

REF (For Office Use Only):



## 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 AADMDPD'). Comments received at this stage should be about whether the Plan is legally compliant, sound and whether it has met the duty to cooperate. All representations must be received by the Council by 12 Noon on 9<sup>th</sup> 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 AADMDPD and forwarded to the Secretary of State for consideration;

Made available to the Planning Inspector appointed by the Secretary of State to examine the Publication AADMDPD; and

Used by the Inspector to contact you regarding the Examination of the Plan.

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

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

## 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		Mr
First Name		James
Last Name		Cox
Job Title (where relevant)		Associate Director
Organisation (where relevant)	Bourne Leisure Ltd	Lichfields
Address Line 1		15 St Paul's Street
Line 2		Leeds
Line 3		
Line 4		
Post Code		LS1 2JG
Telephone Number		[REDACTED]
Email Address		[REDACTED]
Name or Organisation:	Lichfields on behalf of Bourne Leisure Ltd	

## 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: DM4
Amended AADMDPD Policies Map Amendments		Part of Policy Map:
Integrated Impact Assessment <sup>1</sup>		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).

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

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

- (1) Positively Prepared
- (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.

Bourne Leisure endorses the amendments to Policy DM4 which recognise that proposed wind energy schemes involving turbines will only be considered acceptable in areas where, *inter alia*, they would be set away from sensitive receptors and identified as suitable for wind energy development in the Development Plan.

(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.

N/A

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

## PART B- Representation(s)

5. 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: DM5a
Amended AADMDPD Policies Map Amendments		Part of Policy Map:
Integrated Impact Assessment <sup>2</sup>		Paragraph Number:
Statement of Consultation		Paragraph Number:
Supporting Evidence Base		Document Name:  Page/Paragraph:

6. 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).

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<sup>2</sup> The Integrated Impact Assessment (IIA) integrates Sustainability Appraisal (SA), Strategic Environmental Assessment (SEA), Equalities Impact Assessment (EqIA) and Health Impact Assessment (HIA). Sustainability Appraisals (SA) are a requirement of the Planning and Compulsory Purchase Act 2004 and Strategic Environmental Assessments (SEA) are required by European Directive EC/2001/42, which was transposed into UK law by the Environmental Assessment Regulations for Plans and Programmes (July 2004). The EqIA is a way of demonstrating the District Council is fulfilling the requirements of the Public Sector Equality Duty contained in section 149 of the Equality Act 2010. HIA is a recognised process for considering the health impacts of plans and undertaking this type of assessment is widely seen as best practice.

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

- |                                     |                                     |
|-------------------------------------|-------------------------------------|
| (1) Positively Prepared             | <input checked="" type="checkbox"/> |
| (2) Justified                       | <input checked="" type="checkbox"/> |
| (3) Effective                       | <input checked="" type="checkbox"/> |
| (4) Consistent with national policy | <input checked="" type="checkbox"/> |

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.

Bourne Leisure recognises the value that pre-application discussions and community engagement can bring to the design process. Given, however, the recognition in PPG ‘Before submitting an application’ (paragraph 09) that this is to be encouraged only “where it will add value to the process and the outcome” we would question the robustness of draft Policy DM5(a) stating that this should be the case for all developments.

(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.

To ensure robustness and consistency with PPG, the current wording of Policy DM5(a) should be presented as supporting text to reflect how this is guidance only and that it is not, in any event, necessarily relevant or appropriate for all development proposals.

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

## PART B- Representation(s)

7. 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: DM5b
Amended AADMDPD Policies Map Amendments		Part of Policy Map:
Integrated Impact Assessment <sup>3</sup>		Paragraph Number:
Statement of Consultation		Paragraph Number:
Supporting Evidence Base		Document Name:  Page/Paragraph:

8. 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).

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<sup>3</sup> The Integrated Impact Assessment (IIA) integrates Sustainability Appraisal (SA), Strategic Environmental Assessment (SEA), Equalities Impact Assessment (EqIA) and Health Impact Assessment (HIA). Sustainability Appraisals (SA) are a requirement of the Planning and Compulsory Purchase Act 2004 and Strategic Environmental Assessments (SEA) are required by European Directive EC/2001/42, which was transposed into UK law by the Environmental Assessment Regulations for Plans and Programmes (July 2004). The EqIA is a way of demonstrating the District Council is fulfilling the requirements of the Public Sector Equality Duty contained in section 149 of the Equality Act 2010. HIA is a recognised process for considering the health impacts of plans and undertaking this type of assessment is widely seen as best practice.

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

- (1) Positively Prepared
- (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.

Bourne Leisure endorses the overall approach of this policy on the basis that to policy is worded to incorporate flexibility in the approach. This allows schemes to be considered on a case-by-case basis, and consider site specific factors.

(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.

n/a

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

## PART B- Representation(s)

9. 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: DM8
Amended AADMDPD Policies Map Amendments		Part of Policy Map:
Integrated Impact Assessment <sup>4</sup>		Paragraph Number:
Statement of Consultation		Paragraph Number:
Supporting Evidence Base		Document Name:  Page/Paragraph:

10. 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).

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<sup>4</sup> The Integrated Impact Assessment (IIA) integrates Sustainability Appraisal (SA), Strategic Environmental Assessment (SEA), Equalities Impact Assessment (EqIA) and Health Impact Assessment (HIA). Sustainability Appraisals (SA) are a requirement of the Planning and Compulsory Purchase Act 2004 and Strategic Environmental Assessments (SEA) are required by European Directive EC/2001/42, which was transposed into UK law by the Environmental Assessment Regulations for Plans and Programmes (July 2004). The EqIA is a way of demonstrating the District Council is fulfilling the requirements of the Public Sector Equality Duty contained in section 149 of the Equality Act 2010. HIA is a recognised process for considering the health impacts of plans and undertaking this type of assessment is widely seen as best practice.

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

- (1) Positively Prepared
- (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.

Bourne Leisure endorses the proposed amendments to draft Policy DM8 so that it is better aligned with Core Policy 7. In particular, Bourne Leisure welcomes the recognition that tourism development (both accommodation and associated facilities) often needs to be located within the countryside and that this is supported – in principle – by DM8.

(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.

n/a

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

## PART B- Representation(s)

11. 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: DM9
Amended AADMDPD Policies Map Amendments		Part of Policy Map:
Integrated Impact Assessment <sup>5</sup>		Paragraph Number:
Statement of Consultation		Paragraph Number:
Supporting Evidence Base		Document Name:  Page/Paragraph:

12. 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).

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<sup>5</sup> The Integrated Impact Assessment (IIA) integrates Sustainability Appraisal (SA), Strategic Environmental Assessment (SEA), Equalities Impact Assessment (EqIA) and Health Impact Assessment (HIA). Sustainability Appraisals (SA) are a requirement of the Planning and Compulsory Purchase Act 2004 and Strategic Environmental Assessments (SEA) are required by European Directive EC/2001/42, which was transposed into UK law by the Environmental Assessment Regulations for Plans and Programmes (July 2004). The EqIA is a way of demonstrating the District Council is fulfilling the requirements of the Public Sector Equality Duty contained in section 149 of the Equality Act 2010. HIA is a recognised process for considering the health impacts of plans and undertaking this type of assessment is widely seen as best practice.

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

- (1) Positively Prepared
- (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.

Bourne Leisure endorses the revised wording to Policy DM9 regarding listed buildings and consider this to now align with para 190 of the NPPF.

(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.

n/a

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

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

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

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

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

n/a

**(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.

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Date: 09.01.23

Signature: 

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

Email: [planningpolicy@nsdc.info](mailto: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: