerals Local Plan (2021), where practical;</u> Consideration should also be given to the potential use of minerals extracted as a result of on site ground works rather than treating them as a waste material.
MM23	78	Bi/MU/1	Land to the east of Eakring Road has been allocated on the Policies Map for mixed use development providing around 75 dwellings and retail <u>(now completed)</u> development. Amend bullet 3: Pre-determination archaeological evaluation submitted as part of any planning application. And Any post-determination mitigation measures; <u>required will be</u> secured by condition on any planning consent are likely to be required,.
MM24	78	Bi/E/1	Development proposals on the site will be required to address <u>In addition to</u> the general policy requirements in the Amended Core Strategy and the Development Management Policies in Chapter 7, with particular reference to Policy DM2 Allocated Sites, Policy DM3 Developer Contributions and Planning Obligations, Policy DM5(b) regarding flood risk, and make appropriate contributions to infrastructure provision in accordance with the Developer Contributions SPD <u>development on the site will be subject to the following:</u> <u>In order to address the surface water flood risk associated with the site a detailed site-specific Flood Risk Assessment will be required, informing the design and layout of development for which a sequential approach towards the location of uses should be followed and appropriate drainage measures provided. These drainage measures should apply the drainage hierarchy in first prioritising the use of Sustainable Drainage Systems and ensure that flood risk can be managed and not increased elsewhere.</u>
MM25	80	Para 5.31	The village envelope has been amended to include the development under construction at Oldbridge Way <u>and</u> completed development elsewhere in the village and to also remove site Bi/Ho/4.

Chapter 6: Mansfield Fringe Area

MM No.	Local Plan Page	Paragraph/ Policy/ Table	Main Modifications
MM26	83	Ra/Ho/2	Land to the east of Warsop Lane has been allocated on the Policies Map for residential development providing around 190 dwellings. <u>The western part of the site has been developed and the residual land allocated is anticipated to provide around 95 dwellings.</u>
MM27	89	CI/MU/1	Including the retention of the headstocks and powerhouse, the site will accommodate around 120 dwellings, <u>up to</u> 12 hectares of employment provision, retail and enhanced Public Open Space. The retail element will be of a size and scale which helps facilitate the wider delivery of the scheme and may include a small supermarket and other complementary facilities to help to meet the needs of the site and the wider settlement.
MM28	93	BI/Ho/1	Amend bullet 4: Pre-determination archaeological evaluation submitted as part of any planning application. and Any post-determination mitigation measures, required will be secured by condition on any planning consent, are likely to be required;

Chapter 7: Development Management Policies

MM No.	Local Plan Page	Paragraph/ Policy/ Table	Main Modifications
MM29	100	DM4	Applications to develop new wind energy schemes involving turbines of sufficient size to require planning permission will only be considered acceptable: In areas identified set away from sensitive receptors and identified as suitable for wind energy development in the Development Plan;

			• 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 <u>Applications to develop new wind energy schemes involving turbines of sufficient size to require planning permission will only be considered acceptable in areas set away from sensitive receptors.</u> <u>Guidance on applications for wind turbines is provided by the District Council's Wind Energy SPD and guidance on solar power applications will be provided by the District Council's Solar Energy SPD.</u>
MM30	103	DM5(a)	<u>All</u> N new residential development (<u>unless otherwise identified by the Council</u>) will also need to perform positively against Building for a Healthy Life (or any successor version of the tool).
MM31	113	Para 7.44	Allocated sites within the Amended Core Strategy were assessed against the Strategic Flood Risk Assessment Level 1 (SFRA L1) and sites within the AA&DM DPD have been assessed against both this and the SFRA L2, <u>with the Sequential Test having been passed.</u> Development proposals on unallocated sites will also need to pass the Sequential Test and development proposals on both allocated and unallocated sites within areas at risk of flooding will need to pass the Exception Test. <u>Policy DM5(b) and Policy DM5(c), in combination with Core Policy 10 in the Amended Core Strategy, provide a comprehensive approach towards addressing flood risk and guiding application of the Sequential and Exceptions Tests.</u> Through Criterion 10 in Policy DM5(b) further detail is provided over the local approach towards application of the Exceptions Test and surface water management. <u>Policy DM5(c) separately details the local approach which will be followed in applying the flood risk Sequential Test.</u>
MM32	114	DM5(c)	In-line with Core Policy 10 of the Amended Core Strategy, the Council will follow a sequential approach to development and flood risk, seeking to steer new development away from those areas at highest risk (<u>all sources</u>). Development will not be permitted if there are reasonably available sites appropriate for the proposed development in areas at lower risk of flooding. The area of search within which to undertake the Test will normally be District-wide, unless it is appropriate for this to be further refined having had regard to relevant policy objectives within the Development Plan and/or any valid functional requirements of the proposed use. With specific regard to housing development, the presence of a settlement-level housing needs assessment will not normally justify restricting application of the test to that location, except in the circumstances outlined below.

MM33	117	DM7	Development proposals in all areas of the District should seek to enhance biodiversity. Proposals should take into account the latest information on biodiversity including Nottinghamshire Biodiversity Opportunity Mapping, and the forthcoming Local Nature Recovery Strategy. Except for exempt development proposals, the 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. These gains must be guaranteed for a period of at least 30 years. On 9th November 2023 a two-year transition period will end; after which biodiversity net gain of the relevant percentage becomes a legal requirement on developments where it is applicable.
MM34	120	DM8	In the interests of sustainability, consideration should be given to the conversion of existing buildings before proposing replacement development. Proposals will be <u>should investigate and</u> assessed alternative uses for buildings in accordance with the aims of the Spatial Strategy <u>and the NPPF</u> and present a case for the most beneficial use. Redevelopment proposals, which significantly expand the existing form of the building, <u>or require substantial rebuilding</u>, will not be considered under this element of the policy, but will instead be assessed as new development in open countryside under other relevant provisions of this policy. <u>Proposals for the re-use of existing buildings will normally be required to submit a protected species survey and proposed mitigation alongside the planning application (i.e. a pre-determination species survey).</u> <u>Proposals for residential development that re-use redundant or disused buildings will be supported if they demonstrate that such development would enhance its immediate setting.</u> Planning permission will be supported for the conversion to new residential uses of buildings of architectural or historical merit where it warrants their preservation, and they can be converted without significant re-building, alteration or extension. Further guidance over how proposals for the conversion of traditional rural buildings will be considered is provided in the Conversion of Traditional Rural Buildings Supplementary Planning Document. Proposals for the re-use of barns and other associated agricultural buildings will be required to submit a protected species survey and proposed mitigation alongside the planning application (i.e., a pre-determination protected species survey). Proposals for residential development will also need to demonstrate that the enhancement of their immediate setting has been provided for.

MM35	120	DM8	All proposals will need to satisfy other relevant Development Management Policies, take account of any potential visual impact they create and in particular address the requirements of Landscape Character in accordance with Core Policy 13. New paragraph: <u>Applications for renewable energy generation in the open countryside will be judged against Core Policy 10 of the Amended Core Strategy and Policy DM4 Renewable Energy.</u> <u>Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. Proposals resulting in the loss of the most versatile areas of agricultural land, will be required to demonstrate a sequential approach to site selection.</u>
MM36	136	DM12	Policy DM12 Presumption in Favour of Sustainable Development Minerals Safeguarding Areas A positive approach to considering development proposals will be taken that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Where appropriate, the Council will work pro-actively with applicants jointly to seek solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions within the district. The Development Plan is the statutory starting point for decision making. Planning applications that accord with the policies in the Development Plan for Newark and Sherwood (including, where relevant, policies in Neighbourhood Development Plans) will be approved without delay, unless material considerations indicate otherwise. The Development Plan also includes the The Nottinghamshire Minerals Local Plan which identifies Minerals Safeguarding Areas. Within these areas consideration of the impact of the proposed development on minerals resources may be required in line with the provisions of that Plan. The Minerals Safeguarding Areas are shown on the Policies Map.
MM37	139	Para 8.7	Amend bullet 1: • Significant requirement for additional affordable housing across all parts of the District. with a need for 243 affordable homes per annum.

MM38	140	Core Policy 1	The affordable home ownership product element of the contribution will comprise the overall national 25% First Homes with the remaining 15% made up of other affordable home ownership products based on an up-to-date assessment of local need. First Homes should secure a minimum discount of 30% against market value. D Implementing the 10% Affordable Home ownership product target National policy requires that at least 10% of dwellings on qualifying sites be affordable home ownership products. This should be provided unless; • It is identified that it would significantly prejudice the ability to meet the identified affordable housing needs of specific groups. This should be established using local housing need research; or • It meets one of the exceptions set out in national policy. National policy does not allow an exemption on grounds of viability for the provision of the 10% affordable home ownership products.
MM39	142	Para 8.14	Core Policy 2 Rural Affordable Housing as adopted in the Amended Core Strategy continues to be the policy that should be used to determine proposals for rural affordable exceptions sites. The Policy is recreated below so that all of the Affordable Housing Policies can easily be read together. <u>Spatial Policy 3 Rural Areas and Spatial Policy 4 Green Belt are within the Amended Core Strategy.</u> No changes to the adopted policy are proposed.
MM40	143	Para 8.15	Entry Level Exceptions Sites National planning policy sets out that local planning authorities should support the development of entry-level exception sites which are suitable for first time buyers (or those looking to rent their first home), unless the need for such homes is already being met within the authority's area. Given that such schemes are exceptional in nature proposals should demonstrate how they help to meet the District's specific needs around tenure, mix and type for entry level housing. Similarly any scheme should respond to the particular housing need characteristics in the locality of the proposal demonstrated by the provision of appropriate evidence. The NPPF then goes on to set out a number of requirements including location and scale. The Council's policy places the national requirements within the local planning policy context.
MM41	143	Core Policy 2A	Core Policy 2A – Entry Level Exception Housing Entry level exception sites as set out in national planning policy will be supported in locations adjacent to the Urban Boundary/Village Envelopes of the Newark Urban Area, Service Centres and Principal Villages where it can be demonstrated that they are addressing a shortfall of the type of entry level product being promoted in the proposal.

			Such proposals should also reflect the type of entry level product that is required in the locality of the proposal. They should not be larger than one hectare in size or exceed 5% of the size of the existing settlement and be in line with DM5b Design and the Sustainable Design SPD. Entry level exceptions sites are not acceptable in the Green Belt, on Main Open Areas, Open Breaks, Local Green Space, or areas at risk of flooding, or on designated nature conservation sites or that impact on the special character of heritage assets contrary to the provisions of Core Policy 14 Historic Environment.																		
MM42	147	Para 8.26	Together these categories provide a comprehensive understanding of GRT accommodation needs. The overall level of need equates to 169 pitches, and this figure provides the local pitch target of which 134 pitches are necessary to address the needs of Travellers meeting the definition provided in Annex 1 to the Planning Policy for Traveller Sites (as amended in 2023). To enable application of the It is the identified needs of those Travellers meeting the definition in Annex 1 which provide the local pitch target for the purposes of the five year land supply test. the GTAA has broken the GRT need down into five year tranches. To enable application of the test the District's pitch requirements have been broken down into distinct five-year periods. <table><tr><th>Years</th><th>0-5 (2019-24)</th><th>6-10 (2024-29)</th><th>11-14 (2029-33)</th><th>15 (2033-34)</th><th>Total</th></tr><tr><td>Planning Definition Annex 1 Traveller Pitch Requirements</td><td>77 85</td><td>20 24</td><td>18 21</td><td>3 4</td><td>118 134</td></tr><tr><td>Overall Pitch Requirements*</td><td>103</td><td>32</td><td>28</td><td>6</td><td>169</td></tr></table> *inclusive of the Planning Definition Annex 1 Traveller pitch requirements	Years	0-5 (2019-24)	6-10 (2024-29)	11-14 (2029-33)	15 (2033-34)	Total	Planning Definition Annex 1 Traveller Pitch Requirements	77 85	20 24	18 21	3 4	118 134	Overall Pitch Requirements*	103	32	28	6	169
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MM43	148	Policy GRT/1	The locally identified pitch requirement for Gypsy, Roma and Traveller households equates to 169 pitches between 2013 and 2033. Within this overall requirement there is a need for 134 pitches to address the needs of Travellers meeting the definition provided in Annex 1 to the Planning Policy for Traveller Sites (as amended in 2023). This lower figure represents the local new pitch target for in Newark & Sherwood District for application of the five-year land supply test.																		

			Proposed new pitches will be taken to contribute supply <u>against the five year land requirement</u> where they address the needs of a Traveller household. For the purposes of implementation such households are defined as; Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such. Proposals will be expected to be supported by sufficient information to determine whether this definition has been met. Where Traveller pitches are approved, then their occupation will be limited by planning condition to those (and the dependents thereof) meeting this definition. No requirements for travelling showpeople or for transit pitches have been identified between 2013 and 2033. The review of current pitch requirements and a new assessment of need will be commenced within 5 years of the publication of the current Gypsy and Traveller Accommodation Assessment.														
MM44	150	Policy GRT4	<table><tr><th>Site</th><th>Pitches</th></tr><tr><td>NUA/GRT/10 – Land at Chestnut Lodge Barnby Road, Barnby-in-the-Willows</td><td>19</td></tr><tr><td>NUA/GRT/11 – Former Belvoir Ironworks, Bowbridge Lane, Newark</td><td>15-27</td></tr><tr><td>NUA/GRT/12 – The Old Stable Yard, Land North of Winthorpe Road, Newark</td><td>44</td></tr><tr><td>NUA/GRT/13 – Land at Appleby Lodge, Barnby Road, Newark</td><td>8</td></tr><tr><td>OB/GRT/6 – Land East of Newark Road, Ollerton</td><td>6</td></tr><tr><td></td><td>62-74 48-60</td></tr></table>	Site	Pitches	NUA/GRT/10 – Land at Chestnut Lodge Barnby Road, Barnby-in-the-Willows	19	NUA/GRT/11 – Former Belvoir Ironworks, Bowbridge Lane, Newark	15-27	NUA/GRT/12 – The Old Stable Yard, Land North of Winthorpe Road, Newark	44	NUA/GRT/13 – Land at Appleby Lodge, Barnby Road, Newark	8	OB/GRT/6 – Land East of Newark Road, Ollerton	6		62-74 48-60
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MM45	151	Policy GRT4	NUA/GRT/12 – The Old Stable Yard The site is allocated for around 14 pitches. In addition to the content outlined in Part A of this policy, new proposals will also be required to positively address the following: • Provision of a site layout which is supported by a robust Flood Risk Assessment based on a sequential approach to site design that has, where possible, sought to accommodate pitches within those areas at least flood risk (all forms). Demonstration is also required that wider sustainability benefits to the community will be delivered and the site itself will be made safe from flood risk for its														

			lifetime, that flood risk will not be increased elsewhere and where possible, flood risk will be reduced overall; • The appropriate siting of the new pitches within the overall site, to ensure that the impact on the openness of the Open Break designation is minimised, and restricted to that of a localised nature. In order to support this requirement planning application(s) for the above pitches should be supported by submission of a detailed landscaping strategy. The approved contents of this strategy should then be delivered as part of implementing planning consent. The landscape strategy should provide for the following: • Retention of the existing landscape planting (including tree belts) along the sites north, east and western boundaries. Where necessary existing planting should be reinforced; and • Provision of additional tree and hedge planting along the south western boundary to help mitigate the visual impact of the site. • Non residential facilities, intended to meet the recreational and amenity requirements of occupants should be designed to be communal in nature, and ensure sufficient space remains to meet identified accommodation needs within the boundaries of the site allocation. Non-residential facilities proposed at individual pitch level will require justification; • Integration of appropriate measures to reduce noise impact from the A1 and A46, informed through the undertaking of a robust acoustic survey. This should include (but not be limited to) the use of appropriate mitigation measures, consideration being given to the positioning of pitches within the overall site, and the location and design of any amenity facilities. The acoustic performance of any static or touring caravans providing permanent accommodation within the site should be capable of meeting, or exceeding, the relevant sound levels referenced in BS8233 (or applicable successor standard).
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