



Newark & Sherwood Local Development Framework

**Allocations & Development Management DPD – Report on Consultation on
Strategic Policies for the Purposes of Neighbourhood Planning.**

October 2012

Strategic Policies for the Purposes of Neighbourhood Planning

1) Introduction

- 1.1 The Council set out its methodology and identified the policies of the DPD it considered were strategic for the purposes of neighbourhood planning within the Consultation document of September 2012. This was placed on deposit for consultation between 19th September and 15th October 2012.
- 1.2 A total of 14 responses were received and these are set out together with officer responses below.

		<p>following grounds:-</p> <p>Policy NUA/MU/1 – Mixed Use Site 1: The Parish Council considers that this is not a Strategic Policy since it involves the allocation of employment land not justified by need. There is more than adequate provision of employment land elsewhere in the Newark Urban Area, on the Northern Road Industrial Estate, at the Fernwood Business Park and the very substantial allocations related to the Growth Point development.</p> <p>The allocation of this site is purely opportunistic and cannot be claimed to be strategic.</p> <p>Policy NUA/MU/1 should be deleted from the list of Strategic Policies.</p>	<p>Core Strategy. The Parish Councils argument relates to the suitability of the site which is better tested through the examination rather than through this process.</p>
Daniel Sellers		<p>Q1 Yes.</p> <p>Q2 I think you have already covered everything.</p> <p>I am in complete agreement with all the information contained within the "Allocations & Development Management DPD – Strategic Policies for the Purposes of Neighbourhood Planning" and the "Newark & Sherwood Local Development Framework – Allocations & Development Management DPD September 2012 - Schedule of Proposed Modifications" documents and the proposed changes to the planning policy requirements, including the development of a new visitor centre at Sherwood Forest.</p> <p>With regard to the "Developer contributions towards the elimination of the foot crossing across the East Coast Main Line at Hatchets Lane secured through the planning application process." I couldn't agree more, as I am still</p>	<p>Support welcomed.</p>

		<p>surprised by the number of foot crossings along this high speed rail line and I think they are potentially dangerous, with trains bearing down on them at up to 125mph.</p> <p>I am also in complete agreement with the development briefs for new development to be required to be of a high standard, landscaping / screening around new development sites, protection of the natural / built environment from inappropriate development, greater protection for heritage assets, both natural and built.</p> <p>I couldn't agree more that all new developments should be of a high standard and should be sympathetic to its surroundings.</p> <p>I think you have covered all the issues regarding protection of the historic environment and sites of special interest e.g Sherwood Forest.</p> <p>I particularly like this design for a new Sherwood visitor centre, design inspired by medieval huts: http://www.thisisnottingham.co.uk/Robin-Hood-s-163-5m-home-revealed/story-12233808-detail/story.html</p> <p>I believe any new building here should be sympathetic to the historic setting (as always in my opinion). Some of the rejected design competition entries were out-of-place, over-the-top and unsuitable futuristic / contemporary designs that were (in my opinion) totally out-of-keeping.</p>	
Chris Waumsley	Freeth Cartwright LLP	<p>Q1 We broadly agree with the approach adopted in the Strategic Policies DPD but would point out that it is reliant upon an accurate assessment in relation to housing allocations of the</p>	The issue of site capacities is one for discussion at the examination.

		<p>capacity of proposed allocations in the Allocations and Development Management DPD. It is also necessary to note that at the time that the Allocations and Development Management DPD was subject to consultation, there was no indication that some policies of that plan might be considered to be strategic and/or that identifications, for example of capacity, might be significant in determining whether particular policies or allocations were strategic. For example this representation relates to an allocation at Southwell under Policy SO/HO/4 where the Allocations and Development Management DPD identifies the site as having a capacity of approximately 45 dwellings. That capacity assessment was not disputed as it was not considered to have any particular importance or significance at the time, notwithstanding that submissions had been made to the Planning Authority demonstrating that the site had a capacity significantly in excess of 45 dwellings. Had it been the case that the importance of the site capacity assessment had been identified then submissions would have been made in that regard.</p> <p>Q2</p> <p>We do consider the Policy SO/HO/4 should be included in the schedule of policies regarded as strategic in table 1 of the DPD.</p> <p>It is considered that this allocation meets the criteria set out in paragraph 2 in that it involves an allocation of land with a capacity capable of delivering 50 dwellings or more on a site in a settlement other than Newark urban area. It would appear that this was omitted from the table on the basis of an earlier incorrect assumption that the sites capacity was around 45 dwellings. Submissions have been made separately to the Borough Council demonstrating the site has a capacity taking account of the strategic landscape buffer</p>	
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		<p>and access constraints imposed through the Allocations and Development Management DPD notwithstanding that those particular requirements are subject to representations to the effect that they are unnecessary unjustified constraints. It is clearly important to the delivery of housing in the settlement of Southwell that the larger allocations that have been subject to rigorous and thorough examination through the Local Plan process are considered strategic for the purposes of neighbourhood planning. It is submitted that were those allocations not to be considered strategic the delivery of housing on an appropriate and sustainable sites in Southwell would be significantly and seriously prejudiced.</p>	
Hayley Pankhurst	Natural England	<p>Q1 The LPA's approach is to consider all policies which cover the whole district to be strategic, and this includes the policies listed above. Natural England therefore supports this approach.</p> <p>Q2 There are no other policies affecting Natural England's remit which we consider should be strategic</p>	Support welcomed.
Mark Aylward	DPP UK Ltd	<p>Q1 Whilst we generally support the Council's approach to Strategic Policies, we consider that the imposition of a minimum 2.5 hectare threshold for mixed use areas potentially reduces the policy focus on delivering substantive investment on prominent sites smaller than the current threshold. We propose a reduced threshold of 2 hectares.</p> <p>Q2 The land area identified under policy NUA/E4 should be identified as Strategic.</p>	Noted.
Dean Jennifer	Anglian Water	No comments	

Bob Woollard	Capita Symonds	<p>Q1</p> <p>We fully endorse the background and methodology used by the Council to identify Strategic Policies in the DPD. It is absolutely vital for the delivery of the plan and the certainty of the development process and key investor and infrastructure decisions, that key strategic policies are generally immutable over the plan period. Specifically, in relation to the 3 areas for designation we would make the following comments:</p> <ol style="list-style-type: none"> 1. Policies which cover the entire district. It is essential for a consistent approach to be delivered in order to provide certainty and confidence across the district. Adopting an alternative approach would be inequitable and risks making a precedent which would undermine the plan overall 2. Policies which allocate land which delivers a large percentage of future development requirements in that location. The delivery of the Core Strategy, and the vision and objectives inherent in that strategy are predicated on the delivery of certain key sites and regeneration schemes. They emanate directly from these objectives and are specifically designed to deliver them. Such policies are undoubtedly strategic, as failure to deliver them risks a failure to meet the objective of the Core Strategy. In particular we endorse the inclusion of NUA/MU/3. <p>NSK Europe Ltd is one of Newark's biggest employers (c400, October 2011). The site is, and remains, a key manufacturer of high tech, precision engineered components and has a growing research and</p>	Support welcomed.
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		<p>development arm, taking advantage of the town's ability to attract and retain a highly skilled labour force of engineers.</p> <p>Over the years however, much of the more standard manufacture has moved overseas, while the site retains a built legacy of heavy manufacturing production from a different century. While the early twentieth century factory buildings have been maintained, they are unsuited to current manufacturing needs being designed for a specific type of manufacturing; are a significant maintenance liability; are unsightly and old fashioned looking; are underutilised as a consequence of enhanced employee ratios; and, have poor circulation space. As such, much of the site is quantitatively and qualitatively defunct and cannot operate with total efficiency. The work taking place in part of the site today has the potential to employ more people within significantly smaller floor space and within much more energy efficient buildings.</p> <p>NSK are fully committed to Newark in the long-term. Their aspiration, when practically possible and financially viable, is to secure a suitable (green/brown-field) site elsewhere Newark and construct a purpose-built operation, funded through the release of the Northern Road works for mixed use re-development. Potentially, a re-location could see early development within one of the SUE employment areas, ensuring built in sustainability to the town's key growth locations. The search for a suitable site, which remains fully accessible to</p>	
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		<p>existing employees, is ongoing.</p> <p>The site lies within yards of a main line railway station with direct connection to London in an hour and twenty minutes. It is also a gateway location to the town centre and is currently of poor visual quality.</p> <p>The development of the site for a mix of uses including a sizeable proportion of residential development will accord with national, regional and local planning priorities aimed at directing new development towards existing urban areas. The location is such that development of the site maximises the opportunity for non-car accessibility and comprehensive planned integration into the existing infrastructure. It is beyond doubt that the allocation represent a key regeneration project for the town, offering the opportunity to secure the retention and expansion of one of the town key employers and generators of economic growth.</p> <p>Quite simply, is difficult to conceive of a more strategic policy. The site represents previously developed land within the urban area, close to the town centre, and well connected by non-car means of transport. The site lies within an existing mixed use area and presents an opportunity to consolidate that mix through the introduction of residential, office, community and retail uses. Proposed redevelopment is of sufficient scale to provide affordable housing, infrastructure improvements, and to provide a balanced, mixed community</p>	
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		<p>incorporating enhanced employment and retail uses. New development gives the opportunity to use the least resource intensive methods of building and achieve the highest standards of energy efficiency.</p> <p>However, achieving regeneration of this scale and aspiration takes considerable determination, investor confidence and is expensive. The regeneration scheme is reliant on being able to maximize the opportunity provided by this policy and an alternative, which reduces or negates the ability of the site to deliver in accordance with the policy will jeopardize the delivery of the scheme and hence delivery of the Core Strategy. In this respect its protection as a Strategic Policy is essential.</p> <p>Q2 No</p>	
Tom Gilbert-Wooldridge	English Heritage	<p>Q1 We broadly agree with the Council's approach and the three areas identified for designation as strategic policies (with one exception - see below). We welcome the inclusion of all Development Management policies as strategic, particularly as this includes Policy DM9 on the historic environment. Including larger sites as strategic also seems logical. We have no comments on the Green Belt policies.</p> <p>It would be helpful if the Council could also clarify the position of the Core Strategy in relation to neighbourhood planning. We assume that all of the policies within that document are considered to be strategic (including the</p>	Southwell Area Policy 1 – Role and Setting of Southwell, of the Core Strategy is considered to provide the strategic support for the Southwell Protected Views and Thurgarton Hundred Workhouse policies. Neighbourhood Plans would need to be in accordance with SoAP 1 and therefore also So/Pv and So/Wh

		<p>historic environment policy), but it would good to confirm.</p> <p>Q2</p> <p>The two policies relating to the protected views of Southwell and the immediate surroundings of the Workhouse (Policies So/PV and So/Wh) should be identified as strategic policies. Given that they apply to potentially large areas around Southwell (and not just the defined locations shown in Map 6), there could be a large number of proposals affected by these policies. Furthermore, the protection of highly significant designated heritage assets should be regarded as being of strategic importance. Neighbourhood planning proposals (both for Southwell and surrounding villages) should therefore have to be in general conformity with these two policies. There is otherwise a risk that highly significant heritage assets could be harmed at the neighbourhood planning level.</p>	
Michael Evans		<p>General comments</p> <p>In the absence of clear Central Government advice, the approach taken in this document represents a sensible balance between giving a workable framework for the production of Neighbourhood Plans, yet providing for some local discretion where soundly based.</p> <p>However, where a District such as NSDC has made good progress on LDF/ Local Plans in the form of an adopted Core Strategy and Preferred Allocations, Neighbourhood Plans should assume a lesser priority than where an Authority has been indecisive in plan preparation. What should not occur is that Neighbourhood Plans are mis-used as a vehicle for delay</p>	

		<p>and obstruction to sites which have been patient in their promotion through the current plan preparation process. Sound, sustainable sites should continue to be permitted in accordance with NPPF requirements through the development management process.</p>	
Alan Hubbard	National Trust	<p>Q1 National Trust does not disagree with criteria 1 and 3 that have been utilised to define which policies should be considered 'Strategic'. However, the Trust is of the view that criterion 2 is too narrowly drawn; whilst it is appropriate to include Policies that propose a significant proportion of the overall growth for the District it is considered that important areas of constraint or safeguarding are also strategic and should be included (and not just Green Belt). The approach to non-strategic policies in the NPPF and Neighbourhood Plans is such that they could be over-ridden so decisions on what to include require careful consideration.</p> <p>Q2 The Trust would submit that Policies So/PV and So/Wh in the Site Allocations and Development Management DPD are 'Strategic' policies. These policies relate to the protected views of Southwell and the immediate surroundings of the Workhouse. The policies apply to significant areas within and around Southwell – not being solely limited to the areas defined on Map 6 – and as such provide a strategic context for the consideration of development, including potential allocations, over a significant area and one that is subject of considerable development pressure. In this regard it is argued that the protection of the settings of these major heritage assets is of strategic significance and should be treated accordingly. The potential harm to these assets as a result of inappropriate development promoted at the</p>	Same as response to English Heritage above.

		neighbourhood level could be considerable and therefore Neighbourhood Plans should be required to be in general conformity with these policies.	
Paula Mooney Phoenix Planning	Wildgoose Construction	<p>General Comments</p> <p>With reference to your letter dated 24th September 2012 and I write to formally object to the aforementioned consultation paper on behalf of my client Wildgoose Construction.</p> <p>The National Planning Policy Framework makes it clear at paragraph 183 that Neighbourhood Planning gives direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need.</p> <p>It is considered that the identification of land allocations and development management policies as strategic policies is contrary to the purpose and principles of Neighbourhood Planning and removes the communities' ability and power to shape how they wish to see their community developed. Paragraph 184 of the NPPF sets out that neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. Setting smaller, less strategic housing allocations as a strategic policy takes away this power from the local community and ensures that they are not able to shape how their communities are developed in the future.</p> <p>Part 2 of Schedule 9 of the Localism Act 2011 sets out that a "neighbourhood development plan is a plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the plan"</p> <p>Prescribing smaller site specific allocations and more general</p>	<p>The setting of strategic policies does not take power or ability away from local communities to shape their environment but provides them with a framework to achieve this.</p> <p>Whilst the Core Strategy does set out strategic policies, these require supplementing with policies and allocations from the DPD to provide a sufficient level of guidance for communities to develop their own plans.</p>

		<p>design based policies weakens the ability for a parish or neighbourhood forum to develop policies in relation to land use within their neighbourhood.</p> <p>It is considered that the Newark and Sherwood Core Strategy essentially set the strategic policies and the strategic site allocations for the District. Therefore any parish or neighbourhood forum which chooses to pursue a Neighbourhood Plan should ensure conformity with the Adopted Core Strategy. As set out in 1.2 of the Allocations and Development Management DPD, the intension of this DPD is to include a suite of Development Management policies to provide greater direction, help deliver specific allocations and assist in the day-to-day assessment of planning applications. It is therefore clear that the Allocation DPD was not intended to consist of Strategic Policies and therefore accordingly the policies within this document should not be considered to be strategic policies for the purposes of neighbourhood planning in order to ensure that the purposes of neighbourhood planning are not undermined.</p>	
Paul Stone Signet Planning	Sladen Estates Ltd and Peverill Securities Ltd	<p>General Comments</p> <p>Paragraph 184 states “Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan”. Newark and Sherwood District Council is seeking to identify which policies in the Allocations and Development Management DPD should be considered strategic for the purposes of Neighbourhood Planning. The consultation document does not provide a definition of ‘strategic policies’ as such. In the first area for designation the District Council proposes to categorise all Development Management</p>	Noted. For discussion at examination.

		<p>Policies as strategic policies. The second area for designation selects site-specific policies based on the scale of development likely to be delivered in that location. The third area for designation relates to policies allocation land that requires a change in the Green Belt boundaries.</p> <p>These representations focus on those policies covered by the “second area for designation as strategic policies” set out in paragraph 2.3 of the consultation document. No justification has been provided for the proposed selection process, in particular the reliance on size thresholds in considered to be too arbitrary.</p> <p>Core Strategy Spatial Policy 1 identifies Newark Urban Area as the District’s only Sub-Regional Centre (the highest tier in the settlement hierarchy) and describes its function as “.....the focus for housing and employment growth in Newark & Sherwood and the main location for investment for new services and facilities within the District”. Newark Urban Area is therefore the focus for strategic investment and resulting development will serve the whole of the District. It follows that the position of sites within the settlement hierarchy as well as the benefits of each site allocation to the District should be a key consideration in the selection process.</p> <p>A selection process based only on the anticipated scale of development will overlook the positive qualitative impacts smaller, strategically located development can have an encouraging further investment in the District. For example, the former Nottinghamshire County Highways Depot, Great North Road (site ref. NUA/E/4) is the most important gateway site into Newark Urban Area and Newark Town</p>	
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		<p>Centre from the north. An attractive development scheme in this location will showcase the District’s ambitions and bring further investment to the area.</p> <p>The District Council proposed to designate site-specific allocations as strategic policies. NPPF paragraph 17 states drawing up Local Plans should “...identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period”. The proposed retrospective identification of key site allocation policies suggests the potential of each site to deliver strategic outcomes has not been fully considered during the preparation of the Allocations and Development Management DPD. For Example, the allocation of the aforementioned Former Highways Depot site for B1, B2, B8 uses does not reflect its role as a gateway site form the A46 to Newark Urban Area and Newark Town Centre.</p> <p>With no evidence to the contrary, the District Council appears to have allocated this site on the basis of its previous use without considering the negative visual and amenity impacts large scale industrial uses can have and the lack of deliverability. In particular in this case, impacts on neighbouring residential properties and the street scene along a key route into the town centre. It appears that the site’s suitability for a number of different uses has also been overlooked. The site’s location, size and neighbouring uses all lend themselves to a mixed-use development.</p> <p>The 5-10 year viability appraisal for the Former Highways Depot site in the District Council’s viability assessment of employment site allocations identifies a viability margin of jus £6,435 (not £244,852 as stated on page 17), which is a</p>	
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		<p>tiny margin for error in the context of a £4.5m development. The fundamentals of the viability assessment's methodology are challenged as there are a number of assumptions that are unrealistic in the current climate:</p> <ul style="list-style-type: none">a. A 3 month void is simply unrealistic; commercial developers will work on 24 months.b. The £734 per sq m value is too high. We would expect values no higher than £650 per sq m.c. Build costs are too low; £480 per sq m is more realistic.d. Abnormals at £34,000 is significantly lower than current commercial rates. We would estimate them to be £250,000.e. Legal fees will be at least 3 times higher than shown.f. Band arrangement fees will be 4% not 1%. <p>Another issue is that the 0-5 year appraisal for the Former Highways Depot site uses "Greenfield" as the base land value scenario even though it is clearly a brownfield site and therefore development costs will be significantly higher.</p> <p>This brief analysis of the site's viability demonstrates that B1, B2 and B8 development will not come forward. The important Gateway site will remain undeveloped. Furthermore, the site will be competing with several other employment sites allocated in the Allocations and Development Management DPD including the Stephenson Way site (ref. NUA/E/2) which will have much larger economies of scale.</p>	
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		<p>To conclude, the proposed criteria for the identification of strategic policies which Neighbourhood plans must be in general conformity do not accord with the NPPF, particularly paragraphs 17 and 184. It is argued that the selection of strategic site-specific policies solely on the basis of scale requires detailed justification. The characteristics of allocated sites such as position in the settlement hierarchy, location and positive spin-offs should be considered as well. If the inspector agrees that the site should be allocated for mixed use development, it is argued that the land should be identified as a strategic site.</p>	
<p>Steven Abbott Associates</p>	<p>Consolidated Property Group</p>	<p>General comments</p> <p>We write in respect of the current public consultation on the Allocations and Development Management DPD. I act on behalf of the Consolidated Property Group whom have an interest in the Former Highway Depot on Great North Road in Newark and wish to make representations in respect of the potential policy allocation of the site within the DPD.</p> <p>The site lies within the urban area of Newark and in the most recent draft DPD is allocated under policy NUA/E/4, which if adopted would permit uses within Class B1, B2 and B8 on the site. My client believes that this allocation is too narrow and should be broadened to allow mixed used development including Class A uses. In recent years, retail development has increasingly been seen as an important economic land use, capable of delivering significant benefits to local economies. This was recognised in the now defunct PPS4 and also in its successor, the NPPF. Indeed, using the Employment Densities Guide published by the Homes and Communities Agency, we estimate that</p>	<p>Response not relevant to Strategic Policies consultation. Better addressed through examination of soundness of the site.</p>

		<p>Class A development could generate between 100 and 200 FTE jobs on the site.</p> <p>It is noted that that the GVA Grimley Retail and Leisure Study and the more recent Retail Capacity Advice provided by Alyn Nicholls & Associates recognise there is a need for addition non-food and food retail floorspace in Newark during the plan period. My client believes that the Former Highway Depot site should be fully considered by the Council as a site with the ability to meet all or part of the need identified during the plan period.</p> <p>Accordingly, we request that the Council reconsider the proposed allocation for the former highway depot site on Great North Road in favour of a wider allocation permitted Class A and Class B uses.</p>	
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