

Consideration of Responses to the Pre-Submission Consultation on Proposed Changes to the Southwell Neighbourhood Plan

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1. About the Consultation

Consultation on the Proposed Changes to the Southwell Neighbourhood Plan was carried out between 25th July and 26th September 2023.

The Proposed Changes and associated documents were published on the Town Council's website and responses were invited either in writing / email or via an online response form.

In total, comments were received online from 63 respondents. Further comments were received for several landowners and/or their representatives (see pages 94-104) and detailed comments have been received from Newark and Sherwood District Council. All are considered in this report.

2. Consideration of Responses

THE VISION

As set out in the current Neighbourhood Plan, the Vision for Southwell comprises three elements as follows:

- a) Building a Strong Community – ensuring that the community is supported by a strong social structure and appropriate infrastructure.
- b) Supporting a Vibrant Trading Environment – to develop the economic vibrancy of the town and its hinterland.
- c) Delivering a Good Place to Live – Ensure the protection and enhancement of the natural and built environment and leisure facilities whilst allowing appropriate new development.

Question: The Working Group considers that this Vision statement still summarises the future our community would like to work towards, so no changes are being proposed. Do you agree with this?

Summary: 92.1% agreed; 7.9% did not agree; in total, there were 63 responses to this question.

Comments received:

Ref.	Comment	Recommended response
V1	Part (b) of the Vision would reflect the full suite of economic drivers better if the emphasis was reversed – i.e. with ‘economic vibrancy’ as the primary goal and ‘supporting a vibrant trading environment’ as one of the means to get there. People are increasingly spending their money in towns that offer ‘experiences’, preferring to shop online. For people to choose to spend their ‘experiences’ money in Southwell, our cultural, historical, architectural, leisure and natural assets will need to be supported just as much as ‘trading’. (In other words, those elements described in part (c) of the Vision, which make Southwell a ‘Good Place to Live’, are equally as important for part (b) a ‘vibrant economy’).	The respondent’s opinion is noted with interest. The Vision statement should be a concise overview – a pen portrait - of the place the community would like Southwell to be. Individuals and groups may have differing opinions regarding the priority to be attached to each of the 3 elements. It is recommended that the Vision statement should remain as currently phrased, but a note could be added to explain that the three elements are to be pursued together and are not set out in order of priority.
V2	We welcome the vision of sustainable development but feel it is lost in the three pillars/elements, or in their presentation. The critical importance of a stable natural environment is not evident in the three elements in the Vision, but it is vital to all. It would help for the vision to restate the Council’s recognition of the climate emergency and that in pursuing sustainable development, it will assess how decisions will support both climate change mitigation and adaptation. By building this into decision-making, Council decisions will support a Strong Community ready to face the challenges ahead; Vibrant Trading through innovation and a protected environment; and a Good Place to Live. These elements will be harder to achieve in an unstable climate, with an unprepared infrastructure.	As above (V1).
V3	Would like to see "safe and Secure" included as the steady erosion of the police presence is resulting in more anti-social behaviour	Although the respondent’s opinion is noted with interest, these matters are

		<p>more appropriately addressed in the Objectives and Policies. No amendment to the Vision statement is recommended.</p>
V4	<p>Not enough on historic uniqueness - too important to be left to "Design and Heritage". Add "d) Ensuring the unique historic character and sense of place in the wider landscape is maintained and protected"</p>	<p>Although the respondent's opinion is noted with interest, these matters are more appropriately addressed in the Objectives and Policies. No amendment to the Vision statement is recommended.</p>
R5	<p>I and many others would like to see another supermarket in the ever-expanding town as the current supermarket is not adequate, I would also like to see new builds with solar panels fitted as standard</p>	<p>Although the respondent's opinion is noted with interest, these matters are more appropriately addressed in the Objectives and Policies. No amendment to the Vision statement is recommended.</p>

OBJECTIVES

OBJECTIVE 1 currently reads:

To ensure that proposals for new development are presented within the wider social, economic and environmental context and that informed decisions about future growth can be made.

It is **proposed** that Objective 1 should be reworded as follows:

To ensure that new development contributes positively to the social, economic and physical well-being of Southwell’s community and the health of the environment, locally and globally.

Question: Do you agree with the proposed changes to Community Objective 1?

Summary: 95.2% agreed; 4.8% did not agree; in total, there were 63 responses to this question.

Comments received:

Ref.	Comment	Recommended response
O1-1	I am concerned that the new Parking Standards (TA4) and Parking Strategy (TA5) will hinder the Councils ability to address Obj 1, 2, 4 (and parts of 6). Has the impact of TA5 on all Objectives been assessed and costed? As well as being unsustainable TA4 and TA5 would likely have significant actual costs (increased maintenance; lost revenue) and ‘Opportunity Costs’ – i.e. the missed opportunity to apply more cost-effective solutions to the parking issues, to use the funding and land for other goods and services the town needs, and to attract funding for more sustainable solutions. See Additional Comments against Policies TA4/5 and in additional comments on p.6.	Comments noted, but no change to Objective 1 seems to be being sought; rather, the respondent seems concerned that the approach to car parking provision may hinder achievement of this objective. No amendment is recommended.
O1-2	Any developments must only be allowed if the(re) is added accessibility and funding for additional places for schools and medical services in the town. The(y) must include more school places with added funding for staff and facilities and extra GP and dental services so existing residents are not put at further disadvantage. It’s already too difficult to see a medical professional within a sensible time frame and school places and facilities are extremely stretched already.	This seems to be a comment largely in support of Objective 1 but seeking a reverse emphasis. Although the respondent’s opinion is noted with interest, these matters may be more appropriately considered in the context

Ref.	Comment	Recommended response
		of the Plan’s policies. Objectives should be phrased positively, setting out intended outcomes. No amendment is recommended.
O1-3	I would need to know exactly what is meant by ‘globally’ with reference to the environment, before I could agree with this.	Noted, but “globally” is a term commonly used in this context. No amendment is recommended.

OBJECTIVE 2 currently reads:

To effectively protect and manage the natural environment in and around Southwell to achieve sustainable development and mitigate the effects of climate change.

It is proposed that Objective 2 should be reworded as follows:

To influence change and manage development so as to mitigate effects that could contribute further to climate change, and to adapt to those changes that are expected to occur, alongside increasing and improving biodiversity throughout the parish.

Question: Do you agree with the proposed changes to Community Objective 2?

Summary: 84.1% agreed; 15.9% did not agree; in total, there were 63 responses to this question.

Comments received:

Ref	Comment	Recommended response
O2-1	Because the proposed objective's focus is now on 'development' which changes the focus from the 'natural environment'. The proposed objective introduces biodiversity measures. Biodiversity is	The respondent’s opinion is noted with interest. However, a Neighbourhood Plan

	<p>difficult to increase and improve unless there is a thorough baseline assessment of the whole area and then continual assessments after - it is very labour intensive. If you keep the focus on protecting and managing the natural environment correctly, greater biodiversity will follow. Also the proposed objective is reworded so it is climate change at the point of development, rather than the ongoing effects of expected climate change on the town, that is now being mitigated for with developments.</p>	<p>must focus on development and managing development, as that is the remit of the statutory Planning system and a requirement of the NPPF (with which the Neighbourhood Plan must be consistent). It is recommended that no amendment to Objective 2 should be made in response to these comments, but it may be considered appropriate to ensure that the role (and limitations) of the Neighbourhood Plan explain the situation adequately.</p>
Q2-2	<p>The new wording loses the upfront emphasis on 'protecting the environment', a goal which overlaps with but is more than simply related to 'climate change'.</p>	<p>The respondent's opinion is noted with interest. It is recommended that a phrase such as "and environmental harm" should be added after "climate change".</p>
Q2-3	<p>Mitigate is very different to protect. The former allows for the failure of protection of an unknown amount whilst the latter does not.</p>	<p>The respondent's opinion is noted with interest. However, Objective 2 is worded appropriately in the context of the NPPF (with which the Neighbourhood Plan must be consistent). No amendment is recommended.</p>
O2-4	<p>I am concerned that the new Parking Standards (TA4) and Parking Strategy (TA5) will hinder the Councils ability to address Obj 1, 2, 4 (and parts of 6). Has the impact of TA5 on all Objectives been assessed and costed? As well as being unsustainable TA4 and TA5 would likely have significant actual costs (increased maintenance; lost revenue) and 'Opportunity Costs' – i.e. the missed opportunity to apply more cost-effective solutions to the parking issues, to use the funding and land for other goods and services the town needs, and to attract funding for more sustainable solutions. See Additional Comments against Policies TA4/5 and in additional comments on p.6.</p>	<p>Comments noted, but no change to Objective 2 seems to be being sought; rather, the respondent seems concerned that the approach to car parking provision may hinder achievement of this objective. No amendment is recommended.</p>

O2-5	Nothing should be done to further negatively affect businesses and access to businesses for anyone even those who need to use a car. Parking is already a disgrace and there should never have been any parking charges introduced anywhere in Southwell. Too many businesses have been severely detrimentally affected by ridiculous decisions made by the Town Council. More free parking, by refusing the wasted space on the Burgage could be created cheaply and be highly effective in increasing footfall for all the businesses in the town. The parks (all of them including the Southwell Trail park (not Norwood Gardens Park!!) not just Bishops Park), MUST be looked after more effectively. The access around the park is a disgrace as is the fact that kids smoking illegal substances and setting fires would not be happening every day if the access to the trail via Lower Kirklington Road was kept clear and fully accessible all year round.	Comments noted, but no change to Objective 2 seems to be being sought. No amendment is recommended.
O2-6	I agree totally with the aim of ‘increasing and improving biodiversity throughout the parish’, but I cannot see why this aim has been lumped together with your views about climate change. You are implying that climate change is anthropogenic and is reaching a crisis point, requiring personal change in the way we are living. Since this view is now disputed by many top climate scientists, I should like to know the origin of this policy which you have adopted. Please give us evidence that there is a climate crisis; not just a widely disseminated opinion. Real evidence is essential before proposing any changes in the way our town and its environment are managed.	The respondent’s opinion is noted with interest. However, Objective 2 is worded appropriately in the context of the NPPF (with which the Neighbourhood Plan must be consistent) and with Local policy for Newark and Sherwood District. No amendment is recommended.
O2-7	The 'protect' emphasis needs to be retained. Mitigation is only required if protection is not occurring. Plans cannot mitigate. Emphasis should be on biodiversity net gain in all new development which automatically requires mitigation or compensation when any loss is occurring.	The respondent’s opinion is noted with interest. However, Objective 2 is worded appropriately in the context of the NPPF (with which the Neighbourhood Plan must be consistent) and with Local policy for Newark and Sherwood District. No amendment is recommended.
O2-8	too prescriptive definition	Noted, but no amendment is recommended.
O2-9	Waters down the effort to mitigate climate change and merely looks not to add to it!	The respondent’s opinion is noted with interest. However, Objective 2 is worded

		<p>appropriately in the context of the NPPF (with which the Neighbourhood Plan must be consistent) and with Local policy for Newark and Sherwood District.</p> <p>No amendment is recommended.</p>
O2-10	I would like to know if motorists will be charged for driving around the town	<p>This does not appear to be mentioned in the document and it is not a matter for the Neighbourhood Plan.</p> <p>No amendment is recommended.</p>

OBJECTIVE 3 currently reads:

To ensure that all future development, regardless of type or location, does not have a negative impact on the town’s unique character, historic environment and landscape setting.

It is **proposed** that Objective 3 should be reworded as follows:

To ensure that all development, regardless of type or location, contributes positively to the quality of Southwell’s environment and does not detract from the town’s unique character, historic environment and landscape setting.

Question: Do you agree with the proposed changes to Community Objective 3?

Summary: 85.7% agreed; 14.3% did not agree; in total, there were 63 responses to this question.

Comments received:

Ref	Comment	Recommended response
O3-1	I prefer the original wording because the change suggests a reluctance to accept anything other than an historic style of development; it is too 'wordy'	Noted, but phrasing this objective positively is consistent with NPPF policy. No amendment is recommended.
O3-2	'not impacting negatively' seems sufficient	Noted, but phrasing this objective positively is consistent with NPPF policy.
O3-3	Any further development of Southwell must only be allowed if all amenities, including school places and access to GP and dentist and other services, are improved including added accessibility and funding for additional places.	Noted, but no amendment is recommended.
O3-4	Previous wording was adequate	Noted, but phrasing this objective positively is consistent with NPPF policy

O3-5	There may be conflict between Objective 3 and the need to mitigate and adapt to climate change, and the related economic and social elements of the Vision.	Noted. The Objectives – and the Policies – on a Neighbourhood Plan must be considered in the round, with any conflicts being mediated when decisions on particular development proposals are being made. No amendment is recommended.
O3-6	Who measures what definition of positive is ? What are these measures ?	Noted. This is largely explained in the relevant policies and associated text. No amendment is recommended.
O3-7	Who says what a negative impact is please be more specific	Noted. This is largely explained in the relevant policies and associated text. No amendment is recommended.
O3-8	I believe the original version is more categorical in protection of the character of the town.	Noted, but phrasing this objective positively is consistent with NPPF policy.
O3-9	Noted, but phrasing this objective positively is consistent with NPPF policy.	Noted, but phrasing this objective positively is consistent with NPPF policy.

OBJECTIVE 4 currently reads:

To facilitate safe movement and access to services for residents and visitors, through and around Southwell, maximizing the use of sustainable modes.

It is **proposed** that Objective 4 should be reworded as follows:

To ensure that all residents and visitors have safe, convenient access to services, facilities and amenities whilst minimising transport-related pollution and congestion.

Question: Do you agree with the proposed changes to Community Objective 4?

Summary: 88.9% agreed; 11.1% did not agree; in total, there were 63 responses to this question.

Comments received:

Ref	Comment	Recommended response
O4-1	I am concerned that the new Parking Standards (TA4) and Parking Strategy (TA5) will hinder the Councils ability to address Obj 1, 2, 4 (and parts of 6). Has the impact of TA5 on all Objectives been assessed and costed? As well as being unsustainable TA4 and TA5 would likely have significant actual costs (increased maintenance; lost revenue) and 'Opportunity Costs' – i.e. the missed opportunity to apply more cost-effective solutions to the parking issues, to use the funding and land for other goods and services the town needs, and to attract funding for more sustainable solutions. See Additional Comments against Policies TA4/5 and in additional comments on p.6.	Comments noted, but no change to Objective 4 seems to be being sought; rather, the respondent seems concerned that the approach to car parking provision may hinder achievement of this objective. No amendment is recommended.
O4-2	Nothing should be done that reduces the ability for anyone in a car to visit Southwell. Parking charges and lack of/poor on street parking have seriously detrimental effect on businesses in the town. Use the examples of many of the popular Derbyshire towns as evidence of free, easy to access and well signposted parking (using the waste of space that is the Burgage could produce a great many spaces with very little cost or work to create) to encourage locals and visitors to use the businesses in town	The respondents views are noted and should be considered, but no specific amendment to the proposed rewording of the objective is sought. No amendment is recommended.
O4-3	Normally, big lorries are already prohibited from coming through Southwell. Farm	The respondents views are noted and should

	vehicles are seasonal, not regular and represent a necessary part of our agricultural community. Southwell may occasionally get congested, but transport related pollution and congestion is not a problem here. The electrical solution is merely transferring the pollution to somewhere else.	be considered, but no specific amendment to the proposed rewording of the objective is sought. No amendment is recommended.
O4-4	This is Southwell not a city - there is no congestion just busy times. Previous wording sufficient	The respondents views are noted and should be considered, but no specific amendment to the proposed rewording of the objective is sought. No amendment is recommended.
O4-5	does not require the last six words....	The respondents views are noted and should be considered, but the requested amendment would remove the intention that good accessibility should be provided for in ways that minimise pollution and congestion. No amendment is recommended.
O4-6	Southwell needs to promote sustainable modes of transport such as cycling , particularly e-bikes and this wording has been removed.	The respondents views are noted and should be considered: has the role of cycling (and walking) inadvertently been downgraded?. The words "by sustainable modes" could be inserted between "amenities" and "whilst".
O4-7	Will you be stopping motorists driving around and into Southwell ... will you be charging for it if they do	This does not appear to be mentioned in the document and it is not a matter for the Neighbourhood Plan. No amendment is recommended.

OBJECTIVE 5 currently reads:

To protect and enhance the range of community facilities within the town to improve the quality of life for people both living and working in Southwell.

It is proposed that Objective 5 should stay the same.

Question: Do you agree Community Objective 5 should not be changed?

Summary: 96.8% agreed; 3.2% did not agree; in total, there were 63 responses to this question.

Comments received:

Ref	Comment	Recommended response
O5-1	Something needs to be done to encourage more businesses into Southwell. We need a good quality, large gym (no more personal trainers that cost the Earth) and high street stores. It's ok saying independent stores should be protected but having stores like Next etc would give younger shoppers a reason to go into town. We need a Subway and a McDonald's. We need a Vision Express to create some competition with the highly overpriced Pinder's Optician. We need a sensibility prices supermarket like Tesco, Aldi or Lidl not another overpriced supermarket like Sainsbury's, Waitrose or M &S! Younger residents and those that have lower incomes need somewhere to shop and these options would draw more people to the town. We should not be afraid to create a space slightly out of the centre of town for a supermarket complex but this must be done with the access being carefully considered. Traffic lights are not a problem if this allows access to be safer!! Pedestrian crossing should be much more carefully thought about. The new crossing next to a 5 way junction, one of which has limited views due to parked cars, was the most ridiculous planning deduction by the council!	This comment appears to support the current objective. The comments should be noted. No amendments are recommended.
O5-2	Because it should refer to services, shops and restaurants in addition to community facilities in the right places. In particular. There needs to be improvements made to the night time economy of Southwell-more restaurants in particular. A mixed use expansion of the Crew Lane industrial estate could assist with proving space this. In addition, leisure centre facilities are poor - redevelopment to include a cafe and a larger family swimming pool should be encouraged	Although the phrase "community facilities" is intended to included "services, shops and restaurants", this comment suggests that this may not be obvious. A suitable response would be to replace the phrase "community facilities"

Ref	Comment	Recommended response
		<p>with “facilities and services to serve the community’s needs”.</p> <p>Regarding location, the objective does not preclude provision outside the town centre, but it reflects the importance of the town centre as the single most accessible location.</p>

OBJECTIVE 6 currently reads:

To support residential and commercial development within the town, through meeting the strategic requirements for growth whilst maximizing the benefits for the community.

It is proposed that Objective 6 should be reworded as follows:

To support residential, and other employment-supporting development that meets strategic requirements for growth and promotes a sustainable relationship between homes and workplaces, whilst maximizing the benefits for the community.

Question: Do you agree with the proposed changes to Community Objective 6?

Summary: 84.1% agreed; 15.9% did not agree; in total, there were 63 responses to this question.

Comments received:

Ref	Comment	Recommended response
O6-1	Whilst agreeing with the objective I prefer the original wording as being more straightforward.	Noted. However, the change is intended to identify the importance of the spatial relationship between homes and workplaces and it is recommended that this should be

		retained.
O6-2	(It is difficult to understand what the proposed objective means).	Noted. No amendment is recommended.
O6-3	What does “sustainable relationship between homes and workplaces” actually mean and achieve? Could it be more specifically written?	Noted. The objective has been phrased succinctly but could be accompanied by a footnote explaining, for example, that “an important consideration when planning for a sustainable relationship between homes and workplaces is the environmental impacts associated with commuting. A sustainable relationship would be one in which such impacts are minimised, for instance by minimising distances that need to be travelled by car and favouring locations that can conveniently be accessed by public transport, walking or cycling. This would involve careful consideration of the relative locations of homes and workplaces and the type and quality of infrastructure that connects them”.
O6-4	I am concerned that the new Parking Standards (TA4) and Parking Strategy (TA5) will hinder the Councils ability to address Obj 1, 2, 4 (and parts of 6). Has the impact of TA5 on all Objectives been assessed and costed? As well as being unsustainable TA4 and TA5 would likely have significant actual costs (increased maintenance; lost revenue) and ‘Opportunity Costs’ – i.e. the missed opportunity to apply more cost-effective solutions to the parking issues, to use the funding and land for other goods and services the town needs, and to attract funding for more sustainable solutions. See Additional Comments against Policies TA4/5 and in additional comments on p.6.	Comments noted, but no change to the proposed wording of Objective 6 seems to be being sought; rather, the respondent seems concerned that the approach to car parking provision may hinder achievement of this objective. No amendment is recommended.
O6-5	Don’t necessarily disagree but all my previous answers must be considered.	Noted.

O6-6	It's unclear. The initial objective was transparent - this almost comes across as having a hidden agenda.	Noted. See recommendation relating to O6-3
O6-7	page 23- table should indicate which objectives are met by Appendix 1 (Design Codes) page 25 - map quality is poor	Noted. It is recommended that this comment should be considered and the suggestions responded to positively.
O6-8	Who says what a benefit is?	Noted. The purpose of the Neighbourhood Plan is to enable the Local Planning Authority to consider such matters consistently and in the light of locally developed policy. No amendment to proposed the wording of the objective is recommended.
O6-9	I don't believe in the presumption of a need for additional residential buildings, nor the need for growth. If growth is required, revitalization rather than development. My view is that better management of existing resources and more efficiencies could be had if more accountability was introduced. People are careless with the pocketbooks of others.	Noted, but the Neighbourhood Plan is required to be consistent with national and local (District) planning policy, both of which support development that enables "growth". No amendment to proposed the wording of the objective is recommended.

POLICIES

POLICY SD1 currently reads:

Only proposals for sustainable development will be supported where they demonstrate: How sustainability has been addressed for the site with reference to the NSDC and NP policies applicable to it; That account has been taken of the Southwell Design Guide to help ensure that it is appropriate to the location, enhances the natural and built environments; That account has been taken of the need to avoid increasing the risk of flooding both on and off site in accordance with Neighbourhood Plan policies E1-Flood Risk Assessments and Mitigation and E2- Flood Resilient Design; That, where appropriate, a multifunctional approach has been taken to help provide an enhanced integrated Blue and Green Infrastructure, including Public Rights of Way, with an equitable distribution of green and amenity space across the parish of Southwell; Where any development triggers the requirement for developer contributions as set out in the NSDC Developers Contribution and Planning Obligations SPD, these should, wherever possible, be delivered on site rather than as commuted sums; That, where applicable, the effects on the capacity and quality of transport access to, from and within Southwell have been addressed; That, where applicable, account has been taken of the wellbeing and social development needs of Southwell residents.

It is **proposed** that the new policy should now read:

Development proposals will be supported provided it is demonstrated that: 1. sustainability requirements relating to the site and proposed development are to be met, with reference to the Local Plan and applicable policies in the Neighbourhood Plan; 2. due account has been taken of the Southwell Design Codes to ensure that the development is appropriate to the location and maintains or enhances the quality and value of the natural and built environments; 3. due account has been taken of the need to avoid increasing the risk of flooding both on and off site in accordance with Neighbourhood Plan policies E1-Flood Risk Assessments and Mitigation and E2- Flood Resilient Design and the Local Flood Designation, and that appropriate measures are incorporated in the development to accommodate/meet these policies; 4. a multifunctional approach has been taken wherever possible to enhance, Southwell's integrated Blue and Green Infrastructure, including Public Rights of Way and an equitable distribution of green and amenity space across the parish of Southwell; 5. where any development triggers the requirement for developer contributions as set out in the NSDC Developers Contribution and Planning Obligations SPD, these should, wherever possible, be delivered on site rather than as commuted sums; 6. wherever possible the development will be accessible from and within Southwell by active travel (e.g. walking, cycling) and/or public transport, and that reliance on private motor vehicles will be minimal, (with appropriate measures being taken to improve low-impact accessibility where necessary); 7. the development will maintain or enhance the wellbeing of Southwell residents and, where possible, contribute towards meeting the community's social development needs; 8. the development will not result in the loss of "best and most versatile" land for agricultural/horticultural production as assessed by an appropriately qualified expert in accordance with the Defra Agricultural land Classification Scheme.

Question: Are you happy with the proposed changes to Policy SD1?

Summary: 77.8% were happy with the proposed changes having read the summary only. Of those who read the proposed policy changes in full, 10 respondents were happy and 4 respondents were not. In total, there were 63 respondents.

Comments received:

Ref	Comment	Recommended response
P-SD1-1	I would like there to be an additional sentence specifically to mention that surface water run-off is taken into account from the area around the development. The reason for this is that it is an important problem in Southwell, prone to flash flooding. Surface water was not correctly calculated for in a recent estate that was on the side of Cundy Hill and received run-off from acres of clay-soil fields above. The field run-off is now collected by the estate's drainage system whereas it used to settle or travel slowly through this (new estate) area. The surface water drainage calculations submitted to the council only included the rainfall that landed on the site itself. The Environment Agency and Severn Trent only consider watercourses not surface water run-off from uphill, so it is overlooked - acknowledged by both organisations as a problem.	The term flooding includes both flooding from watercourses and surface-water flooding. The comment is noted, but no amendment is required.
P-SD1-2	I agree with most of this but really dislike the all or nothing option built into the design of this questionnaire. Being asked to tick Yes / No options for what you acknowledge are complex proposals is no substitute for proper consultation and should not be viewed as such. Please consider this 'no' applicable to all the binary options in this form.	Comments and concern noted. The consultation and associated response form ("questionnaire") were intended to help people work through a complex document and comment on it where they felt necessary, but it is accepted that there are limitations on what can be achieved.
P-SD1-3	Regarding green spaces, the centre of Southwell is already very well catered for with public green spaces accessible by anyone. There is no need to extend this onto privately owned land. Also, regarding the part about avoiding best agricultural land for development, this may also be the best land for development so I would not want that land to be ruled out and thus prohibiting necessary expansion of housing stock in future. Lower Kirklington Road keeps being kicked into the long grass so perhaps other sites might be more suitable.	The policy does not require use of "privately owned land" as public green space except where this is in connection with the development of such land (eg, for housing). The Neighbourhood Plan must be

		<p>consistent with national and local planning policies, both of which seek to protect the best agricultural land.</p> <p>No amendments are recommended.</p>
P-SD1-4	<p>Everyone should be encouraged to walk or cycle wherever possible, but taking measures to minimise private motor vehicle usage sounds like enforcement. I do not think that Southwell needs any ULEZ-type situation imposed upon us.</p>	<p>The Neighbourhood Plan's policies relate to development – where it should and should not take place; for what purposes; how it is designed and will connect etc.</p> <p>No amendment is recommended.</p>
NSDC Comments	<p>It is not considered that the amendment of criterion i) to introduce 'is' in place of 'are' makes sense as currently written. This results in the criterion reading – 'Sustainability requirements relating to the site and proposed development is to be met, with reference to the Local Plan and applicable policies in the Neighbourhood Plan'. The original wording was clear and ought to be retained. Point 2 of the policy should be amended from 'full account' to 'due account' or something similar, it may be that in some instances not all elements of the 'Codes' will apply to a given proposal. The practicalities of involving an 'appropriately qualified expert' in the Defra Agricultural land Classification Scheme to assess proposals resulting in the loss of agricultural land, under the final criterion is questioned. There is the potential for this to be both disproportionate and to load unreasonable burden onto applicants and the Local Planning Authority.</p>	<p>It is recommended that the District Council's comment are accepted and the policy proposal is amended accordingly.</p>

POLICY E1 currently reads:

Where proposals are required to submit a Flood Risk Assessment this must take account of the most up to date EA flood mapping, hydraulic modelling and flood mitigation for Southwell. Specific regard should be had to the NCC Flood Mitigation Plan for Southwell or its most up to date equivalent. Where flows cannot be related to these sources they should be modelled using best practice. The methodology for the modelling, findings, FRAs and flood mitigation recommendations, shall be developed in consultation with the Lead Flood Authority. There should be no development within the flood plain of local watercourses that would result in a loss of flood plain storage without adequate level for level floodplain compensation up to the 1% Annual Exceedance Probability (AEP) flood with an allowance for climate change of 30% or any more

current amount. Proposals for flood mitigation must be designed to meet the requirements of other relevant policies within the NP, particularly those relating to the built and natural environments.

It is **proposed** that the new policy should now read:

Developments must not compromise any Southwell Local Drainage Designations. Where proposals are required to be accompanied by a Flood Risk Assessment this must take account of the most up to date EA flood mapping, hydraulic modelling and flood mitigation for Southwell. Specific regard should be given to the Lead Flood Authority (Nottinghamshire County Council) Southwell Flood Risk Management Plan or its most up to date equivalent. Where flows cannot be related to these sources they should be modelled using best practice. The methodology for the modelling, findings, FRAs and flood mitigation recommendations, shall be developed in consultation with the Lead Flood Authority. There must be no development within the flood plain of local watercourses that would result in a loss of flood plain storage without adequate level for level floodplain compensation up to the 1% Annual Exceedance Probability (AEP) flood with an allowance for climate change of 40% or any more current amount. Proposals for flood mitigation must be designed to meet the requirements of other relevant policies within the, particularly those relating to the built and natural environments.

Question: Are you happy with the proposed changes to Policy E1?

Summary: 85.7% (54 respondents) were happy with the proposed changes having read the summary only. Of those who read the proposed policy changes in full, 1 respondent was happy and 5 respondents were not. In total, there were 63 respondents.

Comments received:

Ref	Comment	Recommended response
P-E1-1	Unfortunately Nottingham County Council Flood Risk team used information from the Environment Agency and Severn Trent to do their assessments of a recent development site in Southwell, despite being told that surface run off from fields above the site needed to be calculated for when going into drains. The Environment Agency and Severn Trent only consider watercourses not surface water run-off from uphill, so it is overlooked - acknowledged by both these organisations as a national problem. Southwell could take the lead in acknowledging and calculating for surface run off that enters a development site too.	The term flooding includes both flooding from watercourses and surface-water flooding. The comment is noted, but no amendment is required.

Ref	Comment	Recommended response
P-E1-2	<p>We welcome and support the proposed changes, but do advise that the following 2 minor amendments are made: E1.3. Wording to be changed to: ...up to the 1% Annual Exceedance Probability (AEP) flood with an "appropriate allowance for climate change based on guidance provided on the .gov.uk website (flood-risk-assessments-climate-change-allowances)". E1.1. Wording to be changed to: Proposals for flood mitigation must be designed to meet the requirements of "the National Planning Policy Framework and" other relevant policies within the Neighbourhood Plan, particularly those relating to the built and natural environments. Regarding the maps on pages 51 and 53, without an appropriate legend it is unclear what information these are showing, or how the data has been derived. It would be useful to include maps which show the latest Flood Map for Planning (FMfP) for the Neighbourhood Plan area. Maps reflecting the most up-to-date hydraulic modelling can be requested by emailing@environment-agency.gov.uk.</p>	<p>Comments noted. It is recommended that the suggested amendments should all be made.</p>
P-E1-3	<p>Para. 6.5 Notes a tension between flood defence measures and natural habitats. However, natural habitats are increasingly used as effective flood defence strategies – allowing bends to slow water down and flooding over marshes. This policy (and E2) could be strengthened by requiring developers to consider natural flood defence approaches. See https://www.gov.uk/government/publications/natural-flood-management-programme-evaluation-report/natural-flood-management-programme-evaluation-report</p>	<p>Comments noted. It is recommended that the suggested amendments should be made.</p>
P-E1-4	<p>What are Southwell Local Drainage Designations? Are they defined somewhere?</p>	<p>It is recommended that this should be clarified.</p>
P-E1-5	<p>suggest the following is omitted....."without adequate level for level floodplain compensation up to the 1% Annual Exceedance Probability (AEP) flood with an allowance for climate change of 30% or any more current amount".</p>	<p>It is not clear why this amendment is being requested.</p>
NSDC Comments	<p>The proposed policy would replace ‘should’ with ‘must’ in the current requirement that there should be no development in the floodplain of local watercourses, resulting in a loss of flood plain storage without adequate compensation and an allowance for climate change. This would result in the requirement becoming compulsory, although ‘should’ already carries a significant expectation around compliance. Notwithstanding the concerns that have been consistently raised</p>	<p>Comments noted. No amendments required.</p>

Ref	Comment	Recommended response
	<p>over this form of wording no objection is offered in this specific instance. This approach would seem consistent with the Exception Test in national and local policy, which requires development to not increase flood risk elsewhere in order for it to be permitted – the logical consequence being that where this is not the case then it ought to be refused.</p> <p>The supporting text (para 5.2) to the policy refers applicants onto the digital map produced by Southwell Flood Forum, illustrating the engineered and natural flood mitigation interventions and through which localised flood risk ‘hotspots’ can be identified. The Qualifying Body will need to be content that this forms a sufficiently robust piece of evidence, and the County Council in its capacity as Lead Local Flood Authority (LLFA) would be deferred to here for a view on that.</p>	<p>Recommended response</p> <p>Comments noted. No amendments required.</p>

POLICY E2 currently reads:

Development proposals requiring a flood risk assessment must be designed to avoid increasing the risk of flooding both on and off site. Such proposals will be required to demonstrate how they have addressed the following: That buildings have been placed on site with strict consideration of the sequential test, locating them on land in the area with least likelihood of flooding. That any flood mitigation measures to be adopted comply with current Sustainable Drainage Systems best practice, particularly in relation to Greenfield run off rates. To prevent run off beyond the relevant Greenfield rate, the drainage system and any attenuated storage should be designed to cover a range of rainfall and storm events, with a mandatory minimum provision to cope with the 1 in 100 year 6 hour duration event and a 30% allowance or more current amount to accommodate climate change with the maximum provision indicated, to demonstrate the level of safety included in the design. That the design of buildings and hard standing areas has been considered carefully to reduce the risk of flooding and increased run off. Unless impracticable or unviable, to make provision for a minimum 8m wide buffer strip between the boundary of any property and the top of the bank of any water course adjacent to the site, to allow for maintenance of the water course and as a pollution prevention measure. The maintenance of the water course and the buffer strips will be subject to a planning condition or other legal arrangement with the District Council, for the life of the development. Planning applications for development not requiring a formal flood risk assessment, but which are likely to affect drainage from the site, should also comply with current Sustainable Drainage Systems best practice.

It is **proposed** that the new policy should now read: Development proposals requiring a flood risk assessment must be designed to avoid increasing the risk of flooding both on and off site. Such proposals will be required to demonstrate how they have addressed the following: a. buildings are to be placed on site in accordance with strict consideration of the sequential test, locating them on land in the area(s) with least likelihood of flooding; b. any flood mitigation measures to be adopted must comply with current Sustainable Drainage Systems (SUDS) best practice, particularly in relation to Greenfield run off rates. c. To prevent run off beyond the relevant Greenfield rate, the drainage system and any attenuated storage should be designed to all rainfall and storm events, up to the 1 in 100 year period plus 40% allowance, or more current amount to accommodate climate change; d. the design of buildings and hard standing areas must be considered carefully to reduce the risk of flooding and increased run off; e. unless impracticable or unviable, provision must be made for a minimum 8m wide buffer strip between the boundary of any property and the top of the bank of any water course adjacent to the site, to allow for maintenance of the water course and as a pollution prevention measure. f. The maintenance of the water course and the buffer strips will be subject to a planning condition or other legal arrangement with the District Council, for the life of the development. g. the development does not affect the integrity of existing flood defences and any necessary flood mitigation measures have been agreed with relevant and interested bodies where adoption, ongoing maintenance and management have been considered and any necessary agreements are in place Proposals must provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system and outfall arrangements. Calculations must demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year and 1 in 100 year plus climate change return periods or more current standard as advised by the Lead Flood Authority. Proposals must demonstrate that they have followed the surface water hierarchy in the following order of priority: a. surface water runoff is

collected for use e.g. Rainwater harvesting/green walls/roofs, discharge into the ground via infiltration; (e.g. permeable surfaces (particularly driveways), soakaways, unlined ponds, swales and trenches, wetlands etc.) b. Attenuation above ground in ponds or water features for gradual release into infiltration features and if this is not possible, to a watercourse, attenuate surface water via storage in tanks or sealed water features for gradual release into infiltration features and if this is not possible, a water course discharge to a watercourse or other surface water body; c. In exceptional cases, controlled discharge to a sewer or other drainage system, via above ground attenuation, and if this is not possible, underground attenuation. d. discharge to a surface water sewer, highway drain or other drainage system, discharging to a watercourse or other surface water body; e. discharge to a combined sewer; f. no surface water connections are made to the foul system; g. that surface water connections to the combined or surface water system are only made in exceptional circumstances where it can be demonstrated that there are no feasible alternatives (this applies to new developments and redevelopments) and where there is no detriment to existing users; h. that no combined sewer overflows are created in areas served by combined sewers, and that foul and surface water flows are separated. The maintenance of any water course and/or buffer strips required to be maintained or provided in connection with development will be subject to an appropriate planning condition or other legally binding arrangement with the District Council, applicable for the life of the development. Planning applications for development not requiring a formal flood risk assessment, but which are likely to affect drainage from the site, should also comply with current Sustainable Drainage Systems best practice.

Question: Are you happy with the proposed changes to Policy E2?

Summary: 84.1% (53 respondents) were happy with the proposed changes having read the summary only. Of those who read the proposed policy changes in full, 3 respondents were happy and 3 respondents were not. In total, there were 63 respondents.

Comments received:

Ref	Comment	Recommended response
P-E2-1	There is no mention of surface run-off that enters the site. It needs to be stated that attenuation tank calculations need to be based on the amount of water that enters the site compared to what leaves the site NOT the amount of water that lands on the site. For example to state that the net output of water from the site to lower ground is comparable to the output pre-development. In a recent Southwell development site on the side of a hill, pre-development more surface water entered the site than left to lower ground, due to the ecology of thick vegetation and	Noted. See recommendations relating to NSDC’s comments.

Ref	Comment	Recommended response
	topography. Now the estate attenuation tanks also collect the water from the acres of fields above which were not calculated for.	
P-E2-2	We very much support the proposed changes to Policy E2. We do however recommend the addition of the following requirement for developments requiring a flood risk assessment: [#] have been designed to be safe and resilient for their entire lifetime. We recommend that the wording "unless impracticable or unviable" is removed from the requirement for a buffer strip. The reason for this request is that the Environment Agency require an 8m easement for all developments adjacent to Main Rivers.	Noted. See recommendations relating to NSDC's comments.
P-E2-3	YES – AGREE • See comments for E1, and • The parking standards TA4 and TA5 have potential to reduce flood resilience by increasing hard standing. (Even permeable hard surfaces provide significantly less water-holding capacity than green surfaces - https://onlinelibrary.wiley.com/doi/full/10.1111/jfr3.12629).	Noted. See recommendations relating to NSDC's comments.
NSDC Comments	The local importance for new development providing for appropriate flood management, where it is likely to generate risk is appreciated. However, given the technical nature to much of the new content within the policy then the LLFA are best placed to provide meaningful input. It is crucial that it is confirmed that they are content with the proposed approach. There is however the general point to raise, in that it is important that any requirements are proportionate, and there may be minor forms of development where expectations should be set accordingly, the requirements outlined at E2.3 would be such an example.	Accept NSDC recommendations.

POLICY E3 currently reads: Development proposals must aim to protect and enhance Local Wildlife Sites, the Local Nature Reserve, and priority habitats and species identified through the Natural Environment and Rural Communities (NERC) Act, the UK Biodiversity Action Plan (UKBAP) and the Nottinghamshire Local BAP (LBAP). Any development proposal must also comply with the Natural England Standing Advice for Protected Species. Where it is apparent or becomes apparent during the course of a planning application that a site has significant ecological value, development proposals must include a base line assessment of the habitats, species and overall biodiversity value for the site, where appropriate, expressed in terms of the biodiversity accounting offsetting metric, advocated by the Department for the Environment, Food and Rural Affairs (Defra), proportionate to the size of the development. The assessment must demonstrate how biodiversity will be conserved and enhanced by the development. Where the loss of habitat cannot be avoided, the proposal should include appropriate offsetting to create a compensatory habitat to ensure that there is no loss of biodiversity. Development proposals which create additional habitat space, including roosting, nesting or shelter opportunities for wildlife, will be looked on favourably when considering the biodiversity value of a development. Development proposals that fail to mitigate or compensate for loss of important habitat for wildlife species will not normally be granted planning permission. Unless it can be shown to be impracticable or financially unviable, a buffer strip must be provided between the boundaries of properties or plots within a development and any existing historic, landscape or ecologically valuable hedge row(s), tree(s) and any other features of merit for maintaining effective Blue and Green Infrastructures. The width of the buffer strip should have regard to guidance in the Southwell Design Guide. The provision of non woody herbaceous species to be established on created buffer strips should have regard to guidance in the Southwell Design Guide. Where the loss of protected trees as a result of a development proposal is unavoidable, appropriate replacement planting should be incorporated as part of the scheme. As part of development proposals, provision should be made for the long-term maintenance of any retained or created habitats, existing historic landscape or ecologically valuable vegetation and buffer strip provisions.

It is **proposed** that the new policy should now read: Policy E3 will be effected as soon as a site is allocated for development or to the date prior to the submission of a planning application as determined in the Environment Act 2021. There must be no degradation deliberate destruction or benign mismanagement of sites with ecological, historic or landscape value, in particular the Local Wildlife Sites within Southwell parish, to make them more readily acceptable for development. Where it is found that a site has suffered ecological degradation its development will not be supported unless a commitment is undertaken by the developer to replant and retain trees and/or woody vegetation based on the ratio of 2:1 to the number or % summer foliage ground cover lost, based either on either baseline historic manuscript or aerial photography records. Developments which, because of their location, design or method of implementation, will have impacts on Local Wildlife Sites, the Local Nature Reserve and priority habitats and species identified through the Natural Environment and Rural Communities (NERC) Act and the UK Environment, Act 2021 will be supported only if it is demonstrated that the wildlife and biodiversity value of any such site(s) will be fully protected and where possible enhanced. Any development must also comply with the Natural England Standing Advice for Protected Species. Development proposals which do not meet those requirements will not be supported. Any development which falls within the provisions in the Environment Act 2021 and the Town and Countryside Planning Act (the Acts) must be accompanied by a base line assessment of the habitats, species and overall biodiversity value of the site, prepared by a suitably qualified professional in accordance with relevant Biodiversity Metrics

within the Environment Act 2021. From the base line assessment a management plan must be prepared, demonstrating that the development will produce a net gain in biodiversity, as assessed by the Biodiversity Metric within the Environment Act 2021 and explaining how this will be achieved and maintained to meet the requirements of the Environment Act 2021 and the Town and Countryside Planning Act.. Development proposals that do not meet these requirements, to the satisfaction of the Local Planning Authority, will not be supported unless the requirements of E3.3 are met. Where a proposed development cannot provide a net gain in biodiversity, an appropriate offsetting arrangement must be provided to ensure a net gain in biodiversity can be achieved elsewhere within Southwell Parish or nearby. In addition to the requirement for development proposals to deliver a net gain in biodiversity they must identify any wildlife on the site which is of special ecological importance, as identified in the Natural Environment and Rural Communities (NERC) Act, demonstrating how this will be protected for the life of the development and compliance with the Natural England Standing Advice for Protected Species. Development proposals which include the creation of additional habitat, including roosting, nesting or shelter opportunities for wildlife, will be supported, provided they are accompanied by a report from a suitably qualified wildlife expert that identifies the potential benefits from incorporating the additional provisions on the site and a commitment to maintain the features in the longer term. Development proposals that fail to provide for a net gain in biodiversity will not be supported. Any hedge rows(s), tree(s) of ecological, historic, landscape value or other features of merit for maintaining Blue and Green infrastructure must be retained on development sites. Unless it can be shown to be impracticable, a buffer strip of a minimum of 8 meters must be provided between the boundaries of properties or plots within a development and any existing historic, landscape or ecologically valuable hedge row(s), tree(s) and any other features of merit for maintaining effective Blue and Green Infrastructures. Hedges identified on the Neighbourhood Plan proposals map as Important for their historic, landscape/screening or ecological value to Southwell must not be degraded or lost to development but wherever possible retained at a height appropriate to their function. All current British Standards Institute (BSI) standards for ecological protection must be implemented on development sites and the provision of woody and non woody species to be established on sites must comply with the relevant Southwell Design Code.

Question: Are you happy with the proposed changes to Policy E3?

Summary: 71.4% (45 respondents) were happy with the proposed changes having read the summary only. Of those who read the proposed policy changes in full, 4 respondents were happy and 3 respondents were not. In total, there were 63 respondents.

Comments received:

Ref	Comment	Recommended response
P-E3-1	<p>Whilst we welcome the commentary and requirement for biodiversity net gain, and other aspects, we wish to provide the following clarifications and suggested amendments: Plan policy should ideally specify the use of the metric and the percentage of BNG required. Under mandatory BNG (from November 2023), there will be a requirement to use the latest version of the statutory Biodiversity Metric. Therefore, we suggest the following sentence within the 4th paragraph: "...in accordance with relevant Biodiversity Metrics within the Environment Act 2021," is altered to read "...in accordance with the most updated version of the Biodiversity Net Gain Metric." We strongly recommend including: "minimum of 10% biodiversity net gain" and "Biodiversity Gain Plan" in the 5th paragraph. This could be done by replacing "From the base line assessment, a management plan must be prepared to demonstrate that the development will produce a net gain in biodiversity," with "From the base line assessment, a Biodiversity Gain Plan must be prepared to demonstrate that the development will produce a minimum of 10% biodiversity net gain for each habitat type, and how it will be maintained for a minimum of 30 years". The following wording should also be included: "Monitoring is the responsibility of the developer and should be set out in the Biodiversity Gain Plan." We recommend changing the wording of the 6th paragraph so that it reads: "Where a proposed development cannot provide onsite biodiversity net gains of 10%, this must be achieved offsite, with net gains ideally being achieved adjacent to or locally to the site, using the offsite hierarchy. As a last resort, if biodiversity net gain cannot be achieved onsite or offsite, or a mixture of both, then offsite biodiversity units or statutory biodiversity credits can be bought, which will require registration on the Biodiversity Gain Sites Register, and legally secured for a minimum of 30 years." We suggest the wording in paragraph 8 is changed to: "Proposals which fail to demonstrate a minimum of 10% net gain in biodiversity within the provisions of the Environment Act 2021 and the Town and Country Planning Act will not be supported." The wording "suitably qualified expert" should be changed to "suitably qualified Ecologist". In paragraph 10, "Watercourse" should be added as a feature where 8m+ buffer strips should be included adjacent to. We request that the planting of "only native tree species" be required. We suggest defining more specifically what appropriate replacement planting might look like e.g.: "...appropriate replacement planting must be incorporated, at a minimum of 10% greater than those lost, or ideally a 5:1 planting ratio to account for low establishment rates of young trees, as part of the scheme".</p>	<p>It is recommended that the suggested amendments are made, but in the context of the recommendation relating to P-E3-3 below.</p>
P-E3-2	<p>Again, the binary Yes / No is not helpful. I'd like clarity as to how the detailed rewrite relates to other policies, legal requirements and existing processes so that. there is no overlap, overreach,</p>	<p>Comment noted, but no amendments recommended in response.</p>

Ref	Comment	Recommended response
	duplication of expense, etc. There's a notable lack of wider context.	
P-E3-3	A policy cannot be affected immediately insofar as the trigger for consideration is a planning application so this needs to be removed. Policy is too wordy and repeats existing national and local policy	Comments noted.
NSDC Comments	<p>Suggest re wording Policy E3 as follows:</p> <p>E3.1 All development required by relevant legislation to provide a measurable, minimum net gain for biodiversity at a level set by that legislation, and calculated using a 'metric' the use of which is mandated by the relevant legislation, will be required to demonstrate delivery of at least the required minimum biodiversity gain in accordance with the legislation.</p> <p>E3.2 If activities have taken place between 30 January 2020 and the date agreed with Newark and Sherwood District Council for the baseline biodiversity value calculation, or in the absence of any such agreed date, the date of the planning application, which have reduced the baseline biodiversity value of the application site from what it would otherwise have been, then the pre-development value will be taken as the value immediately prior to those activities. This will be determined using historic aerial imagery and any other relevant published information.</p> <p>E3.3 The required net gain should be maximised onsite, with any shortfall delivered offsite, either within the Newark and Sherwood District, or as a last resort outside of the District.</p> <p>E3.4 All development required by relevant legislation to provide a minimum biodiversity gain should be supported by an appropriate management plan, approved by Newark and Sherwood District Council, setting out objectives, management prescriptions, responsibilities, and a monitoring and reporting procedure.</p> <p>Explanatory On publication of enabling secondary legislation to mandate a minimum biodiversity net gain requirement, current legislation (i.e., Environment Act 2021), will require the baseline biodiversity value of a development application site to be determined either at a date agreed between the applicant and Newark and Sherwood District Council or in the absence of any such agreement, the</p>	<p>It is recommended that Policy E3 should be reworded in accordance with NSDC's suggestions.</p> <p>It is recommended that Policy E3 should be reworded in accordance with NSDC's suggestions.</p> <p>It is recommended that Policy E3 should be reconsidered in the light of NSDC's suggestions, and taking</p>

Ref	Comment	Recommended response
	<p>date of the planning application. The legislation includes provision to prevent deliberate actions to reduce the baseline biodiversity value.</p> <p>It is considered that in addition to the biodiversity gain plan required by the Environment Act 2021, additional detail will be required for the management and monitoring of on-site biodiversity gains.</p>	<p>account of comments by John Martindale, attached as Appendix 1. Further discussion with NSDC's biodiversity lead officer would be helpful.</p>

POLICY E4 currently reads: Developers must ensure that existing and any new PROWs including footpaths, cycle routes and bridle ways, which cross their sites, are retained wherever possible and enhance the Green infrastructure in Southwell parish. Prows should be considered to be multifunctional, contributing not only to the Green Infrastructure but also, where relevant, to open spaces including those due under developer contributions. Unless it can be shown to be impracticable, the minimum total width for a PROW shall be sufficient to allow for machine maintenance, the inclusion of an allowance for hard surface to provide inclusive access for the public and with associated vegetation margins, for it to be effective as a wildlife corridor. The provision or retention of trees, woody species and hedges along PROWs should have regard to guidance in the Southwell Design Guide. When a new PROW is to be provided or revisions made to existing PROWs on a development, any alignment should avoid the use of estate roads for the purpose wherever possible, and preference given to estate paths through landscape or open space areas away from vehicle traffic. Provision should be made for the long term maintenance of any PROWs that are part of development proposals.

It is **proposed** that the new policy should now read: Developers must ensure that existing and any new PROWs, including footpaths, cycle routes and bridle ways, which cross their sites, are retained wherever possible, kept, or made attractive for public use, and contribute to Southwell's Green infrastructure. Prows should be considered to be multifunctional, contributing not only to the Green Infrastructure, but also where relevant, to open spaces including those due under developer contributions. Unless it can be shown to be impracticable, the minimum total width for a PROW shall be sufficient to allow for machine maintenance, the inclusion of an allowance for hard surface to provide inclusive access for the public and with associated vegetation margins, for it to be effective as a wildlife corridor. Where boundary screening divisions are required between the PROW and development these must be with erect vegetation rather than with walls or fences to give a natural aspect to the PROW and for wildlife benefits. The provision or retention of trees, woody species and hedges along PROWs must comply with the Southwell Design Codes. When a new PROW is to be provided or revisions made to existing PROWs on a development, any alignment should avoid the use of estate roads for the purpose wherever possible, and preference given to estate paths through landscape or open space areas away from vehicle traffic. Provision must be made for the long term maintenance of any PROWs that are part of development proposals.

Question: Are you happy with the proposed changes to Policy E4?

Summary: 71.4% (45 respondents) were happy with the proposed changes having read the summary only. Of those who read the proposed policy changes in full, 4 respondent were happy and 3 respondents were not. In total, there were 63 respondents.

Comments received:

Ref	Comment	Recommended response
P-E4-1	There should be exceptions to the standard 'vegetation screening' to open footpaths that walkers take to enjoy the established unique and wide-ranging views (such as FP81). Also an exemption from creating a hard standing footpath on a long slope unless the increase in flood risk to the land below the footpath has been evaluated and alleviated.	Noted. Consider in the light of further discussions with NSDC.
P-E4-2	See my answer to previous question	Noted.
P-E4-3	While I agree with need for boundary screening for PROW and vegetation for boundary there no fences isn't practical for keeping pets and people from straying into residential gardens. An appropriate low level 'pig' fence mesh for example between vegetation should be permitted	Noted. Consider in the light of further discussions with NSDC.
P-E4-4	Please ensure there is a summary on the importance of hedgerows	Noted. Consider in the light of further discussions with NSDC.
NSDC Comments	<p>It is not considered that the proposed amendments to criterion E4.3 are appropriate, this would remove the ability for such requirements to be shown as impracticable. This is deemed to be too-inflexible-an approach to be appropriate in all instances. Whilst it may be desirable for public right of ways to be of a sufficient width for machine maintenance to be feasible, it is not considered to be fundamental– with other approaches being available. This could also contribute to under-provision, where no alternative exists and a potential route is discounted on this basis. This is also the case in terms of the requirement that there should be an allowance for hard surfacing – not all public rights of way require such treatment and may sometimes be located in areas where this would be inappropriate, or its provision would conflict with other policy aims – management of surface water for instance. The current policy wording is considered sufficient, in carrying the expectation that demonstration be made where this would not be practicable.</p> <p>This inflexibility carries through into criterion E4.4 which could prove unable to be consistently implementable, whilst the intention is recognised it may not be the case that boundary screening by 'erect vegetation' of a 'appropriate height and structure' will be appropriate or practicable in every instance – it also seems somewhat vague without more detailed definition. For example, ground conditions may not be able to support such provision. The use of 'should' rather than 'must' is</p>	<p>It is recommended that that these concerns should be discussed further with the District Council, so that the wording of Policy E4 may be reconsidered.</p> <p>It is recommended that that these concerns should be discussed further with the District Council, so that the wording of Policy E4 may be reconsidered.</p>

Ref	Comment	Recommended response
	<p>recommended here, so that site-specific conditions may be taken account of – but carrying the expectation that the starting point is that this will occur.</p> <p>There are the same concerns over ‘must’ with criterion E4.5, see the content in this response around the wider concerns with the ‘Codes’ as currently presented.</p>	

POLICY E5 currently reads: Development proposals that could contribute to the creation of a Green Link around Southwell to help maintain the rural character of the town, maintain attractive PROWs linked to open spaces, for the benefit of the public and wildlife, will be supported. This policy requires development proposals which are likely to have an impact on the Green Link from physical presence or pressure from activity to protect and enhance the Green Link by: Wherever possible, improving the continuity of the public access within the Green Link and its value as a wildlife corridor. Wherever possible increasing the access from the Green Link to the wider network of PROWs around Southwell; improving its landscape features to help maintain it as an attractive amenity for the public and making it a more valuable biodiversity asset.

It is **proposed** that the new policy should now read: Development proposals will be supported that could contribute to the creation of a Green Link around Southwell to help conserve the rural character of the town and maintain attractive PROWs linked to open spaces, for the benefit of the public and wildlife. This policy requires development proposals which are likely to have an impact on the Green Link from physical presence or pressure from activity to protect and enhance the Green Link by: I. Wherever possible, improving the continuity of the public access within the Green Link and its value as a wildlife corridor. I. Wherever possible increasing the access from the Green Link to the wider network of PROWs around Southwell; improving its landscape features to help maintain it as an attractive amenity for the public and making it a more valuable biodiversity asset.

Question: Are you happy with the proposed changes to Policy E4?

Summary: 81% (51 respondents) were happy with the proposed changes having read the summary only. Of those who read the proposed policy changes in full, 6 respondents were happy and 6 respondent was not. In total, there were 63 respondents.

Comments received:

Ref	Comment	Recommended response
P-E5-1	I can't see any information regarding what the Green Link is. The area is already well served by PROWS that have a high level of protection.	Noted. Make sure this is adequately explained.

POLICY E6 currently reads: Proposals for low carbon energy generation schemes will be supported provided they comply with relevant national, NSDC and Neighbourhood Plan policies, with specific reference to the following criteria: Does not impact negatively on the local landscape character and the setting of the settlement in accordance with other development plan policies. Does not impact negatively on the setting and character of any heritage asset Fully assesses the impact of any tall structures within the landscape or townscape. Takes account of the Southwell Protected Views policy in the A&DM DPD (Ref: So/VP). Demonstrates compliance with the NSDC Wind Energy Supplementary Planning Document. Development proposals will need to demonstrate that they have taken account of the current industry and government best practice principles for energy saving construction in design of buildings and landscape treatments and guidance in the Southwell Design Guide. This may include considering the use of on-site renewable technologies where they comply with other policies within the development plan.

It is **proposed** that the new policy should now read: Generation of Renewable Energy Proposals for zero carbon energy generation schemes including wind and solar farms will be supported provided they comply with Neighbourhood Plan policies, with specific reference to the following criteria: a. Does not impact negatively on the local landscape character and the setting of the settlement in accordance with other development plan policies. b. Does not impact negatively on the setting and character of any heritage asset. c. Must fully assess the impact of any tall structures within the landscape or townscape. d. Must take account of the Southwell Protected Views policy in the A&DM DPD (Ref: So/VP). e. Must demonstrate compliance with the NSDC Wind Energy Supplementary Planning Document. Development proposals will need to demonstrate that they have taken account of the current industry and government best practice principles for energy saving construction in design of buildings and landscape treatments and guidance in the Southwell Design Codes. This may include considering the use of on-site renewable technologies where they comply with other policies within the development plan. Provision of Well-Designed energy efficient Buildings and Places The design and standard of any new development should aim to meet a high level of sustainable design and construction and be optimised for energy efficiency, targeting zero carbon emissions. This includes: I. Siting and orientation to optimise passive solar gain, II. The use of high quality, thermally efficient building materials, III. Non-residential developments should aim to meet the Buildings Research Establishment BREEAM building standard ‘excellent’. IV. Any new development to incorporate on-site energy generation from renewable sources such as solar panels, to at least the extent required by NS core strategy policy CS2. V. Alterations to existing buildings must be designed with energy reduction in mind and comply with sustainable design and construction standards. New residential developments should at least meet the Minimum Requirements for energy efficiency as specified by UKGBC (or equivalent specified by the Future Homes Standard) and developers should seek to achieve the related “Stretching Requirements”, explaining any reasons for not doing so. Subject to the development being found to be acceptable when judged against other policies in the Development Plan, innovative approaches to the construction of low carbon homes and conversion of existing buildings which demonstrate sustainable use of resources and high energy efficiency levels will be supported. Examples would include, but would not be limited to, construction to Passivhaus and equivalent standards, and conversion to EnerPHit and equivalent standards. The sensitive retrofitting of energy efficiency measures and the appropriate use of micro-renewables and low carbon heat in historic buildings will be encouraged, including the retrofitting of listed buildings, buildings of solid wall or traditional construction and buildings within conservation areas, whilst safeguarding the special characteristics of these heritage assets for the future. To

ensure resilience to the changing climate, alongside energy efficiency, all development proposals should reduce potential overheating and reliance on air conditioning systems and demonstrate this in accordance with the following cooling hierarchy: I. minimise internal heat generation through energy efficient design. II. reduce the amount of heat entering a building in summer through orientation, shading, III. albedo, fenestration, insulation and green roofs and walls, IV. manage the heat within the building through exposed internal thermal mass and high ceilings, V. passive ventilation, VI. mechanical ventilation VII. active cooling systems (ensuring they are the lowest carbon options). To aid in the conservation of water any new development must be designed for the consumption of 100 litres per person per day as outlined by the recent Severn Trent Water Efficiency Calculations.

Question: Are you happy with the proposed changes to Policy E6?

Summary: 73% (46 respondents) were happy with the proposed changes having read the summary only. Of those who read the proposed policy changes in full, 5 respondents were happy and 5 respondents were not. In total, there were 63 respondents.

Comments received:

Ref	Comment	Recommended response
P-E6-1	This is too restrictive and prescriptive.	Noted. See recommendations relating to NSDC’s comments.
P-E6-2	What Wind Energy SPD? Don't understand the 100 litres per day calc - how is this done, is this explained further, what are the implications?	Noted. See recommendations relating to NSDC’s comments
NSDC Comments	The intentions of the Qualifying Body to have a climate conscious Neighbourhood Plan are welcomed and the extent of, and challenges posed, by the climate emergency are recognised. Clearly in shaping the future of the District the Development Plan has an important role to play here, and the planning system in general will need to support positive action in order to meet Government net zero targets. Notwithstanding, this the development of planning policy sits within a framework of regulation and national policy and guidance-which set parameters over what can be achieved. In order to get to the point where new policy is adopted (or in the case of a Neighbourhood Plan ‘made’) and effects change in the	This is a complex topic and the comments made by the District Council require further discussion with a view to amending the proposed changes to Policy E6 whilst still retaining the desired raising of expectations and requirements as far as is reasonably possible.

real world then it needs to be assessed against and conform to the requirements of that framework.

The criterion under E6.3(iii) would require that all non-residential development should meet the BREAAAM 'excellent' building standard. Presently the wording is 'should', which clearly allows some limited room for **non**-compliance. This would be removed through the amendment, and I am not aware of any work having been done to establish the local viability impact of this on non-residential development. The increased level of requirement has not been justified, and so cannot be considered appropriate. It is considered that 'should' ought to be retained here.

Criterion E6.4 would be a significant departure from the existing plan and introduce strict new minimum requirements around energy efficiency for new residential development. The policy is framed around a binding requirement to meet the minimum requirements recommended by the UK Green Building Council (a building industry network) in their 'New Homes Policy Playbook' (published February 2021), or through the subsequent Future Homes Standard. With developers then being required to 'seek to achieve' the related 'stretching requirements', and where they fall short of this to explain why. However, the legal basis through which gives Local Planning Authorities the right to set binding energy efficiency standards comes from The Planning and Energy Act 2008. Consequently, this preceded the introduction of neighbourhood planning through the Localism Act in 2011, and the 2008 Act makes no reference to Neighbourhood Plans. Accordingly, there does not appear to be any statutory basis on which the SNP could introduce a binding standard.

The minimum requirement would entail a 31% reduction in the Dwelling Emission Rate (DER) against the Target Emission Rate (TER) based on the 2013 Edition of the 2010 Building Regulations (Part L). With a fabric first approach being prioritised, ensuring that a minimum thermal performance of the whole envelop exceeds that of the notional specification by 5%. These recommended requirements mirror what were, at the time the Playbook was written, the Government's intended 2022 Building Regulations uplift. These requirements seem to have subsequently come into force, with Part L to the Building Regulations having been updated on the 15th June 2023. As a result, the policy content represents an unnecessary duplication of requirements within a different regime, and so

ought to be deleted. Had this not been the case then it would have been recommended that the requirement be removed, given the lack of statutory basis for its introduction through a Neighbourhood Plan.

In terms of the 'stretching requirements' adoption of the recommendations into policy would mean an energy use intensity (EUI) target of <70 kWh/m²/year operational energy use in GIA excluding renewable energy contribution. With the target including both regulated and unregulated energy consumption. New build homes would deliver ultra-high levels of energy efficiency consistent with a space heat demand of 15-20 kWh/m²/year. Compliance would need to be demonstrated through use of a design for performance methodology such as Passivhaus PHPP or CIBSE TM54 Operational Energy.

As currently worded the policy states that developers 'must seek to achieve' these additional requirements, and so that falls short of being a binding requirement. However, it still carries a level of expectation that developers will strive to reach the standard, and they have to provide justification where it is not met. As far as I can see there has been no work carried out in support of the requirement, and whether it will prove to be locally viable or not. The Qualifying Body is therefore risking introduction of what turns out to be a superfluous requirement that is never delivered. There is also the concern that it will place an undue additional burden on applicants to make that demonstration on a case-by-case basis, when it could have been screened out as unviable at the plan-preparation stage. Without the necessary evidenced justification, the inclusion of the stretching requirements within the policy are objected to.

In order to resolve this objection the Qualifying Body could consider provision of that evidence, or alternatively amend the wording to underline that this aspect is aspirational. It may also be the case that these stretching requirements are soon overtaken through introduction of the Future Homes Standard, which as proposed would include the mandatory requirement that homes built from 2025 onwards would produce 75-80% less carbon emissions than homes built under current Building Regulations. On this timetable the SNPs 'stretching requirement' would likely only be in place for a short time, and so the Qualifying Body may wish to consider whether it is expedient to bring the necessary evidence together, or whether this matter is best left dealt with at a national level through Building Regulations.

Should the Body wish to disregard this advice, and test its current approach through the Examination of the amended NP then it is strongly suggested that the wording of the policy is amended. It is not clear why the 'playbook' has been referenced- as it appears to have no formal recognition, planning status or weight and may be subject to future update or withdrawal. This document would be best referenced within the supporting justification, and the actual recommended standards included within the policy – with a caveat to them being applicable until replaced by any successor standard. This would improve the precision of the policy, and aid its implementation.

Criterion E6.8 would result in the introduction of a water efficiency standard, however this varies from that being sought to be introduced through the Amended Allocations & Development Management DPD. The standard within the SNP would achieve an expected water consumption of less than 100 litres per person per day, whereas the District-wide standard emerging through the Plan Review would be 110 litres per person per day. This is the recommended standard from the two local water companies and has been viability tested. It is suggested that, for ease of implementation and consistency in decision-making across the District, this evidenced standard is used within the SNP, or that this is left to the Amended Allocations & Development Management DPD to address.

POLICY DH1 currently reads: All relevant planning applications will be required to demonstrate how they have taken account of the guidance set out within Southwell Design Guide contained at Appendix 1 and the Conservation Area Appraisals (where this is relevant). This should not preclude innovative or contemporary design where it can be shown to support and contribute to the unique townscape of Southwell. Standardized design solutions are unlikely to be acceptable. All new development, in terms of scale, mass and overall mix of use should reinforce the focus of the Town Centre for commercial and retail uses, and not seek to create alternative centres. This does not preclude appropriate development at the Brackenhurst Campus in accordance with Core Strategy Policy SoAP 2.

It is **proposed** that the new policy should now read: All built development within The Southwell Neighbourhood Plan Area must be sustainable in its design, in that it must be: • contextually responsive; • functional and inclusively accessible; • energy and resource efficient; • visually attractive; and, • consistent with the well-being of the local community, now and in the future. All new development, in terms of scale, mass and overall mix of use should reinforce the focus of the Town Centre for commercial and retail uses, and not seek to create alternative centres. This does not preclude appropriate development at the Brackenhurst Campus in accordance with Core Strategy Policy SoAP 2."To those ends, the expectations set out in the Southwell Design Codes set out in Schedule A of this Policy must be applied to the design of all developments within

the Neighbourhood Area, to the extent that, as specified in Table 1 of this Policy, those Design Codes are relevant to the particular location and type(s) of development proposed. Development proposals that are consistent with the relevant Southwell Design Codes will be supported. Development proposals that are not consistent with the relevant Southwell Design Codes will not be supported unless it is demonstrated that the outcomes and quality of development that the relevant Design Codes seek to achieve will be delivered in alternative forms. Development proposals should be accompanied by information that explains how the approach and detailed guidance set out and referred to in the Southwell Design Guidance and Codes has influenced the design proposed. This information should be included in a formal Design and Access Statement, where such a statement is required, or in other cases should be provided as a design statement accompanying the planning application. Proposals for development within or adjoining the Conservation Area must preserve or enhance the character or appearance of the area. When such development is being designed, consideration should be given to the Southwell Conservation Area Appraisal within which the character and appearance of the Conservation Area, and each of the defined character areas within it, are described. Development proposals that fail to preserve or enhance the character or appearance of the Conservation Area will not be supported.

Question: Are you happy with the proposed changes to Policy DH1?

Summary: 76.2% (48 respondents) were happy with the proposed changes having read the summary only. Of those who read the proposed policy changes in full, 5 respondents were happy and 5 respondents were not. In total, there were 63 respondents.

Comments received:

Ref	Comment	Recommended response
P-DH1-1	I'd like more context re other public policy, regulation etc re standards and enforcement. The proposals include good ideas but read as if its all the. job of STC instead of explaining how this relates to other bodies and processes and works in synthesis with them	Noted. See recommendations relating to NSDC's comments
P-DH1-2	The wording also includes areas adjacent to the Conservation Area and this is too broad a remit.	Noted – but the impacts of development adjacent to a conservation area are a material consideration.
P-DH1-3	Final paragraph re conservation areas is not consistent with NPPF	Noted. See recommendations relating to NSDC's

Ref	Comment	Recommended response
		comments
NSDC Comments	<p>The intention to drive up standards of design through the introduction of a Design Code as part of the Neighbourhood Plan is applauded. This is a mutually shared aim, with existing design policy in the Allocations & Development Management DPD to be comprehensively updated through its review and a Masterplan and Design Code for Newark currently under development. However, in order to potentially be considered a formal ‘Design Code’ then the content in the SNP will require the supporting evidence and contextual analysis to be made available. Appendix 3 ‘Key Supporting Documentary Evidence’ lists ‘Design Codes- Final Report AECOM March 2023’ as an entry, and work by the consultancy is mentioned in the justification to Policy DH1. Yet, the document itself does not appear to have been published alongside the amended SNP for the purposes of this consultation.</p> <p>Without this evidence the development of the codes cannot be understood, their merits assessed and ultimately their implementation properly supported. For instance, it is not clear whether the National Model Design Code guidance has been followed? The content in Appendix 1 has the feel of being the end result of a process, but with none of the preceding information being made available. The PPG is clear that design codes are a set of illustrated design requirements that provide specific, detailed parameters for the physical development of a site or area. The graphic and written components of the code should build upon a design vision, such as a masterplan or other design and development framework for a site or area. Their content should also be informed by the 10 characteristics of good places set out in the National Design Guide, and the National Model Design Code. Clearly the process of selecting and setting design parameters, should directly derive from robust analysis and design visioning. The information provided within, and in support of, the Codes fall significantly short of meeting this guidance.</p> <p>In its current form it is strongly questioned how the Local Planning Authority as decision maker will have sufficient clarity over the approach in order to apply it consistently and with confidence, when determining applications. It is also unclear</p>	<p>The extensive comments and concerns set out by the District Council clearly require careful consideration so that a mutually acceptable approach may be agreed. It is recommended that discussions should be held with the District Council with a view to resolving these matters.</p>

Ref	Comment	Recommended response
	<p>whether applicants are being provided with a clear and precise approach, within which to develop proposals.</p> <p>Given these fundamental concerns the references and cross-references to the Codes within relevant policies of the amended SNP are ambiguous – given that they do not link back to an evidenced, justified and fully formed Design Code. Consequently, it will not be possible to implement those requirements in the way anticipated, where their meeting is defined as compulsory. In order to take this forward as a Design Code the Qualifying Body is urged to publish the supporting evidence, so that the merits of the process followed and its conclusions may be critically assessed.</p> <p>An alternative approach would be to revert back to more traditional design guidance, albeit with there still being the need for this to be supported by proportionate evidence. This option would also require the wording within the plan to appropriately reflect the status of guidance (i.e. there being more scope for pragmatism, consideration within the round and prioritisation of key criteria than exists with a formal code).</p> <p>Given the benefits that can derive from the use of Design Codes at a local level it is regrettable that support for the approach within the amended SNP cannot currently be provided, and that there is no choice but to raise an in-principle objection.</p> <p>In terms of specific comments on the wording within Policy DH1 the above has bearing for that proposed within criteria DH 1.2 – DH 1.5 (inclusive), which as it stands is considered to be inappropriate and unjustified. Separately, from an implementation perspective the mapping provided in Appendix 1 is not of a sufficient quality or at a legible enough scale to allow precise identification of site location – and so to determine what parts of the codes are relevant. This will further undermine implementation of the codes in a precise and consistent way.</p> <p>Should the Qualifying Body wish to retain the current approach, and test it at Examination, then the wording in DH1.4 ought to be slightly amended to ensure that</p>	

Ref	Comment	Recommended response
	<p>application of the codes deals purely with the matter of design – there may be other issues which result in a design compliant scheme not being supported. Perhaps wording similar to ‘development proposals that are consistent with the relevant Southwell Design Codes will be considered to have met an acceptable standard of design’ would be better.</p> <p>With regards to the detailed content within Appendix 1, the following input has been provided by the District Council’s Conservation team. The CFA: A ‘functional countryside’ area includes Norwood Park, which is an unregistered park and garden – which doesn’t seem appropriate. The choice of language in SFA2 provides some discomfort, with it described as the ‘most privileged part of the Town’. SFA3 is referred to as ‘lower density’, something that is questioned and only really true of Westhorpe – perhaps agglomerated/informal would be a better description, which could then also apply to part of Halam Road?</p> <p>Code HA; point 1 how is ‘low-quality’ defined? Point 4 may limit the potential for new architecture, wouldn’t it be better to use wording along the lines of ‘respect’ local vernacular. Point 5 should be reviewed against the advertisement regulations and the management options available.</p> <p>There is concern over whether Code LG can work in the way currently drafted. For example Georgian architecture is typically defined by symmetry/regimented facades, context is crucial – and so should determine approaches. ‘Gappy’ silhouettes is considered to represent poor terminology. How corner buildings are addressed should be more flexible, and may not work in transition areas but can potentially be ok within an urban context. Similarly blank gables can also work in the right context.</p> <p>Code C, the replacement of ‘compliance’ with ‘sympathy’ is recommended in Point 2. Point 5 may prove unreasonable – and so an alternative could be to turn this positive to encourage diversity, rather than framed negative and around avoidance.</p>	

Ref	Comment	Recommended response
	<p>Code MC, in terms of colours the requirements here seem slightly unreasonable/redundant – could the LPA reasonably enforce against this, and is there sufficient consistency in colour as a starting point to make it practical. On materials, there is some discomfort around the text on render and being able to ask for handmade bricks in a new build project. It would not be possible to resist engineering bricks in footings and are partially visible, so would form from discharged condition for materials. The policy could prove to problematic therefore. The use of ‘simple and neat’ is unclear. Boundary treatments would be required to distinguish between private and public spaces- but would it be unreasonable to resist fences at rear of property for example away from public realm?</p> <p>Code HHD is poorly worded and defined. Applicants will likely be confused by the imposition of design parameters given other aspirations in the code. There is a contradiction through Code F when it asks for development to accord with the surrounding townscape. Similarly, there is a contradiction with the window and roof design codes which essentially ask designers to replicate traditional forms.</p> <p>It would seem that the context code C section is currently the most useful part of the code and as presently drafted the suitability of the other parts of the ‘code’ is questioned.</p>	

POLICY DH2 currently reads: Development proposals which have the potential to impact on the public realm will be expected to demonstrate how they will contribute to high quality streets, pavements and other publicly accessible areas (the public realm) within the town, subject to complying with all other Neighbourhood Plan policies. Where appropriate, improvements to the existing public realm, to ensure safe and high-quality access for all users, should be delivered alongside proposals and have regard to the guidance from the in the Southwell Design Guide (Appendix 1). Where new public squares, parks or spaces are provided as part of development proposals, they should be of a scale and type appropriate to the development and its context. Landscape schemes submitted with applications should demonstrate how they have been designed to: • Encourage access for all users; • Reduce the risk of fly-tipping and other anti-social behaviour; • Be maintained in the long term.

It is **proposed** that the revised policy should now read: DH2.1 Development proposals which have the potential to impact on the public realm must contribute to high quality streets, pavements, and other publicly accessible areas (the public realm) within the town, subject to complying with all other Neighbourhood Plan policies. Where appropriate, improvements to the existing public realm, to ensure safe and high-quality access for all users, should be delivered alongside proposals and have regard to the guidance in the Southwell Design Codes (Appendix 1). DH2.2 New public squares, parks or spaces should be provided as an integral and central element of development proposals. They should be of a scale and type appropriate to the development and its context. DH2.3 Landscape schemes submitted with applications should demonstrate how they have been designed to: 1. Encourage access for all users. 2. Reduce the risk of fly-tipping, littering and other anti-social behaviour. 3. Be maintained for the life of the development. 4. Take note of appropriate Police Guidance.

Question: Are you happy with the proposed changes to Policy DH2?

Summary: 84.1% (53 respondents) were happy with the proposed changes having read the summary only. Of those who read the proposed policy changes in full, 4 respondents were happy and 3 respondents were not. In total, there were 63 respondents.

Comments received:

Ref	Comment	Recommended response
P-DH2-1	Consultation is crucial re this, and I'm aware that that has been lacking with landowners who. are longstanding stakeholders in the area and who are only belatedly being involved in a very advanced process. That isn't helpful to the evolving of a collectively owned	Noted.

Ref	Comment	Recommended response
	community plan (and is not in line with what is required of STC)	
P-DH2-2	This seems ambitious given that the public roads cannot even be maintained. Begin with the potholes, first things first.	Noted, but maintenance is outside the scope of a neighbourhood plan.
P-DH2-3	The use of "all users" doesn't meet my threshold of actively encouraging facilities for the disabled members of our community or our visitors. There is a lot of inaccessible spaces to wheelchair users including some of our paths due to the width and camber of the paths and driveways. The access to certain green spaces is also poor.	Noted. Reference could be made to “including people with disabilities” or similar wording.
NSDC Comments	Criterion DH2.2 currently seeks to control the form and provision of squares, parks or spaces where they are proposed. The amendments would shift this to become a requirement for their provision as part of development proposals. The use of development proposals lacks precision and would as currently written apply to all forms of development- including some where they would not be common features – or indeed necessary. Beyond this in terms of development where their provision could be appropriate then no regard is had to the scale of development proposed – or other factors which may lead a decision- maker to prioritise other elements of a scheme, as appropriate. It is considered that alteration is required to this policy to make it precise and flexible enough to be implementable.	It is recommended that the proposed changes to Policy DH2 should be amended to address the concerns expressed by the District Council. The word “parks” should be omitted.

POLICY DH3 currently reads: Development proposals within the Historic Town Centre must not negatively impact on the spaces, links or relationships between listed buildings, particularly those associated with the Minster where the aim is to maintain a sense of place within and around its precinct. Within the Historic Town Centre the established layout of large houses within their own extensive grounds must be retained and that the surviving Prebendal plots must not subdivided.

It is **proposed** that the new policy should now read: Development proposals within the Historic Town Centre must not negatively impact on the spaces, links, or relationships between listed buildings, particularly those associated with the Minster (Remove this section but potentially mention the minster in DH1 or schedule a?) where the aim is to maintain a sense of place within and around its precinct. Within the Historic Town Centre the established layout of large houses within their own extensive grounds must be retained and that the surviving Prebendal plots must not subdivided. Development must not negatively impact on the status, defining features, or the general views of the Southwell

Conservation Area. Where a site for development is known to have or likely to have archaeological interest it must be assessed by the best practice methodology and the results of the assessment presented to Newark and Sherwood District Council and the County Archaeologist no later than the submission of a planning application. Where archaeological features or artefacts are discovered during development these must be reported immediately to Newark and Sherwood District Council and the County Archaeologist for assessment of the need for evaluation of their historic value.

Question: Are you happy with the proposed changes to Policy DH3?

Summary: 77.8% (49 respondents) were happy with the proposed changes having read the summary only. Of those who read the proposed policy changes in full, 50 respondents were happy and 8 respondents were not. In total, there were 63 respondents.

Comments received:

Ref	Comment	Recommended response
P-DH3-1	To prevent surviving Prebendal plots from being sub-divided rules out suitable building plots that meet other policies in the NP eg being able to take 'active' forms of transport to work.	Await NSDC advice and then consider further.
P-DH3-2	Last 3 paragraphs unnecessary and repeat/slightly conflict with the NSDC local plan	Noted. It is recommended that any duplication of Local Plan policy should be removed.
P-DH3-3	I would leave the part about the Minster as it is relevant. Could it be mentioned in all proposed sections anyway?	Noted. Recommend that this reference should be deleted.
P-DH3-4	I am not sure why it needs to make particular reference to prebendal plots. These have been subdivided in the past and we should be able to rely on the other elements of the plan and the design guide without being overly prescriptive for this one group of properties.	Await NSDC advice and then consider further.

Ref	Comment	Recommended response
NSDC Comments	Further advice on this policy and section will be provided subsequently, following advice from the District Council's Conservation team.	Seek further advice so that any suggested changes may be considered.

POLICY TA1 currently reads: Where appropriate, proposals for new development in Southwell must demonstrate how account has been taken to improve the pedestrian and cycle network within the town, helping to provide links to the district centre. In providing new routes or enhancing existing routes proposals, it must be demonstrated how they have considered the following criteria: Delivering a high level of security and safety by providing adequate street lighting and good visibility in both directions. Ensuring high quality design by providing suitable street furniture, including benches and bins where appropriate. Keeping road crossings to a minimum to make all routes accessible for disabled people, the elderly and pushchairs. Ensuring that they have delivered, or contributed to, safe routes to School if applicable.

It is **proposed** that the new policy should now read: All new developments must provide accessible pedestrian and cycle routes which link to local facilities and the primary shopping area. Existing pedestrian and cycle networks must be protected and where appropriate enhanced to improve their usability, rather than providing new routes. In providing new routes or enhancing existing routes proposals, must demonstrate how they have considered the following criteria: a. Delivering a high level of security and safety by providing adequate street lighting and good visibility in both directions. b. Ensuring high quality design by providing suitable street furniture, including benches and bins where appropriate. c. Keeping road crossings to a minimum to make all routes accessible for disabled people, the elderly and pushchairs. d. Ensuring that they have delivered, or contributed to, safe routes to schools. e. The provision of off-road cycle routes. Development proposals for new routes and enhancement of existing routes should be negotiated between developers and key stakeholders including, but not limited to Southwell Town Council, Newark and Sherwood District Council, Nottinghamshire County Council and Sustrans, where appropriate. In addition to any Developers contribution, funding for improvements to these routes will be eligible to be considered for an allocation from the Southwell receipts from the CIL.

Question: Are you happy with the proposed changes to Policy TA1?

Summary: 74.6% (47 respondents) were happy with the proposed changes having read the summary only. Of those who read the proposed policy changes in full, 7 respondents were happy and 2 respondents were not. In total, there were 63 respondents.

Comments received:

Ref	Comment	Recommended response
P-TA1-1	Don't forget to ensure need for natural surveillance in all new development including minimising blank edges around developments	Noted, but this is more appropriate to the Design policies.

Ref	Comment	Recommended response
P-TA1-2	I think that unless the volume of traffic particularly HGV's is reduced, it would be difficult to attain the policies. Same really applies for the heritage of our town. It is being eroded by pollution, particularly around the mini roundabout of the Crown and Saracens Head.	Noted – but outside the scope of the Neighbourhood Plan.
NSDC Comments	<p>The policy would be amended to require that ‘all new developments must’ provide accessible pedestrian and cycle routes. This would be changed from the current wording, which ties consideration of where cycle and pedestrian route should be provided to circumstances where this is appropriate. In seeking mandatory provision through all forms of development the policy lacks precision, there will be forms and scales of development where such provision would be inappropriate. The existing wording appears to be more appropriate. If the Qualifying Body remains of the view that the wording still requires amendment, then it is suggested that something along the lines of ‘Where appropriate due to the scale and form of development proposed, schemes should...’ would be preferable.</p> <p>The new criterion proposed through TA1.1 (e) would require provision of off-road cycle routes. It is considered unnecessary for this to be altered, given that this may not always be achievable, and in such circumstances then surely on-road provision is better than none taking place at all? The requirement could be amended to say something similar to, ‘prioritisation should be given to provision of off-road cycle routes wherever practicable...’</p> <p>It is presumed that the reference within TA1.2 to consideration being given to use of CIL receipts for funding improvements refers to use of the Town Councils ‘meaningful proportion’, where consistent with the CIL regulations. The requirement should therefore be amended to make this clear.</p>	<p>It is recommended that, mostly, the wording of the policy should be amended in accordance with the District Council’s comments.</p> <p>The comments regarding application of CIL payments warrant further discussion with the District Council to clarify the situation.</p>

POLICY TA2 currently reads: The Neighbourhood Plan supports measures which will deliver an integrated transport system (including footpaths and cycle ways, as outlined in policy TA1) which prioritises interchange between sustainable modes.

It is **proposed** that the new policy should now read: The Neighbourhood Plan supports measures which will deliver an integrated transport system (including footpaths and cycle ways, as outlined in policy TA1) which prioritises interchange between sustainable modes. All new residential developments of more than 10 dwellings must be located within 300 meters or 5-minute isochrone [whichever is the lower] walk of existing public transport services. Residential sites which are unable to achieve this will be required to subsidise a new/extended transport link to serve the new residential site. Where appropriate, further contributions will be sought from all household developments over 10 dwellings, to be used for the improvement of public transport provision in and around the Southwell parish, where the primary focus will be on improving the connectivity to local railway stations and other longer distance modes. In addition to any Developers contribution, funding for integrated transport provision will be eligible to be considered for an allocation from the Southwell receipts from the CIL.

Question: Are you happy with the proposed changes to Policy TA2?

Summary: 76.2% (48 respondents) were happy with the proposed changes having read the summary only. Of those who read the proposed policy changes in full, 1 respondent was happy and 2 respondents were not. In total, there were 63 respondents.

Comments received:

Ref	Comment	Recommended response
P-TA2-1	Five minutes walk means an awful lot of bus stops. Ten minutes seems a reasonable requirement especially given the emphasis on getting people to be more active and fit.	See NSDC comments which refer to this.
P-TA2-1	Does this comply with NCC and NSDC developer contribution SPDs? No. Nor is it possible or necessary in Southwell which is only served by one decent bus route in any event which is too expensive to use for families who need to rely on use of the private car. A bus shuttle to Fiskerton train station would be amazing though	Noted – and see also NSDC comments.
NSDC Comments	Criterion TA2.2 requires residential development of more than 10 dwellings to be located within 300 metres or a 5-minute isochrone (whichever is lower) walk of existing public transport services. Sites unable to achieve this would be required to subsidise a new/extended	It is recommended that, mostly, the wording of the policy should be amended in accordance with the District Council’s

Ref	Comment	Recommended response
	<p>transport link to serve the new residential site. This requirement appears to conflict with the County Councils – Public Transport Planning Obligations Funding Guidance for Prospective Developers which sits alongside their Developer Contributions Strategy and which carries 100 dwellings or more as the threshold at which consideration would be given to a bus service contribution. The County Council guidance does appear to suggest that local quality standards can also be put in place, in this respect the District Council’s Developer Contributions SPD sets a threshold of 50 dwellings or a site area of 1.2ha as the trigger to potentially seek transport related Developer Contributions. It is unclear what necessitates such a radically different approach for Southwell Parish. Consequently, the proposed threshold lacks an evidence base to support it and demonstrate that it will prove locally viable for qualifying schemes. Without demonstration over the necessity, and an evidence base to support its introduction then this requirement should be deleted. The same issues extend to criterion TA2.3</p> <p>TA 2.4 ought to make clear that any CIL receipts spent for this purpose would currently need to come from the Town Council’s meaningful proportion – where such spend is able to satisfy the relevant parts of the CIL regulations.</p>	<p>comments.</p> <p>The comments regarding application of CIL payments warrant further discussion with the District Council to clarify the situation.</p>

POLICY TA3 currently reads: Where new development negatively impacts on the highway network, contributions will be sought from the developer to mitigate this effect in line with NSDC’s Developer Contributions and Planning Obligations Supplementary Planning Document. Contributions will be used to minimise and mitigate these impacts associated with the development.

It is **proposed** that the new policy should now read: Where new development negatively impacts on the highway network, contributions will be sought from the developer to mitigate this effect. Contributions will be used to minimise and mitigate these impacts associated with the development. Contributions will be sought from the allocated sites to make the following highway improvements: Roads requiring improvements in terms of capacity, width and rationalization of parking:• Church Street• Westgate. Junctions requiring improvements to improve flows and allow for greater pedestrian priority:• Westgate and Halloughton Road• King Street and Westgate• Junction of Nottingham Road and Halloughton Road• Junction of Kirklington Road and Lower Kirklington Road• Junction of Newark Road and Easthorpe. New developments which involve alterations to existing highways and the provision of new highways must meet the following design criteria:• Provide suitable measures to accommodate traffic (including at peak times;)• Improve the safety and attractiveness of the street scene;• Integrate appropriate traffic-calming measures within the development.

Question: Are you happy with the proposed changes to Policy TA3?

Summary: 77.8% (49 respondents) were happy with the proposed changes having read the summary only. Of those who read the proposed policy changes in full, 1 respondent was happy and 4 respondents were not. In total, there were 63 respondents.

Comments received:

Ref	Comment	Recommended response
P-TA3-1	There is no mention of residents input to the specific junctions mentioned. There needs to be local residents consultation before outside agencies are involved to get accurate results eg. the traffic assessment used by NCC on Halloughton Road for The Rise was done in a week where fewer school-bound cars were using the road.	Noted. See recommendation relating to NSDC comments.
P-TA3-2	Changes unnecessary and too vague - when reasonable and in accordance with national guidance off site requirements would be put into a s106 agreement during the planning application process in	Noted. See recommendation relating to NSDC comments.

Ref	Comment	Recommended response
	any event	
P-TA3-3	Halam Road outside the school needs addressing as it is mayhem during the day and poses a risk to the children during drop off/pick up times. Something needs to be done about Hopkilm as the near misses that happen down there is become worrying. There are sections that are a massive risk to car users but, more importantly, pedestrians. There needs to be traffic calming, a passing place near the street light and the hedges maintained to help drivers see each other but also, crucially, pedestrians. It is becoming very scary to drive down there now. Also the amount of parked cars in and around the Old Vicarage Boutique on Westgate is becoming ridiculous and definitely requires looking at for the safety of all.	Noted. See recommendation relating to NSDC comments.
P-TA3-4	Add Halam Road / Kirklington Road junction.	
NSDC Comments	There doesn't appear to be any evidence in support of the specific roads and junctions identified for improvement / intervention through TA3.2 and TA3.3. These recommendations do not appear in the District Council's infrastructure evidence base, and so in order for them to retained then such evidence will need to be provided. It is also strongly suggested that the Highways Authority be engaged.	It is recommended that his proposed policy should be discussed with the Highway Authority and then given further consideration in the light of that discussion.

POLICY TA4 currently reads: Non-residential development must take into consideration the following criteria in determining the acceptability of proposed parking: Accessibility, Type of development, Availability of public transport, Number of visitors and employees at peak times. All new parking must be designed to ensure that it is in keeping with the local character of Southwell. A mixture of different types of parking will be fully supported providing it is kept within the confines of the site and does not overspill onto neighbouring streets. Parking proposals which would enhance the local and visitor access to the shopping centre will be considered favourably.

It is **proposed** that the new policy should now read: New residential development must meet the following parking standards, adopted by the N&SDC, where appropriate: • A minimum of 1 off-street car parking space for 1-bedroom units • A minimum of 2 off-street car parking spaces per dwellings up to 4 bedrooms • A minimum of 3 off-street car parking spaces per dwelling of 5 bedrooms or more • A minimum of 1 visitor car parking space for every four dwellings proposed.

On-residential development must consider the following criteria in determining the acceptability of parking provided:

• Accessibility • Type of development • Availability of public transport • Number of visitors and local employees at peak times. All new parking must be designed to ensure that it is in keeping with the local character of Southwell. A mixture of different types of parking will be fully supported providing it is kept within the confines of the site and does not overspill onto neighbouring streets. Contributions will be sought from commercial and retail development to provide sufficient new parking provision in Southwell town centre, with an emphasis on free and affordable parking charges. Additionally, parking which enhances the local and visitor access to the shopping centre will be looked on favourably. Standard Parking bays shall be 5.0 x 2.5 meters in size.

Question: Are you happy with the proposed changes to Policy TA4?

Summary: 81% (51 respondents) were happy with the proposed changes having read the summary only. Of those who read the proposed policy changes in full, 3 respondents were happy and 4 respondents were not. In total, there were 63 respondents.

Comments received:

Ref	Comment	Recommended response
P-TA4-1	<p>NO – DISAGREE. See Recommendation relating to NSDC comments. (a) be dependent on increased car travel, (b) this increased car travel will require building of more non-residential parking, and (c) these spaces will need to be cheap or free. Evidence and best-practice suggest that all these assumptions are flawed. I would ask the Council to look again at TA4 and TA5 and incorporate these strategies for parking into an integrated travel strategy. Further comments are against TA4 and TA5 below, and in Additional Comments (p.6). • TA4 and TA5 should include cycle parking standards and strategies. These are not covered elsewhere in the NP. The N&SDC Parking Supplementary Planning Document (2021) referred to in TA4.1 includes cycle parking standards. • TA4.1 – The N&SDC Parking SPD identifies that in some areas, close to amenities and public transport, it is appropriate to allocate fewer allocated parking spaces per dwelling (None in Newark</p>	<p>See recommendation relating to NSDC cooccomments.</p>

Ref	Comment	Recommended response
	<p>Town Centre; 2 max in inner Newark). This option for should be incorporated for Southwell, where appropriate. • TA4.1 A higher ratio of unallocated:allocated parking spaces increases the flexibility of occupation, which can reduce the number of spaces used for the same number of dwellings without leading to overspill. This should be supported where appropriate. • TA4.2 – In addition to considering access to public transport as stated, non-residential developments should also consider availability of active travel options. • TA4.4 (and para 8.5) The policy assumes benefits of free or discounted parking for the town’s economy that are not supported by evidence. In fact, it may have negative consequences. There is no evidence that town parking charges cause shoppers to go elsewhere, or to affect commercial or retail investment</p> <p>(https://www.its.leeds.ac.uk/projects/konsult/private/level2/instruments/instrument025/12_025b.htm). Furthermore, limiting the length of free parking (typically to between 1-3 hours) is key to promoting turn-over of spaces therefore increasing availability and footfall, and for distributing parking appropriately across different town car parks, while maintaining revenue for car park maintenance and improvements. (See LGA guidance and Sleaford case-study at https://www.local.gov.uk/topics/economic-growth/revitalising-town-centres-toolkit-councils/function/travel-parking-and). A more sustainable and cost-effective approach to support longer-term visits would be to invest in enhancing the accessibility and appeal of the existing under-utilised Long-Stay car park, and utilising existing good-sized private car parks (Minster School; Health Centre; Lowes Wong School) that could made available to the public for weekends and events (see TA5). The LGA best practice includes use of ‘intelligent’ signage directing people to available spaces, differential charging and appealing ‘park and stroll’ routes to connecting peripheral car parks with town centres.</p>	

Ref	Comment	Recommended response
P-TA4-2	Need to refer to rather than repeat NSDC Parking SPD. Any contributions need to be in line with NCC and NSDC SPDs	See recommendation relating to NSDC comments.
P-TA4-3	Where shopping trolleys may be used, width should be 2.8m.	See recommendation relating to NSDC comments.
P-TA4-4	this policy may be at odds with the NCC Highways Design Guide.....	See recommendation relating to NSDC comments.
NSDC Comments	<p>There is an important difference in the proposed standards to those in the District Council's Residential Cycle and Car Parking standards SPD. The SNP proposals would seek provision of 2 off street parking spaces for 3 bed dwellings, whereas the SPD seeks 3 for that size of dwelling. Amendments to the design policies within the Amended Allocations & Development Management DPD will reference the SPD. Accordingly for the ease of implementation and to avoid duplication of policy content, the inclusion of specific standards in the Neighbourhood Plan should be considered for deletion.</p> <p>Criterion TA 4.3 would result in developer contributions being sought from commercial and retail development to provide sufficient parking provision in Southwell Town Centre, with an emphasis on free and affordable parking charges. It is unclear on what basis of need these contributions would be being sought, the policy requirement is not evidenced in any way.</p> <p>In order to pass the planning obligation tests these contributions would have to be necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development. Given the type of site that is likely to become available within the Town Centre boundary and new commercial and retail development likely to trigger the requirement is going to be extremely modest in scale, the requirement would therefore</p>	It is recommended that the proposed changes to Policy TA4 should be reconsidered in the light of the District Council's comments.

Ref	Comment	Recommended response
	<p>seem disproportionate and so unlikely to pass the tests.</p> <p>The proposal would also seem to be introducing an additional barrier towards inward investment into the Town Centre from two important Main Town Centre Uses, at a time when retail and commercial concerns are generally rationalising their floorspace and withdrawing from Town Centres. Therefore, unless robustly evidenced as necessary, this proposed approach is not in the interests of the continued vitality and viability of Southwell Town Centre.</p>	

NEW POLICY (TA5) should be created to cover the parking strategy for Southwell and that it should read: Development proposals which maintain and / or improve existing levels of car parking provision will be supported. Development proposals which result in a loss of car parking provision will be resisted. Enhancement of existing car parks should focus on making them more accessible, improving signposting, making them more affordable and designing them to a high standard. Proposals which are able to deliver new car parking on a brownfield site within the District Centre (as defined by NSDC and shown on the proposals map) will be looked on favourably, providing they are compliant with all other policies within the development plan. Proposals to enhance existing car parks will be encouraged to improve the overall quality and quantity of parking within Southwell. In addition to any Developers contribution, funding for improvement to the provision of parking for visitors and shoppers will be eligible to be considered for an allocation from the Southwell receipts from the CIL.

Question: Do you agree with the proposed new Policy TA5?

Summary: 84.1% (53 respondents) agreed with the proposed new policy and 15.9% (10 respondents) did not. In total, there were 63 respondents.

Comments received:

Ref	Comment	Recommended response
P-TA5-1	Whilst supporting the aim of improving existing car parks and keeping parking charges as low as possible, I am not in favour of any new public car parking. Greater/clearer attention needs to be drawn to the free CP facility by the Leisure Centre and clear signage installed there showing pedestrian routes (and availability of bus transport) to the town centre. Perhaps a free or low fare shuttle bus could be trialled there on Saturdays?	Noted. It is recommended that further consideration should be given to the potential environmental impacts of the proposed policy. See also recommendation relating to NSDC comments.
P-TA5-2	The current parking provision seems fine. You can always find a place to park.	Noted. It is recommended that further consideration should be given to the potential environmental impacts of the proposed policy.

Ref	Comment	Recommended response
		See also recommendation relating to NSDC comments.
P-TA5-3	<p>NO – DISAGREE Firstly, in the Questionnaire for public comments, the summary regarding this new Policy is misleading. It asks simply whether people agree to the need for a new parking strategy. It does not say that a new strategy is included in the NP and is available for people to comment on. I expect you will get a high number of ‘yes’ replies, from people agreeing to the need for a policy, which should not be interpreted as meaning they agree with the proposed policy. The number of misguided responses as likely to be exacerbated, because communications have been sent out by the Council on Social Media, and by individual Councillors and members of the NP Working Group, encouraging people to just read the summaries on the Questionnaire, rather than “wading through” the whole NP. I believe it needs to be clarified to the community that a parking policy has been developed, and further consultation on it enabled. • The introduction (para. 8.6) states that “additional parking is required for events to allow Southwell to continue to thrive as a tourist town” and TA.1 supports developments that will increase parking provision. Where is the evidence for this need to increase parking provision? It will have significant cost (financial; environmental; congestion; and opportunity costs) and contradicts many of the other NP policies and objectives, and therefore should be justified with evidence. There are ca. 200 under-utilised spaces across 4 medium-large car parks in Southwell - the free Long-stay car park, and the Minster School, Health Centre and Lowes Wong School Car Parks which are empty during weekends and evenings and so offer perfect capacity for event parking. Optimising the use of these, together with effective support for public transport and active travel, would mitigate much if not all of the need to build additional parking, releasing public and private funding and land for other important goods and services. • TA5.3 and 5.5. Enhancement of existing car parks could usefully include: Intelligent digital signage directing drivers to availability in different car parks; ‘Park and stroll’ routes; Shuttle-buses where appropriate; Event tickets should also give information on car park availability and pricing. • TA5.6 Proposals to deliver new parking should only be supported when the opportunities to optimise use of existing parking spaces (above) have been fully met.</p>	<p>It is recommended that further consideration should be given to the potential environmental impacts of the proposed policy.</p> <p>See also recommendation relating to NSDC comments.</p>

Ref	Comment	Recommended response
	<ul style="list-style-type: none"> • Para. 8.7 The statement that more car parks will improve public realm is highly subjective and should be removed. 	
P-TA5-4	Parking must be free and long term and not just free for a limited time	See recommendation relating to NSDC comments.
P-TA5-5	TA5 - Rather than supporting development of new parking, which could have unintended consequences in the consideration of new development proposals, we recommend that the Council focus on engaging owners of private car parks to identify where parking could be made available to reduce road-side parking during headline events (whether free or paid-for), and improving signposting for 'park and stroll' from the long stay car park at the Leisure Centre.	Noted. It is recommended that further consideration should be given to the potential environmental impacts of the proposed policy. See also recommendation relating to NSDC comments.
P-TA5-6	Enhancement should include widening parking spaces as detailed earlier (2.5/2.8 x 5.0m).	See recommendation relating to NSDC comments.
P-TA5-7	I think we should be trying to discourage people from bringing cars into the town by improving public transport, cycle ways, ROW etc. Providing even more free parking won't help with that. Underused car parks such as the leisure centre should be developed more and promoted for event parking, if that's what you want to do.	Noted. It is recommended that further consideration should be given to the potential environmental impacts of the proposed policy. See also recommendation relating to NSDC comments.
P-TA5-8	page 70 - TA5.4 - where is the brownfield site and which map is it shown on? Comments on Section CF: page 75 - CF2.4 - which Appendix? page 78 - CF3.3 - heading duplicated page 79 - CF3.3 - bullet points should be replaced by numbers. 9.23 heading duplicated page 81 - 9.26 - bullet points should be replaced by numbers.	See recommendation relating to NSDC comments.
P-TA5-9	Please do not take away a cash or card option for parking	Noted, but not within remit of a Neighbourhood Plan.
P-TA5-10	I do not agree with the provision of a new car park.	Noted. It is recommended that further consideration should be given to the potential environmental impacts of the

Ref	Comment	Recommended response
		<p>proposed policy. See also recommendation relating to NSDC comments.</p>
NSDC Comments	<p>The policy appears to promote a desire for parking capacity within the town to, as a minimum, be kept in equilibrium with its current levels, and that proposals which result in a loss of parking capacity would be resisted. No evidence has been presented in support of this policy stance, demonstrating that the Town has a significant issue around car parking capacity – and so it is important that this is provided, in order for the content to be considered appropriate policy response to the issue. Use, function and location are all important considerations here, and it may not prove appropriate to ‘resist’ all proposals which result in a loss of parking provision.</p> <p>The policy should be flexible enough to deal with the specific merits of a proposal, and allow for up-to-date evidence over available parking capacity to be taken account of. It is assumed that the form of parking provision which is most critical is either in a Town Centre location, or areas on its periphery. Therefore, would it be a proportionate policy response to constrain the loss of car parking capacity on sites without a relationship to the Town Centre? As drafted the policy could also potentially cover private car parking provision, which doesn’t seem reasonable. TA5.6 ought to make clear that any CIL receipts spent for this purpose would currently need to come from the Town Council’s meaningful proportion – where such spend is able to satisfy the relevant parts of the CIL regulations.</p>	<p>It is recommended that the proposed new Policy TA5 should be reconsidered in the light of the District Council’s comments.</p> <p>The comments regarding application of CIL payments warrant further discussion with the District Council to clarify the situation.</p>

POLICY HE1 currently reads: The following housing mix and associated densities will be sought from all new residential development on brownfield sites for applications for 11 or more dwellings, subject to their compliance with the Southwell Design Guide (Appendix 1): Dwelling Type Proportion Density 1 Bedroom (Apartments) 20% 100 dph 2 Bedroom (including starter homes) 50% 50 dph 3 or 4 Bedroom (Family Homes) 30% 40 dph - Table HE1a – Housing Mix on Brownfield sites. On Greenfield sites, all schemes of 11 or more dwellings will be required to deliver the following housing mix and associated densities, subject to their compliance with the Southwell Design Guide (Appendix 1): Dwelling Type Proportion Density 1 or 2 Bedroom (incl. starter homes) 40% 50 dph 1 or 2 bedroomed bungalows 20% 30 dph 3 Bedroom (Family Homes) 15% 40 dph 4 + Bedroom (Executive Homes) 25% 20 dph - Table HE1b – Housing Mix on Greenfield sites. Where the mix set out in tables HE1a and HE1b cannot be delivered for viability reasons, applicants should set this out using an open book viability assessment as part of the planning application which is to be agreed with the local Planning Authority. In these cases applications should reflect these mixes as closely as possible. All densities as set out in the tables HE1a and HE1b should be calculated from a net development area, and not include areas of the site that are subject to landscape boundary planting (policy DH4), public spaces, children’s play space and other land set aside for landscape, ecological or access requirements in accordance with other development plan policies. Developments which provide bungalow and other types of accommodation for elderly and disabled people as part of the above provision will be strongly supported. On larger developments of over 0.5 hectares, the provision of plots for self-build will be supported subject to other policies in the development plan. Where dwellings (including bungalows) of one or two bedrooms are delivered, consideration will be given to removing permitted development rights associated with extension and alteration in order to allow for consideration of the impact on the balance of the parish’s housing stock.

It is **proposed** that the new policy should now read: The following housing mix and associated densities will be sought from all new residential development for applications for 11 or more dwellings, subject to their compliance with the Southwell Design Codes (Appendix 1):

No. bedrooms	Current mix	Target mix	Balance of new (2011) (2031) housing to reach target mix
1 Bedroom	7.3 %	6.2%	0.7%
2 Bedrooms	19.9%	24.1%	28.9%
3 Bedrooms	35.9%	48.3%	70.4%
4 Bedrooms	28.0%	16.2%	0%
5 or more Bedrooms	8.9%	5.3%	0%

Table HE1 – Housing Mix Where the mix set out in table HE1 cannot be delivered for viability reasons, applicants should set this out using an open book viability assessment as part of the planning application which is to be agreed with the local Planning Authority. In these cases applications should reflect these mixes as closely as possible. All densities as set out in the tables HE1a and HE1b should be calculated from a net development area, and not include areas of the site that are subject to landscape boundary planting (policy DH4), public spaces, children’s play space and other land set aside for landscape, ecological or access requirements in accordance with other development plan policies. Developments which provide bungalow and other types of accommodation for elderly and disabled people as part of the above provision will be strongly supported. On larger developments of over 0.5 hectares, the provision of plots for self-build will be supported subject to other policies in the development plan. Where dwellings (including bungalows) of one or two bedrooms are delivered, permitted development rights associated with extension and alteration are to be removed in order to allow for consideration of the impact on the balance of the parish’s housing stock when applications are made in the future.

Question: Are you happy with the proposed changes to Policy HE1?

Summary: 69.8% (44 respondents) were happy with the proposed changes having read the summary only. Of those who read the proposed policy changes in full, 11 respondents were happy and 4 respondents were not. In total, there were 63 respondents.

Comments received:

Ref	Comment	Recommended response
P-HE1-1	The format of the information regarding mix of housing is poor and confusing. it should be set out in table form. Southwell tends to attract older people and the housing mix in future should be geared to attracting more families of 3 & 4 bedrooms.	See recommendation relating to NSDC comments.
P-HE1-2	Some housing must be truly affordable without being restricted to flats or HMOs for students. Too many young residents are forced to move out of Southwell to places like Bilsthorpe where they can afford to buy.	See recommendation relating to NSDC comments.
P-HE1-3	The 'viability' clause loophole needs strengthening.	See recommendation relating to NSDC comments.
P-HE1-4	page 82 - HE1.1 - clarification needed that the housing mix required for new developments is that shown in the third column (Balance needed to achieve target mix). page 83 - HE1.3 - where are tables HE1a and HE1b?	See recommendation relating to NSDC comments.
NSDC Comments	It's unclear where the new housing mix requirements have come from, the supporting text suggests that they are consistent with the Southwell Sub-area profile from the District-wide Housing Needs Assessment (2020), and whilst they are similar (being broadly weighted towards those dwelling types that the 2020 work identifies as priorities... 2 and 3 bed units) there are important differences. The evidence appendix has listed the 2014 Housing Needs Sub-area Analysis, which adds to a lack of clarity here. No alternative locally produced evidence has been published alongside the plan in order to allow the figures in the policy to	The District Council's comments should be noted and the evidence relating to housing needs should be given further consideration. The proposed changes should then be reviewed accordingly.

Ref	Comment	Recommended response
	<p>be understood, and so it is important that this is now made available – or that the requirements are adjusted so that the figures in the policy match the recommendations of the source that the supporting text refers to. The way the bedrooms has been split doesn't reflect the District-wide work, which includes 1-2 bedroom houses as a single category, whereas 1 and 2 bed dwellings are separate entries in the policy table of HE1. Likewise 4 or more bedrooms is the upper size in the District-wide study, but the SNP policy table includes 5 bed dwellings as a distinct group. These are not critical issues and a more localised approach could prove appropriate, if the work behind this can be made available and its merits considered.</p> <p>In seeking to implement the policy it is not clear which column the decision-maker should apply - is it the middle or the final column? Following on from this, the purpose of the final column ('Balance of new housing to reach target mix') in the table needs to be explained and/or retitled so that its purpose, relevance and application can be properly understood. It is assumed that this reflects an assessment of what would need to occur on the remaining site allocations, in order for the housing brought forward in the Town to match the mix recommendations. This may be interesting background context, but will reflect a constantly evolving figure – taking account of windfall development and the mixes actually delivered on remaining allocations. The importance of the mix targets in the policy being clear and precise is underlined here, and it is strongly suggested that the middle column provide the policy requirements around mix. HE1.1 still seems to refer to associated densities being sought, but these no longer seem to form part of the policy (see also erroneous references to tables HE1a and HE1b under criterion HE1.3).</p> <p>The requirement at HE1.2 for the Town Council Planning Committee to be involved in the agreement of open book viability assessments, where schemes are not policy compliant, is not considered appropriate and should be deleted. The Local Planning Authority is the decision-making body, and the role of the Town Council in that instance is one of consultee. Given that viability appraisals should be publicly available this then allows for the Town Council to review and input into the process through that route.</p>	

POLICY HE2 currently reads: Development proposals which will support the ongoing commercial operations of established premises as part of the commercial / industrial sites at Crew Lane and Station Road will be supported subject to their compliance with other Development Plan

polices, and the preservation of neighbouring amenity. Development of commercial uses on Crew Lane sites will be supported subject to compliance with the following requirements: Compliance with A&DM DPD policies So/E/2 and So/E/3, subject to mitigation of traffic impact, especially where these support small scale and start-up businesses Demonstrates how the scheme contributes to the future economic development of the Crew Lane area Development proposals which deliver economic development on an existing employment site or allocated site will be supported, especially where they seek to diversify employment opportunities through the provision of small business starter units within the town, subject to compliance with other relevant development plan policies. Outside of these areas, applications for employment uses will be resisted unless it can be demonstrated that they will not undermine residential amenity. Applications which facilitate working from home will be supported, provided that they are small scale and do not undermine neighbouring amenity. The loss of employment facilities within Southwell will be resisted unless it can be demonstrated that there is no long term requirement or need for such facilities, that there is no viable employment use, or there is a demonstrable beneficial environmental improvement or removal of harm to living conditions. Should the safeguarded land associated with the Southwell by-pass located within So/E/1 on the Proposals Map not be required and should land within allocated site So/E/3 on the Proposals Map be considered unnecessary to meet identified employment needs, both may be considered for other uses, for example residential, subject to compliance with other development plan policies.

It is **proposed** that the new policy should now read: Development proposals which will support the ongoing commercial operations of established premises as part of the commercial / industrial sites at Crew Lane and Station Road will be supported subject to their compliance with other Development Plan polices, and the preservation of neighbouring amenity. Development of commercial uses on Crew Lane sites will be supported subject to compliance with the following requirements: • Compliance with A&DM DPD policy So/E/2, subject to mitigation of traffic impact, especially where these support small scale and start-up businesses• Demonstrates how the scheme contributes to the future economic development of the Crew Lane area. Development proposals which deliver economic development on an existing employment site or allocated site will be supported, especially where they seek to diversify employment opportunities through the provision of small business starter units within the town, subject to compliance with other relevant development plan policies. Outside of these areas, applications for employment uses will be resisted unless it can be demonstrated that they will not undermine residential amenity. Applications which facilitate working from home will be supported, provided that they are small scale and do not undermine neighbouring amenity. The loss of employment facilities within Southwell will be resisted unless it can be demonstrated that there is no long-term requirement or need for such facilities, that there is no viable employment use, or there is a demonstrable beneficial environmental improvement or removal of harm to living conditions. With the deletion of the protected line of the Southwell by-pass, should land within allocated sites So/E/2 & 3 be considered unnecessary to meet identified employment needs, both may be considered for other uses, for example residential, subject to compliance with other development plan policies.

Question: Are you happy with the proposed changes to Policy HE2?

Summary: 81% (51 respondents) were happy with the proposed changes having read the summary only. Of those who read the proposed policy changes in full, 7 respondents were happy and 3 respondents were not. In total, there were 63 respondents.

Comments received:

Ref	Comment	Recommended response
P-HE2-1	No - DISAGREE HE 2.6 As per response to CF2.3, the land at So/E/2 and So/E/3 that is no longer needed for employment because no bypass will be built should not automatically be allocated for other types of development. It is green open space and agricultural land, and should be protected as such under policies SD1.1 and CF2. This should be de-allocated in the Planning Framework and re-designated as Open Space.	See recommendations relating to NSDC's comments.
P-HE2-2	page 89 - HE2.2 - bullet points should be replaced by numbers. Comments on Section SS: page 89 - SS4.3 should be SS4.2.IX page 92 - SS7.2 _ I & II should be A & B ADDITIONAL EDITING NEEDED: page 15 - 2.15 - '4 give' should be 'which give' page 16 - 2.16 - '4th century' should be '1st century' page 17 - 2.21 - is there still a golf course on Fiskerton Road? page 18 - 2.28 - should 'Green Southwell' be added? Appendix 1: Table DH - The first column heading should be changed from 'Focus Areas' to 'Core Design Topic' . Table DH - The whole 'Movement and Accessibility' section (Codes PS to NVM) should be removed. Design Codes - bullet points should be replaced by numbers which should be included in the first column of table DH. Design Codes - 1. 'Heritage' should be changed to 'Heritage Assets'. - 2. 'Built Forms' should be changed to 'Built Forms, Materials and Detailing'.	
NSDC Comments	Proposed amendments would result in the deletion of So/E/3 from the policy, the basis for which is assumed to reflect the proposals emerging through the Amended Allocations & Development Management DPD. However, whether this emerging amendment through the District Council's plan review can be given any significant material weight is debatable. Subject to progress with the review of the Allocations & Development Management DPD then it may be that the reference to So/E/3 will require retention, to reflect the currently adopted plan. This could be the case should progress stall or the Neighbourhood Plan overtake the District Council's own Plan Review process. It is unclear why the amendment to HE2.5 has replaced 'employment' with 'commercial',	These matters clearly require further consideration in the light of the District Council's comments. It is recommended that further discussion should be held with the District Council so that the proposed changes may be reviewed accordingly.

Ref	Comment	Recommended response
	<p>particularly given that the test within the policy remains orientated around demonstration an employment use is no longer viable. The proposed change altering the alternative need for a demonstrable beneficial environmental improvement, to become just an environmental improvement represents a significant lowering of the threshold that proposals would need to pass. This could result in minor perceived environmental benefits justifying the loss of an otherwise viable commercial or employment use. The reference to ‘public well-being’ in the final sentence of HE2.5 seems a little imprecise, and it is suggested that wording along the lines of ‘public amenity’ may be better used.</p> <p>HE2.6 outlines that where So/E/2 and So/E/3 are considered unnecessary to meet employment needs that other uses will be considered. So/E/2 is not currently explicitly identified in this way within the existing policy, and no objection is offered here – it is recognised that a release under those circumstances may prove acceptable. Proposals emerging through the Amended Allocations & Development Management DPD would result in So/E/3 becoming ‘reserved land’ with the intention that it be protected from development and remain available to be considered within a future round of plan-making. There is however a divergence here between the two positions, and the proposed content within the Neighbourhood Plan could result in its earlier development. Whilst the Amended Allocations & Development Management DPD is yet to be submitted to the Secretary of State it is important that a coherent approach across the Development Plan is struck for this area of the Town. It is therefore suggested that this matter is the subject of further discussions between the two Councils.</p>	

POLICY SS2 relates to Land South of Halloughton Road and reads: Land south of Halloughton Road has been allocated on the Policies Map for residential development providing around 45 dwellings. In addition to the general policy requirements in the Core Strategy, the Neighbourhood Plan and the Development Management Policies in Chapter 7, with particular reference to Policy DM2 Allocated Sites, and Policy DM3 Developer Contributions and Planning Obligations, development of this site will be guided by a developer prepared design brief of the whole allocated site which appropriately addresses the following: Appropriate design, density and layout which addresses the site's: Gateway location and manages the transition into the main built up area. Particular attention should be given to the design of roofs in this location, in order to create a varied roof-scape so as to reduce the severity of the transition between the settlement and the landscape. Wherever possible dwellings should not normally be of more than two storeys unless design solutions demonstrate that they can be accommodated without impacting on the site's gateway location. The layout should retain existing mature trees and vegetation on the site, based on a thorough survey of the quality and health of trees within the site. Potential impact on views of and across the principal heritage assets of the Minster, Holy Trinity Church, Archbishop's Palace and the Thurgarton Hundred Workhouse in accordance with policy So/PV 'Southwell Protected Views'; and its Proximity to the Southwell Conservation Area respecting its character and appearance. In order to assimilate the development, provision should therefore be made, in accordance with the landscape character, for the retention and enhancement of the site's existing landscape screening. Special attention should be paid to screening to the south of the site. Arrangements are to be put in hand for the maintenance of the buffer strips and hedges for the lifetime of the development. The positive management of surface water through the design and layout of development to ensure that there is no detrimental impact in run-off into surrounding residential areas or the existing. The provision of suitable access off Halloughton Road as part of the design and layout of any planning application. This should be informed by the preparation of an appropriate transport assessment to identify the impact of the development on the highway network. Through this assessment, the access requirements of SS3 (So/Ho/3), the impact on the Halloughton Road / Westgate junction and the provision of appropriate mitigating measures should be addressed. Traffic mitigation measures may include works to the junction of Halloughton Road and Nottingham Road The investigation of potential archaeology on the site and any necessary post determination mitigation measures secured by condition on any planning consent. The provision of an open space/play area as a focal point of the development.

It is **proposed** that this policy should be removed.

Question: Do you agree that Policy SS2 should be removed?

Summary: 77.8% (49 respondents) were happy with the proposed removal of Policy SS2 having read the summary only. Of those who read the Policy in full and the reasons for its proposed removal, 48 respondents agreed and 15 respondents did not. In total, there were 63 respondents.

Comments received:

Ref	Comment	Recommended response
P-SS2-1	Unclear why this is being removed	The site has been developed.
P-SS2-2	It is vital we keep as many trees and hedging as we can. The landscape around that area has already changed drastically and removing those will have a detrimental impact of the local wildlife and is making the area feel very built up. It feels as if this part of Southwell is being ignored by the councils and we are feeling the burden of losing green spaces while experiencing high levels of traffic. The environmental impact of the large weddings and higher road usage is effecting our quality of life. Please don't remove anything that helps maintain our greenery	Noted. The site has been developed.
P-SS2-3	Existing policy provides protection for the site's development within the town envelope	Noted. The site has been developed.
P-SS2-4	If development goes ahead none of the provisions seem unduly onerous and will help to mitigate the impacts of the development.	Noted. The site has been developed.
P-SS2-5	This policy has worked well for other developments why remove it?	Noted. The site has been developed.
P-SS2-6	Protection from over development of the site	Noted. The site has been developed.
P-SS2-7	I'm worried that removing this policy will give free rein to developers to build whatever they want	Noted. The site has been developed.
P-SS2-8	If there is to be such a site development, what is the policy for it to be?	Noted. The site has been developed.
P-SS2-9	It seems that considerable thought had gone into this. I am concerned that the removal of this policy could allow developers to have too much freedom to focus on	Noted. The site has been developed.

Ref	Comment	Recommended response
	profit rather than sustainability and the greater needs of the area.	
P-SS2-10	It sounds reasonable to eg retain trees , hedges and access. (The recent development on the other side of Allenby Road appears good to me).	Noted. The site has been developed.
P-SS2-11	We need all this protection	Noted. The site has been developed.
P-SS2-12	This is valuable agricultural land and should not be developed	Noted. The site has been developed.

POLICY SS3 relates to Land South of Halloughton Road and reads: Land at Nottingham Road has been allocated on the Policies Map for residential development providing around 30 dwellings. In addition to general policy requirements in the Core Strategy, the Neighbourhood Plan and the Development Management Policies in Chapter 7, with particular reference to Policy DM2 Allocated Sites, and Policy DM3 Developer Contributions and Planning Obligations, development of this site will be guided by a developer prepared design brief of the whole allocated site which appropriately addresses the following: Appropriate design, layout and density which addresses the sites: Gateway location managing the transition into the main built up area; Potential impact on views of and across the principal heritage assets of the Minster, Holy Trinity Church, Bishops' Palace and the Thurgarton Hundred Workhouse in accordance with policy So/PV 'Southwell Protected Views'; and its Conservation Area location respecting its character and appearance. In order to assimilate the development, provision should therefore be made for the retention and enhancement of the site's existing landscape screening. This should specifically include significant buffering in both the west of the site in order to retain views of the Grade II Listed Holy Trinity Church from the junction of Halloughton and Nottingham Road, and also in the north of the site to screen the Potwell Dyke. A planted strip should be left adjacent to the Potwell Dyke having regard to guidance in Southwell Design Guide. The watercourse should be screened from the development where possible. Maintenance of key existing landscape features such as hedges and landscape planting for the lifetime of the development. Appropriately designed access forming part of any planning application, with consideration being given to its location off Nottingham Road and the access requirements of So/Ho/2. Consideration should also be given to its location off Halloughton Road and the traffic impact of neighbouring allocated site So/Ho/2, which may include works to the junction of Halloughton Road and Nottingham Road; Preparation of a Site Specific Flood Risk Assessment by the applicant forming part of any planning application; The positive management of surface water through the design and layout of development to ensure that there is no detrimental impact in run-off into surrounding residential areas or the existing drainage regime; Subject to prior qualitative assessment, the offsetting of the loss of grassland subject to LWS status through the provision of an appropriate level of on-site replacement habitat; Development will be required to seek to maintain and enhance the current provision of Rights of Way which traverse the site including avoiding them being diverted

onto estate roads, but wherever possible routed through landscaped or open space areas, to ensure a contribution to the Green Infrastructure; The investigation of potential archaeology on the site and any necessary post- determination mitigation measures secured by condition on any planning consent; and The provision of an open space/play area as a focal point of the development.

It is **proposed** that this policy should be removed.

Question: Do you agree that Policy SS3 should be removed?

Summary: 82.5% (52 respondents) were happy with the proposed removal of Policy SS2 having read the summary only. Of those who read the Policy in full and the reasons for its proposed removal, 52 respondents agreed and 11 respondents did not. In total, there were 63 respondents.

Comments received:

Ref	Comment	Recommended response
P-SS3-1	If this policy is regarding The Rise development, it has now been developed in disregard to this policy (eg. 3 storey housing affecting views) but there are still concerns about drainage and pedestrian and traffic safety. These need to still be addressed and the developers accountable.	Noted. The matters mentioned should be referred to the Local Planning Authority.
P-SS3-2	Unless these are old policies then no, they shouldn't be removed.	Noted. The site has been developed.
P-SS3-3	We need to protect the boundaries to the town	Noted. The site has been developed.
P-SS3-4	This policy has worked previously, why remove it?	Noted. The site has been developed.
P-SS3-5	Protect the site from over development	Noted. The site has been developed.

Ref	Comment	Recommended response
P-SS3-6	As previously.	Noted. The site has been developed.
P-SS3-7	As previous answer.	Noted. The site has been developed.

POLICIES SS4-SS6 It is **proposed** that the following statement should be added to the end of each policy:
 IX. Maintenance of key existing landscape features such as hedges and landscape planting for the lifetime of the development.

Question: Are you happy with the proposed changes to Policies SS4-SS6?

Summary: 92.1% (58) of respondents were happy with the proposed changes 7.9% (5) respondents were not. In total, there were 63 respondents.

Comments received:

Ref	Comment	Recommended response
P-SS4_6-1	needs more thought	Noted.
P-SS4_6-2	Must state with whom all responsibility for this falls.	Noted – but this should be determined through the Development Management system.
P-SS4_6-3	All natural features have a life expectancy and will die so this sentence does not work as currently drafted....need to think about retention but also their replacement if diseased or dyeing	Noted – but this should be determined through the Development Management system.
P-SS4_6-4	Outer boundaries yes but inevitably some inner hedges will always need to be removed	Noted.

Ref	Comment	Recommended response
P-SS4_6-5	No consultation on the Design Code seen so far. Wish to add requirement that every new build or alteration of more than one story contains at least one Swift brick	Noted. This should be considered further.
NSDC Comments	Engagement should take place with the Highways Authority to ensure the additional requirements that the Transport Assessment for the sites also take account of impact the Kirklington Road / Lower Kirklington Road junction – with provision of appropriate mitigating measures being made- is necessary.	Noted. It is recommended that the proposal should be discussed with the highway authority.

Consideration of responses relating to the proposed designation of land beyond the built-up area of Southwell as either Main Open Space or Local Green Space

The District Council has commented on a number of matters relating to the proposed changes to policies and text. Mostly, these are what might be described as technical matters that, although they require consideration, are likely to be capable of resolution by amendments to wording and phrasing, without significantly changing the intended effect of the proposed change. An example that recurs several times is the proposed replacement of the word “should” by the word “must” in some of the policies. The District Council’s view is that, generally, the word “should” is preferable because this allows for site-specific conditions to be taken into account, whilst carrying the expectation that the starting point is that whatever it is that is referred to will normally be required. In my opinion, the District Council’s view on this matter is consistent with the legal requirement that applications for planning permission should be determined in accordance with the development plan (Local Plan and Neighbourhood Plan, together) unless 'material considerations' indicate otherwise¹. I would, therefore, recommend accepting the District Council’s view on this and deleting those particular proposed changes where suggested. I will comment on this and other responses of this type separately at your meeting.

There are other comments made by the District Council that need further consideration, but there is only one matter that is so significant that the response you make can be expected to have a fundamental impact on the process that will need to be followed as proposed changes to the Southwell Neighbourhood Plan are progressed further: this is the designation of substantial areas of land beyond the built-up area of Southwell as either Main Open Space or Local Green Space, the main effect of which would be that Policy CF2 would then apply to all of the land so designated.

Policy CF2 reads as follows:

“Unless it can be shown to be unreasonable to do so, green and open spaces should be provided on new development sites to the area requirements identified in the NSDC Developer Contributions and Planning Obligations Supplementary Planning Document.

¹ Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”.

Development proposals and/or schemes which help address the deficiency of burial ground facilities within the ecclesiastical parish of Southwell will also be looked upon favourably.

The loss of existing green and open spaces to development, including amenity space such as allotments, sports fields and play areas, will be resisted unless it can be demonstrated that it is no longer required but, if unavoidable, must be replaced by an equal area of at least similar quality situated conveniently in the Parish”.

This same matter is also the subject of representations from several landowners.

The District Council’s view is that *“extensive tracts of land have been identified affecting its development potential, and setting a clear direction of travel for future rounds of plan-making through effectively enclosing the majority of the existing Town. This would mean that amended plan would, as currently written, require both examination and a referendum. However, it is ultimately the independent Examiner who will determine the effect of the proposed changes. In doing so, the examiner will consider the nature of the existing plan, alongside representations and the statements on the matter made by the Qualifying Body and the Local Planning Authority before coming to a judgement”.*

It is important to consider and understand the rationale underlying the concerns regarding this matter, expressed by both the District Council and the various landowners (both individually and collectively), but first it is necessary to consider the procedural implications of continuing with the new “designations” as proposed.

In seeking to update the existing Neighbourhood Plan there are 3 types of modifications which can be made:

1. Minor non-material amendments;
2. Material modifications which do not change the nature of the plan; and
3. Material modifications which do change the nature of the plan.

So far, the view expressed by the Town Council is that although the modifications being proposed are "material" they do not change the nature of the Southwell Neighbourhood Plan, as originally made in 2016. This was explained in the following statement:

“The proposed changes are intended to strengthen the Southwell Neighbourhood Plan. The proposed changes do not allocate any substantial additional areas of land for development, and they do not seek to alter in any fundamental way the Neighbourhood Plan’s approaches to development and conservation in Southwell. In the opinion of the Town Council, the proposed changes will improve the Neighbourhood Plan’s effectiveness in guiding and influencing decisions on development proposals, but they are not so significant or substantial as to change the nature of the Neighbourhood Plan. This means that, before they can be formally approved, the changes will require independent examination but not a referendum.”

The District Council takes the view that the extent of the land proposed for designation as ‘protected’ open space around the edge of the town is such that it amounts to an allocation which, through Policy CF2, is sufficient to mean that the nature of the Plan would be fundamentally changed, and this would mean that the amended plan would, as currently written, require both examination and a referendum. The District Council explains that “...it is ultimately the independent Examiner who will determine the effect of the proposed changes. In doing so, the examiner will consider the nature of the existing plan, alongside representations and the statements on the matter made by the Qualifying Body and the Local Planning Authority before coming to a judgement”. It is clear that the District Council is highly unlikely to support the proposed extension of land ‘protected’ under Policy CF2.

Turning, then to the rationale underlying the District Council’s – and landowners’ – concerns, there are two main – and interrelated - contentions:

1. the proposed designations are not adequately justified; and
2. the land in question is already adequately ‘protected’ by current local and national planning policies.

As far as the issue of justification is concerned, the proposed designation of most of the land is “Main Open Areas”. This is a designation already used in the Allocations and Development Management DPD (in effect, part of the Local Plan), within which **Policy So/MOA Southwell - Main Open Areas** – states that:

“Main Open Areas represent those areas of predominantly open land within Southwell that play an important part in defining its form and structure. Within land allocated on the Policies Map as Main Open Areas in Southwell, planning permission will not normally be granted for built development”.

It is important to note that the policy refers to “predominantly open land within Southwell”, meaning in the town. Most of the extended area of land now proposed for designation is situated on the edge of the town, rather than within it. It is argued, therefore, that the land is not appropriate for protection as “Main Open Areas” under this policy.

A much smaller area of the land proposed for new designation has been identified as Local Green Space. This is mainly a cluster of adjoining land parcels in the Westhorpe area. The criteria that have to be satisfied for any area of land to be designated as Local Green Space are set out in the National Planning Policy Framework (NPPF) and they are quite restrictive. Paragraph 102 of the NPPF states that:

“The Local Green Space designation should only be used where the space is:

- a) in reasonably close proximity to the community it serves;*
- b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*

c) is local in character and is not an extensive tract of land”.

Criteria ‘a’ and ‘b’ may or may not be justifiable on a space-by-space basis but, cumulatively, the area of contiguous land proposed for designation as Local Green Space in the Westhorpe area is almost certain to be considered “an extensive tract of land”. That is the view of the District Council and the landowners and is likely to be the view taken by an independent examiner.

Turning next to the contention that the land in question is already adequately ‘protected’ by current local and national planning policies, it is useful to look at the relevant policies and then come to a view as to whether the proposed application of Neighbourhood Plan Policy CF2 to the areas identified would provide significant and necessary additional protection (were it to be allowed). The most relevant policies are quoted below:

Policy DMS - Development in the Open Countryside

In accordance with the requirements of Spatial Policy 3, development away from the main built up areas of villages, in the open countryside, will be strictly controlled and limited to the following types of development;

1. Agricultural and Forestry Development Requiring Planning Permission

Proposals will need to explain the need for the development, its siting and scale in relation to the use it is intended to serve.

2. New and Replacement Rural Workers Dwellings, the Extension of Existing Dwellings, and the Removal of Occupancy Conditions Attached to Existing Dwellings.

Proposals for new dwellings will be required to demonstrate a functional and financial need in relation to the operation being served. The scale of new and replacement dwellings and extensions to those existing should be commensurate with the needs, and the ability of the operation they serve to fund them. Where a new or replacement dwelling is justified, its siting will be influenced by its functional role and the visual impact on the surrounding countryside should also be taken into account. Other than for the most minor of proposals, applications to extend dwellings subject to occupancy conditions will be assessed in the same way. Occupancy conditions will only be removed were it can be demonstrated that they no longer serve a useful purpose.

3. New and Replacement Dwellings

Planning permission will only be granted for new dwellings where they are of exceptional quality or innovative nature of design, reflect the highest standards of architecture, significantly enhance their immediate setting and be sensitive to the defining characteristics of the local area. Planning permission will be granted were it can be demonstrated that the existing dwelling is in lawful residential use and is not of architectural or historical merit. In the interests of minimising visual impact on the countryside and maintaining a balanced rural housing stock, replacement dwellings should normally be of a similar size, scale and siting to that being replaced.

4. Replacement of Non-Residential Buildings

Where they are related to established uses or proposed uses enabled by other criteria of this policy, planning permission will be granted for the replacement of non residential buildings. Proposals will need to demonstrate that the buildings to be replaced originated from a permanent design and construction, are not of architectural or historical merit, have not been abandoned and are not suitable for conversion to other uses. The replacement building should be located within the curtilage of the site it is intended to serve.

5. Conversion of existing buildings

In the interests of sustainability, consideration should be given to the conversion of existing buildings before proposing replacement development. Proposals should investigate and assess alternative uses for buildings in accordance with the aims of the Spatial Strategy and present a case for the most beneficial use. Planning permission will only be granted for conversion to residential use where it can be demonstrated that the architectural or historical merit of the buildings warrants their preservation, and they can be converted without significant re-building, alteration or extension. Detailed assessment of proposals will be made against a Supplementary Planning Document.

6. Rural Diversification

Proposals to diversify the economic activity of rural businesses will be supported where it can be shown that they can contribute to the local economy. Proposals should be complimentary and proportionate to the existing business in their nature and scale and be accommodated in existing buildings wherever possible.

7. Equestrian Uses

New commercial equestrian uses and the expansion of existing uses that contribute to the local economy will be supported where it can be demonstrated that the particular rural location is required.

Proposals for new development should investigate the re-use of existing buildings and sites within and adjacent to settlements. In assessing such proposals, the Council will have regard to their cumulative impact. Proposals for dwellings in connection with equestrian uses will be assessed in accordance with criterion 2.

Proposals for domestic equestrian uses and associated buildings will be assessed against the criteria of Policy DM5.

8. Employment uses

Small scale employment development will only be supported where it can demonstrate the need for a particular rural location and a contribution to providing or sustaining rural employment to meet local needs in accordance with the aims of Core Policy 6. Proposals for the proportionate expansion of existing businesses will be supported where they can demonstrate an ongoing contribution to local employment. Such proposals will not require justification through a sequential test.

9. Community and Leisure Facilities

Community and recreational uses requiring land in the countryside will be supported on sites in close proximity to settlements. In accordance with Spatial Policy 8, proposals will be required to demonstrate they meet the needs of communities and in particular any deficiencies in current provision. Associated built development should be restrained to the minimum necessary to sustain the use.

10. Roadside Services

Proposals for roadside services in the countryside will not normally be supported unless a justified need for the particular location can be demonstrated. The scale of development should be restrained to the minimum necessary to serve the need and be designed to avoid an adverse impact on the surrounding landscape.

11. Visitor Based Tourism Development

In accordance with the aims of Core Policy 7, attractions and facilities that can demonstrate the need for a rural location in order to meet identified need, constitute appropriate rural diversification or can support local employment, community services and infrastructure will be supported. Proposals for new tourist attractions and the expansion of existing attractions that are based upon site specific heritage or natural environment characteristics will also be supported.

12. Tourist Accommodation

Tourist accommodation will be supported where it is necessary to meet identified tourism needs, it constitutes appropriate rural diversification, including the conversion of existing buildings, and can support local employment, community services and infrastructure. Accommodation that is related and proportionate to existing tourist attractions will also be supported.

All proposals will need to satisfy other relevant Development Management Policies, take account of any potential visual impact they create and in particular address the requirements of Landscape Character, in accordance with Core Policy 13.

Proposals resulting in the loss of the most versatile areas of agricultural land, will be required to demonstrate a sequential approach to site selection and demonstrate environmental or community benefits that outweigh the land loss.

Spatial Policy 3 - Rural Areas

The District Council will support and promote local services and facilities in the rural communities of Newark & Sherwood. Local housing need will be addressed by focusing housing in sustainable, accessible villages. The rural economy will be supported by encouraging tourism, rural diversification, and by supporting appropriate agricultural and forestry development. The countryside will be protected and schemes to increase biodiversity, enhance the landscape and, in the right locations, woodland cover will be encouraged.

Beyond Principal Villages, proposals for new development will be considered against the following criteria:

Location - new development should be within the main built-up areas of villages, which have local services and access to Newark Urban Area, Service Centres or Principal Villages.

Scale - new development should be appropriate to the proposed location and small scale in nature.

Need - Employment and tourism which requires a rural/village location. New or replacement facilities to support the local community. Development which supports local agriculture and farm diversification. New housing where it helps to meet identified proven local need.

Impact - new development should not generate excessive car-borne traffic from out of the area. New development should not have a detrimental impact on the amenity of local people nor have an undue impact on local infrastructure, including drainage, sewerage systems and the transport network.

Character - new development should not have a detrimental impact on the character of the location or its landscape setting.

Within the main built-up area of villages consideration will also be given to schemes which secure environmental enhancements by the re-use or redevelopment of former farmyards/farm buildings or the removal of businesses where the operation gives rise to amenity issues. The scale of such enabling development should be appropriate to the location of the proposal.

Development away from the main built-up areas of villages, in the open countryside, will be strictly controlled and restricted to uses which require a rural setting such as Agriculture and Forestry. Consideration will also be given to the re-use of rural buildings of architectural merit. The Allocations & Development Management DPD will set out policies to deal with such applications.

Policy DM1 Development within Settlements Central to Delivering the Spatial Strategy *Within the Urban Boundaries of the Sub-Regional Centre and Service Centres and the Village Envelopes of the Principal Villages, as defined on the Policies Map, proposals will be supported for housing, employment, community, retail, cultural, leisure and tourism development appropriate to the size and location of the settlement, its status in the settlement hierarchy and in accordance with the Core Strategy and other relevant Development Plan Documents.*

Policy So/PV Southwell Protected Views

The District Council will seek to protect views of and across the principal heritage assets of the Minster, Holy Trinity church, Archbishop's Palace and Thurgarton Hundred Workhouse including the view cones identified on the Policies Map. Therefore: Development proposals within the view cones, as defined on the Policies Map, will be required to demonstrate that they do not negatively impact on the views of these heritage assets. Those proposals which do detrimentally impact on the views of these heritage assets will not be acceptable; and Beyond the areas defined within the view cones, as defined on the Policies Map, development proposals which have the potential to negatively impact on the views of these heritage assets will not normally be acceptable. The level of potential impact will be dependent on factors such as scale, height, location and the scope for mitigation.

Policy DM9 Protecting and Enhancing the Historic Environment

In accordance with the requirements of Core Policy 14, all development proposals concerning heritage assets will be expected to secure their continued protection or enhancement, contribute to the wider vitality, viability and regeneration of the areas in which they are located and reinforce a strong sense of place.

1. Listed Buildings

Proposals for the change of use of listed buildings and development affecting or within the curtilage of listed buildings requiring planning permission will be required to demonstrate that the proposal is compatible with the fabric and setting of the building. Impact on the special architectural or historical interest of the building will require justification in accordance with the aims of Core Policy 14.

2. Conservation Areas

Development proposals should take account of the distinctive character and setting of individual conservation areas including open spaces and natural features and reflect this in their layout, design, form, scale, mass, use of materials and detailing. Impact on the character and appearance of Conservation Areas will require justification in accordance with the aims of Core Policy 14.

3. Historic Landscapes

Development proposals should respect the varied historic landscapes of the district (including registered parks and gardens and Stoke Field registered battlefield) through their setting and design. Appropriate development that accords with the Core Strategy, other Development Plan Documents and facilitates a sustainable future for Laxton will be supported.

4. Archaeology

Development proposals should take account of their effect on sites and their settings with the potential for archaeological interest. Where proposals are likely to affect known important sites, sites of significant archaeological potential, or those that become known through the development process, will be required to submit an appropriate desk based assessment and, where necessary, a field evaluation. This will then be used to inform a range of archaeological mitigation measures, if required, for preservation by record and more occasionally preservation in situ. Planning permission will not normally be granted for development proposals which would destroy or detrimentally affect Scheduled Ancient Monuments. Within Newark's Historic Core, as defined on the Policies Map, archaeological evaluation will usually be required prior to the determination of planning applications.

5. All Heritage Assets

All development proposals affecting heritage assets and their settings, including new operational development and alterations to existing buildings, where they form or affect heritage assets should utilise appropriate siting, design, detailing, materials and methods of construction. Particular attention should be paid to reflecting locally distinctive styles of development and these should respect traditional methods and natural materials wherever possible. Where development proposals requiring planning permission involve demolition, the resulting impact on heritage assets will be assessed under this policy...

Recommendation

It is clear that continuing to propose the designation of extensive areas of land around the edges of Southwell as Main Open Areas and Local Green Space will result in:

- continuing opposition and representations from landowners;
- absence of support from the District Council; and
- in all likelihood, an extended and contentious Submission stage, involving both independent examination and a referendum.

Considering the views expressed by the District Council and landowners through the consultation process that has been undertaken, the additional protection against harmful development that may be achieved through the proposed new designations, should they actually be approved, is unlikely to be sufficient as to warrant the lengthy procedural delays and adversarial context that will almost certainly arise from pursuing this set of changes further. The **recommendation** is, therefore:

- a) not to proceed with proposed designation of additional Main Open Areas; and,
- b) to undertake a further review of the proposed Local Green Space designations to ensure that no space that does not meet the relevant criteria, as specified in the NPPF, is inadvertently included.

Other Comments by the District Council

The District Council has also made the following comments which should be addressed in discussions between the two councils:

Policy CF3 - Primary Shopping Frontage and District Centre

It should be noted here that the District Council is proposing to delete retail frontages through its Amended Allocations & Development Management DPD. It is considered that this type of policy tool has been made redundant through changes to the use classes order, given the breadth of uses within this class and the fact that changes between them will no longer constitute development (though related alterations to building fabric to facilitate a change may require permission). It should also be noted that the change of use from E class uses to 1 or 2 flats above can be carried out subject to 'prior approval', as can the change to a state funded school. Notwithstanding this, it is clearly implicit to the definition of the E class that uses falling within it can be taken as read to support the vitality and viability of Centres. Therefore, it is not considered proportionate or appropriate that proposals be required to demonstrate this. Part 2 of the policy is unnecessary – given that change within the E use class does not constitute development.

The first bullet point within CF3.3 is inconsistent with how national and strategic local planning policy would require the Sequential Test to be implemented. The purpose of the test is to provide an objective comparison between alternative reasonably available options, with the intention that the most sequentially appropriate be prioritised. However, there is no ultimate requirement through the Sequential Test that a proposal **must** physically adjoin a defined Centre- or be so well-connected that it is possible to walk between the two (it is also noted that no basis for establishing whether a site would meet this test has been provided).

Whilst the intention behind the requirement is understood and in some respects laudable, the sequential test is an assessment of reasonably available options – and it may be that there would be no alternative sites able to meet the proposed requirement, or where there are then they may prove inappropriate for the use. There is clearly a partial overlap here with what the policy is seeking to do and the separate impact test. The further the distance from, and the lack of relationship to, a centre then the greater the impact of the proposal on that centre is likely to be, by virtue of the trade diversion and reduced linked trips. Therefore, some of the concern which seems to underpin the policy would be picked up through that separate test (where applicable). Given the inconsistency with national and local policy, then the requirement will either need to be redrafted, or deleted. Wording within the second bullet point to CF3.3

ought to be slightly modified – the phrasing ‘not significantly reduce’ appears somewhat imprecise, and it is suggested that ‘must not result in an unacceptable loss of...’ would be an improvement from an implementation perspective.

Southwell Proposals Map A

The map appears to show changes emerging through the Amended Allocations & Development Management DPD – for instance the Reserved Land at Crew Lane – which has not been tied into content within the proposed amended Neighbourhood Plan. In this instance the employment policy still references So/E/2 and So/E/3 – so this provides for a confused position with the map and policies not aligning with one another. It is suggested that the map within the SNP needs to provide an accurate representation of its policy contents, and so requires amendment. Site allocation SS7 is shown on an extended basis – as per proposals emerging through the District Councils Plan Review, but the indicative site capacity remains at around 15 dwellings – whereas this has been proposed to be increased to 18 dwellings in order to reflect that larger site area. It is recommended that the SNP also reflect this higher dwelling number.

The Urban Boundary would be slightly expanded through the SNP, to include land between the south of SS7 and Fiskerton Road. The Urban Boundary is a strategic policy for the purposes of Neighbourhood Planning, and so any proposals within the amended SNP will need to be in general conformity with the existing Development Plan. In this instance, given the boundary would be drawn more generously, then the change could be made and general conformity maintained. However, the Town Council should be aware of the implications, which may arise from the change. Under Policy DM1 the new location within the settlement boundary would make its development for a range of uses acceptable in principle, but there would be no policy to control how it would be brought forward – other than application of general policies within the Plan. Loss of the land to development may also prevent the area forming part of comprehensive future options for that part of the Town.

Implementation Section

Paragraph 13.2 it is important that the eligibility for 15% of the CIL generated in an area is capped at £100 per dwelling plus indexation is mentioned. Paragraph 13.5 should refer to ‘programmes listed’ in 13.7 and not ‘policies’ – it is also queried whether the paragraph referenced should actually be 13.8. In terms of the programmes referred to in the list, it is important to recognise that some

may not be able to be realised without the consent of private owners (e.g. the steps that lead from Beckett's field footpath to the end of Halloughton Road).

Appendix A: Response to the NSDC Biodiversity and Lead Officer Comments on the Southwell NP by John Martindale

These responses are prepared using the numbering used by the Lead Officer

1.0 Preamble

1.1 There is no intention to “capture/repeat” NSDC policies . However these are out of date in relation to the Environment Act 2021.

The Environment Act 2021 has been enacted and it is to be noted that, sensibly planning officers are taking account of it when considering planning applications.

We were always concerned that onerously the Act requires all planning applications to be subject to it. Reasonably the LGA is attempting to work a practical solution by adapting the requirements into the Town and Country Side Planning Act 190 and the aim was to have this achieved by November 2023.

Our policy was written many months ago and the inclusion of the two Act was to future proof the NP that the requirements of the acts would be incorporated into the Plan.

It may be feasible to delay the NP until the new legislation but referring to the need to observe the Acts in the NP seems an easier route to follow. Perhaps it would be better to incorporate the implications of the final outcome of the amendments into the LDF.

However until matters are sorted out I suggest the NP remains unchanged for this issue.

1.2 I believe the response above covers this- at this stage all the NP is saying is that the planning system should abide by the law and draws attention for a net gain in biodiversity.

1.3 A statement of fact so no response

2.0 Policy E3 -Green Infrastructure and Biodiversity Introductory paragraphs

(5.15) No comment made

(5.16) Note-I am not sure what this reference number and a number of others in the same vein relate to.

I suggest we agree with the proposed modification which relates to para 6.16 NP ie “ to foster wildlife habitats and species in the parish and achieve gains for biodiversity.

(5.17) I suggest we do not accept the proposed amendment because the NP in this para is dealing with the contributions from “developments” eg housing estates but not the wider ROW network.

(3.1)

2.1 I have to agree that this needs amendment. Para 3.1 was intended to ensure that the LPA takes proper account of the biodiversity value of sites, when allocations for development are made.

This would avoid the problems experienced during the SHLA exercise when on the one hand land was allocated by a desktop exercise and a valuable ancient orchard offered for allocation and on the other hand a different old orchard rejected on the summary statement of “too many trees”

(Note -The earliest date a biodiversity value assessment can be made for a planning application under the Environment Act 2021 is after 30 Jan 2020 so applications from now and for the future are covered.

However we are aiming to make sure sites are assessed properly at allocation stage(which the Act does not cover) and to prevent trashing from then on.. The NP policy could therefore perhaps be amended to read.-

“Land selected by NSDC for allocation or offered for allocation will be assessed for its biodiversity value at that stage and there must be no evidence of historic degradation, deliberate destruction or benign mismanagement of the ecological or natural landscape features on the sites to make them more readily acceptable for development.”

At the planning application stage the baseline biodiversity value will be assessed using the protocols within the Environment Act 2021 and Town and Country Side Act 1990.

2.2 A statement of fact

2.3 Agree with this comment.

2.4 This is unsatisfactory in that it is difficult to imagine when vegetation has to be cleared for validation checks on biodiversity value. The facility to enable the LPA to agree a date for the biodiversity assessment with an applicant should be an exception and fully justified for any planning consultations.

2.5 Agree it could be difficult to judge what a biodiversity value would have been before a trashing and the biodiversity metric would be an imperfect tool to pick up, for example, specimen trees. However trashing of sites to make them more acceptable for development or to facilitate a development post planning approval, has been an endemic problem from well before the concept of biodiversity metrics and continues to be an issue.

For examples, valued trees were felled during development of the Allenby Road site.

An old orchard was trashed and subsequently included in the planning application for the large site still to be developed off Lower Kirklington Road.

The evidence for the orchard and ground cover is available from Google maps.

Whilst it may not be appropriate for the biodiversity metric to be attempted in these circumstances there was clear evidence of trashing which should be taken into account in making planning decisions either for a refusal or compensation replanting. Hence the NP policy 3.2. This is a possible alternative to refusal and based on established practice where the LPA have agreed that trees can be removed to enable a development then there is usually a condition that a replacement is planted.

2.6 Agree with the comment. It is why we want the biodiversity value to be assessed at the allocation stage.

Policy 3.1, in relation to allocation would help establish biodiversity value and important vegetation features for retention.

Where the biodiversity metric is an unsuitable methodology aerial surveillance has become sophisticated enough to be able to identify at least valuable trees on sites and a wide range of maps is now available on the web as part of documentary evidence.

Some councils use the TPO system to identify trees for retention. This could be used in part but to rely entirely on this system could be too restrictive given the qualifying criteria.

2.7 I think this applies to policy 3.1 Agreed but Councillors requested that LWS be given special consideration

I suggest Councillors reconsider against the logic in the comment the policy should be catchall on any area of land.

2.8. We anticipated that there would be a large number of exemptions not least for a de minimis size of application. Hence the need to refer to the provisions within specific legislation

2.9 I suggest we do not confine ourselves to the exemptions in 2.8 better to refer to the legislation and therefore whatever is included in that.

2.10 Agree policy 3.1 is an extension of existing NSDC policies so presumably it does not contradict them and is acceptable within the NP process. See my response to 2.1 above for reasons why we would wish 3.1 to be adopted now perhaps as amended-

I suggest we need to discuss with NSDC whether they are prepared to adopt the additional policy which I guess will have implications across the district.

This would avoid the flawed SHLA desk top exercise referred to above where assertions by NSDC risked becoming enshrined in the considerations.

2.11 3.1 This amendment does not address our suggestion that the way the biodiversity value of a site at the time NSDC considers it for allocation can be improved.

(3.2) 2.11 This policy is aimed at those sites where the biodiversity metric is not feasible or appropriate, for examples, when vegetation or specimen trees are considered of biodiversity, landscape, or historical value .

This situation has occurred as exemplified on the Allenby Road and Becketts Field sites as described at 2.5 above.

At present there appears to be no proper provision to conserve this type of vegetation from allocation through to planning application stage.

Even after planning permission is granted with conditions there does not appear to be adequate penalties on developers to deter them from destroying such vegetation.

In bona fide planning applications the LPA can apply conditions that trees will be replaced on a one to one basis.

The question is what the penalty should be when land owners and developers abuse the planning system by trashing valuable vegetation and trees which are not caught by the biodiversity metric method?

Presumably in some instances, in that situation, refusal of a site for allocation or planning approval might be appropriate?

It is acknowledged that there are already considerable obstacles against allocation and development in Southwell and the NP does not intend to add to those by policy 3.2 .

However the penalty for noncompliance should be greater than for compliance, hence the 2 to one ratio in the policy.

I suggest we need to discuss this issue with NSDC and ascertain what penalties they impose where trashing or noncompliance occurs in relation to our 2 for one policy.

Policy E3

E3.1

See comments above at 2,1

I suggest we resist the alternative policy offered in the comments

E3.2

See the suggested amended policy at 2.1 which refers to the relevant legislation.

I suggest we resist the alternative policy offered in the comments. This repeats what is in the Environment Act 2021 which may of course be changed.

E3.3 The comments do not appear to relate to the revised NP policy 3.3 and therefore I suggest should be resisted as a replacement. We have been down this avenue previously when there was a draft which said that shortfalls must be delivered within a given distance of the site. This was rejected because the legislation allows developers to buy biodiversity credits, the income from which could be spent anywhere in England.

E3.4

Explanatory Check what we have said

(3.2)

2.12 Our policy is intended to deal with those circumstances where the biodiversity metric is either not applicable or feasible as described at 2.11 above..

I think our policy needs to be changed to make this clear perhaps as below.

I do not accept the argument that it is any more difficult to replant and retain trees on 2:1 ratio than it is on 1:1 ratio.

Possible revision to NP policy E3.2

Where it is found that a site selected by NSDC or offered for allocation has suffered ecological degradation it will not be supported for development unless a commitment is made by the owner to replant and retain trees and any other vegetation of ecological or landscape /screening value based on the ratio of 2:1 to the number of trees or % summer foliage lost compared to either baseline historic records or aerial photography.

(E3.3)

2.13 This NP policy aims to protect LWSs, not become involved in an assessment of the value or the management of those sites. It does not appear to replicate Core Policy 12 but adds to it.

It was added at the request of Councillors

It has been usual practice in the consideration of planning applications to take account of the effect of any development on nearby LWS ,priority species etc .

As we are aware LWSs in the parish are voluntary and their conditions will vary immensely. However there could be a disincentive to owners, especially those who have diligently managed their sites, if a neighbouring new development were to adversely affect them.

I suggest we defend the policy 3.3, the requirements are only for the development site. To make this clear I suggest an amendment at the end of the policy to now read "will be fully protected **from** and where possible enhanced by the development".

(3.4)

2.14,2.15, 2.16

I suggest the amendment in the comments should be adopted with the further amendment so the policy would then be "All development required by the Environment Act 2021 and the Town the Countryside Planning Act 1990 to provide a minimum biodiversity gain must be supported by an appropriate management plan, approved by Newark and Sherwood District Council, setting out objectives, management prescriptions responsibilities and a monitoring and reporting procedure . The plan to be accompanied with a commitment to retain the biodiversity gain for a minimum of 30 years.

(3.5)

2.17 Perhaps we can change the policy to read "**Where a planning application cannot meet the required net gain on site, an appropriate offsetting arrangement, preferably within Southwell parish, must be provided within the provisions of the Environment Act 2021 and The Town and Countryside Planning Act 1990.**"

3.6 There are no comment against policy 3.6 but it now looks unnecessary.

There are a number of comments which call for the removal of references to the specific legislation - The Environment Act 2021 and The Town and Country Planning Act 1990 . I see no problem with our references to these Acts; they are both in existence and will still remain after changes are made to them.

We are constantly reminded of the need for evidence to support policies and to refer to Acts within a policy or in the" Explanatory" makes clear the justifications for the policy.

This does not remove the need for the Acts to be listed in the overall evidence base.

E 3.1

2.18 I cannot see what this refers to but the comment looks heavy and we need to get clarification.

E3.2

2.19 I think this refers to policy 3.7 not 3.2..It was included because we were aware of the weaknesses in the biodiversity metric system for example as far as individual species of special ecological importance is concerned.

The policy therefore includes reference to the NERC Act, also to the Natural England Standing Advice for Protected species precisely because it is catch-all advice.

I was advised by staff at NCC when the Environment Act was in development that Biodiversity Plans (BAPs) were to be bypassed so whilst we had reference to these in the original NP they were removed from the revision. However they are still considered viable so I suggest they should now be reinstated into policy 3.7-after “ Natural Environment and Rural Communities(NERC) Act, **the UK and Nottinghamshire BAPS**”

At present I am concerned that the suggestion for an amendment to the policy is far too restrictive in that is confined to hedgehogs, bats and swifts with a passing reference to “species other than Swifts”

I think the suggested amendment is more relevant to policy 3.8 and could perhaps be incorporated within this .- “ *Developments which include the creation of additional habitats ,including roosting nesting or shelter opportunities for wildlife will be supported provided they are accompanied by a report from a suitably qualified expert that identifies the potential benefits from the proposals. Specifically, residential development will be required to provide enhancements for species via the following:*

A) *Residential development involving a single dwelling:*

The provision of a single integrated bat roosting box

B) *Residential development involving 4-5 dwellings*

The provision of an integrated bat roosting box on 2 dwellings and the provision of an integrated bird nesting box on a further 3 dwellings and

Boundaries to be permeable for European hedgehog, by the provision of suitable holes in walls and close-board fencing to create a “hedgehog highway”

C) *Residential development involving 10 or more dwellings*

Integrated bat roosting boxes to be provided on 20% of the dwellings and

Integrated swift boxes in minimum groups of 3 to be provided on 10% of the dwelling; and

Integrated bird nesting boxes for species other than swifts to be provided on 10% of the dwellings; and

Any new Soft landscaping schemes to include the use of species that are known to be beneficial to wildlife in the uk to be maximised.

Advisory

The amendment to the advisory will need to be integrated with the existing and I suggest shortened considerably if this section is not to look not to look out of proportion compared with the information provided for other policies.

I suggest therefore the following-

“The provision of suitable features to support roosting bats and nesting birds cannot be included in the calculations for biodiversity gain despite their known value to provide enhancement for species . Their inclusion with developments therefore needs to be secured by other means.

Migratory swifts have been in decline for many decades with the loss of nest sites due to changes in building design considered a contributing factor.

Hedgehogs are a species of principle importance for nature conservation but have long been in decline. The urban population is now stable and might be increasing , it is considered, because residential gardens are suitable refuges for the species. The provision of small holes at the base of fences will increase habitat connectivity for the animals.

The use of plant species known to be of value to wildlife in the UK will increase the habit value for a range of wildlife species.”

(3.7)

2.20 I think this refers to 3.9 not 3,7 Agree some changes are necessary

I suggest we amend the para to read-

“Any vegetation including hedgerow(s),tree(s) and water features of ecological, historic or landscape value for maintaining Blue and Green Infrastructure mut be retained on development sites. They must not be degraded and wherever possible enhanced to perform their function.

The features to be retained and a management plan for them will be subject to conditions within any planning approval to remain for the life of the development”

E3.3

2.22 I do not understand this reference.

(3.8)

2.22 I think this refers to 3.11

We fully understand what this involves.

It will be noted that many of the larger planning applications make reference to the BSI standards which are supported by government to bring uniformity to standards.

Without the knowledge and implementation of evidence based standards such those from the BSI planners and enforcement officers are working with subjective judgements which is unacceptable.

We have seen evidence of this on the Allenby Road site, the Springfield site and at the new bungalows on the Paddocks in Westhorpe.

NSDC should have access to the relevant BSI standards so that a) staff can understand the implications when they are quoted in planning applications b) they can be quoted in conditions in planning approvals c) the standards can be used as something defensible when enforcement officers undertake their duties and d) the public have confidence in the planning and enforcement system.

Some local authorities seem to use BSI standards successfully so why not NSDC?

We understand there are cost implications but perhaps LPAs can share these or the LGA suggest a solution?.

The design codes were omitted presumably because of poor proof reading?

(3.9)

2.23 I cannot follow the reference to (3.7)

(3.10)

2.24 Is this necessary?

Absolutely “yes” it has been used successfully to help NSDC defend the rural aspect to entrances to the town. A decent margin between hedgerows etc and the start of development is essential to prevent overhanging on property, allow for proper maintenance and to act as a green wildlife corridor.

This policy was successfully adopted into the original NP

I suggest we could amend it in the light of the comment under 2.20 where it says “features of merit “ to” read valuable natural environment features..

Where it says at the end of the para “but wherever possible retained at a height and structure appropriate to their function” to read “and wherever possible enhanced to perform their function.”

(5.19) I think this refers to 6.19 not 5.19.

2.26 I suggest we adopt the NSDC amendment

2.27 No comment made

(5.21) I think this refers to 6.21 no 5.21.

2.28 I suggest we adopt the NSDC amendment

(5.22) I think this refers to 6.22 not 5.22

This policy is a result of an initiative sponsored by Matthew Tubb and Peter Harris

2.30 and 2,31 No comments made