



Development Plan Document (DPD) Publication Stage Representation Form

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

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

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

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

Privacy Notice

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

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

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

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

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

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

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

PART A- Personal / Agent Details

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

1. Personal Details

2. Agents Details

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

Title	<input type="text"/>	<input type="text" value="Mr"/>
First Name	<input type="text"/>	<input type="text" value="James"/>
Last Name	<input type="text"/>	<input type="text" value="Rigby"/>
Job Title (where relevant)	<input type="text"/>	<input type="text" value="Senior Associate"/>
Organisation (where relevant)	<input type="text" value="Taylor Lindsey Limited"/>	<input type="text" value="Knights"/>
Address Line 1	<input type="text"/>	<input type="text" value="Olympic House"/>
Line 2	<input type="text"/>	<input type="text" value="995 Doddington Road"/>
Line 3	<input type="text"/>	<input type="text" value="Lincoln"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	<input type="text" value="LN6 3SE"/>
Telephone Number	<input type="text"/>	<input type="text" value="REDACTED"/>
Email Address	<input type="text"/>	<input type="text" value="REDACTED"/>

Name or Organisation:	Taylor Lindsey Limited
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PART B- Representation(s)

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

Part of the Publication AADMDPD:	Mark if Relevant (X)	Specify number/part/document:
Amended AADMDPD Paragraph Number		Paragraph Number:
Amended AADMDPD Policy Number	X	Policy Number: Policy NUA/E/3
Amended AADMDPD Policies Map Amendments	X	Part of Policy Map: Map 1 - Newark North Proposals
Integrated Impact Assessment ¹		Paragraph Number:
Statement of Consultation		Paragraph Number:
Supporting Evidence Base		Document Name: Page/Paragraph:

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

Yes

No

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

Yes

No

6. Do you consider the DPD to be SOUND?

Yes

No

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

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

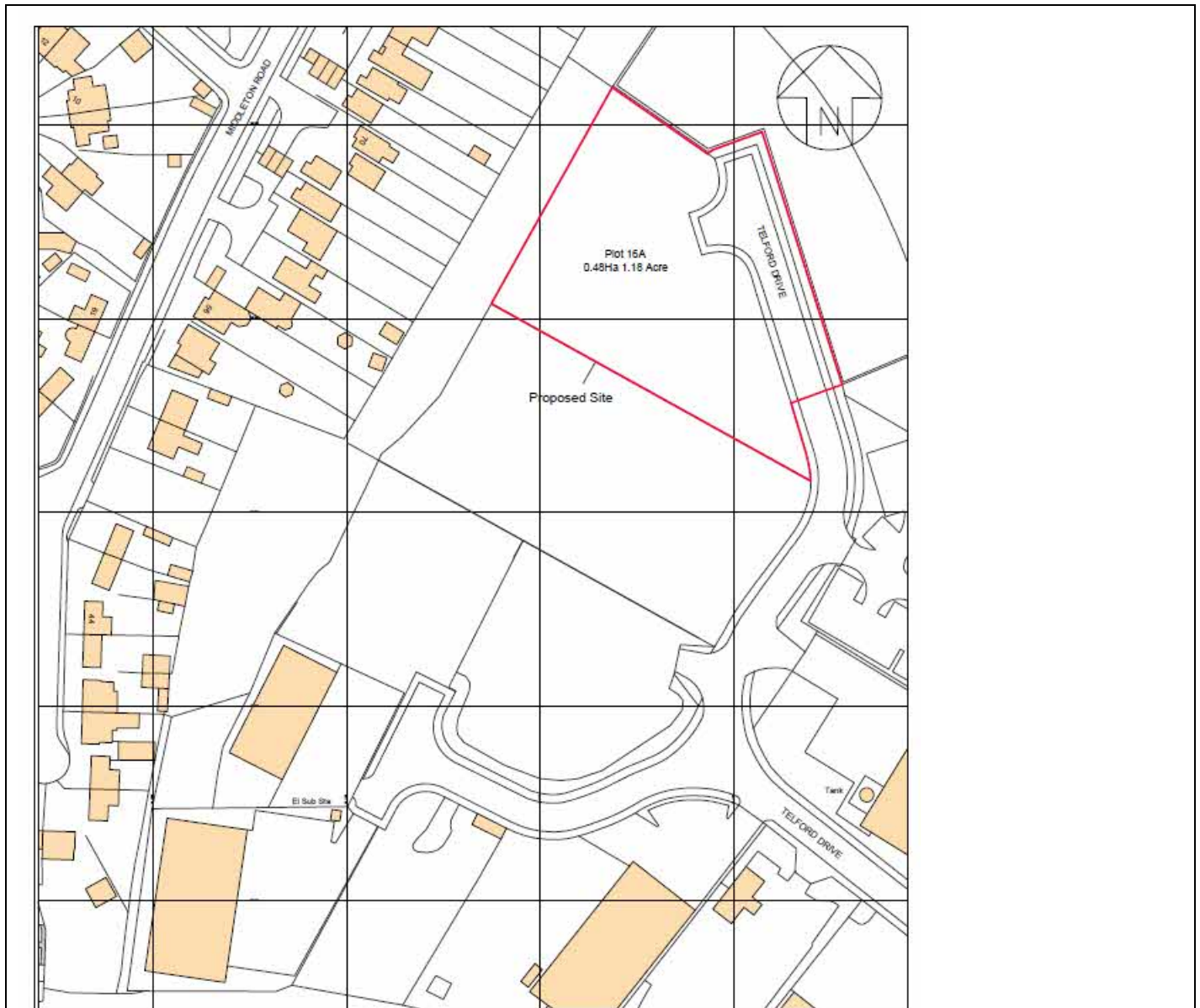
7. The DPD is not sound because it is not:

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

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

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

These representations are made on behalf of the landowner, Taylor Lindsey Limited, by Knights and relate to a parcel of land to the west of Telford Drive in Newark-on-Trent (the Site). The Site occupies a parcel of land of approximately 0.49 hectares and is centred on Grid Reference SK811553. A Site Location Plan confirming the location and extent of the Site is shown below at Figure 1.



Location Plan

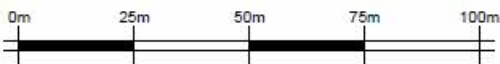


Figure 1 – Site Location Plan with the Site edged in red.

Taylor Lindsey Limited wish to object to the Site’s removal from draft Employment Allocation NUA/E/3 which has been reduced in size from 1.54 hectares to 0.5 hectares. Specifically, these representations should be read as an objection to Policy NUA/E/3 and Map 1 - Newark North Proposals. It is considered that the Publication Amended Allocations & Development Management Development Plan Document (DPD) is not sound as the proposed amendments to Policy NUA/E/3 and Map 1 - Newark North Proposals are not justified.

The Publication Amended Allocations & Development Management DPD Policies Map consultation document specifically refers to the proposed amendments to the spatial extent of the NUA/E/3 stating that: “Originally the allocation was made up of three parcels of land. One parcel has been developed and parts of the other two are now protected by a Tree Preservation Order. The site area has been reduced accordingly” (Change Ref: 21).

Tree Preservation Order (TPO) No. N367 (Land to the rear of Nos. 38 to 120 Middleton Road, Newark) was confirmed on 13 May 2019. An extract from TPO No. N367 is shown below on a not-to-scale basis at

Figure 2.

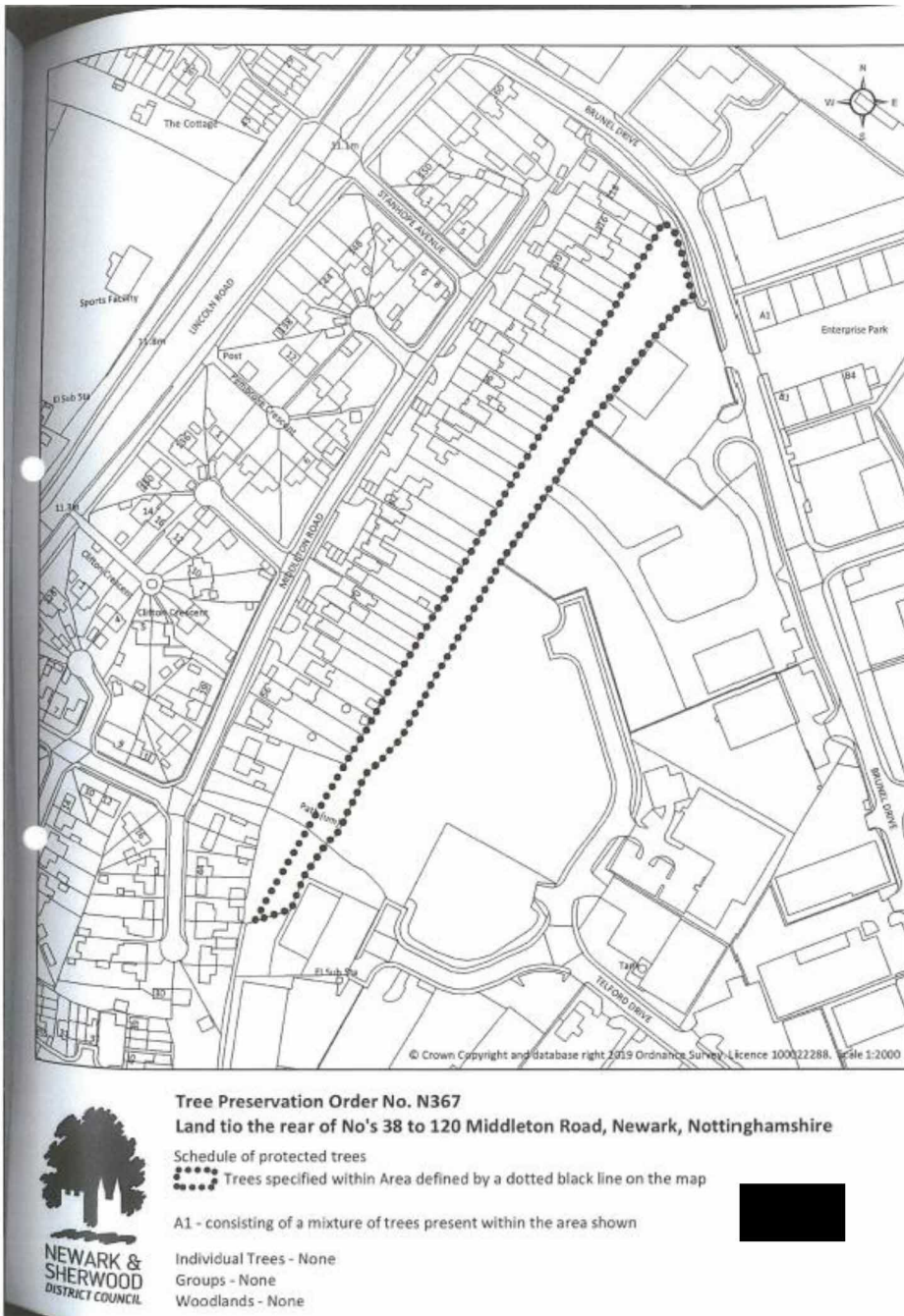


Figure 2: Tree Preservation Order (TPO) No. N367 (Land to the rear of Nos. 38 to 120 Middleton Road, Newark)

The Council are correct in that the area covered by TPO No. N367 did form part of the parcel of land included as an Employment Allocation within the adopted Allocations & Development Management Development Plan Document (2013) under Policy NUA/E/3 and removal of the land covered by TPO No. N367 from the emerging allocation is considered to be justified. However, there appears to be little justification to remove (essentially 'de-allocating') the Site from draft Employment Allocation NUA/E/3. Change Ref: 21 is not correct in stating that the Site is "now protected by a Tree Preservation Order". Furthermore, TPO No. N367 does not landlock the Site nor does it prevent it being accessed from Telford Drive.

The Site is under the control of a willing landowner and is available for development. It is therefore considered deliverable and has obvious potential to deliver employment generating floorspace which will assist in meeting the wider strategic objective of strengthening Newark's role as a Sub-Regional Centre. In summary, the Site's removal from draft Employment Allocation NUA/E/3 based on a conflict with TPO No.

N367 is not justified and there appears no reasonable planning basis for de-allocating the Site.

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

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

It is requested the following amendments are necessary to make the Publication Amended Allocations & Development Management Development Plan Document sound. Additional text is shown in bold underlined.

Policy NUA/E/3

Land off Telford Drive has been allocated on the Policies Map for employment development. The allocation is in two parcels, a total of 0.99 hectares in size.

...

The above amendment includes the Site within Policy NUA/E/3. The Policy has been amended to refer to “two parcels” and the Site’s area (0.49 hectares) has been added to the 0.5 hectares referenced in the Publication Amended Allocations & Development Management Development Plan Document.

Map 1 - Newark North Proposals

It is requested that Map 1 is amended so that the Site forms part of Employment Allocation NUA/E/3.

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

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

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

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

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

It is considered necessary to have the opportunity to respond to any specific issues or questions raised by the Inspector in relation to these representations.

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

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

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

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

Signature: 

Date: 13 December 2022

Please return this form by 12 Noon on 9th January 2023 to one of the addresses below:

Email: planningpolicy@nsdc.info

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

Information is available at:

<https://www.newark-sherwooddc.gov.uk/aadm-representation/>

Office Use Only

Date of Receipt:

Representation No: