

ECONOMIC DEVELOPMENT COMMITTEE

23 MARCH 2022

LOCAL DEVELOPMENT FRAMEWORK PROGRESS UPDATE

1.0 Purpose of Report

- 1.1 To update Members on progress towards delivery of the Plan Review in relation to the Allocations and Development Management DPD, setting out responses received from the Allocations & Development Management Options Report and seeking approval for the Council's proposed responses and resultant actions.
- 1.2 To set before Committee a proposed update to LDF timetable, including consideration of the of future governance arrangements.

2.0 Background Information

- 2.1 The public consultation on the Allocations & Development Management Options Report took place between the 27 July 2021 and 21 September 2021, a period of 8 weeks. In line with COVID restrictions at the time officers held a majority of on-line consultation events, alongside a face-to-face event in Newark Market Place. The Options Report and supporting documentation were available on the Council's website. A total of 137 responses were received, which resulted in 668 individual answers to the 56 questions posed as part of the consultation.

3.0 Options Report – Responses and Actions

- 3.1 The responses we received have been summarised and have been included in a Draft Statement of Consultation at **Appendix A**. A number of issues were identified by the consultation:
 - Respondents felt that the Affordable Housing policy could be better worded to reflect national policy and a number of consultees considered that more detail on housing within sub-areas should be provided.
 - Respondents raised a number of issues about the suitability of proposed Gypsy & Traveller site allocations and those sites not considered suitable. However at this stage no responses received on sites identified that would result in the status of them changing. The Environment Agency has raised a number of issues relating to flooding at Tolney Lane.
 - A range of comments were received on the proposals in relation to housing and employment sites in particular a number of respondents were concerned about the approach to sites in Southwell around Crew Lane.
 - Respondents identified that the status of a number of housing sites has changed and that there is a need to address housing needs specific to Laxton.
 - Those who responded were mostly supportive of the proposed approach to policy updates and the new policies in relation archaeological issues. It has been pointed out that the impact of the A46 needs to be considered in relation to the open break between Newark & Winthorpe and number of technical challenges about the inclusion of land within the open breaks policy.

3.2 The consultation responses have been reviewed in detail by officers and draft Council responses have been prepared along with proposed actions to address them. The Draft Statement of Consultation contains a number of actions to be addressed to inform the production of the Draft Allocations & Development Management DPD which are set out in **Appendix B**. Most actions require officers to amend policies/allocations to clarify and make clear requirements and to ensure that preferred approaches comprehensively address relevant issues. A small number of policies/allocations require evidence base reviews or refreshes. A new issue has been raised regarding Laxton's housing needs which needs consideration. These actions were considered and endorsed by the Local Development Framework Task Group. It should be noted that questions relating to Open Space have already been agreed and considered by the Committee at its January meeting.

4.0 Next Steps

4.1 Officers have been working on preparing a Draft Plan since the beginning of the year. It is considered required work to allow Draft Publication is well-developed in most areas. Further work is required with respect to a number of issues related to housing need including an additional policy on Laxton, Gypsy and Traveller pitch provision in respect of identifying new sites, maximising some current sites, and removing any inappropriate temporary sites. Revisions will also be made to the wording of some of the proposed Development Management policies.

4.2 With respect to Gypsy and Traveller provision it is clear, if this Council is to meet the requirements of current Government policy, significant new pitch provision is required to meet a current unmet need (**Appendix C** includes the detail of this need). This need is higher due to the need to relocate (and re-provide for) existing sites at risk of flooding operating unlawfully or under a temporary planning permissions until such time as viable new site(s) are available.

4.3 New pitch provision is likely to be accommodated on some existing sites (subject to identified sites being safe or made safer with respect to flood risk) and on new sites in and around the Newark Urban Area. With respect to the former liaison and agreement of the Environment Agency will be important, especially with respect to any flood resilience works such as raising of sections of Tolney Lane, which would make sites safer in flood-evacuation terms but which would not remove land from the flood plain.

4.4 Removing unsafe unauthorised sites, increasing capacity on appropriate site(s), and provision of new sites (delivered by both the market and likely this Council – to purchase, deliver, and run sites) are required in combination to reduce significantly the ongoing emergence of unplanned new sites in locations which have no links or history to gypsy and traveller provision or which are otherwise unsustainable but which cannot be resisted (particularly based on Planning Inspectorate appeal decisions) in the absence of progression of meeting the Districts Gypsy and Traveller housing needs.

4.5 Emerging new sites (either new for this use or current sites where densities may be enhanced) have and will continue to involve discussions with land owners. This includes working with the owners of the three proposed new sites which could deliver additional capacity over the plan period. Officers have identified that the site at Chestnut Lodge Barnby (which will be privately developed) is deliverable and in principle is a site officers considered suitable for allocation. The Council is currently in discussions with the landowners of the other two sites (the former Belvior Iron Works and Trent Lane) to establish deliverability.

- 4.6 Whilst provided as part of a Plan-making update it is noted, like many issues covered by the Local Development Framework, that ongoing work in relation to Gypsy & Traveller pitch provision is much wider than a matter for planning policy. The Task Group has endorsed the view that addressing the housing need for the community is a whole council project which requires input from a number of service areas. It is also noted that an illegal site at Tolney Lane is also associated with issues such as crime and anti-social behaviour, matters which need to continue to be addressed and which have significant negative effects on community cohesion both within and beyond the Gypsy and Traveller communities. The Directors of Planning & Growth and Housing, Health and Wellbeing will continue to jointly lead on these whole Council issues alongside the relevant Portfolio Holders as we enter the new governance arrangements for the Council.
- 4.7 It should be noted that whilst much of the work related to the Plan Review work will be undertaken within existing budgets it is acknowledged that as the work extends into land assembly, flood feasibility works site delivery and management will require further additional resources. This will be considered at a report to Policy & Finance Committee.

5.0 **Proposed LDF Plan Review Timetable**

- 5.1 The Local Development Framework Task Group at its meeting on the 8 March 2022 following consideration of the proposed approach set out in Section 3 have endorsed a new proposed LDF Timetable:

Amended Allocations & Development Management DPD
Consideration of Gypsy & Traveller Pitch Provision Approach <i>Cabinet 8 June</i>
Consideration of the Draft DPD <i>Cabinet 13 July Full Council 19 July</i>
Publication of Draft DPD (and final Integrated Impact Assessment) for period of Public Representation (July/August/September 2022)
Consideration of representations and any potential amendments
Submission of DPD to Secretary of State (December 2022) Full Council 13 December
Examination by Inspector (June 2023)
Consultation on Main Modifications (September/October 2023)
Receipt of Inspector's Report (December 2023)
Adoption and Publication (February 2024)

- 5.2 Moving forward the new governance model proposes that the executive will be responsible for the production of planning policy with scrutiny and oversight provided by a Planning Policy Board, providing a similar function to the Task Group. Returning to Cabinet style governance will require the notification of key decisions in the Statutory Forward Plan. This will necessitate that consideration of exact dates for when business will be considered. The decision to publish a Draft Plan, submit for Examination and Adopt a Plan will still be taken by Full Council.

6.0 **Equalities Implications**

- 6.1 An Integrated Impact Assessment is being prepared alongside the Plan Review process to ensure that the impact on groups with protected characteristics of the proposals are considered as part of the policy making process. It is clearly extremely important that housing provision in line with identified need is identified for the Gypsy and Traveller community.

7.0 Digital Implications

7.1 No digital implications identified.

8.0 Financial Implications – FIN(21-22/4638)

8.1 The funding required regarding the Plan Review work can be financed from within existing budgets as set for the 2022/23 financial year.

8.2 There will however be a requirement for additional funding in order to assess the impacts of works necessary for flood mitigation and potential site purchase/delivery and management. Feasibility funding to understand the impact of these will be necessary, but the scale of this has not been determined at the point of writing this report. The approval of funding would be through the Policy and Finance Committee on 31 March 2022 and hence the level of this funding will be ascertained by that point.

8.3 The implications post feasibility will then be reported to Cabinet in June regarding the scale of capital investment and the funding available to finance this. This will include any access to grant funding, made available through Central Government.

9.0 Community Plan – Alignment to Objectives

9.1 The Community Plan Objective “Accelerate the supply of new homes including associated facilities” includes a requirement to complete the Plan Review and identify sites for Gypsy and Traveller pitch provision.

10.0 RECOMMENDATIONS that:

- a) the progress set out in the report towards producing the Allocations & Development Management Options Report be noted;**
- b) the proposed Responses and Actions set out in Appendices A & B are approved as the formal response of the District Council to the Options Report consultation; and**
- c) the proposed amended timetable as set out at paragraph 5.1 is adopted and comes into force on 24 March 2022.**

Reason for Recommendations

To comply with the Planning and Compulsory Purchase Act 2004 and amending regulations.

Background Papers - Local Development Scheme June 2022.

For further information please contact Matthew Norton on Ext 5852.

Matt Lamb
Director – Planning & Growth