

COUNCIL MEETING - 7 MARCH 2019

ADOPTION OF THE NEWARK & SHERWOOD AMENDED CORE STRATEGY DEVELOPMENT PLAN DOCUMENT

1.0 Purpose of Report

- 1.1 To present to Council the findings of the Inspectors Report into the Newark and Sherwood Amended Core Strategy Development Plan Document Examination, to seek approval from the Council to formally adopt this document as a Development Plan Document (DPD)/Local Plan within the Newark & Sherwood Local Development Framework (LDF) and to seek approval to adopt changes to the Newark & Sherwood Adopted Policies Map.

2.0 Background Information

- 2.1 On 7 July 2017 the District Council approved the publication of the Newark & Sherwood Amended Core Strategy DPD for a period of six and a half weeks (17 July until 1 September 2017) to seek representations on the document. Following consideration of the representations received and consideration of a schedule of modifications, on 26 September 2017 the District Council agreed to submit the Newark & Sherwood Amended Core Strategy DPD to the Secretary of State for Housing, Communities & Local Government for Independent Examination. The "Submission" DPD (made up of the Publication DPD as amended by an agreed Schedule of Modifications) and accompanying documentation were submitted to the Secretary of State on 28 September 2017. An Independent Inspector Mr Paul Griffiths BSC (Hons) BArch IHBC was appointed by the Secretary of State to carry out the Examination.
- 2.2 The Inspector held the Hearing Sessions on 1 and 2 February 2018. The purpose of the Hearing Sessions was to allow all those who had made representations on the DPD to present to the Inspector their case regarding the soundness or otherwise of the DPD. During the course of the hearing the Inspector identified a number of elements of the plan which needed to be clarified through amendments to its text.
- 2.3 Furthermore the Inspector following discussion on the Gypsy & Traveller Accommodation Assessment (GTAA) at the hearing session asked the Council to provide further representations on the points raised by an objector who appeared at the Examination hearings. This led to a protracted exchange of correspondence and the Inspector concluding that a new GTAA would be required and its results translated into policies within the upcoming Amended Allocations & Development Management DPD.
- 2.4 The amendments identified at the hearing and subsequently by the Inspector in relation to the GTAA were, along with the Schedule of Modifications where the subject of public consultation between 8 August and 21 September 2018.

3.0 Inspector's Report on the DPD

- 3.1 The Inspector has completed his examination of the DPD and has presented his conclusions in an Inspector's Report. This was received by the Council on 25 February 2019, and copies have been placed on the Members extranet, Castle House, Libraries in Newark & Sherwood District, and on the Council's website. Those who requested notification of receipt have had confirmation through email or post, as have all Members.

3.2 The Inspector's Report contains the recommendation that the submitted DPD is sound, subject to a number of modifications and should be adopted and the reasons why he has come to this view. In coming to conclusions on the soundness of the DPD the Inspector has had regard to the representations made in the six weeks following publication, along with subsequent written submissions, oral contributions made during the Hearings and other representations made on the Council's Main Modifications.

3.3 The report identifies four main issues upon which the soundness of the plan rests. **Issue 1** related to the quantum and distribution of housing and employment. Here the Inspector concluded that the plan should be clearer that the objectively assessed need of housing and the employment land target are not limits but minimum requirements. Main Modifications are proposed to make this clear. The Inspector considers in his report the various issues raised regarding development in rural areas. He concludes that;

"If the settlement hierarchy is loosened further down that order, and opportunities are presented for development adjacent to rural villages, as some propose, then notwithstanding the encouragement offered to rural development in paragraph 55 of the NPPF, this is likely to lead to an imbalance in the settlement hierarchy, making strategic sites more difficult to deliver."

3.4 **Issue 2** discussed in detail the Inspector's concerns regarding the Gypsy & Traveller policies as outlined in 2.3 above. The Inspector concludes that with a commitment to undertake a new accommodation assessment and a number of other modifications that the Amended Core Strategy provided a positively prepared, justified and effective strategy for this particular issue.

3.5 **Issue 3** related to concerns the Inspector had regarding the wording of the heritage policy, which have been resolved with a modification. **Issue 4** dealt with a number of general issues regarding the effectiveness of policies and main modifications have been proposed to address the issues identified. In Issues 3 and 4 the Inspector is proposing amendments to the main modifications (MM/0017 and MM/0018) following consideration of the comments received at consultation stage. However the Inspector concludes that;

"Given that it entails no significant alteration to the content of the modification, as published for consultation, and does not undermine the participatory process, or the SA, I am able to make that amendment, and have done so."

4.0 Adopting the Amended Core Strategy DPD

4.1 The Inspector's Report concludes that the DPD is sound, subject to the Main Modifications proposed by the Inspector (these Main Modifications are set out in Appendix A). Therefore it is proposed that the Council adopt the Amended Core Strategy Development Plan Document (Local Plan) as part of the Newark and Sherwood Local Development Framework which is part of the Council's Policy Framework. It should be noted that whilst the Inspector's Report is not binding on the Council; at Full Council on 26 September 2017 the District Council agreed that it would accept the Inspector's Report as binding therefore if the Council decides to adopt the DPD it must accept the Main Modifications which the Inspector has proposed to make the document Sound.

- 4.2 The Inspector is not required to make recommendations on proposed modifications relating to grammar, spelling, and minor clarifications. Such Minor Modifications and Clarifications were proposed by the Council and also subject to consultation following the close of the Examination Hearing Sessions. The Council received no objections to these Minor Modifications and Clarifications and it is proposed that alongside the Main Modifications these are also adopted. Appendix B contains these modifications along with a smaller number of further minor modifications that have been identified post consultation; it is proposed that they are also incorporated into the document.
- 4.3 In adopting the Amended Core Strategy DPD the Core Strategy DPD Adopted in March 2012 will have been replaced and all of these policies contained within it will be cancelled.
- 4.4 As soon as practicable after Adoption, the District Council must make available for inspection at Castle House, the Council's website and Libraries within the District the following;
- The Amended Core Strategy DPD
 - An Adoption Statement
 - Details of the location and time when the DPD is available for inspection
 - The Sustainability Appraisal Report (contained within the Integrated Impact Assessment)
 - Sustainability Adoption Statement

A notice will be published in the local press giving notice of the adoption statement and the places and times that the DPD can be inspected.

- 4.5 Any person may challenge an Adopted Development Plan Document if they do not think that it meets the conditions of the relevant legislation i.e. that it has not been made under the appropriate power or that a procedural requirement has not been met. Applications must be made to the High Court within six weeks of the date of the Development Plan Document being adopted by the District Council.

5.0 Changes to the Policies Map

- 5.1 The Adoption of the Amended Core Strategy DPD will mean that the Adopted Policies Map will need to be updated to reflect the allocation of Thoresby Colliery as a Strategic Site. Therefore attached at Appendix C are the proposed changes to the Policies Map for approval by Council. The amended maps will be placed in Libraries and the Council's online proposals map will be updated to reflect these changes.

6.0 RECOMMENDATIONS that:

- (a) the report be noted;**
- (b) Council adopt the Amended Core Strategy Development Plan Document, as amended by the modifications set out in Appendix A and B to the report, as a Local Plan and part of the Newark & Sherwood Local Development Framework; and**
- (c) the amendments (as set out in Appendix C to the report) to the Newark & Sherwood Local Development Framework Adopted Policies Map be approved.**

Background Papers

Inspectors Report – Report on the Examination into the Newark & Sherwood Amended Core Strategy DPD prepared by Mr Paul Griffiths an Inspector appointed by the Secretary of State for Housing, Communities and Local Government.

Newark & Sherwood “Submission” Amended Core Strategy DPD.

For further information please contact Matthew Norton on extension 5852.

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