



Guidance Notes for completing the Newark and Sherwood District Council Consultation Response Form for the Amended Core Strategy Development Plan Document (DPD) (including Main Modifications and Minor Modifications/Points of Clarification Consultation: 8th August to 21st September 2018.

The Inspector is now inviting representations on the proposed Main Modifications and will take into account any comments in relation to supporting documents.

Alongside this process the District Council is consulting on the following:

- Minor Modifications/Points of Clarification, which are not formally part of the Examination process
- An assessment of the impact of the Main Modifications and the Minor Modifications/Points of Clarification on the Integrated Impact Assessment and Habitat Regulations Assessment
- An Appropriate Assessment in response to a recent European Court ruling on the practice relating to Habitat Regulations Assessments

The Representation Form can be obtained from the Council's website at <https://www.newark-sherwooddc.gov.uk/planreview/> at Castle House, and District libraries or can be requested from the Council's Planning Policy Business Unit.

If you require further assistance please contact the Planning Policy Business Unit on:

Telephone	01636 650000
E-Mail	Planningpolicy@nsdc.info
Post	Newark and Sherwood District Council, Planning Policy Business Unit, Castle House, Great North Road, Newark, Nottinghamshire, NG24 1BD

Background to the Consultation

Following submission of the Newark and Sherwood Amended Core Strategy DPD, a two day examination hearing was held between Thursday 1st February and Friday 2nd February 2018. As part of the examination hearing the Inspector Mr Paul Griffiths BSC (Hons) BArch IHBC, has identified a number of Main Modifications to rectify issues of legal compliance and/or soundness with the Amended Core Strategy.

The Inspector is now inviting representations on the proposed Main Modifications and will also take into account any comments received in relation to the supporting documents. Any representation made about the proposed Main Modifications should address the effect on the Plan's soundness or legal compliance. Representations will be recorded and sent via the Programme Officer to the Inspector for consideration. The Inspector will take into account all the duly made representations received as part of this consultation in reaching his conclusions on the soundness of the DPD and its legal compliance.

Any representation on Main Modifications should consider whether they are legally compliant and sound. These concerns are explained in more detail through this guidance.

In addition to Main Modifications the Council has proposed a number of Minor Modifications/Points of Clarification, which are not formally part of the Examination process but which we are consulting upon through the same process as representation on Main Modifications.

An assessment of the impact of the Main Modifications and the Minor Modifications/Points of Clarification on the Integrated Impact Assessment and Habitats Regulations Assessment has been prepared and is also available alongside the Main Modifications.

If you are seeking to make representation on the way in which the Council has prepared the Main Modifications, then this is likely to relate to legal compliance.

If it is the actual content, which you want to make a representation on this is likely to relate to soundness.

Please note this consultation is confined to the Main Modifications (including Minor Modifications/Points of Clarification) only. It is not an opportunity to re-state points previously made, to raise new representations to the submitted Amended Core Strategy DPD, or to seek further changes.

Closing Date for Representations

Your representations need to be made in writing (either electronically by email or by post) and must be received by the Council by **5pm on Friday 21st September 2018**. The Council will not be able to accept comments that are received after the deadline and anonymous responses cannot be accepted.

Representations should be submitted, preferably using the representation form, to Newark and Sherwood District Council, Planning Policy Business Unit as follows:

E-Mail	Planningpolicy@nsdc.info
Post	Newark and Sherwood District Council, Planning Policy Business Unit, Castle House, Great North Road, Newark, Nottinghamshire, NG24 1BD

How to Complete the Representation Form

It is advisable to read the Main Modifications (including Minor Modifications/Points of Clarification) and review of the Habitat Regulations or the Appropriate Assessment in conjunction with the [Publication Amended Core Strategy DPD](#) before representations are submitted to ensure the relevance of each representation.

Part A- Personal/Agent Details

You must complete all your contact details. This is used to identify who has made the comments(s), so it is important you complete this fully.

The first list of boxes relate to representations from individuals. The second list of boxes should be completed if an agent is being used (if relevant)

Part B –Main Modifications Representation Form

This is where you need to make your comments on the legal compliance or soundness of the Main Modifications (including Minor Modification/Points of Clarification)

If you wish to comment on more than one modification, please complete a separate Part B sheet for each modification.

Name and Organisation

Please include your name/organisation at the top of each 'Part B' form that you use so that it can be linked to Part A of the representation.

Question 1

Please state to which Main Modification or Minor Modification/Point of Clarification or supporting document your representation relates to.

Questions 2, 3, 3a, 4

(Please provide your comments and state whether they relate to legal compliance or soundness and your reasons for this.

(i) Legal Compliance

The Inspector will first check the document meets the legal requirements required under the Planning and Compulsory Purchase 2004 and Localism Act 2011, before moving on to a test for soundness.

(ii) Soundness

This means that the Inspector has to be satisfied that the DPD is positively prepared, justified, effective and consistent with national policy. If you wish to make comment on

more than one of the four matters of soundness in relation to a specific modification, please complete a separate Part B sheet for each matter of soundness. You should consider the following before making a representation on soundness:

Positively prepared –the DPD should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

This means that the Plan has objectively assessed the need for housing, employment, services and infrastructure in Newark and Sherwood, and that they will be delivered sustainably. If you think that our assessments of need are not objective, or do not take sufficient account of unmet needs in neighbouring authorities , then your comments will relate to whether the DPD has been positively prepared.

Justified - the DPD should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

This means that the DPD has a robust and reliable evidence base to justify the chosen options. If you think that the evidence does not support the choice made in the DPD, then your comments will relate to whether the DPD is justified.

Effective – the DPD should be deliverable over its period and based on effective joint working on cross boundary strategic priorities;

This means that the DPD will deliver what it sets out to. If you think that the proposals in the DPD will not happen due to deliverability issues, or they do not join up with the strategies of neighbouring authorities, then your comments will relate to whether the DPD is effective.

Consistent with national policy – the DPD should enable the delivery of sustainable development in accordance with the policies in the Framework.

This means that the DPD accords with the National Planning Policy Framework, or includes clear and convincing reasons when it does not. If you think that the plan conflicts with national policy, then your comments will relate to whether the DPD is consistent with national policy.

If you wish to make a representation seeking a change to a Main Modification or Minor Modification/ Point of Clarification you should make it clear in what way it is not sound, having regard to the four tests as set out above.

Question 5

In the context of your representation, it is helpful for you to identify what changes you consider could be made to the policy or text so that you consider that it would be sound or legally compliant. If appropriate, please set out the revised wording to the policy or text.

Part C – Minor Modifications/Point of Clarification, Review of the Integrated Impact Assessment, Habitat Regulations Assessment and Appropriate Assessment Comments

Name and Organisation

Please include your name/organisation at the top of each 'Part C' form that you use so that it can be linked to Part A of the representation.

Question 6

Please state to which Minor Modifications/Point of Clarification, Review of the Integrated Impact Assessment, Habitat Regulations Assessment or Appropriate Assessment paragraph, page(s) reference or document your comment(s) relates to.

Please provide your comments and set out what change(s) you consider are necessary

Question 7

If you are not already on the Planning Policy database, please confirm that you wish your name and contact details to be included on the database so that you are kept informed of work associated with the production and review of the Development Plan (including its supportive evidence base).

Question 8

If you are already on the Planning Policy Database, please confirm whether you wish your name and contact details to continue to be included on the database so that you are kept informed of progress of Development Plan and other related documents

Question 9

Please confirm if you wish to be notified when the Inspectors report is published and Adoption of the Amended Core Strategy DPD