



Report to: Extraordinary Meeting of the Full Council - 9 November 2022

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Report Summary	
<b>Report Title</b>	Newark & Sherwood Plan Review - Amended Allocations & Development Management Development Plan Document Publication
<b>Purpose of Report</b>	To seek approval from the Council to the publication of the Amended Allocations & Development Management Development Plan Document (DPD) for a period of public representation.
<b>Recommendations</b>	<p>a) That the proposals contained within Appendix 1, Appendix 2 and Appendix 3 to the report, form the basis of the Publication Amended Allocations &amp; Development Management DPD and amended Policies Map; and</p> <p>b) That these documents be published for a period of Public Representation week commencing 14 November 2022.</p>
<b>Reason for Recommendations</b>	To approve the DPD and enable it to be published for a period of public representation.

## 1.0 Background

1.1 The Council has been conducting a review of its Development Plan the first element was completed by the adoption of an Amended Core Strategy in March 2019. The second element of the Development Plan the Allocations & Development Management DPD has now been finalised ready for submission to the Planning Inspectorate for Examination. The review has focussed on four elements:

- 1) Ensuring that the housing, employment, retail allocations continue to be deliverable and that any settlement specific planning policy issues continue to be appropriately addressed.
- 2) Ensuring that the Development Management policies are in line with the Amended Core Strategy and the latest national planning policy.
- 3) Updating housing policies contained in the Amended Core Strategy to reflect the latest Housing Needs Assessment and national planning policy

- 4) The development of a strategy to deliver enough sites and pitches to meet the future needs of our Gypsy, Roma, Traveller (GRT) communities.
- 1.2 A public consultation on an Allocations & Development Management Options Report took place between the 27 July 2021 and 21 September 2021, a period of 8 weeks. This set out the options that the Council was considering as part of the review. In line with COVID restrictions at the time officers held a majority of on-line consultation events and along with a face-to-face event in Newark Market Place. The Options Report and supporting documentation were available on the Council's website.
- 1.3 A total of 137 responses were received, which resulted in 668 individual answers to the 56 questions posed as part of the consultation. Economic Development Committee at its 23 March meeting considered these and agreed District Council responses and resultant actions to them. The details are contained in the [Options Report Statement of Consultation](#). Most actions required officers to amend policies/allocations to clarify and make clear requirements and to ensure that preferred approaches comprehensively addressed relevant issues. A smaller number of policies/allocations required evidence base review or refresh and discussions with stakeholders.
- 1.4 Most significantly the work to develop a GRT pitch delivery strategy has been progressing as reported to Cabinet in June and July, a comprehensive whole council approach to pitch provision has been adopted. The latest position on the pitch delivery strategy alongside the publication version of the DPD were considered at Cabinet on the 1 November 2022.

## **2.0 Amendment Allocations & Development Management DPD – Publication**

- 2.1 The publication version of the DPD, referred to as **Appendix 1** has been published as a separate document with the agenda for this meeting. It should be noted that this document shows amendments to the current DPD with underlining for additional text and crossings out (~~crossings out~~) for text proposed for deletion. It contains the proposed amendments to Allocations, the update to Development Management Policies and a new Chapter 8 which includes updated affordable housing policies and policies for meeting GRT housing need. The DPD was considered by Cabinet on the 1 November 2022.
- 2.2 The Council must also publish any proposed changes to the Policies Map. The Policies Map shows how the policies expressed in the DPD relate to sites and locations in the District on a map. We have included this mapping within the DPD that goes out for the representation period to aid those responding, however a separate document has been created alongside this which will include the mapping as required by regulations. The text and supporting information which will form this separate document (apart from the mapping included in Appendix 1) is attached at **Appendix 2**.
- 2.3 If approved by Council the proposals, along with various supporting documentation will be placed on public deposit for a 6-week period of public representation. It is proposed that this period will begin in the week commencing 14 November 2022. Following the representation period, a review will be conducted of the nature of the representations and Council will decide whether or not to submit the DPD to the Secretary of State for Examination by an independent Planning Inspector. It should be noted that this

consultation will be undertaken in line with statutory requirements and the Council's Statement of Community Involvement (SCI). The Annex to the SCI which was adopted in September 2020 to set out temporary COVID consultation measures is now no longer in force.

- 2.4 There are a number of other legal requirements which the Council has to fulfil in order to be able to submit a DPD the plan must be subject to as Sustainability Appraisal and a Habitat Regulations Assessment and an Appropriate Assessment. The findings in relation to sustainability appraisal are part of the wider Integrated Impact Assessment and are reported in Section 3 below. The recommendations of the Habitat Regulations Assessment and Appropriate Assessment have been incorporated within the DPD, with the overall approach to the protected habitats is included within Policy DM7 Biodiversity and Green Infrastructure and individual requirements within allocations.
- 2.5 To reflect the delay caused by the change in government guidance on flood risk a proposed new timetable (Local Development Scheme) was considered by Cabinet on the 1 November 2022. The table below shows the timetable which anticipates that the DPD will be adopted in May 2024.

<b>Amended Allocations &amp; Development Management DPD</b>
<b>Publication of Draft DPD</b> (and final Integrated Impact Assessment) for period of Public Representation <b>(November/December 2022)</b>
Consideration of representations and any potential amendments
<b>Submission of DPD</b> to Secretary of State <b>(March 2023)</b>
<b>Examination</b> by Inspector <b>(September 2023)</b>
Consultation on <b>Main Modifications (November/December 2023)</b>
Receipt of <b>Inspector's Report (February 2024)</b>
<b>Adoption</b> and Publication <b>(May 2024)</b>

### 3.0 Implications

In writing this report and in putting forward recommendations, officers have considered the following implications, Data Protection, Digital and Cyber Security, Equality and Diversity, Financial, Human Resources, Human Rights, Legal, Safeguarding, Sustainability, and Crime and Disorder and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

#### Assessing the Impact of the Amended Allocations & Development DPD on Sustainability, Equalities and Health

- 3.1 The Council has carried out an Integrated Impact Assessment (IIA) of the DPD. The IIA integrates Sustainability Appraisal (SA), Strategic Environmental Assessment (SEA), Equalities Impact Assessment (EqIA) and Health Impact Assessment (HIA). Sustainability Appraisals (SA) are a requirement of the Planning and Compulsory Purchase Act 2004 and Strategic Environmental Assessments (SEA) are required by European Directive EC/2001/42, which was transposed into UK law by the Environmental Assessment Regulations for Plans and Programmes (July 2004). The EqIA is a way of demonstrating the District Council is fulfilling the requirements of the Public Sector Equality Duty contained in section 149 of the Equality Act 2010. HIA is a recognised process for considering the health impacts of plans and undertaking this type of assessment is widely seen as best practice.

- 3.2 **Sustainability & Health** - Overall, the proposal in the Publication DPD are positive and very few negative impacts on the objectives of the IIA have been identified. The amended and new suite of development management policies provide significant beneficial impacts, particularly in relation to the Health and Sustainable Communities objectives.
- 3.3 **Equality and Diversity** – The results of the Integrated impact assessment conclude that the following policies are assessed as having positive impacts in relation to equality: Core Policy 1, Core Policy 2A, Core Policy 3, GRT1, GRT2, GRT3, GRT4, GRT5, DM5b and DM10. Core Policies 1, 2A and 3, relating to specific types of housing provision, together with the suite of Gypsy, Roma and Traveller policies GRT1 to GRT5, enhance the opportunities for all members of the District’s communities to access appropriate, good quality accommodation in suitable locations, ensuring equality of opportunity for all. Policy DM5b requires consideration of a range of measures to improve health and well-being, integration and social interaction and therefore has a potentially significant beneficial impact on equality and policy DM10 promotes improvements in air quality, helping to address inequalities associated with deprivation linked to poor air quality.
- 3.4 Overall, the Publication DPD has a positive and beneficial impact in relation to equality and there are no new or amended policies which have been assessed as having any negative or conflicting impacts upon equality.

#### **Financial Implications FIN22-23/6403**

- 3.5 This report has no direct financial implications, however, the delivery of the GRT Pitch Delivery Strategy detailed in the 1 November Cabinet will require District Council investment. The details of this investment will be presented to future meetings of the Cabinet and will inform the Council’s decision to Submit the DPD for Examination.
- 3.6 **Legal Implications** - Following legal advice obtained on the proposed GRT site allocation NUA/GRT/14 – The Old Stable Yard, Land North of Winthorpe Road, Newark it is proposed to make some minor amendments to the current policy wording around flood risk and noise. These amendments do not alter the purpose of the original wording, or the outcomes which would be delivered- but would improve its clarity. They are attached at **Appendix 3**.

#### **Background Papers and Published Documents**

Newark & Sherwood Statement of Community Involvement.