

***Allocations and Development Management DPD - Development  
Management Policies Consultation Paper Comments***

***May 2012***

***General Comments***

# General Comments

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**Reference:** ADM/DM/12

**Post Town:**

**Company/Organisation:**

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM General Comments

**DM Policy Title:** General Comments

1. Much of the current planned local development was devised during the consultation period of the Governments new planning legislation, the National Planning Policy Framework (NPPF). This policy was subject to considerable revision prior to being released in its final form on 27 March 2012. Amongst other things, additional protection has been given to Green Field areas, school playing fields and measures to stop what has been called "garden grabbing ", as well as to protect what was termed the " ordinary" british countryside for its "intrinsic value and beauty".

What impact therefore and changes will this mean for the planning and development plans that Newark & Sherwood DC has already drafted?

2. Some time ago, in March 2005, the Government`s Shared Framework for Sustainable Development already contained its 'Five Principles of Sustainable Development' . The NPPF now has 12 Principles for Sustainable Development, thereby underlining the continuing importance of these planning requirements

I am concerned that the proposed Development Policies & Plans do not take enough account of these Principles as regards proposed housing development within the town boundaries. In particular, there appears to have been little relevant account being taken of the number of `in fill` and mini housing estate planning applications that have already been granted in Newark over the past 3 years. At the last count this was an extra 1826 dwellings. I consider this does not have sufficient regard to the Principles requirement of "respecting the limits of the "environment, resources and bio diversity" . The issue of `viability` of new developments in town centres is also referred to in the NPPF at 2: para 26 and 27.

For those people actually living within the town boundaries the impact of recent new developments on the existing environment and general resources is increasingly being felt. The existing local infrastructure, particularly drainage and sewerage can barely cope, even now.

There are already crucial traffic junctions and routes within the town that are nearing gridlock at critical times on a regular basis. Clearly, this will increase greatly once the current economic downturn is reversed, when there will be even more travel into and out of the town, particularly from the Growth Point developments. It was notable that the Traffic assessment done for the Growth Point south of Newark detailed that some roads leading down to Beaumont Cross will have a 100% traffic increase.

It is also notable that whenever there is an accident or traffic holdup on the A1, A46, A617 or A17 roads, which historically are regular occurrences, there is traffic

## General Comments

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chaos in the town centre and surrounding areas, leading to problems not only for commuters but also for the emergency services. This does not seem to have been taken into account or addressed in the current plans or been subject to the Risk Assessment process.

3. With particular regard to the Growth Point developments and issues of "sustainability", will these developments now be required to be built to a 'low carbon' standard, as required by the new NPPF?

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**Reference:** ADM/DM/9

**Post Town:**

**Company/Organisation:** British Waterways

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM General Comments

**DM Policy Title:** General Comments

Thank you for consulting us on the Newark and Sherwood District Allocations (additional sites) and Development Management DPD. Following scrutiny of these documents we have no comments to make at this stage in the process.

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**Reference:** ADM/DM/24

**Post Town:**

**Company/Organisation:** Nottinghamshire County Council

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM General Comments

**DM Policy Title:** General Comments

The approach of the Policies should be reviewed in the light of the NPPF. Particular regard should be had to the application of Green Belt policy, the only mention of which is in Policy DM3, which relates to the purposes of the Green Belt; this raises the question whether that is complete enough.

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***Policy DM1 Development within settlements central to delivering  
the Spatial Strategy***

# ***Policy DM1 Development within settlements central to delivering the Spatial Strategy***

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**Reference:** ADM/DM/3

**Post Town:** Southwell

**Company/Organisation:**

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM1

**DM Policy Title:** Policy DM1 Development within settlements central to delivering the Spatia

Disagree

The Urban Boundaries should be finalised by this stage and not proposals. The word “granted” implies that all planning applications will be successful – the word “considered” is appropriate.

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**Reference:** ADM/DM/11

**Post Town:**

**Company/Organisation:**

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM1

**DM Policy Title:** Policy DM1 Development within settlements central to delivering the Spatia

My comment relates to the Development Management Policies document in relation to the proposal for an application to build 80 new homes on land known as Braemar Farm in Collingham and the subsequent proposal by NSDC to extend the village envelope to incorporate this development. I totally oppose the moving of the village envelope to accommodate further housing when there are adequate other sites proposed WITHIN the village envelope to meet the necessary required number of new dwellings for Collingham

The Development Management Policies, Policy Area : Agenda for Managing Growth. DM1: Development within settlements central to delivering the Spatial Strategy states and I quote : 'Within the Urban Boundaries of the Sub-Regional Centres and Service Centres and the Village Envelopes of the Principal Villages, as defined on the proposals map, planning permission will be granted for housing etc'

I agree with this policy statement, but, as such, should it not be applied as written? I would suggest that the proposal to move the village envelope of Collingham by NSDC to make it fit into this statement is simply making a mockery of the Policy. My understanding is that Policy is written and defined and subsequent development should fit into this criteria. I would be interested to hear the council's explanation of justification for moving the village envelope.

# ***Policy DM1 Development within settlements central to delivering the Spatial Strategy***

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Name and Address supplied.

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**Reference:** ADM/DM/15

**Post Town:**

**Company/Organisation:**

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM1

**DM Policy Title:** Policy DM1 Development within settlements central to delivering the Spatia

Policy DM1: Development within settlements central to delivering the Spatial Strategy

Question 1 - Do you agree with the content of Policy DM1?

YES - I also believe that all new development should be sympathetic to its surroundings. In my opinion, this is a matter of prime importance.

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**Reference:** ADM/DM/19

**Post Town:**

**Company/Organisation:**

**Agent Post Town:**

**Agent Company/Organisation:** Savills

**DM Policy Number:** DM1

**DM Policy Title:** Policy DM1 Development within settlements central to delivering the Spatia

We support and agree with the content of Policy DM1 in principle.

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**Reference:** ADM/DM/17

**Post Town:**

**Company/Organisation:** Campaign to Protect Rural England

# ***Policy DM1 Development within settlements central to delivering the Spatial Strategy***

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**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM1

**DM Policy Title:** Policy DM1 Development within settlements central to delivering the Spatial Strategy

Allocations & Development Management  
Development Management Policies Consultation Paper

Thank you for the opportunity to comment on the above titled document. Please find below our comments for your consideration. Our comments are set out under the question numbering used in the document.

Question 1 NO

The policy DM1 does not make it absolutely clear by stating precisely that the decision on planning permission will take into account the ability of the community areas to absorb or provide for the allocated elements of the Spatial Policy. For example, in the ADMOR several allocations have been made requiring the release of land presently designated as Green Belt. In one instance this is recognised by identifying 'replacement' land to be added into the Green Belt. This illustrates clearly that the land assignment is as important as the need to identify sites for housing. In other cases no such 'replacement' land is suggested, which indicates that the arbitrary methodology of arriving at the housing number overrides the protection of the Green Belt. This is contrary to several policies that concern the countryside and the local environment.

Policy DM1 requires a statement such as is given later in Policy DM3 where "planning permission (or allocation of sites) will be granted ... ..where its benefits are not outweighed by:

1. Detrimental visual impact on the landscape character or urban form of the district or the purposes of including land within the Green Belt.

Question 2 YES subject to clarification.

The developer's contribution must be allocated to the provision of the infra-structures requiring improvement as a result of the development. It should only be put to more general application where this is the best means of obtaining the infrastructure improvement benefits for the development.

Question 3 NO

We believe that the intent of this policy is sound, but the use of the word 'outweigh' is weak and makes it difficult to see how a balance can be drawn in the assessment. We would prefer to see it strengthened by requiring 'no adverse' effect on ... ..

Question 4 YES

Question 5 NO

In general we are content with this policy but we are aware also that many so-called 'householder' improvements in fact change the character of a dwelling such as converting a smaller to a larger building. This reduces the availability of 'affordable' or 'starter' homes in the community. We think that the policy should 'take into



# ***Policy DM1 Development within settlements central to delivering the Spatial Strategy***

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account' the community effect of the householder proposal and permit such an extension only where it does not reduce the housing type stock in the community.

Question 6 YES

Question 7 YES subject to clarifications

The growth in unsightly and perhaps non-approved advertising sites needs to be specifically mentioned and corrective action committed. Also street furniture in urban areas and in rural areas should be addressed. These should be mentioned in the policy statement.

Question 8 YES

Question 9 YES

Question 10 YES

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**Reference:** ADM/DM/5

**Post Town:**

**Company/Organisation:** David Wilson Homes North Midlands

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM1

**DM Policy Title:** Policy DM1 Development within settlements central to delivering the Spatia

Yes - agree with content of Policy and Reasoned Justification

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**Reference:** ADM/DM/2

**Post Town:**

**Company/Organisation:** Ian Baseley Associates

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM1

**DM Policy Title:** Policy DM1 Development within settlements central to delivering the Spatia

## ***Policy DM1 Development within settlements central to delivering the Spatial Strategy***

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We do not agree with the content of Policy DM1 as currently drafted because although understandably it focuses on the settlements which are central to delivering the Spatial Strategy, the Core Strategy does of course allow for a smaller scale of development within the smaller settlements to meet local needs. Accordingly, it is considered that the scope of the policy should be extended in order to allow for this.

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**Reference:** ADM/DM/4

**Post Town:**

**Company/Organisation:** National Trust

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM1

**DM Policy Title:** Policy DM1 Development within settlements central to delivering the Spatia

No further comments to make at this stage.

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**Reference:** ADM/DM/21

**Post Town:**

**Company/Organisation:** Southwell Civic Society

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM1

**DM Policy Title:** Policy DM1 Development within settlements central to delivering the Spatia

Development within settlements central to delivering the Spatial Strategy. Q1. Disagree. This policy refers to Urban Boundaries "as defined on the proposals map". Until the urban boundary is finally defined for Southwell it is not possible to agree to this policy. Also, as stated, the policy implies that planning permission would automatically be granted. There are other considerations and this should be made clear.

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***Policy DM2 Developer Contributions***

# Policy DM2 Developer Contributions

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**Reference:** ADM/DM/15

**Post Town:**

**Company/Organisation:**

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM2

**DM Policy Title:** Policy DM2 Developer Contributions

Policy DM2: Developer Contributions

Question 2 - Do you agree with the content of Policy DM2?

YES.

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**Reference:** ADM/DM/3

**Post Town:** Southwell

**Company/Organisation:**

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM2

**DM Policy Title:** Policy DM2 Developer Contributions

Disagree – Developer Contributions should first be dedicated to fund the infrastructure directly affected by the development and not be lost in the general funding for infrastructure within the District

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**Reference:** ADM/DM/5

**Post Town:**

**Company/Organisation:** David Wilson Homes North Midlands

**Agent Post Town:**

**Agent Company/Organisation:**

# Policy DM2 Developer Contributions

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**DM Policy Number:** DM2

**DM Policy Title:** Policy DM2 Developer Contributions

Yes - Agree with content of Policy and Reasoned Justification subject to Policy and SPD meeting 'legal tests' of compliance set out in CIL Regulation 122 and paragraphs 204 and 205 of NPPF.

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**Reference:** ADM/DM/22

**Post Town:**

**Company/Organisation:** Halam Parish Council

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM2

**DM Policy Title:** Policy DM2 Developer Contributions

General support all the proposed development management policies 1-10 but... DM2- agree, as long as the thresholds are set in such a way and/or at such a level that they do not penalise householders wishing to extend existing homes.

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**Reference:** ADM/DM/24

**Post Town:**

**Company/Organisation:** Nottinghamshire County Council

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM2

**DM Policy Title:** Policy DM2 Developer Contributions

The County Council welcomes the fact that the Policy establishes the requirement for developer contributions, linked to a Supplementary Planning Document. The County Council will seek to ensure that all impacts on its services and infrastructure of all future development in the District, is met either through CIL of planning obligations. Further involvement in the development of the CIL, in particular with the drawing-up of the Section 123 list insofar as it relates to the County Council services and infrastructure would be welcomed by the County Council.

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***Policy DM3 Renewable and Low Carbon Energy Generation***

# ***Policy DM3 Renewable and Low Carbon Energy Generation***

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**Reference:** ADM/DM/3

**Post Town:** Southwell

**Company/Organisation:**

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM3

**DM Policy Title:** Policy DM3 Renewable and Low Carbon Energy Generation

Disagree- There should be more guidance on when low carbon generators will have an unacceptable effect on the natural and built assets with reference to all relevant sections of the Core Strategy document. For example, Conservation Areas and Listed buildings. The term “biodiversity” should be used for consistency with other policy documents.

4.7 should include a justification for the policy on biodiversity in relation to the Core Strategy.

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**Reference:** ADM/DM/15

**Post Town:**

**Company/Organisation:**

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM3

**DM Policy Title:** Policy DM3 Renewable and Low Carbon Energy Generation

Policy DM3: Renewable and Low Carbon Energy Generation

Question 3 - Do you agree with the content of Policy DM3?

YES - I agree that nothing that is detrimental to its surroundings should be given planning permission.

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**Reference:** ADM/DM/5

**Post Town:**

**Company/Organisation:** David Wilson Homes North Midlands

# ***Policy DM3 Renewable and Low Carbon Energy Generation***

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**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM3

**DM Policy Title:** Policy DM3 Renewable and Low Carbon Energy Generation

Yes - Agree with content of Policy and Reasoned Justification subject to deletion of PPS 5 in paragraph 4.6 following publication of NPPF.

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**Reference:** ADM/DM/26

**Post Town:**

**Company/Organisation:** English Heritage

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM3

**DM Policy Title:** Policy DM3 Renewable and Low Carbon Energy Generation

Policy DM3 Renewable and Low Carbon Energy Generation

We welcome the inclusion of a criterion relating to heritage assets and their settings, which should help to ensure that the benefits of renewable and low carbon energy generation are weighed against the harm to the historic environment.

Paragraph 4.6 suggests that proposals only need to take account of physical impacts during the preparation of planning applications or during the installation process, and only consider visual impacts thereafter. Assuming that physical impacts refers to direct works to a heritage asset, the current wording suggests that visual impacts are not considered until after permission has been granted and the scheme has been installed, when in fact, visual impacts should be considered early on whilst a proposal is under preparation. Furthermore, visual issues are only one component of the setting of any given heritage asset, and the current wording excludes other components including noise, vibration and odour.

The paragraph needs rewording to clarify what proposals need to do and when in relation to heritage assets. We would argue that proposals need to consider physical and setting impacts as they are being prepared for a planning application, with the impacts monitored during the installation process and afterwards (assuming permission is granted) to ensure minimal harm occurs.

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**Reference:** ADM/DM/4

**Post Town:**

**Company/Organisation:** National Trust



# ***Policy DM3 Renewable and Low Carbon Energy Generation***

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**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM3

**DM Policy Title:** Policy DM3 Renewable and Low Carbon Energy Generation

The related 'justification' would be assisted by a specific cross-reference to the setting policy in respect of Southwell (at para 4.6).

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**Reference:** ADM/DM/24

**Post Town:**

**Company/Organisation:** Nottinghamshire County Council

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM3

**DM Policy Title:** Policy DM3 Renewable and Low Carbon Energy Generation

A. The main paragraph should conclude with the phrase 'Detrimental impact from the operation and maintenance of the development and through the installation process upon', removing that text from the sub-paragraphs.

B. This policy appears to reflect an emphasis on wind energy installations, when other renewable energy installations may impact in future e.g. hydro power and solar farms.

C. The sub-paragraphs may need to be more complete in terms of impacts. Sub-paragraph 3 could include residential amenity, and sub-paragraph 5 could include a wider or more complete reference to 'ecology', for example 'the ecology of the local and wider area'. The reference to aviation in sub-para 6 could legitimately extend to other national interests and aviation could be given as an example.

D. Visual Impact and Landscape Character are two separate, though related, factors and the wording of the policy should be altered to reflect this, eg

'Planning permission will be granted for renewable and low carbon energy development... where its benefits are not outweighed by:

1. Detrimental visual impact or negative impact on the landscape character or urban form of the District'

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**Reference:** ADM/DM/21

# ***Policy DM3 Renewable and Low Carbon Energy Generation***

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**Post Town:**

**Company/Organisation:** Southwell Civic Society

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM3

**DM Policy Title:** Policy DM3 Renewable and Low Carbon Energy Generation

Q3.Disagree. The six items listed to outweigh the benefits of renewable and low carbon energy generation do not mention people. An additional category should be added: - "Detrimental impact on the lives and wellbeing of local people". There should also be more guidance on what constitutes a detrimental impact on Heritage Assets. No development should be permitted within Southwell Views areas nor where it could be seen over the horizon of such areas.

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***Policy DM4 Design***

# Policy DM4 Design

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**Reference:** ADM/DM/3

**Post Town:** Southwell

**Company/Organisation:**

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM4

**DM Policy Title:** Policy DM4 Design

Disagree- There should be reference to the requirement to build energy efficient structures.

Reference should be made to Core Policy 3. The type and density of dwellings allocated to a site under the Allocations Management Options Report should be made clear along with the anticipated degree of Affordable Housing to be built. The comment at 7 "Ecology" could be better entered under 5. " Trees, Woodlands,Biodiversity& Green Infrastructure.

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**Reference:** ADM/DM/15

**Post Town:**

**Company/Organisation:**

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM4

**DM Policy Title:** Policy DM4 Design

Policy DM4: Design

Question 4 - Do you agree with the content of Policy DM4?

YES - I couldn't agree more regarding detrimental / inappropriate development and that any new buildings should be a suitable style / size/ scale and that inappropriate use will be refused permission. I would also suggest the replacement / enhancement of buildings which spoil the town and its surroundings. This is one of my strongest beliefs.

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**Reference:** ADM/DM/16

# Policy DM4 Design

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**Post Town:** **Company/Organisation:** Coal Authority

**Agent Post Town:** **Agent Company/Organisation:**

**DM Policy Number:** DM4 **DM Policy Title:** Policy DM4 Design

Regarding the Development Management Policies Consultation Paper, The Coal Authority fully supports the inclusion in Policy DM4: Design of criterion 8. Unstable Land and its accompanying justification at paragraph 5.13.

Given the coal mining activity and legacy within the west of the district, The Coal Authority considers it particularly important that the resulting potential for unstable land is appropriately highlighted in policy within the Newark and Sherwood LDF, together with the requirement for developers to afford this issue due consideration and, where necessary, propose mitigation measures to ensure the safety and stability of development, in line with the NPPF.

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**Reference:** ADM/DM/5

**Post Town:** **Company/Organisation:** David Wilson Homes North Midlands

**Agent Post Town:** **Agent Company/Organisation:**

**DM Policy Number:** DM4 **DM Policy Title:** Policy DM4 Design

DM4 - Agree with content of Policy and Reasoned Justification subject to deletion of PPG 14 in paragraph 5.13 following publication of NPPF.

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**Reference:** ADM/DM/26

**Post Town:** **Company/Organisation:** English Heritage

**Agent Post Town:** **Agent Company/Organisation:**

# Policy DM4 Design

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**DM Policy Number:** DM4

**DM Policy Title:** Policy DM4 Design

Policy DM4: Design

We broadly support this policy and its reference to local distinctiveness. However, the second paragraph of the local distinctiveness section needs clarifying. It is not clear what is meant by the re-use of buildings of architectural and historic merit being supported in principle “where they are enabled by other policies”. We would prefer the wording to state that re-use proposals will be supported in principle where they seek to retain or reinstate the original use and/or the proposals are appropriate to the character and appearance of the building.

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**Reference:** ADM/DM/2

**Post Town:**

**Company/Organisation:** Ian Baseley Associates

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM4

**DM Policy Title:** Policy DM4 Design

We do not agree with the wording of sub section 3 which deals with 'Amenity' as it is currently drafted because it is not considered to be sufficiently precise insofar as whereas it discusses the need for 'sufficient' separation distances from neighbouring development to ensure that neither existing nor intended residents suffer from an unacceptable reduction in amenity including overbearing impacts and loss of privacy, it does not give any standards or even refer to them. It is considered that these do need to be specified so that all potential developers are aware of them and whilst this guidance need not necessarily occur within the policy itself, it ought at least to be referred to as being contained within a separate supplementary document. Indeed, in this respect, several of the following policies confirm that criteria etc 'will be set out in a Supplementary Planning Document' and it is considered that this equally needs to be the case in terms of the required separation distances etc for amenity purposes.

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**Reference:** ADM/DM/18

**Post Town:**

**Company/Organisation:** National Farmers Union

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** Paragraph 4.4

**DM Policy Title:** Paragraph 4.4

## Paragraph 4.4

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Why impose a costly assessment on all renewable development? It is a means of increasing costs which will not serve any useful purpose for most renewable development.

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**Reference:** ADM/DM/4

**Post Town:**

**Company/Organisation:** National Trust

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM4

**DM Policy Title:** Policy DM4 Design

National Trust welcomes the additions that have been made, in particular the section headed "Local Distinctiveness". However, it is unclear why this has not been allied to a specific reference to landscape character generally, or more particularly to a Landscape Character SPD given the work on such a document to date.

National Trust remains of the view that "Design" is the appropriate Policy in which to address the energy and waste hierarchies - these considerations apply to commercial as well as to residential (and other forms of) development.

(NB Under 4 in the Policy, first para, there probably should be a comma after "design", i.e.:

"The rich local distinctiveness of the District should be reflected in the scale, layout, design, materials and detailing of proposals for new development.")

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**Reference:** ADM/DM/6

**Post Town:**

**Company/Organisation:** Natural England

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM4

**DM Policy Title:** Policy DM4 Design

Policy DM4: Design

Question 4 - Do you agree with the content of Policy DM4?

Natural England welcomes the inclusion of draft policy DM4: Design. To further strengthen the policy, we recommend separating green infrastructure from trees,

# Policy DM4 Design

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woodlands and biodiversity.

Green infrastructure (GI) has the potential to contribute towards many of the benefits which this design policy seeks, e.g. access, amenity, trees and woodlands, ecology and water management. GI can be seen as an overarching umbrella, bringing the disparate strands of the 'environment' together into a holistic understanding which should inform decisions on development. A GI led approach to development can help to deliver locally distinctively, liveable and genuinely sustainable developments.

The Council may want to consider the production of GI Concept Statements as a means of achieving the potential benefits from GI. Further information and guidance on how to prepare and develop a concept statement can be found in Concept statements - Delivering sustainable development. We recommend cross references between policies DM4 and DM6.

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**Reference:** ADM/DM/24

**Post Town:**

**Company/Organisation:** Nottinghamshire County Council

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM4

**DM Policy Title:** Policy DM4 Design

A. The inclusion of ecology as a matter for consideration during the design process is welcomed. However, the wording of Section 7 of this policy, as it stands, relates only to protected species, and does not indicate that impacts should be first avoided wherever possible (as per paragraph 118 of the NPPF). Therefore, the following alternative wording is suggested:

'Development proposals should be supported by an up-to-date ecological assessment, involving a habitat survey and a survey for protected species and priority species listed in the UKBAP. Significant ecological impacts should be avoided through the design, layout and detailing of the development, with mitigation, or as a last resort, compensation (including off-site measures), provided where significant impacts cannot be avoided'.

Therefore, the County Council does not agree with the content of Policy DM4 as it is currently worded.

B. The criteria against which all proposals should be assessed should include criteria relating to the quality and suitability of the landscape design.

C. Comments on sub-paragraphs:

1. Access- The use of Green Infrastructure within neighbourhoods might be considered for inclusion in the statement.

2. Parking- Appropriate surface treatments to allow infiltration of surface waters



# Policy DM4 Design

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3. Amenity- The integration of amenity space with green infrastructure

5. Trees, Woodlands, Biodiversity and Green Infrastructure – Suggest a greater emphasis to encourage enhancement and integration / connectivity of the Green Infrastructure.

7. Ecology – Should have greater integration with point 3 and 5.

8. Unstable land – Suggest that a full Coal Authority report is considered to inform development proposals. There is also the potential for ingress of mine gas to consider.

9. Water management- Given the close proximity of the River Trent and hence the near surface proximity of ground water the use of Sustainable Urban Drainage Systems should be carefully considered and not exclusively focussed on surface waters.

D. Comments on supporting text:

a. Para 5.10- Reference could be made to maintaining or even enhancing the connectivity of the Green Infrastructure.

b. Para 5.12- Similar comment, ensuring that the critical mass of the Green Infrastructure/habitat is not compromised.

c. Para 5.13- This paragraph needs to include comment regarding potential for gas ingress is also considered.

d. Para 5.14- It may be appropriate to make reference to the SUDS Approval Board (SAB) and the approval of the SUDS scheme.

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**Reference:** ADM/DM/13

**Post Town:**

**Company/Organisation:** Nottinghamshire Wildlife Trust

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM4

**DM Policy Title:** Policy DM4 Design

Policy DM4: Design

7. Ecology

‘Development proposals should demonstrate an investigation into the presence of protected species and their habitats within sites. Appropriate mitigation through the design, layout and detailing of development, or off site measures should be included as part of proposals’.

We feel that the above statement requires further detail (see Policy DM6: Biodiversity and Green Infrastructure). The above paragraph strongly suggests that mitigation is the first consideration if protected species are likely to be negatively affected by development. We feel it is important that key principles for conserving and enhancing biodiversity include the hierarchy of avoid, mitigate, compensate and refuse. There is a growing body of opinion that new developments

## Policy DM4 Design

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should deliver net ecological gain rather than simply being designed to achieve mere damage limitation. Therefore, right from the start, proponents of any scheme should incorporate, as part of the proposals for scheme design and implementation, measures that are required to deliver ecological enhancements as well as measures to:

- avoid negative ecological impacts - especially those that could be significant;
- reduce negative impacts that cannot be avoided; and
- compensate for any remaining significant negative ecological impacts

Wherever possible, enhancement and mitigation measures should be developed and incorporated into a project as part of the design process, as measures that are fully integrated into a project have a greater guarantee of delivery. The objective should always be to agree the identified measures with the proponent of a project so that they become part of the scheme that is subject to detailed assessment. A shopping list of 'proposed mitigation' at the end of an EclA is of very little value as it requires the competent authority to enter into discussion with the proponent to agree what will be implemented. An EclA is effectively meaningless if it provides an assessment of the significance of the residual impacts of a scheme based on the proposed mitigation measures being implemented even though these measures have not been agreed by the developer.

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**Reference:** ADM/DM/21

**Post Town:**

**Company/Organisation:** Southwell Civic Society

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM4

**DM Policy Title:** Policy DM4 Design

Q4 Disagree. Parking: Justification 5.3 says the council "will not insist on on-site parking". The explanation of when this would happen is too vague, and open to widely differing interpretation. It should be clear that relaxation should only be allowed in the most exceptional circumstances when this would achieve significant benefits for the environment.

Local Distinctiveness: The concept in Justification 5.8 is to be applauded. However, there should also be a commitment to specifically encourage "good modern design".

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***Policy DM5 Householder Development***

# Policy DM5 Householder Development

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**Reference:** ADM/DM/3

**Post Town:** Southwell

**Agent Post Town:**

**DM Policy Number:** DM5

Agree

**Company/Organisation:**

**Agent Company/Organisation:**

**DM Policy Title:** Policy DM5 Householder Development

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**Reference:** ADM/DM/15

**Post Town:**

**Agent Post Town:**

**DM Policy Number:** DM5

Policy DM5: Householder Development

Question 5 - Do you agree with the content of Policy DM5?

YES - I agree wholeheartedly that any alterations to buildings should be sympathetic / in-keeping with their surroundings.

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**Reference:** ADM/DM/5

**Post Town:**

**Agent Post Town:**

**DM Policy Number:** DM5

**Company/Organisation:** David Wilson Homes North Midlands

**Agent Company/Organisation:**

**DM Policy Title:** Policy DM5 Householder Development

# ***Policy DM5 Householder Development***

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Yes - Agree with content of Policy and Reasoned Justification subject to the deletion of word "lies" in paragraph 6.3 and replacement with "lie".

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**Reference:** ADM/DM/26

**Post Town:**

**Company/Organisation:** English Heritage

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM5

**DM Policy Title:** Policy DM5 Householder Development

Policy DM5: Householder Development

We welcome the requirement for householder development to respect the character of the surrounding area including the setting of heritage assets (point 5). However, we feel the policy should refer to the “significance and setting of heritage assets” in order to be consistent with the NPPF. Setting contributes to the significance of heritage assets, so is only one part of the special interest. Furthermore, given that some householder developments will directly affect heritage assets, such as extensions to listed buildings or unlisted properties in conservation areas, reference to significance is needed alongside setting.

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***Policy DM6 Biodiversity and Green Infrastructure***

# Policy DM6 Biodiversity and Green Infrastructure

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**Reference:** ADM/DM/3

**Post Town:** Southwell

**Company/Organisation:**

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM6

**DM Policy Title:** Policy DM6 Biodiversity and Green Infrastructure

Disagree- Opportunity should be taken to identify the relevant legislation and Planning Guidance to be used to help consideration of planning applications likely to affect the natural environment and wildlife with definitions of, for example, “protected species” and “important habitats”.

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**Reference:** ADM/DM/15

**Post Town:**

**Company/Organisation:**

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM6

**DM Policy Title:** Policy DM6 Biodiversity and Green Infrastructure

Policy DM6: Biodiversity and Green Infrastructure  
Question 6 - Do you agree with the content of Policy DM6?

YES.

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**Reference:** ADM/DM/6

**Post Town:**

**Company/Organisation:** Natural England

**Agent Post Town:**

**Agent Company/Organisation:**

# Policy DM6 Biodiversity and Green Infrastructure

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**DM Policy Number:** DM6

**DM Policy Title:** Policy DM6 Biodiversity and Green Infrastructure

Policy DM6: Biodiversity and Green Infrastructure

Question 6 - Do you agree with the content of Policy DM6?

Although Natural England welcomes the intent behind this policy, we cannot support it in its current form. As it stands, the policy is very biodiversity focused and does not provide adequate coverage of wider GI assets. We would welcome references to other subjects covered in CSP12, i.e. the protection and enhancement of geodiversity, the provision of Suitable Alternative Natural Greenspace (SANGs) and the Strategic Green Infrastructure Interventions, improving GI linkages and securing appropriate management.

To aid in the delivery of CSP12, we suggest that the LPA considers writing a Development Management policy which firstly promotes the protection, enhancement and creation of GI assets on-site, including biodiversity and geodiversity, and secondly encourages contributions to offsite GI priorities such as the Strategic GI Interventions and SANGS, including through developer contributions – we note that policy CSP12 states that the Allocations & Development Management DPD will achieve this.

We recommend cross references with policy DM6, DM4 and DM8.

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**Reference:** ADM/DM/24

**Post Town:**

**Company/Organisation:** Nottinghamshire County Council

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM6

**DM Policy Title:** Policy DM6 Biodiversity and Green Infrastructure

This policy appears to duplicate some of Policy DM4 (Section 7) as it currently stands. Whilst the general direction of the policy is supported (and it is appreciated it should be read in conjunction with Core Policy 12), it does not provide the approach required by the NPPF (paragraph 133) to allow proposals for development affecting designated wildlife sites to be judged against criteria and to clearly define the circumstances in which planning permission will and will not be granted. It is suggested that a criteria-based policy should cover development affecting:

1. Designated sites (international, national and locally designated)
2. Priority (i.e. UKBAP) habitats and species
3. Previously developed land of biodiversity value
4. Ecological networks (or 'Green Infrastructure')

The need to secure appropriate long-term management of features that are retained within or created as a result of development, through the use of conditions, planning obligations or management agreements should also be covered.

Therefore, the County Council does not agree with the content of Policy DM6 as it is currently worded.



# ***Policy DM6 Biodiversity and Green Infrastructure***

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The objective of increasing connectivity and integration of the Green Infrastructure with the SUDS and Amenity Space should be considered in the process.

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**Reference:** ADM/DM/21

**Post Town:**

**Company/Organisation:** Southwell Civic Society

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM6

**DM Policy Title:** Policy DM6 Biodiversity and Green Infrastructure

Q6 Disagree. Better definitions are needed when dealing with biodiversity eg what is meant by "protected species" or "important habitats".

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***Policy DM7 Development in the Open Countryside***

# Policy DM7 Development in the Open Countryside

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**Reference:** ADM/DM/3

**Post Town:** Southwell

**Company/Organisation:**

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM7

**DM Policy Title:** Policy DM7 Development in the Open Countryside

Disagree- It should be made clear that development for employment use will be assessed in the same way as for dwellings, especially in relation to SoAP 1, Core Policies 14,12,8 and 9 and the Southwell Views Supplementary Planning Document.

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**Reference:** ADM/DM/15

**Post Town:**

**Company/Organisation:**

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM7

**DM Policy Title:** Policy DM7 Development in the Open Countryside

Policy DM7: Development in the Open Countryside  
Question 7- Do you agree with the content of Policy DM7?

YES.

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**Reference:** ADM/DM/7

**Post Town:** London

**Company/Organisation:** Bourne Leisure Ltd

**Agent Post Town:**

**Agent Company/Organisation:** Nathaniel Lichfield & Partners

# ***Policy DM7 Development in the Open Countryside***

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**DM Policy Number:** DM7

**DM Policy Title:** Policy DM7 Development in the Open Countryside

Bourne Leisure strongly supports paragraph 1.. Tourism Accommodation of Policy DM7 which states;

"Tourist accommodation will be supported where it is necessary to meet identified tourism needs, it constitutes appropriate rural diversification, including the conversion of existing buildings, and can support local employment, community services and infrastructure. Accommodation that is related and proportionate to existing tourist attractions will also be supported."

The supporting justification of Policy DM7 then goes on to note at paragraph 8.21 that the District has a well-established rural tourist economy and that the Council is keen to ensure that this economy is sustained and allowed to grow through appropriate expansion.

An increase in tourism accommodation as promoted by Policy DM7 is fully in accord with Newark & Sherwood's Vision in the Core Strategy, which states that by 2026, "the District will have a successful diverse economy by providing employment opportunities... and encouraging tourism potential..., and Strategic Objective 5 of the Core Strategy, which is to develop a strong sustainable economy, including stimulating tourism".

This approach to encouraging tourism is also consistent with paragraph 28 of the National Planning Policy Framework (2012), which states that planning policies should support economic growth in rural areas, and specifically supports: "...sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are met by existing facilities in rural service centres..."

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**Reference:** ADM/DM/1

**Post Town:**

**Company/Organisation:** Concept Town Planning Ltd

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM7

**DM Policy Title:** Policy DM7 Development in the Open Countryside

We write in response to the LPA's current consultation on the above document. Our comments set out below, relate to Question 7, on proposed Policy DM7.

We welcome the Council's recognition that some types of development can be acceptable in the open countryside. With regards tourist accommodation, however, it is considered that the policy wording does not accurately reflect the direction set out within the Options Paper or the responses to that consultation. In particular, the analysis paper to the options consultation (March 2012) reported that there was welcome recognition for the support this policy offers for the

## ***Policy DM7 Development in the Open Countryside***

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creation of new and expansion of existing tourism facilities. However, there is no specific mention of this within the proposed policy.

Accordingly, we would recommend that the Allocations and Development Management DPD continues to support tourism and tourist facilities/accommodation types is also vital and, therefore, support for the expansion of existing facilities should include existing holiday parks, cabin developments, caravan parks etc. Where such can be accommodated without detriment.

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**Reference:** ADM/DM/5

**Post Town:**

**Company/Organisation:** David Wilson Homes North Midlands

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM7

**DM Policy Title:** Policy DM7 Development in the Open Countryside

Yes - Agree with content of Policy and Reasoned Justification.

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**Reference:** ADM/DM/26

**Post Town:**

**Company/Organisation:** English Heritage

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM7

**DM Policy Title:** Policy DM7 Development in the Open Countryside

Policy DM7: Development in the Open Countryside

We welcome the caveats in the policy to ensure that the replacement or conversion of buildings in the countryside does not harm the historic environment. However, sections 3 and 5 of the policy (along with paragraph 8.9) need to refer to buildings of “architectural and/or historic merit” in order to be consistent with section 4 (which needs to refer to “and/or”, given that buildings can be of both architectural and historic merit). It is not clear why the conversion of buildings needs to have regard to both architectural and historic merit, when the replacement of buildings only needs to have regard to architectural merit.

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# ***Policy DM7 Development in the Open Countryside***

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**Reference:** ADM/DM/2

**Post Town:**

**Company/Organisation:** Ian Baseley Associates

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM7

**DM Policy Title:** Policy DM7 Development in the Open Countryside

We do not agree with the wording of subsection 4 which deals with 'Conversion of existing buildings'. Most particularly, it states that planning permission 'will only be granted for conversion to residential use where it can be demonstrated that the architectural or historical merit of the buildings warrants their preservation'. This is contrary to the most up to date Government advice and sets a too onerous obligation that is not required by that advice at national level. In this respect, we refer to the very recent provisions of the National Planning Policy Framework and in particular to paragraph 55. This allows new isolated homes in the countryside to be permitted in special circumstances including 'where the development would re-use redundant or disused buildings and lead to an enhancement of the immediate setting'. This does not specify that such buildings need to be of architectural or historical merit in order to be suitable for conversion to residential use, which is clearly the correct course as the beneficial re-use of rural buildings is in itself an act of sustainability and clearly such conversions can only occur where such buildings already exist that can and will be in a location outside of any settlement. Therefore, it is inappropriate as set out in paragraph 8.10 which is part of the justification for Policy DM7 for there to be a balancing exercise that only allows buildings that are in what is considered to be an unsustainable location to be converted to dwellings where the architectural or historical merit of those buildings outweigh their unsustainable location. That similarly imposes a test which is higher than the requirement set out in Government advice. Accordingly, it is considered that the requirement for rural buildings to be of architectural or historical merit in order for them to be considered satisfactory for conversion to residential use needs to be removed from the policy, together with the reference in paragraph 8.10 which sets out the further test referred to above.

An alternative wording for this part of the policy (sub-section 4) is as follows:

'In the interests of sustainability, consideration should be given to the conversion of existing buildings before proposing replacement development. Proposals should investigate and assess alternative uses for buildings, including residential use, in accordance with the aims of the Spatial Strategy. Planning permission will only be granted where such buildings can be converted without significant re-building, alteration or extension. Detailed assessment of proposals will be made against a Supplementary Planning Document.'

In addition, the reference in explanatory paragraph 8.10 to the conversion to dwellings being 'a very unsustainable use' (other than where they are very close to settlements) is not supported, as this is considered to conflict with and go beyond the objectives of the recently published NPPF.

The NPPF makes no distinction between the acceptability of the principle of the conversion of buildings of architectural/historical merit or otherwise, nor does it require such buildings to be located very close to settlements in order to be acceptable from a sustainability standpoint. Indeed, paragraph 55 which deals with the

## ***Policy DM7 Development in the Open Countryside***

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promotion of sustainable development in rural areas advises that Local Planning Authorities should avoid 'new isolated homes in the countryside' unless there are special circumstances. One of the stated special circumstances is confirmed as being 'where the development would re-use redundant or disused buildings' (NB - no requirement for these to be of architectural/historical merit). Moreover, the term 'new isolated homes' confirms that the principle of residential conversion is not restricted to locations which are very close to existing settlements.

For the above reasons, the following sentence should be removed from explanatory paragraph 8.10 to ensure compatibility with the most up to date Government policy by way of the NPPF:

'Other than where they are very close to settlements, the conversion to dwellings is likely to be a very unsustainable use and consequently the Council will only support the principle of this where the architectural or historical merit of the building(s) outweighs their unsustainable location.'

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**Reference:** ADM/DM/18

**Post Town:**

**Company/Organisation:** National Farmers Union

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM7

**DM Policy Title:** Policy DM7 Development in the Open Countryside

Section 1. Why will proposals need a costly survey done by a consultant to prove the need for a new farm building and its use. Too much bureaucracy!

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**Reference:** ADM/DM/4

**Post Town:**

**Company/Organisation:** National Truat

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM7

**DM Policy Title:** Policy DM7 Development in the Open Countryside

The addition of the penultimate paragraph relating to landscape character is a welcome step in the right direction, but it would be beneficial for this to identify the specific relevant documentation. If the LCA SPD is not to be adopted prior to this DPD being adopted that is unfortunate - if it is then a specific reference to the LCA

## ***Policy DM7 Development in the Open Countryside***

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SPD should be included. If not then the supporting text should advise where information on LCA in Newark and Sherwood can, or will, be found.

(NB The reference at 8.4 to Annex A in PPS7 will require review in the light of the replacement of PPS7 by the NPPF and the consequent omission of this advice - arguably there is a case to re-state the former Annex A advice in the supporting text in this DPD?)

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**Reference:** ADM/DM/20

**Post Town:** **Company/Organisation:** Network Rail

**Agent Post Town:** **Agent Company/Organisation:**

**DM Policy Number:** DM7 **DM Policy Title:** Policy DM7 Development in the Open Countryside

The policy as worded does not make an allowance for the provision of essential transport (or indeed utilities) related infrastructure in the countryside. There are occasions where (for example) the railway infrastructure requires additional land and buildings which fall outwith the normal permitted development privileges and for which planning consent would be required. It would be helpful if there is an acknowledgement that such development is acceptable in the countryside by reason of its need and proximity to existing infrastructure.

We would suggest an additional criterion is added to the policy, viz.13. Essential Transport/Utilities infrastructure Planning consent will be granted for transport or utilities related development where it can be demonstrated that the proposal is essential for the continued operation and management of the network/utility and that no other site is available for that purpose.

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**Reference:** ADM/DM/24

**Post Town:** **Company/Organisation:** Nottinghamshire County Council

**Agent Post Town:** **Agent Company/Organisation:**

**DM Policy Number:** DM7 **DM Policy Title:** Policy DM7 Development in the Open Countryside

The policy satisfactorily covers the issues of impact on landscape character through the paragraph:



## ***Policy DM7 Development in the Open Countryside***

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'All proposals will be required to address the Landscape Character of the District, in accordance with Core Policy 13 and satisfy the criteria of other relevant Development Plan Documents'

The policy should be expanded to take account of any potential visual impact of development within the open countryside. Proposed development should be assessed with regard to the impact on views and vistas, including of important landmarks and landscapes, and the potential to produce new views.

Development within built-up areas

In addition to the modifications to the specific policies, the landscape and visual impact of development within built-up areas requires consideration.

The Newark and Sherwood Core Strategy document Core Policy 13- Landscape Character states:

'The LDF will introduce a comprehensive landscape assessment of Newark and Sherwood which will identify the landscape character condition and sensitivity of each Landscape Policy Zone...

... The District Council will expect development proposals to positively address the implications of the Landscape Policy Zones in which the proposals lie and demonstrate that such development would contribute towards meeting Landscape Conservation and Enhancement Aims for the area."

This policy addresses the issues of landscape character where the Newark and Sherwood Landscape Character Assessments (N&S LCA) has been applied. However, built-up areas are not incorporated within the LCA and thus development with regard to landscape character in these areas must be governed by other policies within Development Management Policies. It is felt that the policies as currently proposed do not sufficiently provide for this.

As with development in the open countryside, development within built-up areas should address visual impact. As with the suggested modification to Policy DM7, the Development Management policies should be expanded to ensure that proposed development is assessed with regard to the impact on views and vistas, including those of important landmarks and townscapes, and the potential to produce new views.

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**Reference:** ADM/DM/13

**Post Town:**

**Company/Organisation:** Nottinghamshire Wildlife Trust

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM7

**DM Policy Title:** Policy DM7 Development in the Open Countryside

Policy DM7: Development in the Open Countryside

Conversion of existing buildings in rural areas for residential and appropriate tourist related uses should take into account the possible presence of protected species. Protected species use man made structures and barns are important for bats and birds. The re-use of barns and other associated agricultural buildings can ensure their preservation but the present situation is extremely unsatisfactory as regards to protected species because bat roost sites and bird breeding sites are being lost, often without adequate protected species surveys and or no replacement of lost sites. Planning conditions should be used to replace lost bird breeding sites (e.g., provision of barn owl nest box) and ensure that bat roosting opportunities are maintained. Have a policy that requires a protected species survey and proposed mitigation to be submitted with the planning application (i.e. a pre-determination protected species survey). In the case of European Protected Species

## ***Policy DM7 Development in the Open Countryside***

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such as bats, planning policy emphasises that strict statutory provisions apply, to which a planning authority must have due regard. For instance, “It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision (ODPM Circular 06/2005; paragraph 99)” Bats are given full protection under The Conservation (Natural Habitats & c.) Regulations 1994 (and as amended). Conditions must be placed on planning consents to ensure appropriate mitigation measures are carried out. This should include follow up surveys to assess the effectiveness of the mitigation work.

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**Reference:** ADM/DM/21

**Post Town:** **Company/Organisation:** Southwell Civic Society

**Agent Post Town:** **Agent Company/Organisation:**

**DM Policy Number:** DM7 **DM Policy Title:** Policy DM7 Development in the Open Countryside

Q7 Disagree .8. Employment uses. This only covers small-scale employment development in open countryside. What control will there be over the development of potentially large-scale employment with the expansion of Nottingham Trent University Brackenhurst Campus as proposed in Newark & Sherwood Core Strategy, Area Policy SoAP2. Justification 8.18 is too loose on minimising visual impact. With this definition the size of new buildings would only be limited by the requirements of the business, and not by the impact on the environment.

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**Reference:** ADM/DM/10

**Post Town:** **Company/Organisation:** Sport England

**Agent Post Town:** **Agent Company/Organisation:**

**DM Policy Number:** DM7 **DM Policy Title:** Policy DM7 Development in the Open Countryside

we would like to make one comment following the consultation.  
Which is to support Policy DM 7 bullet point 9

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# ***Policy DM7 Development in the Open Countryside***

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**Reference:** ADM/DM/10

**Post Town:**

**Company/Organisation:** Sport England

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM7

**DM Policy Title:** Policy DM7 Development in the Open Countryside

We would like to make one comment following the consultation.  
Which is to support Policy DM 7 bullet point 9

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***Paragraph 8.14***

## ***Paragraph 8.14***

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**Reference:** ADM/DM/18

**Post Town:**

**Company/Organisation:** National Farmers Union

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** Paragraph 8.14

**DM Policy Title:** Paragraph 8.14

All these paragraphs are against new buildings in the countryside. This pre-supposed that those who visit them or work for the businesses will use public transport, when in most cases they will not. If impact on the countryside is limited, the development would go ahead regardless of whether the development is on a bus route.

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***Paragraph 8.15***

## ***Paragraph 8.15***

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**Reference:** ADM/DM/18

**Post Town:**

**Company/Organisation:** National Farmers Union

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** Paragraph 8.15

**DM Policy Title:** Paragraph 8.15

All these paragraphs are against new buildings in the countryside. This pre-supposed that those who visit them or work for the businesses will use public transport, when in most cases they will not. If impact on the countryside is limited, the development would go ahead regardless of whether the development is on a bus route.

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***Paragraph 8.16***



## ***Paragraph 8.16***

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**Reference:** ADM/DM/18

**Post Town:**

**Company/Organisation:** National Farmers Union

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** Paragraph 8.16

**DM Policy Title:** Paragraph 8.16

All these paragraphs are against new buildings in the countryside. This pre-supposed that those who visit them or work for the businesses will use public transport, when in most cases they will not. If impact on the countryside is limited, the development would go ahead regardless of whether the development is on a bus route.

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***Paragraph 8.18***

## ***Paragraph 8.18***

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**Reference:** ADM/DM/18

**Post Town:**

**Company/Organisation:** National Farmers Union

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** Paragraph 8.18

**DM Policy Title:** Paragraph 8.18

It will be impossible to justify one particular rural location as against another. All these surveys and justifications are a licence for consultants to print money and an unnecessary cost on developers, especially of small sites and buildings.

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***Policy DM8 Protecting and Enhancing the Historic Environment***

# ***Policy DM8 Protecting and Enhancing the Historic Environment***

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**Reference:** ADM/DM/15

**Post Town:**

**Company/Organisation:**

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM8

**DM Policy Title:** Policy DM8 Protecting and Enhancing the Historic Environment

Policy DM8: Protecting and Enhancing the Historic Environment  
Question 8 - Do you agree with the content of Policy DM8?

YES - completely. It is very important that your team have identified the need to preserve / protect / enhance heritage assets / areas and address negative assets, buildings, shop fronts etc.

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**Reference:** ADM/DM/3

**Post Town:** Southwell

**Company/Organisation:**

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM8

**DM Policy Title:** Policy DM8 Protecting and Enhancing the Historic Environment

Disagree- The protection of Southwell should also be given a specific mention

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**Reference:** ADM/DM/7

**Post Town:** London

**Company/Organisation:** Bourne Leisure Ltd

**Agent Post Town:**

**Agent Company/Organisation:** Nathaniel Lichfield & Partners

# ***Policy DM8 Protecting and Enhancing the Historic Environment***

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**DM Policy Number:** DM8

**DM Policy Title:** Policy DM8 Protecting and Enhancing the Historic Environment

Bourne Leisure notes that in accordance with the requirements of Core Policy 14: Historic Environment, which recognises the District's rich and distinctive historic environment and seeks the continued preservation and enhancement of the character, appearance and setting of the District's heritage assets and historic environment, including listed buildings, Policy 8 states;

"...all development proposals concerning heritage assets will be expected to secure their continued protection or enhancement, contributing to the wider viability, viability and regeneration of the areas in which they are located and reinforcing a strong sense of place"

Specifically in regard to Listed Buildings, paragraph 1 of Policy DM8 requires that proposals for the change of use and development affecting or within the curtilage of listed buildings and requiring planning permission:

"...will be required to demonstrate that the proposal is compatible with the fabric and setting of the building, Impact on the special architectural or historical interest of the building will require justification in accordance with the aims of Core Policy 14".

Whilst Bourne Leisure supports the general principles of paragraph 1 of Policy DM8, the company considers that account should be taken of Core Policy 7, which promotes tourism development including the extension of existing tourism accommodation, In consequence, Bourne Leisure considers that paragraph 1 of Policy DM8 should also provide explicit and in-principle policy support, subject to a list of criteria to be met, for development proposals that are for the maintenance and improvement of listed buildings and their settings, including the alteration and extension of listed buildings, where this is to enable or continue their economic use for sustainable tourism.

This approach would reflect paragraph 126 of the National Planning Policy Framework which suggests that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Moreover, in regard to existing listed buildings or a change of use, the emerging development plan document should be consistent with paragraph 140 of the National Planning Policy Framework, which states;

"Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies, but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies."

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**Reference:** ADM/DM/14

**Post Town:** Nottingham

**Company/Organisation:** Caunton Properties Ltd

**Agent Post Town:** Nottingham

**Agent Company/Organisation:** CAMplan

**DM Policy Number:** DM8

**DM Policy Title:** Policy DM8 Protecting and Enhancing the Historic Environment

## ***Policy DM8 Protecting and Enhancing the Historic Environment***

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The consultation process pre-dates the National Planning Policy Framework, which came into immediate effect upon publication 27th March 2012. Amongst others, paragraphs 6, 11, 14, 17, 49, 60, 63, 65, 95 and 126 – 141 inclusive are relevant. In respect of development sites such as the former Minster School site, the LPAs policy framework needs to take into account:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- the desirability of new development making a positive contribution to local character and distinctiveness.

The LPA's commentary and conclusions do not take fully into account the need to achieve a balance between the aims of sustainability, economic and social factors, Community benefit and heritage conservation.

Particularly DM8.5 is not compatible with the aims of the NPPF in that it is prescriptive and precludes consideration of other than the orthodox in terms of contemporary design in sensitive areas. (Para 60 NPPF Refers)

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**Reference:** ADM/DM/5

**Post Town:**

**Company/Organisation:** David Wilson Homes North Midlands

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM8

**DM Policy Title:** Policy DM8 Protecting and Enhancing the Historic Environment

Yes - Agree with content of Policy and Reasoned Justification.

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**Reference:** ADM/DM/26

**Post Town:**

**Company/Organisation:** English Heritage

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM8

**DM Policy Title:** Policy DM8 Protecting and Enhancing the Historic Environment

## ***Policy DM8 Protecting and Enhancing the Historic Environment***

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Policy DM8: Protecting and Enhancing the Historic Environment We welcome the inclusion of a policy relating to the historic environment. However, there is no specific mention of Registered Parks & Gardens and the Registered Battlefield of Stoke Field under the Historic Landscapes section, while there is no mention of Scheduled Monuments under the Archaeology section. Reference to the “varied natural environment” under Historic Landscapes is odd in a policy on the historic environment, and it would be better to refer to “varied historic landscapes (including registered parks & gardens and Stoke Field registered battlefield)”.

Core Policy 14 in the adopted Core Strategy refers to important open spaces and features identified in Conservation Area Appraisals will be protected through allocation in this DPD, but it is not obvious from either this consultation or the previous 2011 consultation where this might take place. Policy DM8 could make reference to open spaces, features and views, with a general presumption in favour of preserving those spaces, features and views that make a positive contribution to the significance of heritage assets. This could be particularly relevant to places such as Southwell.

Reference to “Newark’s Historic Core” in paragraph 9.6 needs defining, as the geographical extent is not clear. Reference to scheduled monuments in this paragraph would also be welcomed.

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**Reference:** ADM/DM/4

**Post Town:**

**Company/Organisation:** National Trust

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM8

**DM Policy Title:** Policy DM8 Protecting and Enhancing the Historic Environment

National Trust remains concerned about the approach to Conservation Areas and in particular proposals their hinterland but outside the defined boundary, i.e. that have the potential to impact upon the setting of the Conservation Area - including views to and from the Conservation Area. At present it is noted that the wording relating to 'archaeology' also omits reference to the settings of such resources.

This matter might best be addressed by additional wording in the section on "All Heritage Assets". It is suggested that the easiest way to do this would be a small addition to the opening sentence, e.g. "All development proposals affecting heritage assets and/or their settings, including new operational...".

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**Reference:** ADM/DM/6

**Post Town:**

**Company/Organisation:** Natural England



# ***Policy DM8 Protecting and Enhancing the Historic Environment***

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**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM8

**DM Policy Title:** Policy DM8 Protecting and Enhancing the Historic Environment

Policy DM8: Protecting and Enhancing the Historic Environment

Question 8 - Do you agree with the content of Policy DM8?

Green infrastructure can play a role in preserving and enhancing the historic environment, e.g. the preservation of historic landscape features and archaeology as a part of the GI network. We recommend cross references between policies DM8 and 6

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**Reference:** ADM/DM/24

**Post Town:**

**Company/Organisation:** Nottinghamshire County Council

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM8

**DM Policy Title:** Policy DM8 Protecting and Enhancing the Historic Environment

In sub-paragraph 4 "their determination" should be "the determination of planning applications." (as in the second sub-paragraph)

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**Reference:** ADM/DM/21

**Post Town:**

**Company/Organisation:** Southwell Civic Society

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM8

**DM Policy Title:** Policy DM8 Protecting and Enhancing the Historic Environment

Q8 Disagree. 3. Historic Landscapes: The protection of the environment of Southwell should get a special mention, as has been accorded to Laxton. 4. Archaeology: The requirement for prior archaeological evaluation should be extended to Southwell's Historic Core around the Minster, Archbishop's Palace, Prebendal Houses, Saracens Head and Church Street properties. This area should be shown on the proposals map

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# ***Policy DM8 Protecting and Enhancing the Historic Environment***

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**Reference:** ADM/DM/23

**Post Town:**

**Company/Organisation:** Southwell Community Archaeology Group

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM8

**DM Policy Title:** Policy DM8 Protecting and Enhancing the Historic Environment

Question 8:

We disagree with the contents of Policy DM8 as currently written. There should be greater recognition of the leisure, tourism and cultural potential of the historic environment in relation to Southwell. This should be linked to the Leisure and Tourism Strategy Review that we understand is currently being undertaken by NSDC Policy Overview and Scrutiny Committee. The strategy should include the promotion of Southwell's historic core as proposed by Southwell Heritage Trust (see attached project summary).

3. Historic Landscapes

There should be specific reference to Southwell's Outstanding Heritage Area, the views over the former Minster School playing fields (Archbishop's deer park) and the footpath links between this open space and the Main Open Area to the north of Church Street. In addition, recognition and protection of all of the landscape identified in paragraph 4 below, is an essential element of protecting and enhancing that historic environment.

4. Archaeology

Southwell's Historic Core, including Minster, Archbishop's Palace, Scheduled Ancient Monuments, Prebendal Houses and Saracen's Head, should be afforded the same protection as Newark's Historic Core. Recent discoveries indicate that the area requiring prior archaeological evaluation should be extended to include the whole of Church Street, the putative Iron Age hill fort in the Burgage area and the Saxon burh recently proposed by The University of Nottingham.

Maps showing these areas are attached and we should be please to help transfer them to the NSDC proposals map

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**Reference:** ADM/DM/23

**Post Town:**

**Company/Organisation:** Southwell Community Archaeology Group

**Agent Post Town:**

**Agent Company/Organisation:**

# ***Policy DM8 Protecting and Enhancing the Historic Environment***

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**DM Policy Title:** Policy DM8 Protecting and Enhancing the Historic Environment

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Maps showing these areas are attached and we should be please to help transfer them to the NSDC proposals map

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***Policy DM9 Pollution and Hazardous Materials***

## ***Policy DM9 Pollution and Hazardous Materials***

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**Reference:** ADM/DM/3

**Post Town:** Southwell

**Company/Organisation:**

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM9

**DM Policy Title:** Policy DM9 Pollution and Hazardous Materials

Disagree- There should be reference to the relevant legislation and the need to avoid pollution of surface and flood waters. Bullet point 4 should read "Biodiversity" rather than "Ecology".

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**Reference:** ADM/DM/15

**Post Town:**

**Company/Organisation:**

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM9

**DM Policy Title:** Policy DM9 Pollution and Hazardous Materials

Policy DM9: Pollution and Hazardous Materials  
Question 9 - Do you agree with the content of Policy DM9?

YES - Any development that would cause hazardous pollution should also be refused.

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**Reference:** ADM/DM/5

**Post Town:**

**Company/Organisation:** David Wilson Homes North Midlands

**Agent Post Town:**

**Agent Company/Organisation:**

## ***Policy DM9 Pollution and Hazardous Materials***

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**DM Policy Number:** DM9

**DM Policy Title:** Policy DM9 Pollution and Hazardous Materials

Yes - Agree with content of Policy and Reasoned Justification.

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**Reference:** ADM/DM/24

**Post Town:**

**Company/Organisation:** Nottinghamshire County Council

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM9

**DM Policy Title:** Policy DM9 Pollution and Hazardous Materials

Suggest that the following are added to the list of considerations

5. Surface waters

6. Air Quality

A Conceptual Site Model should be prepared within an investigation report for the potential development site. A site investigation to confirm the conceptual site model should then be undertaken and dependent upon findings of such a remediation / mitigation plan with subsequent validation should then be agreed with the Planning Authority.

Paragraph 5 of policy, would suggest the addition of "Groundwater" to the phrase "Source Protection Zone"

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**Reference:** ADM/DM/21

**Post Town:**

**Company/Organisation:** Southwell Civic Society

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM9

**DM Policy Title:** Policy DM9 Pollution and Hazardous Materials

Q9 Disagree. There does not appear to be reference to general pollution of surface water or flooding in the Policies

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***Policy DM10 Retail and Town Centre Uses***

## ***Policy DM10 Retail and Town Centre Uses***

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**Reference:** ADM/DM/15

**Post Town:**

**Company/Organisation:**

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM10

**DM Policy Title:** Policy DM10 Retail and Town Centre Uses

Policy DM10: Retail and Town Centre Uses

Question 10 - Do you agree with the content of Policy DM10?

YES - any non-retail use should be resisted unless appropriate. I would suggest putting the Job Centre Plus and library in existing town centre buildings and demolishing the existing 1960s-70s buildings, as part of a regeneration of this area. The preferred use of the JCP site would be for retail or public service (Lombard Street face) or with town houses around the back. Any replacement building here should be sympathetic to its surroundings, just as the new development at Potterdyke is. I was one of the people who took part in the planning consultations for the new bus station at Newark and the new Sherwood Forest Visitor Centre, where unsuitable designs were turned down in the planning process.

Finally, I would just suggest as part of a regeneration plan for the borough over the next 15-20 years or so:

1. Replace / enhance buildings, shop fronts that spoil the character of historic areas.
  2. Any new development should be in keeping with the character of its surroundings.
  3. Relocate scrap yard away from Northgate riverside, if need be use a Compulsory Purchase Order.
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**Reference:** ADM/DM/3

**Post Town:** Southwell

**Company/Organisation:**

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM10

**DM Policy Title:** Policy DM10 Retail and Town Centre Uses

Agree



## ***Policy DM10 Retail and Town Centre Uses***

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**Reference:** ADM/DM/5

**Post Town:**

**Company/Organisation:** David Wilson Homes North Midlands

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM10

**DM Policy Title:** Policy DM10 Retail and Town Centre Uses

Yes - Agree with content of Policy and Reasoned Justification.

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**Reference:** ADM/DM/8

**Post Town:**

**Company/Organisation:** Indigo Planning Ltd

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM10

**DM Policy Title:** Policy DM10 Retail and Town Centre Uses

DM10(4) relates to out of centre location and states:

"Retail proposals outside of town, district and local centre locations but within the main built up areas of the settlement [Indigo emphasis] will require justification through a sequential test and robust assessment of the impact on nearby centres."

This criterion is overly prescriptive. Neither the NPPF nor the Council's adopted Core Strategy states that out of centre development should be located within the main built up areas of the settlement. Any out of centre development, regardless of whether within the main built up area or not, would be required to address the sequential and impact tests of the NPPF. Therefore, the inclusion of "but within the main built up area of the settlement" is unnecessary and is not a retail policy test.

Paragraph 11.5 states:

"The Council will require proposals to be accompanied by an assessment of the impact and will only support those where a mutual or positive impact can be identified."

Indigo are not in objection to the principle of an impact test however the NPPF states at paragraph 27:

"Where an application fails to satisfy the sequential test or is likely to have significant adverse impact [Indigo emphasis] on one or more of the above factors, it should be refused."

## ***Policy DM10 Retail and Town Centre Uses***

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The tests are those referred to in paragraph 26 of the NPPF relating to impact on existing, planned or committed development and impact on town centre vitality and viability.

The NPPF states that developments should have a 'significant adverse impact' before an application is refused. As such the bar is very high in terms of what constitutes an unacceptable impact. The draft Policy is not therefore consistent with national policy guidance, and as such is unsound and should be amended to reflect the NPPF (i.e. that applications should be supported where it is demonstrated that there will not be a 'significant adverse impact').

I trust that the above will be taken into consideration in taking the DPD forward. In the meantime I await confirmation of receipt of these representations.

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**Reference:** ADM/DM/18

**Post Town:**

**Company/Organisation:** National Farmers Union

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM10

**DM Policy Title:** Policy DM10 Retail and Town Centre Uses

We support paragraph 5 of Policy DM10 on rural areas.

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**Reference:** ADM/DM/21

**Post Town:**

**Company/Organisation:** Southwell Civic Society

**Agent Post Town:**

**Agent Company/Organisation:**

**DM Policy Number:** DM10

**DM Policy Title:** Policy DM10 Retail and Town Centre Uses

Q10 Disagree. 2. Southwell- There should be a statement that development likely to prejudice the vitality and viability of District Centres will be opposed.

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