



# **Newark & Sherwood Local Development Framework**

Design Supplementary Planning Documents

**Consultation Responses Document**

**September 2014**

This document is divided into three sections. The first sets out responses to the consultation on the Draft Householder Development Supplementary Planning Document (SPD), the second relates to the consultation on the Draft Shopfronts and Advertisements SPD and the third relates to the consultation on the Draft Conversion of Traditional Rural Buildings SPD. Please note that responses relating to more than one SPD may be split or reproduced in sections relating to different SPDs.

#### Draft Householder Development SPD

Respondent	ID	Comment	NSDC response	Proposed action
Anglian Water	001	Thank you for consulting Anglian Water.  On this occasion we have no comments to make.	Noted.	None.
Coddington Parish Council	002	Coddington Parish Council Members have viewed and discussed the Draft Supplementary Planning documents for Householder Development and the Conversion of Traditional Rural Buildings (shop fronts and advertising not relevant to the village). It was felt that the documents had been well written with clear, good advice.	These supportive comments are noted and welcomed.	None.
Councillor David Lloyd, Newark & Sherwood District Council	003	The document would benefit from the inclusion of maps indicating the extent of Conservation Areas. A specific policy statement should be included re. consultation on amendments to approved permissions (potentially with distinct processes for material and non-material amendments) A very user-friendly document that should be accessible to home-owners.	The comments over the user friendly nature of the document are noted and welcomed.  It is agreed that the SPD could be improved by providing a list of Conservation Areas and link to the webpage that hosts their maps.  The Householder Development SPD is not the appropriate place to set the Councils procedure and practice for dealing with minor material amendments and non-material amendments to planning consents. Its	Provide an appendix listing the Conservation Areas and a link to the webpage that hosts their maps.

			role is purely to provide advice on the implementation of development plan policy in respect of this form of development. No change required.	
Highways Agency	004	Thank you for the correspondence below regarding consultation on the Newark and Sherwood Supplementary Planning Documents (SPDs), namely the Draft Householder Development SPD, the Draft Conversion of Traditional Rural Buildings SPD and the Draft Shopfronts and Advertisements Design Guide SPD. The Highways Agency (the Agency) has reviewed these policy documents and considers that the Strategic Road Network (for which the Agency has a duty to maintain and safeguard its operation, as specified in DfT Circular 02 2013), will not be impacted by the policies and standards as set out in the SPDs. Therefore, in this instance, the Agency has no comments on these documents.	Noted.	None.
Natural England	005	While we welcome this opportunity to give our views, the specific topic of the Supplementary Planning Document does not relate to our remit to any significant extent. Therefore on this occasion we do not wish to provide specific comments.	Noted.	None.
Newark Town Council	006	Members considered this document and <b>AGREED</b> that the following comments should be submitted to Newark & Sherwood District Council: <ul style="list-style-type: none"> <li>• In terms of the 3 documents, this was deemed to be the most 'user friendly'.</li> <li>• Mention is made of Conservation Areas – it is suggested that the document should include a list of all such designated areas.</li> <li>• There is no mention of consultation on</li> </ul>	The comments over the user friendly nature of the document are noted and welcomed.  It is agreed that the SPD could be improved by providing a list of Conservation Areas and link to the webpage that hosts their maps.  The Householder Development SPD is	Provide an appendix listing the Conservation Areas and a link to the webpage that hosts their maps.

		<p>modifications to planning applications that have been approved. N&amp;SDC should have a policy of consultation when this occurs.</p> <ul style="list-style-type: none"> <li>• There appears to be no consideration in the document of issues of potential over development within an existing plot.</li> </ul>	<p>not the appropriate place to set the Councils procedure and practice for dealing with minor material amendments and non-material amendments to planning consents. Its role is purely to provide advice on the implementation of development plan policy in respect of this form of development. No change required.</p> <p>It is assumed that the consultees comments on the need to address 'over development' have their basis in the legitimate concern over the poor standard of design, impact on character, ability to integrate with the host property and the impacts on neighbour and occupier amenity which could arise. However it is considered that the SPD provides a significant amount of content to guide the assessment of these impacts and that amendment of the Draft SPD is therefore not necessary.</p>	
Nottinghamshire Wildlife Trust	007	<p>Thank you for consulting Nottinghamshire Wildlife Trust on the above. We would like to see the following additions to the text <b>(in bold)</b>.</p> <p><b>13.0 Biodiversity &amp; Ecology</b></p> <p><b>13.1</b> <i>'and numerous Sites of Interest for Nature Conservation (SINCs)'. Replace SINC with Local</i></p>	<p>Agree with the proposed amendments.</p>	<p>Amend content as per comments.</p>

		<p><b>Wildlife Site (LWS) as this is the term now used.</b></p> <p>Include a link to <b>Nottinghamshire Insight Mapping</b> where a landowner may find out whether their land is a Local Wildlife Site or not.</p> <p><a href="http://info.nottinghamcity.gov.uk/insightmapping/#">http://info.nottinghamcity.gov.uk/insightmapping/#</a></p> <p>If it is a LWS the next step is to contact the Nottinghamshire Biological and Geological Record Centre (NBGRC) to obtain further information.</p> <p><a href="http://www.nottinghamcity.gov.uk/article/1048/Contact-Nottinghamshire-Biological-and-Geological-Record-Centre-NBGR">http://www.nottinghamcity.gov.uk/article/1048/Contact-Nottinghamshire-Biological-and-Geological-Record-Centre-NBGR</a></p> <p><b>Address</b> (NBGRC) Courtyard Buildings Wollaton Park Nottingham NG8 2AE</p> <p><b>Telephone</b> 0115 8762188</p> <p><b>Email</b> nbgrcg@nottinghamcity.gov.uk</p>		
Southwell Civic Society	008	<p>We again welcome these guidelines, however we feel that the language is not strong enough. The requirements are expressed as “should” and “not encourage” whereas in the Rural Buildings document the words “must” and “will not be permitted” are used. Developers will always come up with a reason why they should not do something.</p> <p>In view of the emergence of Neighbourhood Plans we feel there should be a reference to the plans and that</p>	<p>The consultees comments over the language used are noted. It is however considered that the wording is appropriate and seeks to positively steer and provide advice to applicants. It is important to bear in mind that SPD does not constitute planning policy itself and that its role is to aid the implementation of formal development plan policy.</p>	<p>Insert new Section after Paragraph 2.26 to read:</p> <p><b>Neighbourhood Plans</b></p> <p>2.26 Under the terms of the Localism Act, communities can now choose to produce a neighbourhood plan, containing policies to help</p>

	<p>the requirements of these plans must be met.</p> <p>Often on plans the relative heights of the building, adjoining properties and highways are not indicated and this would help assessment.</p> <p>There should be a definition of what is a “deemed development” and a clearer explanation of the procedures to be followed.</p> <p>In clause 8.17 why is the paving of gardens limited to “front gardens” and not both front and side gardens”?</p> <p>Clause 3.5, should read “...from 4 to eight metres for a detached house and from 3 to 6 metres.....”</p> <p>Clause 8.5 should read” ....principal window of a habitable room...”</p>	<p>It is agreed that the introduction and policy context should make reference to the potential emergence of neighbourhood plans.</p> <p>In terms of the quality of plans submitted with an application the Development Management Procedure Order outlines the national requirements that applications need to meet in order to be valid (including the content of plans). These national requirements are supplemented by additional local requirements. The SPD provides links through to both sets of requirements.</p> <p>The role of the plans is to firstly allow for a proposal to be fully understood with the level of detail necessary being proportionate to the proposal, and secondly provide a vehicle for consent to be attached to as necessary.</p> <p>The assessment of impact is not purely made on the basis of the submitted plans but by drawing on a range of information which includes the carrying out of a site visit. Where appropriate this visit can in some cases allow for elements which are not obvious from the plans to be taken</p>	<p>shape and deliver new development in their areas. At the time of writing a number of communities in the District have expressed an interest in progressing a Neighbourhood Plan. Neighbourhood Areas, the first stage in this process, have been defined for Southwell, Farnsfield and Kings Clipstone. Applicants should be aware that as Neighbourhood Plans come into force they may include content which is relevant to householder development proposals. Further details on Neighbourhood Planning can be found through the link below.</p> <p><a href="http://www.newark-sherwooddc.gov.uk/planning-policy/">http://www.newark-sherwooddc.gov.uk/planning-policy/</a></p> <p>Amend Paragraphs 3.5 and 8.5 in line with comments.</p> <p>Amend paragraph 8.17 and associated footnote to say:</p> <p>Householders should be</p>
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			<p>account of – for instance the heights of adjoining buildings. No change required.</p> <p>The consultees comments over ‘deemed development’ are disagreed with. Section 3.0 provides a comprehensive explanation with links being provided to additional information as appropriate. No change required.</p> <p>Agreed that Paragraphs 3.5 and 8.5 should be amended as proposed.</p> <p>Paragraph 8.17 seeks to outline the extent of permitted development rights with respect to hard surfacing. The Paragraph and footnote could be amended to set this out in a clearer fashion.</p>	<p>aware that proposals for hard surfacing between the principal elevation<sup>1</sup> of a property and a highway which exceeds 5 square metres, and that does not make provision for permeability<sup>2</sup>, would require planning permission.</p> <p>Footnote 1:</p> <p>In most cases, the part of the house which fronts (directly or at an angle) the main highway serving the house. It will usually contain the main architectural features such as main bay windows or a porch serving the main entrance to the house. Usually, but not exclusively this will be what is understood to be the front of the house.</p> <p>Footnote 2:</p> <p>Either through the materials used or inclusion of drainage measures to direct run-off to a permeable or porous area of surface within the</p>
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				curtilage of the property.
Southwell Town Council	009	The Planning Committee at Southwell Town Council have considered the three SPDs involved in the consultation and they were unanimously welcomed as positive tools for guidance in assessing future planning applications. The Committee look forward to receiving the completed version of all the documents later in the year.	These supportive comments are noted and welcomed.	None.
Upper Witham Internal Drainage Board	010	<p>Both documents should include a reference to the fact that under the terms of the Land Drainage Act.1991 and the Byelaws prior written consent is required for any proposed works or structures in, under, over any watercourse.</p> <p>Consent is required from an Internal Drainage Board within its district. Ordinary watercourses outside the Board's District consent may be required from the Lead Local Flood Authority (if after 1 April 2012), or on any Main Rivers the prior written consent of the Environment Agency may be required.</p> <p>Apart from the above the 'Draft Householder Development SPD' document covers the issue of flood risk comprehensively.</p>	Agree amend as per comments.	<p>Retitle Section 12 as <b>Flood Risk and Water Management</b></p> <p>Include new paragraph 12.8:</p> <p>Regardless of whether planning permission is required applicants should be aware that they may need to seek separate consent from the appropriate flood or water management body. In the case of a watercourse that an Internal Drainage Board is responsible for any works which will affect the course itself, or the access to it, will require the consent of the relevant Board. Work affecting an 'ordinary watercourse' requires the consent of the Lead Local Flood Authority (in this case</p>

				<p>Nottinghamshire County Council). Whilst for main rivers development within 8 metres of the top of a river bank will require prior consent from the Environment Agency. For further advice/information applicants should seek the advice of the relevant body.</p> <p>Environment Agency:</p> <p><a href="https://www.gov.uk/flood-defence-consent-england-wales">https://www.gov.uk/flood-defence-consent-england-wales</a></p> <p>Lead Local Flood Authority (Notts County Council):</p> <p><a href="http://www.nottinghamshire.gov.uk/enjoying/countryside/flooding/lead-local-flood-authority/">http://www.nottinghamshire.gov.uk/enjoying/countryside/flooding/lead-local-flood-authority/</a></p> <p>Upper Witham Internal Drainage Board:</p> <p><a href="http://www.uwidb.co.uk/">http://www.uwidb.co.uk/</a></p> <p>Trent Valley Internal Drainage Board:</p>
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				<a href="http://www.ioadb.co.uk/TVI/DB/">http://www.ioadb.co.uk/TVI/DB/</a>
The Coal Authority	011	Having reviewed the document, I confirm that we have no specific comments to make at this stage.	Noted.	None.
Environment Agency	012	<p><u>Draft Residential Extensions Design Guide SPD</u></p> <p>The inclusion of a section 12 dedicated to flood risk is welcome as this important aspect is often overlooked when preparing such SPD's. We are encouraged that developers will have sufficient flood risk and resilience guidance to consider alongside the other design principles.</p> <p>We also support the emphasis on flood risk as show in the Basements and Lightwells section.</p> <p>We would however recommend that section 3 advises developers that a flood defence consent is required from the Environment Agency for any development within 8 metres from the top of a bank of an Environment Agency maintained 'main river'. The following link provides further information and access to the consent form.</p> <p><a href="https://www.gov.uk/flood-defence-consent-england-wales">https://www.gov.uk/flood-defence-consent-england-wales</a></p>	<p>The support is welcomed.</p> <p>Agree amend as per comments.</p>	<p>Retitle Section 12 as <b>Flood Risk and Water Management</b></p> <p>Include new Paragraph 12.8:</p> <p>Regardless of whether planning permission is required applicants should be aware that they may need to seek separate consent from the appropriate flood or water management body. In the case of a watercourse that an Internal Drainage Board is responsible for any works which will affect the course itself, or the access to it, will require the consent of the relevant Board. Work affecting an 'ordinary watercourse' requires the consent of the Lead Local Flood Authority (in this case Nottinghamshire County Council). Whilst for main rivers development within 8 metres of the top of a river</p>

				<p>bank will require prior consent from the Environment Agency. For further advice/information applicants should seek the advice of the relevant body.</p> <p>Environment Agency:</p> <p>Environment Agency:</p> <p><a href="https://www.gov.uk/flood-defence-consent-england-wales">https://www.gov.uk/flood-defence-consent-england-wales</a></p> <p>Lead Local Flood Authority (Notts County Council):</p> <p><a href="http://www.nottinghamshire.gov.uk/enjoying/countryside/flooding/lead-local-flood-authority/">http://www.nottinghamshire.gov.uk/enjoying/countryside/flooding/lead-local-flood-authority/</a></p> <p>Upper Witham Internal Drainage Board:</p> <p><a href="http://www.uwidb.co.uk/">http://www.uwidb.co.uk/</a></p> <p>Trent Valley Internal Drainage Board:</p> <p><a href="http://www.ioadb.co.uk/TVI/DB/">http://www.ioadb.co.uk/TVI/DB/</a></p>
Nottinghamshire	013	None.	Noted.	None.

County Council Conservation Team				
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### Draft Shopfronts and Advertisements SPD

Respondent	ID	Comment	NSDC response	Proposed action
Anglian Water	001	Thank you for consulting Anglian Water.  On this occasion we have no comments to make.	Noted.	None.
Highways Agency	004	Thank you for the correspondence below regarding consultation on the Newark and Sherwood Supplementary Planning Documents (SPDs), namely the Draft Householder Development SPD, the Draft Conversion of Traditional Rural Buildings SPD and the Draft Shopfronts and Advertisements Design Guide SPD. The Highways Agency (the Agency) has reviewed these policy documents and considers that the Strategic Road Network (for which the Agency has a duty to maintain and safeguard its operation, as specified in DfT Circular 02 2013), will not be impacted by the policies and standards as set out in the SPDs. Therefore, in this instance, the Agency has no comments on these documents.	Noted.	None.
Natural England	005	While we welcome this opportunity to give our views, the specific topic of the Supplementary Planning Document does not relate to our remit to any significant extent. Therefore on this occasion we do not wish to provide specific comments.	Noted.	None.
Newark Town Council <b>Please note:</b> all	006	Design Principle 3: Design Detailing  Albeit that fascia are covered elsewhere in the	Design principles relating to fascias are set out in 'Design principle 13: Fascia signage'. Paragraph 5.8 states that	None.

<p>comments here were also submitted by Councillor David Lloyd, Newark &amp; Sherwood District Council (respondent 003)</p> <p>Both respondents also submitted general comments about the SPD</p>		<p>document, with regard to iteration and ease of access, they should be included in these principles. Specifically, a principle against the covering of fascias and/or a read-across to the policy on page 28. Sub-section 4.3.4, second bullet, refers to fascia (with technical language which is not explained in the glossary) and so it seems sensible to include a specific principle. It should also be iterated that signs within fascia (in particular correx and plastic) are impermissible. There are in excess of 12 shopfronts including these.</p> <p>Design Principle 6: Upper Floors</p> <p>It would be complementary, and of benefice to the streetscape, to have principles specific to upper floors. One with regard to the maintenance, and protection, of false windows (painted onto bricked up areas) and another with regard to the view into upper floor windows.</p> <p>Many retailers use upper floors for storage and the content is visible directly from the street. Applying internal window film or requiring pertinent obscuring would add much more to the streetscape. It should also be noted that some units are now using window film to carry adverts on upper floor windows (which is preferable to seeing stored items) but on which there appears to be no specific principle to be applied.</p> <p>Design Principle 9: Canopies and Blinds</p> <p>At sub-section 4.13 of the preamble, there is a three-</p>	<p>‘modern box fascias and pre-formed signage boards fixed onto an existing fascia with studs are an obvious and incongruous addition. In Conservation Areas and on listed buildings these are not appropriate.’ Additionally, paragraph 5.10 makes clear that ‘the use of reflective plastic, Perspex or bright materials are generally inappropriate.’</p> <p>‘Canted’ will be included in the glossary.</p> <p>While it is agreed that upper floor windows can have a significant effect on the appearance of a building, these matters are beyond the remit of the SPD.</p> <p>While planning policy cannot control what is displayed in upper floor windows that are not part of shopfronts, the SPD can offer guidance and refer to advice on advertisement consent.</p> <p>While illustrative examples are used throughout the SPD, the intention is to provide detail on the interpretation</p>	<p>‘Canted’ will be included in the glossary.</p> <p>None.</p> <p>The SPD will be amended to offer guidance on displays in upper floor windows and refer to advice on advertisement consent.</p> <p>None.</p>
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	<p>line paragraph with regard to ATMs. Almost every ATM in Newark Town is non-compliant with this principle – most of which have been through the Planning process. A specific Principle on ATMs should be included and it should be enforced, otherwise all reference may as well be removed. Similarly, where the ATM is located into glass on the shopfront, there should be a principle which mitigates against the illumination being applied internally.</p> <p>Design Principle 10: Shopfront Security</p> <p>Whilst there is total support for resisting external shutters and grilles, there could be wider consideration for a principle on internal security applied to windows. The document shows excellent examples but there are exemplified throughout Newark Town of shutters being applied inches behind the glass plate. Albeit there is an empathy for shopkeepers with regard to security, these are little better than external shutters. Potentially, shopkeepers prefer to use shutters as the policy prohibits them from using lighting to the shopfront which both lessens security and denies the opportunity to advertise wares outside hours of opening. This matter should be reconsidered.</p> <p>Design Principle 12: Number, positioning and size of signs</p> <p>As earlier mentioned, an iteration of what 'signage'/advertisement is permissible in upper floor windows would be useful further principle here.</p>	<p>and implementation of policy rather than to address issues with specific buildings directly. Each planning application is assessed on its own merits. The planning enforcement service will investigate any complaint that it receives, and if a breach of planning control is found, action will be taken if it is considered appropriate and expedient.</p> <p>While the SPD does describe certain forms of illumination, such as swan neck lighting, as unacceptable in some circumstances, some illumination is encouraged. Paragraph 4.20 states that 'a well lit shopfront can deter crime and make a positive contribution to the street scene at night.'</p> <p>While it is agreed that upper floor windows can have a significant effect on the appearance of a building, these</p>	<p>None.</p> <p>None.</p>
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	<p>Design Principle 13: Fascia Signage</p> <p>Section 5.8 – as previously indicated, there are many frontages which would be deemed non-compliant with this guidance. What is the intention? Retrospective enforcement? It is felt improper that new applications suffer when they are surrounded by such examples – many of which are from the last 2 years. The principles say they are “inappropriate” – are they permissible or not?</p> <p>Similarly, “hand painted lettering applied directly onto a timber fascia will be encouraged” – what of the recent example in the market square that took this literally? Wouldn’t ‘professional’ be an useful insertion to the principle? That unit incidentally may have been subject to enforcement and has now applied a vinyl sign onto two visible new wooden battens.</p> <p>Design Principle 14: Hanging and Box Signs</p> <p>Albeit it may be assumed obvious, sub-section 5.15 refers to “projecting box signs” – what are these, and how are they distinct from a hanging sign? It is assumed that they are of the variety that is supported</p>	<p>matters are beyond the remit of the SPD.</p> <p>While illustrative examples are used throughout the SPD, the intention is to provide detail on the interpretation and implementation of policy rather than to address issues with specific buildings directly. Each planning application is assessed on its own merits. The planning enforcement service will investigate any complaint that it receives, and if a breach of planning control is found, action will be taken if it is considered appropriate and expedient.</p> <p>It is agreed that it would be beneficial to encourage a good standard of signwriting. The words ‘by a competent sign writer’ will be added to Design Principle 13.</p> <p>A projecting box sign is simply a box sign that projects from a wall, usually at a ninety degree angle.</p> <p>Banner signs are addressed in</p>	<p>None.</p> <p>The words ‘by a competent sign writer’ will be added to Design Principle 13.</p> <p>None.</p> <p>None.</p>
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	<p>by side brackets such as the very large gym box sign on Castle Gate that has been permitted. Banner signs are referred to in this section, again as “inappropriate” and not as ‘impermissible’. There should be a more detailed section and a ‘beefed up’ principle against these (which then needs iterating in 5.23) which both prohibits these and, expounds the policy(s) of the County and District on using banners on railings and walls around the Town. It is queried whether one hanging sign per shop is technically correct or whether it should be per unit of the shop i.e. Boots Opticians occupying more than one unit but being assessed as a single shop. It is also noted that there are existing brackets (historic) on premises where there is no hanging-sign and it is felt that there should be a principle to encourage retailers to retrospectively apply such signs as would have been the case in the streetscape in the past. There needs to be guidance and/or a principle with regard to the height of hanging signs. A minimum height from the pavement is included but in term of the streetscape, varying heights for each premises is incongruous. Castle Gate from its junction with Stodman Street to Lombard Street is the ideal example where each premise has positioned their sign up or down so they are visible from approaching traffic – until a very large box sign obliterated all views. Two further issues which are mentioned here, as there is no other obvious place to detail them: Hanging baskets/troughs – as referred to in the preamble, these should be encouraged but it is useful to retailers to understand the number, height, stress-testing and County requirements here in order to support them. Ashtrays</p>	<p>paragraph 5.16 and Design Principle 14.</p> <p>Design Principle 14 refers to one hanging sign for each shop, and paragraph 5.11 refers to one per unit. This is a discrepancy that has been carried forward unnoticed from the original SPD and the opportunity to correct it is welcomed. The discrepancy will be corrected in the finalised SPD.</p> <p>Please see Conservation Officers comments in the table below.</p>	<p>The word ‘shop’ will be altered to ‘unit’ in the first point of Design Principle 14. This more accurately conveys the intended meaning and reflects the fact it may be appropriate to have more than one hanging sign on a shop occupying more than one unit and retaining traditional shopfronts.</p> <p>None.</p>
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	<p>– several hostelrys are located in historic buildings and it is understood that they are unable to have ashtrays fitted to the exterior both because of the potential damage to mortar and also to discourage people smoking in the street. With regard to the latter, there is an empathy but it is felt that this negates the littering of streets by people arriving at hostelrys with the need to extinguish their cigarette on arrival. Where this is the case, could additional street bins be provided or a variance in the policy to permit small black ashtrays while licensees are encouraged to limit smoking on the street (a condition that has successfully been applied to some pubs).</p> <p>Design Principle 15: Sign Illumination</p> <p>It is considered overly prescriptive that no form of illumination appears permissible to premises which do not operate at night-time. It is felt conducive to the appearance, and security, of the Town if retailers can sympathetically illuminate their window frontages. Either by way of subtle internal spots/uplighters or by revising the policy on swan-neck lighting to specify a maximum and a limit on the luminescence. Again, it is pointed out that the numerous examples of non-compliance re ATMs and fascias make this policy impracticable. It is thought that the use of halo lighting would be better iterated in the design principles rather than solely the preamble.</p> <p>5.21 – Flags</p> <p>While supporting the policy, it is already in</p>	<p>It is agreed that halo lighting should be referred to in Design Principle 15. While the SPD does describe certain forms of illumination, such as swan neck lighting, as unacceptable in some circumstances, some illumination is encouraged. Paragraph 4.20 states that ‘a well lit shopfront can deter crime and make a positive contribution to the street scene at night.’ The SPD does not suggest that shop windows should not be illuminated at night.</p> <p>While illustrative examples are used throughout the SPD, the intention is to</p>	<p>Halo lighting will be referred to in Design Principle 15.</p> <p>None.</p>
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	<p>contravention. St Marks Place hang 'flag' banners either side of the entrance at the former Clintons Arms. These are a welcome addition to the streetscape but appear to be impermissible. Could the policy be revised to reflect actuality? It is also felt that rather than adding in a hyperlink to planning guidance, the content could be inserted into the SPD as these latter sections send the ready to various other sources of information which is felt add to complexities for retailers seeking to be compliant.</p> <p>5.23 – A-Boards</p> <p>It has been suggested that banners be iterated in this section. It is further suggested that this section cannot be finalised ahead of the N&amp;SDC signage review. The policy needs reviewing in entirety due to the blight that A-Boards cause. In particular, guidance on design, material, size and location – it is considered that this would be a lost opportunity to standardise design and realise an improvement to the streetscape. Potentially, a list of approved suppliers could be provided if there were such a standard guidance (albeit in the early years of the policy, shopkeepers might properly be encouraged by way of grant to replace their existing A-boards). An example of sympathetic A-boards can be found at the Prince Rupert. Instead of referring people to the County policy on the number and location of A-boards, it is felt imperative that the content be repeated in this section (it is recognised that this may cause policies to be reviewed out of sync but it thought unlikely that the County Policy would change). There is no</p>	<p>provide detail on the interpretation and implementation of policy rather than to address issues with specific buildings directly. Each planning application is assessed on its own merits. The planning enforcement service will investigate any complaint that it receives, and if a breach of planning control is found, action will be taken if it is considered appropriate and expedient. The guidance concerning flags is too lengthy to be included in full in the SPD, although part of it is reproduced.</p> <p>Banner signs are addressed in paragraph 5.16 and Design Principle 14. The County Council guidance on A-boards is too lengthy to be included in the SPD, so a hyperlink was considered to be appropriate.</p> <p>Please see Conservation Officers comments in the table below.</p>	<p>None.</p> <p>None.</p>
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	<p>reference to boards attached to shopfronts temporarily i.e. blackboards. Again, the majority of these in the Town are welcome, in particular at butchers and the like because they have an historic place. However, with no policy, there is the risk of imitation and/or enforcement against those that could/should be permitted.</p> <p>5.24 – is simply impenetrable. This is not a criticism of the author, rather the situation we are in. The previous section suggests that NCC need to give permission on public footways. This section then says that N&amp;SDC can give permission. Then Government guidance is linked. This somewhat reflects actuality in that enforcement and permission falls by the wayside due to the complexity of land ownership and the limits on personnel to realistically enforce any policy countywide. It is suggested that NCC, N&amp;SDC and, where applicable, a Parish/Town Council have one single policy which stipulate clearly what can be permitted, by whom and devolves oversight and enforcement. This should be part of the N&amp;SDC signage review for Newark. Such a policy should also integrate banners/additional advertising. Whilst there is an empathy for retailers wishing to advertise specific events/promotions, there need to be limitations and it is felt that any advertisement for an event/retailer outside the immediate premises (potentially a 6 mile radial) should be expressly forbidden by way of banners. To this extent, consideration should be given in this policy to the use of the sides of buildings (some historic adverts – often for businesses that have long since gone – are not</p>	<p>It is agreed that chalkboards on listed buildings should be referred to in the SPD</p> <p>It is agreed that this paragraph could be clearer, and it will be reworded.</p> <p>Enforcement action against inappropriate A-boards is a matter for Nottinghamshire County Council, and a reference to their telephone number will be included.</p> <p>Please see Conservation Officers comments in the table below.</p>	<p>A paragraph will be added to the SPD explain what consents are necessary to attach a chalkboard to a listed building</p> <p>This paragraph will be reworded.</p> <p>A reference to Nottinghamshire County Council’s telephone number will be included.</p>
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	<p>expressly protected) where there are niches and or billboards (see side of Argos from Beaumont Cross perspective). Also bus-stops and local authority provided advertising space. Albeit by exception, it is questioned whether this section shouldn't also include advertising on paving? NCC pasted a safety message onto the pavement adjacent to the TSB which is now in tatters. Whilst there is a public safety message, this set a poor example and is entirely incongruous to the setting. It is posited that the N&amp;SDC review of signage might positively consider whether a sympathetic form of totems, or similar signage, could be installed in the Town. Fingerposts are so subtle that they almost disappear and the purpose is thus lost in the miasma of other signs. However, to counter the proliferation of A-boards, and to signpost premises off the 'beaten track', totems could serve a useful purpose. There are retailers in some fine historic buildings that, by virtue of the layout of Newark, are difficult to find and would suffer more from limits on A-boards although they ought to have restrictions upon them. Similarly, consideration for sympathetic information boards around the Town could be useful – at present they are only found at the Wharf, Castle and Town Hall. It would be pleasing to see the restoration of interpretation boards alongside these as were previously found at the Wharf and the Bear Post (but in materials less susceptible to vandalism and weathering).</p> <p>6.0 Permissions and Consents</p> <p>6.1 – it is felt that there needs to be improved</p>	<p>Noted. It is the Council's intention to</p>	<p>None.</p>
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	<p>publicity for retailers/shopkeepers. Perhaps a small A5 flier with NNDR bills? This would both capture newer retailers and advise them of the need for permissions, and remind all others perpetually. This might, in turn, reduce the need for enforcement but certainly improves the public service. It is questioned whether N&amp;SDC review its charges, especially for pre-planning advice, with regard to Listed Buildings and/or those in Conservation Areas in order to further mitigate non-compliance. Similarly, in 6.3 where Listed Building Consent is detailed – a retailer might find themselves needing to submit 3 applications (planning, advertisement, LBC ... Maybe even Change of Use and/or LDC). It is understood that these are legal requirements but it is questioned whether there could be streamlining of the process and certainly whether this SPD could include a diagram(s)/checklists for the stages and permissions to be followed (again, the Householder Development SPD is exemplary in this respect).</p> <p>Equality Impact Assessment</p> <p>It is felt that the sections on Disability and Age might be amended. With regard to Disability (and age-related infirmity), A-boards and street clutter are pertinent both to ambulant disabilities and to visual disabilities. With regard to Age, three recent Government studies into High Streets indicated the need to ‘future proof’ such areas to cope with the increasing drift toward day-time weekday retailing being predominantly used by older people. As such, similar issues to those for Disability would pertain (as</p>	<p>publicise this SPD once it has been adopted. This SPD has been the subject of consultation with Newark Business Club retail group.</p> <p>The Equality Impact Assessment of the SPD concludes that there will be a positive impact on the ‘Age’ and ‘Disability’ Equalities Groups in terms of delivery of service. This is because the SPD is in line with national policy and best practice guidance in promoting inclusive access to buildings and will therefore have a positive impact on those with limited mobility including people who have disabilities and older adults. Paragraph 5.23 of the</p>	<p>The Equality Impact Assessment will be amended to include reference to the first sentence of paragraph 5.23.</p>
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		<p>a positive contribution to equalities). Finally, Appendix 2 suggests nil impact “to promote and support the social capital across the District” whereas it might be considered that a protected and improved streetscape could improve pride and a sense of belonging. Also, a single “+” “to protect and enhance the rich diversity of the natural, cultural and built environmental and archaeological assets of the District” and “to provide better opportunities for people to value and enjoy the District’s heritage”— surely simply by virtue of the policy matter these should be “+++” or is this a reflection of the level of implementation and enforcement?</p>	<p>SPD states that ‘A-boards should be sited so that access is not impeded for people with restricted mobility and no hazard exists for blind and partially sighted people’. It is agreed that it is relevant to refer to this in the Equality Impact Assessment, which will be amended accordingly.</p> <p>Appendix 2 of the Sustainability Appraisal Screening Report for the SPD provides information on the Sustainability Appraisal of Policy DM9 of the Allocations &amp; Development Management DPD, rather than the SPD itself. This is because Policy DM9 is the primary enabling policy for the SPD. It is this policy that scores ‘nil’ under ‘to promote and support the development and growth of social capital across the District’ and ‘+’ under ‘to protect and enhance the rich diversity of the natural, cultural and built environmental and archaeological assets of the District’ and ‘to provide better opportunities for people to value and enjoy the District’s heritage’. The Sustainability Appraisal of the Allocations &amp; Development Management DPD was subject to independent examination alongside the SPD.</p>	<p>None.</p>
Newark Town	006	In addition it was felt that the objection to Dutch	Dutch blinds are non-traditional and	The reasons for objecting to

<p>Council</p> <p><b>Please note:</b> These comments were submitted by Newark Town Council only</p>		<p>Blinds is not supported by any evidence as to why they should not be allowed. It was felt that such blinds were acceptable and in many situations are considered to be less dangerous than other types of blinds.</p> <p>Finally Members felt very strongly that the policy would not benefit Newark town centre if it wasn't appropriately enforced. It is self evident with numerous examples that current policies are regularly flouted with minimal, if any, enforcement action taken. If this is allowed to continue when the new policy is introduced it is likely to quickly become ineffective without a reasonable level of enforcement activity.</p>	<p>are not considered appropriate in a historic context. This will be set out in the SPD.</p> <p>The planning enforcement service will investigate any complaint that it receives, and if a breach of planning control is found, action will be taken if it is considered appropriate and expedient.</p>	<p>Dutch blinds will be set out in the SPD.</p> <p>None.</p>
<p>Southwell Civic Society</p>	<p>008</p>	<p>We are in complete agreement with your proposals. We are however concerned with enforcement. In Southwell there are lots of signs, which do not comply in various ways. In many cases this will be due to ignorance on the shopkeeper's part that they need to apply for planning permission. Ownership of the properties is in few hands and perhaps the Council could make landlords aware of the requirements and their responsibilities.</p> <p>We would suggest that these requirements be extended to other organisations such as solicitors, opticians, dentists, schools who occupy premises outside the high street in listed and unlisted buildings and currently display large banners and other inappropriate signs. Etc.</p> <p>With reference to corporate signage we note that in</p>	<p>This support is welcomed.</p> <p>The planning enforcement service will investigate any complaint that it receives, and if a breach of planning control is found, action will be taken if it is considered appropriate and expedient.</p> <p>Non-retail uses are addressed in paragraphs 4.21 and 4.22, and in Design Principle 11. Businesses that do not have a traditional shopfront should still use advertising in a way that is sympathetic to the host building and the wider streetscene. While the SPD is particularly relevant to development affecting conservation</p>	<p>None.</p>

		Southwell Boots were allowed to have a very deep bright blue fascia whereas in Newark the corporate image was limited to a simple logo.	areas and listed buildings, the principles set out should be referred to when considering shopfront design and advertising throughout the District.	
Southwell Town Council	009	The Planning Committee at Southwell Town Council have considered the three SPDs involved in the consultation and they were unanimously welcomed as positive tools for guidance in assessing future planning applications. The Committee look forward to receiving the completed version of all the documents later in the year.	These supportive comments are noted and welcomed.	None.
The Coal Authority	011	Having reviewed the document, I confirm that we have no specific comments to make at this stage.	Noted.	None.
Environment Agency	012	Please note that the Environment Agency has no comments to make on the Draft Conversion of Traditional Rural Buildings SPD and the Draft Shopfronts and Advertisements Design Guide SPD.	Noted.	None.
Nottinghamshire County Council Conservation Team	013	None.	Noted.	None.

**General comments on the Draft Shopfronts and Advertisements SPD from Newark Town Council and Councillor David Lloyd:**

General Comment: The context of the SPD could go farther in seeking to realise the 'enabling' role of conservation and planning to the economic and societal vitality of Newark Town. Iteration of the purpose, and extent, of Conservation Areas (and the associated CAMPs should they exist and be up-

**Planning Policy Officer comments:**

The comments of Newark Town Council and Councillor David Lloyd range over a wide number of issues relating to the management of the streetscape and historic environment of Newark Town Centre. They are in many instances beyond the specific issues which the Shopfront & Advertisement Design Guide Supplementary Planning Document addresses. Furthermore it

to-date) would add to the holistic purpose of the SPD. Key additions around the “streetscape” could, and should, include fabric such as:

- Metal poles for lighting and signage (are they not supposed to be painted black? Recent additions are galvanised steel – see traffic signals next to Betfred)
- Paving and surfacing (protection of what exists and defining what can be permitted. Iteration of the supposed County policy on the length of time that tarmacadam patching can be tolerated would be advantageous – as would actual enforcement). The recent tarmac addition by the District Council at the entrance to Chain Lane should not have been permissible)
- Street Furniture – what style, colours, fabrics and locations
- Use of land/highway in front of shops/cafes – to simply permit some use without any design guidelines entirely mitigates any policies on blinds, fabrics etc
- Planting – what exterior features are permissible (indeed, to be encouraged) and what style should be applied to planters around the Town Centre

The SPD does not appear to have been much revised since its last inception and it is quite apparent that a thorough site visit has not been undertaken as part of the desktop research. Some examples are given in this response, but not all due to the wish not to unduly isolate specific retailers. It is suggested that the LDF Task and Finish Group undertake a site visit of the Newark Town Centre Conservation Area prior to further considering and finalising this policy. Any such visit would demonstrate that the extant SPD has not been enforced for some time and, as a by-product, shopkeepers take their lead from what is around them rather than seeking advice. In particular, corporate bodies appear to have a free reign whereas smaller

should be understood as the document sets out at 1.1 that the design guidance provided is primarily for use in Conservation Areas and Listed Buildings its principles are applicable across the District. But given that some of the concerns raised and specific examples highlighted are in fact permitted development the Planning Authority is not in a position to enforce because no permission is required. Good practice guidance has two purposes in this instance, to promote best practice to all and provide the authority with teeth were it able to enforce.

The SPD has been in place in one form or another for many years and has been successful in ensuring that its historic shopfronts has been maintained and in many circumstances improved. That said there are always instances of poor design where enforcement action is justified and the Council can point to a number of instances where this has been successfully undertaken. The Business Manager – Development is currently preparing a Planning Enforcement Strategy which will provide clear guidance for which activities are priorities for enforcement; Listed Buildings and inappropriate development in Conservation Areas will be one of those priorities. The District Council is agreed that careful management of the public realm is a key function and this is particularly the case in Conservation Areas, however many elements of this management e.g. street furniture, road signs, are not within the control of the Local Planning Authority and are the responsibility of other agencies.

The District Council has worked closely with the County Council over a number of years to secure improvements to the town centre including a number of joint schemes and related strategies relating to lighting and historic pavements. These improvements have been reliant on a level of funding which to some extent is no longer available. That said the District Council and its partners are currently engaged in a number of activities which the Town Council and Councillor Lloyd mention in their submissions:

- The **Newark Signage Strategy** aims to ensure that the town is ready for the opening of the National Civil War Centre and will to address the issue of inappropriate signage in the town centre. This is an important and

independents are seeking to apply heritage principles – this is an unjust impact upon those that are guarantors of smaller (and more historic) units and who have a lesser wherewithal to invest. Examples include EE (internally illuminated frontage), Halifax (illuminated frontage and 2 ATMs in an Art Deco building), Santander. It is emphasised here that there will be a lost opportunity if the SPD, and related enforcement/publicity, are not improved.

The SPD on Householder Development is constructed in a manner that is readily accessible, with diagrams, appendices and ‘lay’ interpretation. This SPD however, is not readily accessed (is there an assumption that retailers have a greater expertise and/or finances to seek advice?) and, as such, risks mitigating its own ends by being so constructed.

It is very disappointing that the SPD consultation is not coterminous to the N&SDC review of signage – something it is understood has been requested by NTC and at N&SDC also. The learning from the latter will surely influence this document and, rightly, should be integral to its content if there is to be proper implementation.

There should be specific content for each Conservation Area, and the boundaries of these should be shown in an Appendix. Newark and Southwell in particular merit content specific to their locality.

The SPD must detail enforcement activity, and N&SDC should properly enforce any policy it adopts. One might suggest that the horse has bolted on much of the SPD already in place and it appears an injustice that some shopkeepers will carry costs and be subject to penalties while others are overlooked. By way of example, the Sue Ryder premises in the Market Square have had a non-compliant shopfront for over 13 years and, despite a recent application for a new frontage, there appears to be little by way of improvement. Perhaps the N&SDC might apply Conservation Grants in order to bring about uniformity and compliance – albeit the injustice would thus

complementary activity for managing the historic environment, and whilst the Town Council’s concerns about opportunities lost are understood, it is envisaged that the findings of this study are likely to feed into the Newark Conservation Character Area Appraisal rather than this Design Guide.

- The ***Newark Conservation Area Character Appraisal and Management Plan*** are within next year’s Business Plan for the Development Business Unit and will be a key priority for the Council’s Conservation Planners. This Character Appraisal will set out the qualities that make the area of special architectural and historic interest and the accompanying management plan sets out the way in which development pressure and neglect will be managed to ensure conservation areas retain the qualities which led to their designation.

This SPD is not meant to be viewed in isolation but must be seen as part of wider efforts to protect and promote the historic core of Newark and other Conservation Areas.

**Conservation Officer comments:**

- Streetscape issues such as street furniture, lighting and highway signage are not matters for this SPD, but these points are well-made. Whilst we agree that an audit of the town will show that it has changed since the original SPD was adopted, these are matters for CA management rather than within the SPD, which is, after all a design practice guide. These comments should be included within the forthcoming Newark Conservation Area Appraisal Management Plan, and we should be specifically undertaking consultation with County Highways on these issues. Positive opportunities for community involvement include street auditing (see para. 3.5 of the English Heritage guidance on Understanding Place: CA designation, appraisal and management- <https://www.english-heritage.org.uk/professional/advice/advice-by-topic/landscape-and-areas/conservation-area-guidance/>). A detailed audit

persist if not open to all retailers/premises.

The current SPD represents a lost opportunity to restore and protect the presentation of Newark Town. In particular, with the National Civil War Centre being imminent, and the trails/apps linked to this, every effort should be being made to not only present Newark Town to best effect but to better realise the economic and cultural consequence that Planning services can realise.

of the public realm undertaken as part of the conservation appraisal can identify the best way to minimise physical obstruction and visual clutter and integrate new signs or street furniture in the design of the street as a whole. The English Heritage Streets for All regional manuals show how streets can be managed to retain and enhance local character. Early engagement with highways departments can help to identify traffic management designs that are sympathetic to the historic environment. Even when there is no immediate budget for highways interventions, this may help ensure that any future programme of highway work brings about positive benefits for the conservation area. For example, traffic management measures can be integrated into the historic environment effectively by retaining features such as walls, trees, hedges and railings and horizontal and vertical alignments and surfaces such as cobbles and stone setts which naturally calm speeds. Where new features are introduced the observance of existing design principles and use of local traditional materials will ensure they do not appear intrusive. Manual for Streets 2 provides guidance on highway safety and street and road design which considers historic context;

- Enforcement is also an integral part of the conservation area management plan (see Part 3 of the EH guidance above). We are enforcing on expedient matters, and it will take time to address all of the specific sites mentioned. Unauthorised works to listed buildings are criminal offences and will often be prioritised in the enforcement process. In addition, it is recognised that environmental improvements can be achieved just through the removal of negative factors such as obtrusive hoardings and unsightly poles and overhead wires, or through sympathetic landscaping and planting. A local authority may also use its general planning powers to serve a Section 215 notice on the owner (or occupier) of any land or building whose condition is adversely affecting the amenity of the area, particularly a conservation area. Such a notice requires the person responsible to clean up the site or building, or the authority can carry out the work itself and reclaim the cost from the owner. Section 215 is a relatively straightforward power that can deliver important, tangible and lasting improvements to amenity –

	<p>and local authorities are positively encouraged to use these powers wherever appropriate. However, such approaches require an over-arching strategy, and this is best promoted through a CA appraisal;</p> <p>- It is agreed that a grant initiative may help in some of the matters raised. A regeneration strategy could be promoted through a CA appraisal management plan, and will help to focus economic activity and development in the areas where it can be of most benefit. It would be based on a thorough analysis of the prevailing problems in the designated area and include the causes of under-use and fabric decay and realistic economic and valuation advice. The appraisal will have identified the scale of the problem and priorities for action. A more detailed assessment of the major structural and external elements of some or all of the buildings in the area may be needed to estimate the cost of bringing bring the physical fabric back into good repair. The availability of grant-aid will clearly be important. Further advice is available at: <a href="http://www.english-heritage.org.uk/professional/funding/grants/">http://www.english-heritage.org.uk/professional/funding/grants/</a> and the Heritage Alliance Heritage Funding Directory (HFD) at: <a href="http://www.heritagelink.org.uk/fundingdirectory/main/fundinghome.php">http://www.heritagelink.org.uk/fundingdirectory/main/fundinghome.php</a>. Consideration might be given to initiatives which bring empty upper floors back into use within town centres to help sustain activity within the area and as an incentive to keep buildings in economic use - the easiest way to ensure they are maintained in a state of good repair. Such a strategy might also include criteria and priorities for grant-aid for the repair and restoration of architectural features to buildings. Nevertheless, grant schemes require appropriate resource and management from the LPA, and the recent economic climate has not made such initiatives easy to justify, noting that even when high percentages are offered to historic building owners, they may still decide not to undertake works.</p>
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**Draft Conversion of Traditional Rural Buildings SPD**

<b>Respondent</b>	<b>ID</b>	<b>Comment</b>	<b>NSDC response</b>	<b>Proposed action</b>
Anglian Water	001	Thank you for consulting Anglian Water.  On this occasion we have no comments to make.	Noted.	None.
Coddington Parish Council	002	Coddington Parish Council Members have viewed and discussed the Draft Supplementary Planning documents for Householder Development and the Conversion of Traditional Rural Buildings (shop fronts and advertising not relevant to the village). It was felt that the documents had been well written with clear, good advice.	These supportive comments are noted and welcomed.	None.
Councillor David Lloyd, Newark & Sherwood District Council	003	The definition of what constitutes 'rural' is not readily apparent? The description of the buildings herein could apply to premises in what might be considered 'urbanised' localities. Section 4.0 potentially mitigates against the return to use for valuable historic buildings, particularly with regard to windows/apertures - by way of example, the osier premises behind Northgate Brewery which remains empty and at risk whereas sympathetic alterations might bring it, and the locality around it, into use and thus do more to protect the building (albeit this might not be considered "rural")	'Rural', in the context of the SPD, refers to the type of building rather than the location. The SPD would apply to a traditional rural building in any setting, including an urban one. This will be clarified in the finalised SPD.  It is agreed that sympathetic contemporary additions to traditional buildings can sometimes be appropriate. The individual building referred to is an industrial premises, and therefore beyond the remit of the SPD.	The meaning of the word 'rural' in the context of the SPD will be clarified.
Highways Agency	004	Thank you for the correspondence below regarding consultation on the Newark and Sherwood Supplementary Planning Documents (SPDs), namely the Draft Householder Development SPD, the Draft Conversion of Traditional Rural Buildings SPD and the Draft Shopfronts and Advertisements Design Guide SPD. The Highways Agency (the Agency) has reviewed	Noted.	None.

		these policy documents and considers that the Strategic Road Network (for which the Agency has a duty to maintain and safeguard its operation, as specified in DfT Circular 02 2013), will not be impacted by the policies and standards as set out in the SPDs. Therefore, in this instance, the Agency has no comments on these documents.		
Natural England	005	While we welcome this opportunity to give our views, the specific topic of the Supplementary Planning Document does not relate to our remit to any significant extent. Therefore on this occasion we do not wish to provide specific comments.	Noted.	None.
Newark Town Council	006	Members considered this document and <b>AGREED</b> that the following comments should be submitted to Newark & Sherwood District Council: <ul style="list-style-type: none"> <li>• The Document is not clear as to the definition of what is rural and what is traditional.</li> <li>• There is a presumption that old buildings will not be brought back into use; this will guarantee that historic buildings of worth will go to rack and ruin. This point is borne out by the ongoing situation with the old Robin Hood Hotel buildings which have been left in a state of complete disrepair for too many years and remain a blight on an important gateway entrance to the town centre.</li> </ul>	<p>‘Rural’, in the context of the SPD, refers to the type of building rather than the location. The SPD would apply to a traditional rural building in any setting, including an urban one. This will be clarified in the finalised SPD.</p> <p>Paragraph 1.3 states that ‘English Heritage advise that ‘traditional’ is a term often used to describe farm buildings pre-dating 1940, after which modern building materials and revolutions in farming technology and farmstead planning marked a sharp divide with previous practice.’</p> <p>The SPD is intended to facilitate the conversion of traditional rural buildings – it is not presumed that old buildings of this type will not be</p>	The meaning of the word ‘rural’ in the context of the SPD will be clarified.

			brought back into use. The old Robin Hood Hotel buildings are not traditional rural buildings and are therefore beyond the remit of this SPD.	
Nottinghamshire Wildlife Trust	007	<p>Thank you for consulting Nottinghamshire Wildlife Trust on the above. We would like to see the following additions to the text (in <b>bold</b>).</p> <p><b>6.0 Protected Species</b></p> <p><b>6.1</b></p> <p><i>'All species of bats and their roosts' (even if bats are not occupying the roost at the time), including obstruction of a roost, some bird species and all bird's nests when they are being built or occupied are protected under UK and EU legislation.</i></p> <p><i>'The presence of a protected species will be regarded as a material consideration in the determination of any planning application', and as such, surveys for protected species should be undertaken prior to determination of a planning application.</i></p> <p>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 such as bats, planning policy emphasises that strict statutory provisions apply, to which a planning authority must have due regard. For instance, <i>"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</i></p>	<p>It is agreed that the welfare of protected species is of great importance. Appendix A is an application checklist, which makes clear that the District Council requires an ecological survey to be submitted as part of any application to convert a traditional rural building. This will include information about the presence of any protected species and give details of mitigation work.</p> <p>It is considered that the SPD places sufficient emphasis on the preservation of protected species.</p>	None.

		<i>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)“</i> Bats are given full protection under The Conservation (Natural Habitats & c.) Regulations 1994 (and as amended)		
Southwell Civic Society	008	We have no comments to make on this document.	Noted.	None.
Southwell Town Council	009	The Planning Committee at Southwell Town Council have considered the three SPDs involved in the consultation and they were unanimously welcomed as positive tools for guidance in assessing future planning applications. The Committee look forward to receiving the completed version of all the documents later in the year.	These supportive comments are noted and welcomed.	None.
Upper Witham Internal Drainage Board	010	<p>Both documents should include a reference to the fact that under the terms of the Land Drainage Act.1991 and the Byelaws prior written consent is required for any proposed works or structures in, under, over any watercourse.</p> <p>Consent is required from an Internal Drainage Board within its district. Ordinary watercourses outside the Board’s District consent may be required from the Lead Local Flood Authority (if after 1 April 2012), or on any Main Rivers the prior written consent of the Environment Agency may be required.</p> <p>Within the survey section of the ‘Draft Conversion of Traditional Rural Buildings SPD’ document in addition to the effect of improved drainage from the rehabilitation of old buildings and areas can have an effect on flood risk and as such the survey</p>	The suggested amendments go beyond the requirements of the planning system. Information about the potential for adequate drainage would be useful, however, so a requirement will be added to the application checklist: ‘Evidence that the converted dwelling could be provided with adequate foul and surface water drainage’.	A requirement will be added to the application checklist: ‘Evidence that the converted dwelling could be provided with adequate foul and surface water drainage’.

		<p>information should also list and detail such things as:</p> <ul style="list-style-type: none"> <li>Existing method of drainage on building, location of any sewers, the outfall of any sewers into a watercourse, and the state of the system (is it blocked etc?)</li> </ul> <p>Obviously the detailed design should consider the drainage of the conversion and the effect on flood risk (especially to third parties) of such things as replacing blocked sewers with a new piped system into a watercourse which may not have received that flow for some time.</p>		
The Coal Authority	011	Having reviewed the document, I confirm that we have no specific comments to make at this stage.	Noted.	None.
Environment Agency	012	Please note that the Environment Agency has no comments to make on the Draft Conversion of Traditional Rural Buildings SPD and the Draft Shopfronts and Advertisements Design Guide SPD.	Noted.	None.
Nottinghamshire County Council Conservation Team	013	Section 6 of the SPD relating to protected species is welcomed, and supported.	These supportive comments are noted and welcomed.	None.