

Newark & Sherwood District Council - Responses to the Inspectors Initial Questions

Subject	Question	Response
Duty to Cooperate	1. The advisory visit by a planning inspector indicated that the Council's paper on the duty to co-operate was lacking in detail.	Please see Question 2 below
Duty to Cooperate	<p>2. My questions are:</p> <ul style="list-style-type: none"> ▪ Has any further work been done on this matter? If not please can this be undertaken. The easiest way to present this information is in the form of a table, setting out the strategic policies issues/who was consulted/when they were consulted/by what means they were consulted (e.g., working group, correspondence) and, most importantly, the outcome of consultation. ▪ Please can you address this including a specific reference to the comments raised by Blidworth Parish Council about lack of consultation where neighbouring authorities may be affected? 	<p>During the advisory visit by the Planning Inspector we were advised that whilst the content of our Statement of Compliance with the Duty to Co-operate appeared to satisfy the requirement, it could be improved by expanding on the explanations of the work that had been carried out. As a result of this, we re-visited our statement on the duty to co-operate and were satisfied that we had addressed the requirement but agreed that the language used did not always convey this as well as it could. Consequently we changed the document and it was submitted in this revised form to you.</p> <p>Blidworth Parish Council believes that the District Council has not cooperated with Neighbouring Authorities on the production of the plan. However this is not the case. As set out in ADM8 we have been have cooperated with other authorities throughout the production of our Local Development Framework. Mansfield District Council and Gedling Borough Council have both been involved in this process and indeed Mansfield where a party to our Core Strategy Examination as they had concerns regarding developments in Clipstone, not Rainworth or Blidworth. These issues were suitably resolved at the Hearing.</p> <p>It is also important to understand the context of the District Council's plan making. Gedling Borough Council who have been working in partnership with other Greater Nottingham Councils and Mansfield District Council have been a long way behind Newark & Sherwood. Our</p>

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		<p>overall strategy has been resolved by the Adoption of the Core Strategy in 2012, whereas Mansfield have published an Issues and Options Report June 2010 and are working towards Preferred Options in the New Year and Gedling have published a draft Core Strategy in May 2012. We have cooperated with these authorities, on evidence base work (including Mansfield with the SHLAA methodology) and as part of their Plan production. The Newark & Sherwood District Wide Transport Study (EB30) was undertaken as part of the production of the Core Strategy and WYG, the Council's consultants, consulted with all neighbouring authorities regarding future identified development.</p> <p>In terms of large housing proposals that the Parish Council refers to in Mansfield this is the Lindhurst development of 1,700 houses on the southern site of Mansfield, which Mansfield District Council resolved to grant Planning Permission (subject to an agreement of a Section 106 agreement) outwith the Local Plan process in July 2012. A small element of this development – open space - is in Newark & Sherwood District as well.</p> <p>Lindhurst was included within the District Wide Transport Study however following on from Blidworth comments at the Allocations Options Report stage regarding the emergence of this development we engaged WYG to review potential impacts of the development on the settlements in the Mansfield Fringe. Using the information available from Mansfield District Council WYG carried out further modelling and the results are contained in EB31.</p> <p>With regard to increased housing requirements in Gedling we have made representations to Gedling Borough Council on the way there finalised Housing figures have emerged and I have enclosed my representation on</p>
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		<p>this matter. This however does not alter the fact that they have been involved throughout the process of developing our Local Development Framework.</p> <p>With regard to no consultation with the National Trust, the Environment Agency, English Heritage or Notts Wildlife Trust I would make the following points;</p> <ul style="list-style-type: none"> • All these bodies have been formally consulted as set out in ADM8 • The National Trust would not become involved unless it related to one of their properties or land holdings • The Environment Agency have been a stakeholder in the production of EB32, EB34, EB35 • English Heritage were involved in the SHLAA process and provided comments where they felt it important • The Nottinghamshire Wildlife Trust, were a member of the Partnership Group which reviewed the draft SHLAA results for Newark and Sherwood as set out in EB9.
Consultations	3. I note comments from representors relating to the change in reference numbers for site allocations between various documents.	Please see Question 4 below
Consultations	<p>4. My questions are:</p> <ul style="list-style-type: none"> ▪ Can you confirm that the right comments are accredited to the correct policy on your website? 	<p>Following a review of how the Representations have been processed we can confirm that they have been accredited to the correct policy's on the Councils website. This review highlighted a small number of errors which have now been corrected for, with the schedule below providing further detail on the issues and how they have been resolved. The errors concerned the following areas:</p>

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		<ul style="list-style-type: none">• Representors being provided with dual Representor Numbers;• The Representation being correctly attributed but an error being made in the Representation Reference provided;• Representations being incorrectly duplicated to another policy / section of DPD; or• Representation being attributed to the wrong Policy / section of DPD. <p>There have been concerns expressed by a number of Southwell Representors which have focussed on the processing of Representations on sites So/Ho/2 and So/Ho/3 (Submission DPD References). Such concerns have highlighted a perception that some Submissions may have been wrongly accredited following the renumbering of sites after the rejection of the Options Report stage So/Ho/1 site (land West of Allenby Road).</p> <p>It is though important to note that during the processing of Representations Officers considered whether the content of the Representation amounted to a much wider Representation than that identified by the Representor. In such cases a Representation may have been duplicated and also attached to other elements of the DPD that the Officer felt were applicable.</p> <p>Accordingly a review of how the Southwell Representations were processed was undertaken and highlighted that an error had been made in processing the Representations made by Representor 183 (Louise Ainley). Whilst the Submissions made by the Representor were erroneously assigned to both So/Ho/2 and So/Ho/3, this is not considered to have been prejudicial. The LPA is aware of this error and as the</p>
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	<ul style="list-style-type: none"> ▪ Can I have a reference table setting out the Plan site allocation references, their reference in the Options Report, the Sustainability Assessment, the Habitats Regulations Assessment and any other key supporting documents that might be referred to at the hearings, so all parties are clear about the changes and which policy is being discussed? ▪ Has Natural England been consulted on the modifications? 	<p>Representation has been correctly assigned to site So/Ho/2 the Representation can be fully taken into consideration.</p> <p>Therefore aside from the duplication of Representor 183's Submissions it is considered that the right Representations have been accredited to the correct policy's on the website.</p> <p>Please find enclosed a reference table setting out the various site references.</p> <p>Natural England has been consulted and we are now considering the preparation of Statement of Common Ground on this matter.</p>
Housing Approach	5 The Plan and your 2012 Housing Position Paper indicate that there is a shortfall in some areas and this will be made up by providing housing elsewhere in the district. I am unclear how this will be achieved.	Please see Question 6 below
Housing Approach	6 My questions are: <ul style="list-style-type: none"> ▪ What provision have you made in the Plan to cover the shortfall, for example are you going to allocate reserve/additional sites at this stage or rely on monitoring the gap and then looking for additional sites in the 	<p>The overall approach has been to meet the districts agreed housing figures as set out in the Core Strategy.</p> <p>The shortfall in the DPD amounts to only 106 dwellings in total. The District Council do not intend to allocate/reserve additional sites at this stage. There is capacity of 1950 dwellings from two of the three strategic</p>

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	<p>future?</p> <ul style="list-style-type: none"> ▪ Is housing justified elsewhere in the district if the required provision is specific to a particular area, for example in Blidworth and Lowdham? ▪ If the main undersupply is in villages in the Green Belt where you consider development cannot take place without adverse impacts, should you revise your overall housing figures accordingly? 	<p>sites which is not currently scheduled for delivery on the housing trajectory during the Plan period. If monitoring of the Plan performance indicates it to be necessary, further dwellings from these sites could be brought forward. However, as indicated in the Housing Requirements Table, in response to Question 8, when the allowance for SP3 Rural Areas is taken into account, in accordance with Appendix D of the Adopted Core Strategy, this already addresses the possible shortfall. In addition there are a number of other sites which were identified through SHLAA, which are within the Urban Boundaries and could come forward at later stages of the Plan Period. The District also has a strong record of housing being provided on windfall sites and whilst no allowance has been made for this, there are a large number of small sites submitted as part of the SHLAA which were not fully assessed due to the application of a threshold which may also come forward.</p> <p>Given our commitment to meet the overall housing target we feel that the level of shortfall to be accommodated as a percentage of the overall need is not sufficient to materially impact on the Spatial Strategy. We will continue to monitor the level of development in Blidworth and Lowdham. Whilst it is not currently possible to identify additional capacity, redevelopment of existing sites within the villages may still continue to contribute.</p>
Housing Approach	7) The housing trajectory that you submitted as an appendix to the Plan should include totals for the five years, so that the information can be related to the provision of housing per year.	Please find enclosed a copy of the amended housing trajectory.
Housing Approach	8) A table setting out the core strategy housing requirement, the figures in the Plan and	Please find enclosed a copy of the requested table.

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	those in the housing position study should be provided for quick reference.	
Alternative Sites	9) You have consulted on alternative sites. My questions are: what are the implications of the results and your analysis for the Plan? What is the status of the sites you consider to be reasonable alternatives, how do you want me to consider these sites?	<p>The Alternative sites were included at the Options Report Stage as potential reasonable alternatives, however ones the Council did not favour.</p> <p>Following the Options Report stage consideration was given to which sites should be progressed into the Draft Plan.</p> <p>Also following the Options Report stage consultation on 4 Additional Sites which had emerged as part of the options report stage was undertaken. These sites were also considered for inclusion or otherwise in the Draft Plan.</p> <p>In producing the Draft Plan in many cases the Councils preferred sites were selected for allocation however following consideration of consultation responses it was necessary to take forward alternative sites or additional sites (and in some cases site which were regarded as X sites) to become preferred sites.</p> <p>The alternative sites and additional sites (along with the X sites) now have no status in the DPD as we have selected the sites which we wish to meet our development needs.</p>
Alternative Sites	10) Please can I have a plan of the rejected sites referred to in Appendix F of the Sustainability Assessment, but only where they are referred to by a representor to the allocations DPD. The sites that are relevant are those referred to Appendix 7 of the Statement of Representations.	Plans of the still relevant rejected sites have been prepared and are enclosed

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Viability	11) My questions are at the end of each paragraph on this matter.	Please see separate paper on Questions 11 to 16 entitled Viability and Developer Contributions – Policy DM3
Viability	12) I note that a number of allocated sites (Ed/Ho/1, OB/Ho/1, OB/Ho/3, OB/MU/1, Ra/Ho/2, Bl/Ho/1, Bl/Ho/3, Cl/MU/1) which, according to your housing trajectory are to provide housing in years 0-5, are either red or amber in table 5.1. This raises a concern about viability of these sites and the likelihood of their being delivered within the planned timescale. What is your view on this?	Please see separate paper on Questions 11 to 16 entitled Viability and Developer Contributions – Policy DM3
Viability	13) The viability assessment appears to assume 0% affordable housing for Mansfield Fringe and 15% for Ollerton for the first five years. It also sets out that these sites may be viable if developer contributions and/or affordable housing requirements are reduced. However, at the moment Core Strategy, core policy 1 seeks 30% affordable housing, and the site allocations and DM3 require developer contributions. Have you considered being explicit about your requirements for these areas in the Plan? For example, should you set out your expectations for affordable housing and planning obligations for Mansfield Fringe Area and Ollerton.	Please see separate paper on Questions 11 to 16 entitled Viability and Developer Contributions – Policy DM3
Viability	14) Have you considered what action might be necessary to ensure flexibility within the Plan to enable development to be delivered during the current economic climate?	Please see separate paper on Questions 11 to 16 entitled Viability and Developer Contributions – Policy DM3

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		What are the implications for local infrastructure if contributions in these areas make development unviable and they are reduced or omitted?	
Viability	15)	The main question to be addressed is whether the Plan is deliverable. Whilst this will form a main issue at the Hearing session, your views on the questions posed would be appreciated.	Please see separate paper on Questions 11 to 16 entitled Viability and Developer Contributions – Policy DM3
Developer Contributions	16)	This follows on from the section on viability. From what I have seen, I am concerned that the policy is not consistent with the Framework as it affects the viability of the Plan. Can you confirm the date of the Developer Contribution SPD, when was it last updated? Was the SPD the basis of the section 106 contributions referred to in the assessment of Plan viability contained in the commercial and residential allocations viability assessments, August 2012?	Please see separate paper on Questions 11 to 16 entitled Viability and Developer Contributions – Policy DM3