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**Wednesday, 8 January 2025**

**Chair: Councillor A Freeman  
Vice-Chair: Councillor D Moore**

**Members of the Committee:**

**Councillor A Amer  
Councillor C Brooks  
Councillor L Dales  
Councillor S Forde  
Councillor P Harris  
Councillor K Melton  
Councillor E Oldham**

**Councillor P Rainbow  
Councillor S Saddington  
Councillor M Shakeshaft  
Councillor T Smith  
Councillor L Tift  
Councillor T Wildgust**

<b>MEETING:</b>	<b>Planning Committee</b>
<b>DATE:</b>	<b>Thursday, 16 January 2025 at 4.00 pm</b>
<b>VENUE:</b>	<b>Civic Suite, Castle House, Great North Road, Newark, NG24 1BY</b>

**You are hereby requested to attend the above Meeting to be held at the time/place  
and on the date mentioned above for the purpose of transacting the  
business on the Agenda as overleaf.**

If you have any queries please contact Catharine Saxton on [catharine.saxton@newark-sherwooddc.gov.uk](mailto:catharine.saxton@newark-sherwooddc.gov.uk).

## AGENDA

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Report to Planning Committee 16 January 2025

Director Lead: Matt Lamb, Director of Planning & Growth

Lead Officer: Matthew Norton, Business Manager – Planning Policy & Infrastructure, Ext 5852

Report Summary	
<b>Report Title</b>	National Planning Policy Framework – Implications on applications relating to housing development
<b>Purpose of Report</b>	To inform members of the implication of the updated National Planning Policy Framework and highlight the standing advice that Planning Policy is providing in relation to housing proposals
<b>Recommendations</b>	Note the contents of the report and the standing advice provided by Planning Policy.

## 1.0 Background

- 1.1 The Secretary of State for Housing Communities and Local Government published an updated National Planning Policy Framework (NPPF) on 12 December 2024. For decision making purposes the NPPF came into effect immediately, whilst for plan making, transitional arrangements have been put in place which mean that plan's currently in an examination process – such as the Amended Allocations & Development Management Development Plan Document - will not have to meet the requirements of the new NPPF.
- 1.2 The NPPF contains a number of changes to national planning policy and these will have already been taken into account in decision making since the date of publication. In particular the NPPF reintroduces a number of measures in relation to demonstrating a five-year housing land supply. These changes aim to encourage LPAs to have a sufficient housing land supply. At the same time the government has updated the standard methodology for the calculation of local housing targets.

- 1.3 These measures have been introduced by the Government to increase the supply of housing across the country. Each local authority's local housing target is formulated by the government based on housing stock and an affordability factor. Most have increased significantly, and these will become the basis for housing targets in Local Plans. In Newark & Sherwood's case this results in an increase of the local housing target from 434 dwellings to 704 dwellings per annum. This is significantly higher than the figure in the Newark & Sherwood Amended Core Strategy of 454 dwellings per annum.
- 1.4 The Amended Core Strategy was adopted in March 2019 and is therefore over five years old which means that it could be regarded as out of date. Previously as the local housing target of 434 dwellings is lower than the Local Plan housing target the Council has argued that the Amended Core Strategy continues to be up to date. Now that the local housing figure is significantly higher it is clear that the Amended Core Strategy in relation to its housing target is out of date. Therefore, the housing target we should be using to determine if Newark & Sherwood has a five-year supply is 704 dwellings per annum.
- 1.5 The most up to date five-year housing land supply was calculated for the period 2023/2024 as 5.82 years supply of housing. This was based on the 434 dwellings per annum (dpa) local housing target; using the 704 dpa, the Council has a 3.43 years supply of housing. The NPPF sets out what happens if a Council cannot demonstrate a five year supply of housing. Paragraph 11 sets out a presumption in favour of sustainable development, it states that "Plans and decisions should apply a presumption in favour of sustainable development" and it goes on to set out the circumstances where this applies to decision making:

"For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to

sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.”

1.6 The NPPF clarifies that in terms of implementing the presumption in favour of sustainable development:

- ‘out of date’ in part D can refer to authorities that do not have a five year housing land supply.
- In relation to part i) of D protected areas or assets of particular importance are habitats sites (and those sites listed in paragraph 189) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75 of the NPPF); and areas at risk of flooding or coastal change.
- In relation to part ii) of D it refers to the particular key policies that decision makers need within the NPPF (Appendix A contains the relevant NPPF text) these are set out below and full details are provided in Appendix A:
  - meeting identified affordable housing need;
  - rural housing;
  - sequential test for main town centre uses;
  - sustainable transport;
  - efficient use of land; and
  - good design.

1.7 No longer having a five year housing supply will have a direct effect on decision makers when considering proposals for housing. As such Planning Policy have proposed some standing advice for colleagues when considering such applications.

## **2.0 Planning Policy Standing Advice for Decision Making on lack of a five year housing land supply**

2.1 Attached at **Appendix B** is the standing advice that will be provided to colleagues in Development Management in relation to applications for housing. It sets out the current supply situation and the implications on considering planning applications both in towns and villages and in rural locations and the Green Belt. The standing advice does not cover every eventuality and Planning Policy will continue to provide specific advice to Development Management colleagues on particular aspects of implementing the presumption.

### **3.0 Implications**

- 3.1 In writing this report and in putting forward recommendation's officers have considered the following implications: Data Protection, Digital and Cyber Security, Equality and Diversity, Financial, Human Resources, Human Rights, Legal, Safeguarding and Sustainability, and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.
- 3.2 None identified

## **Appendix A – NPPF wording in relation to applying the presumption in favour of sustainable development**

In applying the presumption in favour of sustainable development section D ii states that regard should be had to the whole NPPF and in particular key policies in relation to for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. Footnote 9 lists the relevant key policies. They are set out in this Appendix.

**Paragraph 66** - Where major development involving the provision of housing is proposed, planning policies and decisions should expect that the mix of affordable housing required meets identified local needs, across Social Rent, other affordable housing for rent and affordable home ownership tenures

**Paragraph 84** - Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;
- d) the development would involve the subdivision of an existing residential building;  
or
- e) the design is of exceptional quality, in that it:
  - i. is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
  - ii. would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area

**Paragraph 91** - Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or

expected to become available within a reasonable period) should out of centre sites be considered.

**Paragraph 110** - The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

**Paragraph 115** - In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users;
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code<sup>48</sup>; and
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach

**Paragraph 129** - Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and



- e) the importance of securing well-designed, attractive and healthy places.

**Paragraph 135** - Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

**Paragraph 139** - Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design<sup>54</sup>, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

## **Appendix B - Standing Advice**

This standing advice is provided by the Planning Policy team to aid decision makers in considering planning applications for residential development in Newark & Sherwood, following the changes to the standard method for identifying local housing targets and the publication of an updated National Planning Policy Framework (NPPF) on the 12 December 2024.

Newark & Sherwood's local housing need target, which is formulated by the government based on household projections and an affordability factor, have increased significantly from 434 dwellings to 704 dwellings per annum. This is significantly higher than the figure in the Newark & Sherwood Amended Core Strategy of 454 dwellings per annum.

The Amended Core Strategy was adopted in March 2019 and is therefore over five years old which means that it could be regarded as out of date. Previously as the local housing target of 434 dwellings is lower than the Local Plan housing target, the Council has argued that the Amended Core Strategy continues to be up to date. Now that the local housing need figure is significantly higher, it is clear that the Amended Core Strategy in relation to its housing target is out of date. Therefore, the housing target we should be using to determine if Newark & Sherwood has a five-year supply is 704 dwellings per annum.

### **Land Supply Situation**

The most up to date five-year housing land supply was calculated for the period 2023/2024 as 5.82 years supply of housing. This was based on the 434 dwelling per annum (dpa) local housing target, using the 704 dpa the Council has a 3.43 years supply of housing. This is set out in an 2023/24 [Interim Five Year Housing Supply Statement](#) which is attached to this standing advice.

### **Implications of a lack of a five year housing supply**

Our Development Plan policies relating to housing supply are now considered out of date, therefore, the Presumption in Favour of Sustainable Development outlined at Paragraph 11 of the NPPF and the tilted balance for decision-making (paragraph 11d) is now engaged.

For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or

- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.”

The NPPF gives details in footnotes what the protected areas or assets of particular importance are and particular key policies

- habitats sites (and those sites listed in paragraph 189) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75 of the NPPF); and areas at risk of flooding or coastal change.
- In relation to part ii) of D it refers to the particular key policies that decision makers need to consider within the NPPF they relate to the following:
  - meeting identified affordable housing need (Paragraph 66);
  - rural housing (84);
  - sequential test for main town centre uses (91);
  - sustainable transport (110 & 115);
  - efficient use of land and the impact of development on an area (129);  
and
  - good design (135 & 139).

### **Implementing the Presumption**

The presumption in favour of sustainable development, is therefore clear that decision makers should be granting permission unless “a strong reason for refusing the development” exists in relation to habitat, green belt or heritage sites. Similarly in relation to the policies of the Framework permission should be granted unless “any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.” These tests are a high bar, but it is not a requirement to grant permission, decision makers still need to weigh the impact of the scheme against national policy in the framework and of course any local policies which are not out of date. Poor schemes which are badly designed, do not properly mitigate their impact on local services or fail to address the requirements for affordable housing should still be refused.

### ***Applications for Development in Settlements Central to the Spatial Strategy***

In those communities named in the Settlement Hierarchy (Newark Urban Area, Service Centres and Principal Villages) the principal of residential development is already acceptable

as set out in Policy DM1 of the Allocations & Development Management DPD. Decision makers will need to ensure that any application is acceptable in line with key paragraphs.

The principal of development adjacent to such settlements is more likely to be acceptable than it was when the Council had a five year supply. Consideration will need to be given to the scale of the development and its impact on the assets in part d)i, and the provisions of the policies of the framework with particular reference to key policies in d)ii. The impact on the landscape setting will be particularly important consideration in such locations.

### ***Applications in Rural Areas***

Local Policy directs housing development to sustainable, accessible villages. This is also the aim of national policy and the presumption in favour of sustainable development highlights key national policy about sustainable location of development at paragraph 110.

Spatial Policy 3 already allows housing development in villages that have access to higher order settlements and their own local services. It allows development in other communities if it is a redevelopment of a farmyard or a business where the operation gives rise to amenity issue. It also allows more limited development in locations that are well related to villages with local services. Clearly housing development in the circumstances set out above will continue to be acceptable in relation to the presumption and decision makers will need to consider as with settlements covered by Policy DM1 the extent to which development adjacent to existing villages is acceptable. Consideration will need to be given to the scale of the development and its impact on the assets in part d)i, the provisions of the policies of the framework with particular reference to key policies in d)ii. The impact on the landscape setting will be particularly important consideration in such locations.

Isolated homes away from settlements will continue to be dealt with as they currently are by national and local policy the presumption highlights as a key policy at paragraph 86 sets out the limited circumstances in which such development is acceptable.

### ***Applications in the Green Belt***

The Green Belt is listed in the presumption as a designation which may lead to the refusal of planning permission. In that sense that would point decision makers to refusing housing development as that would be regarded as inappropriate development in the Green Belt. However, the NPPF has introduced the concept of “Grey belt” and “Golden Rules” into national planning policy. Paragraph 155 states that “The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where:

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- b. There is a demonstrable unmet need for the type of development proposed;
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and

- d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157."

The definition of Grey Belt is defined in the glossary of the NPPF as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of the Green Belt purposes (a), (b), or (d) in paragraph 143. Grey Belt cannot be protected land (other than Green Belt) as highlighted in part D i of the presumption in favour of sustainable development.

The golden rules require that any housing development (in Newark & Sherwood's case) must provide 45% affordable housing, provide necessary improvements to local or national infrastructure and provision of new or improvements to existing green space that is acceptable to the public.

This is a significant bar for new development to pass and in considering such applications decision makers will need to be clear that schemes are on grey belt land meet the developer contribution requirements in the golden rules.

## Interim Five Year Housing Land Supply - 1<sup>st</sup> April 2024

- 1.1 This addendum sets out the five-year land supply calculation for Newark and Sherwood District Council following the publication of the revised National Planning Policy Framework in December 2024.
- 1.2 This addendum uses housing supply and completion data from the [Statement of Five Year Housing Land Supply \(1<sup>st</sup> April 2024\)](#) and applies the Local Housing Need (LHN) requirement in accordance with the revised NPPF. A full update of the five-year housing land supply document using data to the 31<sup>st</sup> of March 2025 will be published in Summer 2025 as usual.
- 1.3 Paragraph 79 of the revised NPPF reintroduced the requirement to include a ‘buffer’ to the five-year supply of housing. The level of buffer required is linked to the Housing Delivery Test (HDT). Results of the HDT are published annually by Government.
- 1.4 The most recent HDT results were published in December 2024 and indicate that NSDC passes the test with 188%. As such a 5% buffer is required to be added to the five-year housing land supply.
- 1.5 Table 1 below sets out the calculation used to determine the five year requirement.

**Table 1: Five Year Supply Requirement**

<b>A</b>	<b>Local Housing Need Annual Housing Requirement</b>	<b>707</b>
<b>B</b>	<b>Additional 5% Buffer</b>	<b>35</b>
<b>C</b>	<b>Annual Requirement (A+B)</b>	<b>742</b>
<b>D</b>	<b>Total Five Year Requirement (C*5)</b>	<b>3,710</b>

- 1.6 Table 2 below provides a summary of the supply of sites which are included within the five-year supply calculation.

**Table 2: Summary of Supply of Sites included in Five Year Supply**

<b>Supply anticipated within 5 years</b>	
Permissions on Allocated sites	<b>1,575</b>
Permissions on unallocated large sites (10 or more dwellings)	<b>296</b>
Permissions on unallocated medium sites (5-9 dwellings)	<b>175</b>
Permissions on unallocated small sites (1-4 dwellings)	<b>298</b>
Residual Amended Core Strategy DPD Allocations	<b>0</b>
Residual Allocations & Development Management DPD Allocations	<b>0</b>
Windfall allowance for years 4 and 5	<b>200</b>
<b>Deliverable Supply</b>	<b>2,544</b>

- 1.7 The five year housing land supply for Newark and Sherwood District Council is now therefore as follows:

<b>A</b>	<b>Local Housing Need Annual Housing Requirement</b>	<b>707</b>
<b>B</b>	<b>Additional 5% Buffer</b>	<b>35</b>
<b>C</b>	<b>Annual Requirement (A+B)</b>	<b>742</b>
<b>D</b>	<b>Total Five Year Requirement (C*5)</b>	<b>3,710</b>
<b>E</b>	<b>Deliverable 5 Year Supply (as set out in Table 4 of 2024 5YRHLS)</b>	<b>2,544</b>
<b>F</b>	<b>Total Five Year Supply (E/C)</b>	<b>3.43 years</b>