



# Development Plan Document (DPD) Second Publication Stage Representation Form

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

The District Council have produced a guidance note 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 Second Publication Amended Allocations & Development Management DPD ('Second 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 5pm on Monday 6<sup>th</sup> November 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.

If you previously made a representation to the first Publication Allocations & Development Management DPD (November 2022) Regulation 19 stage, we would like to know how you want this to be treated. All representations made at that stage will be forwarded on to the Inspector unless you wish to supersede it with a new representation to this Second Publication Allocations & Development Management. Please make this clear at the beginning of your Representation. If your previous representation is no longer required because of the proposed changes made to this Second Publication AADMDPD, please let us know that you are happy for your previous representation to be withdrawn.

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## PART A- Personal / Agent Details

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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 column two.

Title	Mrs	
First Name	Helen	
Last Name	Cowlan	
Job Title (where relevant)	Clerk to Parish Council	
Organisation (where relevant)	Barnby in the Willows Parish Council	
Address Line 1	c/o 22 Cardinal Hinsley Close	
Line 2	Newark	
Line 3		
Line 4		
Post Code	NG24 4NQ	
Telephone Number		
Email Address		

Name or Organisation:	Barnby in the Willows Parish Council
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## PART B- Representation(s)

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

Part of the Second Publication AADMDPD:	Mark if Relevant (X)	Specify number/part/document:
Second Amended AADMDPD Paragraph Number		Paragraph Number:
Second Amended AADMDPD Policy Number	x	Policy Number: GRT4, NUAGRT/10
Second Amended AADMDPD Policies Map Amendments		Part of Policy Map:
Integrated Impact Assessment <sup>1</sup>		Paragraph Number:
Habitat Regulations Assessment		Paragraph Number:
Statement of Consultation		Paragraph Number:
Supporting Evidence Base	x	Document Name: NPPF and Planning Policy for Traveller Sites Page/Paragraph: see comments

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

Yes

No X

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 X

\*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 (NPPF) (2023).

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<sup>1</sup> 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             | X                        |
| (2) Justified                       | X                        |
| (3) Effective                       | <input type="checkbox"/> |
| (4) Consistent with national policy | X                        |

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.

**With regard to the DPD –**

**Policy GRT4 quotes:** “Site layouts should recognise on-site capacity constraints with; new pitches being capable of meeting the needs of occupants; supporting an acceptable level of residential amenity for occupants and neighbouring uses; and be capable of providing for a safe standard of occupation. Positive management of surface water will need to ensure that the site itself is safe in flood risk terms and risk is not increased elsewhere”.

Chestnut Lodge pitch sizes are smaller than recommended, which will adversely impact families, especially when there is lack of clarity about whether the same family will reside in the static and tourer planned per pitch, or if it could be different families in each i.e. two families across each pitch. There will not be an acceptable level of amenity provided – there is no provision for children to play on site, and the site is not within easy distance of shops, schools or medical services due to its rural location – in fact, although with Balderton’s boundary, the nearest settlement is Barnby in the Willows which has only a church, a pub and a Village Hall. Proposals would mean significantly increasing population in comparison to Barnby, creating a huge impact, as well as there being no safe provision for travel on foot or by bike into Balderton (due to lack of foot/cycle paths and the rural roads being dangerous). Insufficient information has been provided about how waste or surface water will be managed – e.g. septic tank / water connections.

It does not comply with NSDC Spatial Policy 3 for rural areas.

**NUAGRT/10 quotes:** “the site is allocated for .....a new dwelling in order to assist with the management and operation of the new pitches and creation of an additional new vehicular access to serve the pitches”. The Chestnut Lodge site has had planning permission granted for a permanent house/structure to be used to facilitate management of the site. It is not accepted that a house is needed at all, let alone to such a scale. This is not “acceptable in landscape and visual terms” because not only is it overbearing, and not in keeping with the rural area, the permission would not have been granted had it been a non-GRT provision – this is potentially discriminatory against the non-GRT community. Planning applications within the village, on a much smaller scale, have been historically declined due to conservation / rural impacts, so it is highly irregular that this should be permitted. Vehicular access has been deemed safe but splay data was not accurate, and visibility is not clear putting other users at risk. Therefore, this cannot be treated as compliant, or sound.

It is felt that insufficient consideration has been given to the fact that there are a number of existing, and proposed, GRT developments / allocations in the area surrounding Barnby in the Willows which will have adverse impacts on not only rural life and landscape, but safety through increases in traffic speeds and volumes on roads that cannot cope – especially when likely to be used to cut through to main roads / other sites. Lack of evidence of consideration of neighbouring sites / needs being met in neighbouring authorities suggests that the document has not been positively prepared.

There has been a lack of information about whether or not consultations / site visits have taken place to assess wider considerations e.g. Historic England / archaeological surveys / Environmental Health (potential land contamination from previous use), impacts to gas mains, and to review alleged breaches of previous planning terms so the document cannot be deemed to have been produced positively or effectively if planning decisions are made without gathering full facts.

**In terms of the National Planning Policy Framework -**

Section 2 states the need for achieving sustainable development with three overarching objectives being economic, social and environmental. The DPD does not meet these objectives because allocating Chestnut Lodge:

is not “the right land in the right place”.

does not “foster a well-designed, beautiful safe place.

does not have “accessible services that reflect need, or support communities’ health, social and cultural well-being”.

does not “protect the natural environment” or -improve biodiversity”.

Section 8 outlines how development has to support the importance of safe and effective pedestrian and cycle routes – the inclusion of Chestnut Lodge does not meet this as there are no such routes, nor a way of developing such link to nearest amenities, thereby, preventing the GRT community from accessing “social, recreational and cultural facilities” or “public service infrastructure”.

Section 9 deals with sustainable transport options, of which there is a limited bus service to the area, and no pedestrian / cycle networks.

Section 12 quotes that developments “are sympathetic to local character and history, including the surrounding environment and landscape setting”. Allocating the Chestnut Lodge site does not meet these guidelines / recommendations.

The section entitled Ground Conditions and Pollution states proposals must “take account of ground conditions and risks arising from contamination – insufficient evidence has been shown to confirm if the land has been contaminated by previous agricultural use which could put the community at risk.

**Looking at the Government’s Planning Policy for Traveller Sites –**

Policy B (plan making) – the DPD fails to meet the majority of items under point 13.

Policies C and H – state that authorities should ensure that scale of sites does not dominate the nearest settled community – as it is Barnby (not Balderton centre) that is the nearest, the inclusion of the Chestnut Lodge site will potentially dominate the village and massively increase population in that area. The DPD apparently ignores / contravenes points 14 and 25 specifically.

(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.

The Chestnut Lodge site should not be included within the DPD due to it failing to meet a number of policy criteria as stated above.

The Council should seek to buy sites that satisfy the planning policy rules, rather than end-up, granting retrospective planning to random, sites that have been set up that don't fulfil planning policy requirements.

(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.

10. If your Representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral Examination.	Yes, I wish to participate at the oral Examination.
<input checked="" type="checkbox"/>	<input type="checkbox"/>

11. If you wish to participate at the oral part of the Examination, please outline why you consider this to be necessary.

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

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the Examination.

12. Please tick the relevant boxes below to receive notifications (via email) on the following events:

- DPD submitted to the Secretary of State for Inspection x
- Examination in Public hearing sessions x
- Planning Inspector’s recommendations for the DPD have been published. x
- DPD has been formally adopted. x

Signature: [REDACTED] Date: 6/11/23

Please return this form by 5pm on 6<sup>th</sup> November 2023 to one of the addresses below:

Email: [planningpolicy@newark-sherwooddc.gov.uk](mailto:planningpolicy@newark-sherwooddc.gov.uk)

Post: Planning Policy & Infrastructure Business Unit  
Newark & Sherwood District Council  
Castle House  
Great North Road  
Newark  
NG24 1BY

Office Use Only

Date of Receipt:

Representation No:

Information is available at:  
<https://www.newark-sherwooddc.gov.uk/aadm-representation/>