



Development Plan Document (DPD) Publication Stage Representation Form

Publication Amended Allocations & Development Management Development Plan Document (DPD)

A guidance note has been produced to assist in the completion of this form. Copies have been provided in correspondence and additional copies are available at: Castle House, Libraries in the District and <https://www.newark-sherwooddc.gov.uk/aadm-representation/>

Newark and Sherwood District Council is seeking your comments on the Publication Amended Allocations & Development Management DPD ('Publication AADMDPD'). Comments received at this stage should be about whether the Plan is legally compliant, sound and whether it has met the duty to cooperate. All representations must be received by the Council by 12 Noon on 9th January 2023.

This form has two parts- Part A- Personal / Agent Details and Part B- Your Representation(s) and further notification requests. (Please fill in a separate sheet (Part B) for each aspect or part of the Local Plan you wish to make representation on). Documents to support your representations (optional) should be referenced.

Privacy Notice

Apart from your comments below, the personal information you have provided will only be used by Newark & Sherwood District Council in accordance with the UK General Data Protection Regulation and the Data Protection Act 2018 and will not be shared with any third party.

The basis under which the Council uses personal data for this purpose is to undertake a public task.

The information that you have provided will be kept in accordance with the Council's retention schedule, which can be found at: <https://www.newark-sherwooddc.gov.uk/dataprotection/>

Please note the Council cannot accept anonymous responses. All representations received will be made available for public inspection and therefore cannot be treated as confidential. They will also be:

- Published in the public domain;
- Published on the Council's website;
- Shared with other organisations for the purpose of developing/adopting the Publication AADMDPD and forwarded to the Secretary of State for consideration;
- Made available to the Planning Inspector appointed by the Secretary of State to examine the Publication AADMDPD; and
- Used by the Inspector to contact you regarding the Examination of the Plan.

When making representations available on the Council's website the Council will remove all telephone numbers, email addresses and signatures.

By submitting your Response Form/representation, you agree to your personal details being processed in accordance with these Data Protection Terms.

PART A- Personal / Agent Details

In circumstances where individuals/groups share a similar view, it would be helpful to the Inspector to make a single representation, stating how many people the submission is representing and how the representation was authorised.

1. Personal Details

2. Agents Details

*If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.

Title	<input type="text" value="Mr"/>	<input type="text" value="Ms"/>
First Name	<input type="text" value="Mike"/>	<input type="text" value="Stephenie"/>
Last Name	<input type="text" value="van den Berg"/>	<input type="text" value="Hawkins"/>
Job Title (where relevant)	<input type="text" value="Project Director"/>	<input type="text" value="Planning Associate Director"/>
Organisation (where relevant)	<input type="text" value="Urban & Civic"/>	<input type="text" value="Barton Willmore, now Stantec"/>
Address Line 1	<input type="text"/>	<input type="text" value="9<sup>th</sup> Floor, Bank House"/>
Line 2	<input type="text"/>	<input type="text" value="8 Cherry Street"/>
Line 3	<input type="text"/>	<input type="text" value="Birmingham"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	<input type="text" value="B2 5AL"/>
Telephone Number	<input type="text"/>	<input type="text" value="REDACTED"/>
Email Address	<input type="text"/>	<input type="text" value="REDACTED"/>

Name or Organisation:	These representations are made on behalf of Urban & Civic the master developer leading the delivery of the Sustainable Urban Extension at Newark South (now called Middlebeck).
-----------------------	---

PART B- Representation(s)

3. To which part of the DPD does this Representation relate?

Part of the Publication AADMDPD:	Mark if Relevant (X)	Specify number/part/document:
Amended AADMDPD Paragraph Number	X	Paragraph Number: 2.10
Amended AADMDPD Policy Number	X	Policy Number: NUA/OS
Amended AADMDPD Policies Map Amendments		Part of Policy Map:
Integrated Impact Assessment ¹		Paragraph Number:
Statement of Consultation		Paragraph Number:
Supporting Evidence Base		Document Name: Page/Paragraph:

4. Do you consider the DPD to be LEGALLY COMPLIANT?

Yes

No

5. Do you consider the DPD to comply with the Duty-to-Cooperate?

Yes

No

6. Do you consider the DPD to be SOUND?

Yes

No

*The considerations in relation to the Legal Compliance, Duty to Cooperate and the DPD being 'Sound' are explained in the Newark & Sherwood Development Plan Document Representation Guidance Notes and in Paragraph 35 of National Planning Policy Framework 2021 (NPPF).

¹ The Integrated Impact Assessment (IIA) integrates Sustainability Appraisal (SA), Strategic Environmental Assessment (SEA), Equalities Impact Assessment (EqIA) and Health Impact Assessment (HIA). Sustainability Appraisals (SA) are a requirement of the Planning and Compulsory Purchase Act 2004 and Strategic Environmental Assessments (SEA) are required by European Directive EC/2001/42, which was transposed into UK law by the Environmental Assessment Regulations for Plans and Programmes (July 2004). The EqIA is a way of demonstrating the District Council is fulfilling the requirements of the Public Sector Equality Duty contained in section 149 of the Equality Act 2010. HIA is a recognised process for considering the health impacts of plans and undertaking this type of assessment is widely seen as best practice.

7. The DPD is not sound because it is not:

- (1) Positively Prepared
- (2) Justified
- (3) Effective
- (4) Consistent with national policy

8. Please provide precise details of why you believe the DPD is, or is not, legally compliant, sound or in compliance with the duty to cooperate in the box below.

If you wish to provide supplementary information to support your details, please ensure they are clearly referenced.

These representations are made on behalf of Urban & Civic the master developer leading the delivery of the Sustainable Urban Extension at Newark South (now called Middlebeck).

Middlebeck benefits from a strategic site allocation under Area Policy NAP 2A (Land South of Newark) of the Amended Core Strategy adopted March 2019 (ACS) and also benefits from outline planning permission reference 14/01978/OUTM for up to 3,150 dwellings, up to 50ha employment land, associated community facilities and infrastructure including the Southern Link Road (SLR).

Development has commenced and works continue on site. The first phase of the SLR is substantially complete and open to traffic, dwellings are being delivered and the first residents moved onto site in spring 2018, and Middlebeck Primary School opened September 2021.

Proposed Policy NUA/OS (Opportunity Sites) identifies two Opportunity Sites of which one is a reallocation (NUA/OS/2 – NSK Factory) and one (NUA/OS/1 – Tarmac Site) is an additional site proposed as part of the Bowbridge Road Policy Area (Policy NUA/Ho/7). Between them, the two Opportunity Sites have capacity for around 420 dwellings, with capacity of around 270 dwellings at the Tarmac Site, which is located at Hawton Lane/ Bowbridge Road in the immediate vicinity of Middlebeck.

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 proposed Policy NUA/OS. In respect of Middlebeck, construction has commenced and housing delivery is underway.

At odds with the above, the proposed supporting text for Policy NUA/OS (Opportunity Sites) at paragraph 2.10 states that “... there is nothing to prevent these sites coming forward for housing development at any point in the Plan period ...”. Paragraph 2.11 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 by bringing forward the redevelopment of Opportunity Site 1 the Tarmac site.

As noted in the Publication AADMDPD (paragraph 1.26), strategic sites allocated in the ACS, which include Middlebeck (Area Policy NAP 2A), are central to the delivery of the vision and strategy for the district and, in accordance with Spatial Policy 5 of the ACS, Urban & Civic respectfully request that the emphasis is placed on the delivery of such allocations rather than Opportunity Sites that may put pressure on both the highway network and services and facilities provided as part of the Middlebeck development.

The Middlebeck development is delivering significant infrastructure, not least the SLR which is to facilitate planned wider growth in Newark and not just Middlebeck. Moreover, delivery of dwellings at Middlebeck 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 increases demand on and takes any available capacity in the highway network whilst

development at Middlebeck is constrained.

Furthermore, Middlebeck is delivering services and facilities including Middlebeck Primary School, which opened September 2021. This provides additional school places to meet the demand from the Middlebeck development only, and Urban & Civic is, therefore, concerned that should children from Opportunity Sites, notably the Tarmac Site, take school spaces at Middlebeck then this will result in the needs of children at Middlebeck 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 reserved matters for Land at Flowserve Pump Division – a previously proposed Opportunity Site – seeking approval for 309 dwellings following the grant of outline planning permission on appeal in June 2021 (Ref: APP/B3030/W/20/326097 & 22/01241/RMAM), and also proposals within this Publication AADMDPD if taken forward – in particular, the proposed extension to Site NUA/Ho/10 – Housing Site 10 (Land North of Lowfield Lane) and the proposed Gypsy, Roma and Traveller pitches at the Former Belvoir Ironworks (Site NUA/GRT/13).

For the reasons set out above, the proposed approach to Opportunity Sites is not effective as it may undermine the delivery of Middlebeck, a strategic allocation in the ACS. As such the AADMDPD is not sound.

NB: This representation should be read alongside our representations to proposed Policy NUA/Ho/7.

(Continue on a separate sheet/expand box if necessary)

9. Please set out what change(s) you consider necessary to make the DPD legally compliant or sound, having regard to the test you have identified at 6 above where this relates to soundness. You will need to say why this change will make the DPD legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Urban & Civic respectfully request that the proposed paragraph 2.10 is deleted and replaced with the following text:

“Development of these sites will be supported where it is clear that delivery of allocated sites is not taking place at the rate required.”

This proposed change will assist in placing the emphasis on the delivery of strategic allocations over Opportunity Sites. The proposed change will therefore assist the delivery of Middlebeck and is necessary for the AADMDPD to be effective and thus sound.

(Continue on a separate sheet/expand box if necessary)

Please note your Representation should cover succinctly all the information, evidence and supporting Information necessary to support/justify the Representation and the suggested change, as there will not normally be a subsequent opportunity to make further Representations based on the original Representations at the Publication stage. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for Examination.

