

**Newark and Sherwood Allocations and Development Management DPD**

**Written representations on behalf of Messrs R and G Mason, Mr D Taylor and Mrs W Terry by Ian Baseley Associates**

**Matter 1 – Compliance and Procedural**

- 1. Has the Plan been prepared in accordance with relevant legal requirements, including the Duty to Co-operate and the procedural requirements of the NPPF?**
- 1.1 No. Scant regard appears to have been had to previous concerns raised during earlier stages of the consultation process, with little tangible explanation of why – restricted to that most recently contained with the June 2012 Consultation Responses Document (CRD).
- 1.2 Despite acknowledging the comments received on various sites in the CRD, none of the suggestions, certainly as far as our own representations are concerned, were ever taken up by the Council and no effort was made on the Council's part to explore these any further with the relevant landowners.
- 1.3 Accordingly, the Council seems to have largely paid 'lip-service' to many of the comments received; the consultation process appearing little more than a token gesture in many instances.

- 1.4 One of example of this is where the CRD notes, for **Lowdham**, that the owners of Site X5(Lo) had indicated that they were open to negotiating the re-location of the adjacent recreational ground (comprising an area which was not at risk of flooding) to enable additional housing to be facilitated on that land to help make up the shortfall and to enable enhanced recreation facilities, including a full-sized football pitch, on that part of X5(Lo) which *was* susceptible to flooding.
- 1.5 Notwithstanding this helpful and potentially workable solution, the Council made no effort whatsoever to take this any further, instead content to simply note it for the record.
- 1.6 Another example in Lowdham is where the same CRD acknowledges, in relation to 'Employment Shortfall', that the owners of Site X5(Lo) note that part of the site falls within Flood zone 1, occupies a primary road frontage and could accommodate a modest level of new employment land without material detriment to the Green Belt. Again, nothing; instead the Council are content to make no further employment provision in Lowdham in favour of re-distributing elsewhere.
- 1.7 In circumstances where there is an identified need [established in the adopted Core Strategy] for both new housing, including affordable housing, and employment provision in the settlement, there is little evidence that the Council have adequately considered all alternatives open to them before resorting to the 're-distribute elsewhere' approach that has been peddled from the outset.
- 1.8 The present flooding and Green Belt constraints have all-too-easily been used as an excuse not to allocate despite having the exceptional opportunity to review the existing Green Belt boundary through the preparation of its Local Plan and despite parts of this land adjoining the settlement boundary falling within Flood zone 1.

1.9 If the Plan has been positively prepared, the Council ought to be able to demonstrate that they have worked sufficiently hard (and have exercised their duty to co-operate) to find solutions to accommodate the level of development identified for the settlement. However, I can see little evidence of this in Lowdham.

**Nick Baseley**

**[542 words]**