

POLICY & FINANCE COMMITTEE

31 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, including necessary budget release in order to progress actions supported by the Economic Development Committee.

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 were summarised and presented to the Economic Development Committee on 23rd March 2022. 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 these were all considered and approved by Economic Development Committee. 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.

4.0 Next Steps

- 4.1 Officers have been working on preparing a Draft Plan since the beginning of the year. It is considered that work required 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 A** 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 in all circumstances 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) are required in combination to reduce significantly the ongoing emergence of unplanned new sites in locations. Such sites 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 District's 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 Belvoir 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 **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. This was approved by the Economic Development Committee.

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 As referred to in paragraph 4.7, there is currently sufficient budget within the 2022/23 financial year to fund spend required on the Plan Review in relation to the Allocations and

Development Management Development Plan Document (DPD), though additional funding will be required for spend on wider council activity in relation to feasibility and post-feasibility activities.

- 8.2 It is currently estimated that £85,000 budget will be required in 2022/23 for the cost of site investigation works on potential sites, securing independent site valuations, engaging further flood risk negotiation and design, and seeking specialist advice on the development and ongoing management of Gypsy and Traveller sites. It is proposed that the cost of these feasibility activities will be funded from the Change Management Reserve.
- 8.3 It is anticipated that the potential implications for the council which result from the proposed feasibility activities detailed in paragraph 8.2 will be reported to Cabinet in June 2022. This will include proposed amounts of capital investment and associated funding, including any grant funding made available to the council from 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; and**
- b) **the Committee approves the funding of £85,000 budget in 2022/23 from the Change Management Reserve to support the conclusion of feasibility studies with respect to potential site purchase(s) and flood mitigation.**

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.

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