



**NEWARK AND SHERWOOD DISTRICT COUNCIL  
ALLOCATIONS AND DEVELOPMENT MANAGEMENT DPD**

**PUBLIC EXAMINATION**

**RESPONSE TO INSPECTOR'S MATTERS AND ISSUES**

**MATTER 2 – GENERAL ISSUES**

**MATTER 4 – RETAIL/EMPLOYMENT/MIXED USE**

**MATTER 5 – SITE SPECIFIC ISSUES**

Pegasus Planning Group  
4 The Courtyard  
Church Street  
Lockington  
Derbyshire  
DE74 2SL

Telephone: (01509) 670806 Facsimile: (01509) 672247

PPG Ref: EMS.1305

Date: November 2012

**COPYRIGHT**

The contents of this document must not be copied or reproduced in whole or in part without the written consent of **Pegasus Planning Group**

## **MATTER 2 – GENERAL ISSUES**

- 3. Is the Plan consistent with the Core Strategy and is it capable of meeting its objectives?**
- 4. Is the plan based on a sound process of sustainability appraisal including testing of reasonable alternatives, and does it represent the most appropriate strategy in the circumstances?**
- 5. Is the Plan deliverable having regard to viability of allocated sites and the requirements of development management policies?**
- 6. Is there sufficient flexibility to cope with changes to individual sites which might render them undeliverable for the purposes envisaged by the plan?**
- 7. Are appropriate arrangements in place to ensure proper monitoring of the Plan?**

We represent Brownhills Motorhomes Limited who operate from land off Lincoln Road, allocated as a mixed use development site under Policy NUA/MU/2. Along with the motorhomes sales business, there is consent for the development of a 120 bedroom hotel on the northern corner of the site.

We are concerned that the approach to further retail development, and in particular bulky goods retailing, as set out in the Allocations DPD, is insufficiently flexible to deal with changing circumstances. The NPPF is clear that local plans should provide sufficient flexibility to deal with changing circumstances.

The approach in the Allocations DPD is to allocate the NSK factory site on Northern Road as a mixed use site including 10,000 square metres of retail provision (Policy NUA/MU/3). For the Brownhills Motorhomes site, the policy indicates that residential or retail developments are not considered appropriate.

As a result, the DPD does not provide the necessary flexibility to consider the suitability of other sites to accommodate retail development where other sites might be undeliverable. It also does not allow for the release of additional sites for retail use if further retail development is considered appropriate.

In our response to Matter 5 we have suggested changes to the wording of Policy NUA/MU/2 to provide further flexibility to consider the suitability of the site for retail use to respond to changing circumstances.

## **MATTER 4 – RETAIL/EMPLOYMENT/MIXED USE**

- 12. Are the detailed requirements for each of the allocations clear and justified and will they ensure delivery within the planned timescale? Have site constraints, viability considerations been adequately addressed? Are the boundaries and extent of the sites correctly defined?**
- 13. Are the amounts of land allocated for different uses clearly justified? Is there a reasonable prospect of the safeguarded land being used for that purpose within the life of the Plan?**
- 14. Are the locations identified the most appropriate when considered against all reasonable alternatives?**

The strategy for further retail provision in Newark includes the provision of additional retail floorspace on the NSK factory site on Northern Road (NUA/MU/3). For the Brownhills Motorhomes site, the policy advises that retail and residential uses are not considered appropriate.

This suggested restriction is not adequately justified and is not supported by the available evidence. It does not take proper account of the mixed use nature of the Brownhill Motorhomes site or its suitability as a location for a range of uses, including bulky goods retailing.

As set out in our response to Matter 2, there is a need for the Allocations DPD to provide the flexibility to deal with changing circumstances and respond to potential problems of delivery of further retail development on other sites. There is no need to unnecessarily restrict potential uses the proposed mixed use allocations. Development Management Policy 11 sets out the approach to the consideration of retail developments and is consistent with the sequential approach set out in the NPPF. This provides sufficient guidance on the approach to the consideration of retail proposals without the need to specifically exclude potential opportunities on identified mixed use sites through the wording of the policy.

The proposed wording for Policy NUA/MU/2 is not helpful and does not allow for the necessary flexibility to consider a range of appropriate uses on identified mixed use sites. The approach to the Brownhills Motorhomes site is also inconsistent with the approach on other identified mixed use sites where the policy wording does not seek to exclude specific uses.

## **MATTER 5 – SITE SPECIFIC ISSUES**

- 15. Do the policies include adequate and appropriate safeguards with regard to the potential effects of development on the historic environment, flooding and local services? Has satisfactory provision been made in respect of transport and other infrastructure requirements?**
- 16. Would the mixed use allocations (NUA/MU/1) prejudice development of other allocated sites?**
- 17. The plan relies on one site (NUA/MU/3) for most of its new retail floor space to be provided towards the latter part of the Plan period. What happens if it cannot be delivered – is the plan flexible enough to cope with this? Is this the best approach to deliver retail development in the area? Is the boundary of the site appropriate? Is there sufficient clarity in the wording of the policy to guide future development within the suggested timescale? Is there a better, more readily available site which would give greater certainty to the delivery of retail floor space?**
- 18. Is the location and size of the Main Open Areas appropriate and is it justified? Would the policies provide sufficient protection from future development in these areas?**

We have made responses to Matters 2 and 4 dealing with the need for greater flexibility in the approach to retail provision to deal with changing circumstances. The plan relies on the provision of further retail development on the NSK site on Northern Road. The identification of this out of centre site for an element of retail use recognises the constrained nature of the town centre and the limited scope to accommodate further retail provision on sequentially preferable sites.

In sequential terms both the Brownhills Motorhomes site and the NSK site are comparable. The Brownhills Motorhomes site represents a suitable opportunity, particularly for bulky goods retailing for the following reasons;

- The site is in existing retail use involving the sale of Motorhomes;
- There would be no loss of existing employment use or floorspace;
- The site is well located on the main road network – a key requirement for bulky goods retail warehousing;
- The site is accessible by a choice of means of transport;
- The site does not have immediately adjacent residential uses;
- Trip generating uses, including other retail uses, surround the site offering the opportunity for linked trips;
- The site is a mixed use site with extant consent for a hotel;
- Major highway works would not be required before the site could be developed.

The evidence of capacity for additional comparison goods floorspace indicates that there is scope to accommodate further retail development on both the NSK site and the Brownhills Motorhomes site. The Brownhills Motorhomes site is unconstrained

and offers the opportunity for the early delivery of additional retail floorspace to improve the retail offer in Newark.

To provide the necessary flexibility to ensure delivery of additional bulky goods retail floorspace, Policy NUA/MU/2 should be amended to include retail provision as one of the proposed uses alongside employment provision, roadside services including a hotel and the existing use for the sale of Motor Homes.

At the very least, the final sentence of the policy should be deleted as this unnecessarily restricts the opportunity to consider retail use on the site in the event that other proposals on other sites do not come forward.

**Amend Policy NUA/MU/2 as follows:**

**First Paragraph:**

Land at the current Brownhills Motor Homes site has been allocated on the Proposals Map for mixed use development. The site will accommodate employment (B1/B2/B8) development, roadside services including a hotel (which currently has outline Planning permission), retail provision and continued use of the site for the sui-generis use of the site for the sale of Motor Homes.....

**Last Paragraph:**

~~Proposals which are for uses other than employment, hotel or sale of motor homes proposals will need to consider the suitability of the site for such uses. Residential or retail development are not considered appropriate on the site.~~