



Newark & Sherwood Local Development Framework

Allocations & Development Management

Analysis of Scope of Development Management Policies
Consultation

March 2012

Analysis of consultation comments from the Allocations & Development Management Options Report

Scope of Development Management Policies

POLICY DM1 – Development within Settlements Central to Delivering the Spatial Strategy

There was general support for this policy and in particular the reference to culture, leisure and tourism. It was requested that the policy also include a requirement to justify the loss of such facilities. It was noted that there was no specific reference to brownfield land.

Some correspondents considered that the scope of the policy should be extended to include a far more cohesive approach to Leisure/Recreation/Sports facilities needs and that it should refer to the spatial distribution of employment and how this may support self containment of trips, including reducing the need for out commuting.

One correspondent thought that the policy was compromised by the amount of sites proposed for allocation and another used their response to regret the loss of village envelopes in settlements below Principal Villages.

Issues to be addressed:

Require development to be spatially appropriate within given settlement boundaries.

POLICY DM2 – Developer Contributions

There was general support for this Policy with a recommendation that the implications of CIL and Draft NPPF are taken account in its drafting and that contribution requirements should not be so onerous as to make sites undeliverable.

Issues to be addressed:

Set out method for assessment of cases of non-viability in policy and justification.

POLICY DM3 – Renewable Energy

There was unconditional support for the scope of this policy.

POLICY DM4 – Design

All respondents offered support for this policy with specific recommendations that the following criteria were included:

- Requirement for control of overall design quality and in particular the form/scale/massing of new development.
- Requirement for all proposals to have specific regard to the Landscape Character SPD.
- Requirement for high standards of energy insulation/conservation, promoting the use of renewable sources of energy and minimising waste/promoting re-cycling.

Issues to be addressed:

Include design criterion and cross reference policy to Landscape Character Assessment.

POLICY DM5 – Householder Development

There was a single respondent to this policy who considered it should include requirement for high standards of energy insulation/conservation, promoting the use of renewable sources of energy and minimising waste/promoting re-cycling.

POLICY DM6 – Specialist Accommodation & Community Facilities

There was unconditional support for this policy.

Issues to be addressed:

Further investigate need for this policy in light of the scope of others.

POLICY DM7 – Development in the Open Countryside

Respondents to this policy mainly requested tight controls over development and made specific recommendations for inclusions of criteria.

One respondent considered development should only be allowed in countryside in the absence of brownfield sites elsewhere in the district.

There was a welcome recognition that some tourism development can be appropriate outside defined settlements, within the open countryside and the support this policy offers for the creation of new and the expansion of existing facilities. This was linked to a recommendation of specific types of tourism development that should be included.

It was considered that removal of agricultural occupancy conditions should not be a policy objective, but an exception and where allowed, be fully justified.

Specific criteria requested for inclusion were:

- Consideration of protected species is made a specific criterion of this policy.
- Consideration of Landscape Character Assessment SPD.
- Consideration of local distinctiveness.

Issues to be addressed:

Set requirement for proposals to also satisfy other policies and DPD's.

POLICIES DM8-11 – Protecting & Enhancing the Historic Environment

This policy attracted the most comments and received general support.

The categories covering statutory designations were welcomed but it was noted that much of our historic environment falls outside of such categories into non-designated heritage assets and these should also be included.

There were requests for greater protection of conservation areas and sites of archaeological and historical landscape interest, and in particular that priority be given to developing brownfield over greenbelt land in conservation areas and more policies specific to Newark and Sherwood's highly significant historic environment.

Specific criteria requested for conclusion within the policy were:

- Consideration of conservation areas extended to include proposals on areas or sites within their wider setting.
- The promotion of the alteration and extension of listed buildings, where this is to enable or continue their economic use for sustainable tourism.

Issues to be addressed:

Include requirement to consider non designated heritage assets and all development affecting conservation areas.

POLICY DM12 – Shopfronts & Advertisements

There was unconditional support for this policy.

POLICY DM13 – Pollution & Hazardous Materials

There was general support for this policy with recommendations that it is cross referenced to proposed Policy DM4 (Design) and DM 8 (Historic Environment)

POLICY DM14 – Retail

One respondent suggested that with the possibility of the emerging NPPF replacing PPS4, it may be prudent to revise and expand retail policies at the local level in order to guide development to the town centre first and guard against damaging out of town proposals, which may harm the vitality and viability of the town centre.

COMMENTS RELATING TO ALL POLICIES

The scope of policies as a whole received general support and it was recommend that the Council ensures it has full suite of robust Development Management Polices that it can rely on to guide development decisions across the district particularly to cover areas which may be lost or have less detail in the new NPPF.

The County Council as highway authority recommend policies could be strengthened by including reference to the need for any forthcoming development to be supported by appropriate Transport Assessments and Travel Plans to help manage down the number of vehicle trips and encourage more sustainable forms of travel.

REQUESTS FOR FURTHER POLICIES

In addition to the proposed policies, Nottinghamshire County Council requested a policy is included that secures and safeguards the unnecessary sterilisation of mineral reserves.

The Coal Authority commented that the proposed policy list does not reflect the potential for mining legacy in the western part of the district, recommend policy requiring development proposals to fully consider ground conditions and land stability in line with PPG14 requirements, and where necessary propose mitigation measures to the satisfaction of the Local Planning Authority and The Coal Authority.

Issues to be addressed:

Include land stability as an assessment criterion within Policy DM4 (Design)

CONCLUSION

The overall response to the consultation was positive with no significant objections to the scope of policies.

It is proposed to make the minor changes to the scope of policies identified within the issues to be addressed above.

Some respondents sought to change the scope of policies to the extent of making them strategic. Two examples of this were requesting that the loss of leisure and community facilities be justified and requiring the prioritisation of development on brownfield land outside conservation areas before allowing development on greenfield sites within them. Both of these issues are adequately dealt with in the Core Strategy and therefore do not require covering in Development Management Policies. These requests may have arisen from viewing the scope of development management policies in isolation to the Core Strategy. When the Development Management Policies are further developed and go out to public consultation in a fuller form with reasoned justifications, these links with strategic policies will be apparent.

Whilst Policy DM6 - Specialist Accommodation & Community Facilities was supported, the process highlighted it as the only subject specific policy. In developing the content of the policies, it was decided that the combination of Core and other proposed DM policies could be used to adequately such proposals; The Spatial Policies of the Core Strategy enabled by proposed policies DM1 or DM7 would determine the suitability of the location and proposed policy DM4 and any others relevant would be used to assess the site specific issues. To persist with a specific policy may lead to pressure for other subject specific policies and therefore undermine the intended streamlined approach.