

Newark & Sherwood Allocations and Development Management DPD Examination

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MATTERS, ISSUES AND QUESTIONS (MIQs)

Important: These Matters, Issues and Questions should be read in conjunction with the Inspector's Examination Guidance Note and the Draft Hearing Programme.

References in brackets () are to the document references in the Examination Library, which can be found on the Examination website:

[Examination Library | Newark & Sherwood District Council \(newark-sherwooddc.gov.uk\)](http://www.newark-sherwooddc.gov.uk/examination-library)

MATTER 1: DUTY TO COOPERATE AND OTHER LEGAL REQUIREMENTS

Issue 1 – Whether the Council has complied with the Duty to Cooperate in the preparation of the Plan.

- 1.1 What are the relevant cross-boundary strategic matters that have arisen through the preparation of the Plan (defined as a matter having a significant impact on at least two planning areas¹)?
- 1.2 What outcomes have resulted from engagement and cooperation on the relevant strategic matters and how have these informed the Plan's policies, including in relation to:
 - a. Housing (including any site allocations with cross-boundary impacts)
 - b. Gypsy and Traveller needs
 - c. Employment
 - d. Transport and Infrastructure
 - e. Environment (including water management and nature conservation)
- 1.3 Is the process of cooperation demonstrated by clear evidence, including Statements of Common Ground as expected by NPPF paragraph 27 and the Planning Practice Guidance? Do the Statements of Common Ground identify the relevant strategic matters, actions in relation to cross-boundary issues and the outcomes of the actions taken?

¹ S33A(4) of the Planning and Compulsory Purchase Act 2004

Cross-boundary Infrastructure

- 1.4 Have the Plan's transport impacts been considered on a cross-boundary basis, including the role of active and sustainable travel modes?
- 1.5 In overall terms, is there evidence to demonstrate that, during the preparation of the Plan, the Council has engaged constructively, actively and on an on-going basis with relevant authorities and prescribed bodies on relevant strategic matters? Has the Duty to Cooperate been met in a manner consistent with paragraphs 24-27 of the NPPF?

Issue 2 – Whether the Plan has been informed by a Sustainability Appraisal

- 1.6 Is it clear how the preparation of the Plan and its policies has been informed by the Sustainability Appraisal (Integrated Impact Assessment – CD03) at each stage and how mitigation measures have been dealt with?
- 1.7 Does the Sustainability Appraisal robustly test the Plan against reasonable alternatives for the allocated sites for housing, employment and retail and other types of development?
- 1.8 What alternative options were considered, which were discounted and were the reasons for this clear?
- 1.9 Have any concerns been raised with regard to the Sustainability Appraisal, and if so, what is the Council's response to those?

Issue 3 – Whether the Plan has been prepared in compliance with other legal requirements

- 1.10 Is the Habitats Regulations Assessment (CD04) robust and have the requirements of the Conservation of Habitats and Species Regulations 2017 been met? Are any modifications necessary for legal compliance with the Regulations?
- 1.11 Has the Plan been prepared in accordance with the scope, timescale and content set out in the submitted Local Development Scheme (CD10)?
- 1.12 Has consultation been carried out in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's Statement of Community Involvement (CD14)?
- 1.13 Does the Plan include policies designed to ensure that the development and use of land in the District contributes to the mitigation of, and adaptation to, climate change in accordance with the legislation?²

² Section 19(1A) of the Planning and Compulsory Purchase Act (2004) (as amended)

- 1.14 In what ways has Plan preparation and the Plan's content had regard to the aims expressed in S149 of the Equality Act 2010 in relation to those who have a relevant protected characteristic?
- 1.15 Has the preparation of the Plan complied with the Planning and Compulsory Purchase Act 2004 (as amended) Part 2 and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) in all other respects, including in terms of
- i. Having regard to the Planning Practice Guidance³ that the preparation of the Plan should take into account policies and proposals in Neighbourhood Plans;
 - ii. Making clear which policies will be superseded if the Plan is adopted.
- 1.16 What is the up-to-date position with Neighbourhood Plan preparation in the District?
- 1.17 Has Plan preparation had regard to the additional matters set out in Section 19 of the 2004 Act and in Regulation 10 of the 2012 Regulations?

Issue 4 – Core Strategy Review

- 1.18 The Core Strategy is due for review in accordance with Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012. What are the implications for the Amended Allocations & Development Management DPD resulting from a review of the Core Strategy.

MATTER 2: URBAN AREA POLICIES, SITE SELECTION, AND HOUSING SITE ALLOCATIONS

Issue 1 – Whether the Urban Area Policies are justified and will be effective in meeting development needs

Policies NUA/Ho/1 – NUA/Ho/10; Policy NUA/SPA/1 and; Policies NUA/MU/1 – NUA/MU/4

- 2.1 Is the Plan sufficiently robust to enable the envisaged level of growth as part of strengthening Newark's role as a Sub-Regional Centre?

Issue 2 – Site selection

- 2.2 Is the evidence on housing need sufficiently up-to-date, having regard to any changes since 2015?
- 2.3 Are the allocations sufficient to support the need for 243 affordable homes each year across the District as set out in the December 2020 Housing Needs

³ PPG Reference ID 61-006-20190723

Assessment? Is this the most up-to-date evidence on affordable housing need?

- 2.4 Is the Plan sufficiently robust to enable the envisaged level of affordable housing to take place within the Plan period?
- 2.5 Does the housing land supply (HLS) figure within the Housing Monitoring and 5 Year Land Supply Report (1 April 2022 – 31 March 2023) and the Statement of Five Year Housing Land Supply (1 April 2023) provide the most up-to-date evidence on HLS? Is there any HLS data covering the period to April 2024?
- 2.6 Is the Sub-Area approach to identifying housing need justified and appropriate?
- 2.7 Is the Housing Trajectory (Appendix C) justified by previous evidence of delivery? Will the Plan be effective in meeting the Trajectory?
- 2.8 Are the amendments to the Urban Area Boundaries and Village Envelopes justified by evidence?

Issue 3 – Housing allocations

Note – the following question applies to each of the proposed housing site allocations listed in the table below. The Council is requested to respond to all of the questions put and in doing so, should also address the site-specific questions in the table. Representors should respond to those questions relevant to the representations they made at Regulation 19 consultation stage.

Question 2.10

- a. Is the proposed scale of housing development justified, having regard to any constraints and the provision of necessary infrastructure?
- b. Is the allocation consistent with the development strategy in the Core Strategy?
- c. What is the likely impact of the proposed development on the following factors:
 - Settlement separation and identity and landscape character;
 - Biodiversity, green infrastructure, including public rights of way and agricultural land quality;
 - Heritage assets;
 - The strategic and local highway network and other infrastructure including health facilities, education and open space;
 - Air and water quality, noise pollution, land stability and flood risk.

- d. Are the development requirements clear and deliverable and are any further safeguards or mitigation measures necessary to achieve an acceptable form of development? Are any main modifications necessary for soundness?
- e. Have any further permissions been granted since the Plan was submitted for examination?

<p>Newark Urban Area</p> <p><u>Housing Site 2</u></p> <p>Is the requirement for a landscape scheme justified at application stage?</p> <p>What are the perceived effects on the proposed development from the East Coast Main Line and is there evidence that a landscape scheme will be effective in mitigating those effects?</p> <p>Is there evidence to indicate that the site can be developed without increasing flood risk to people or property as required by the NPPF?</p>
<p><u>Housing Site 4 – Yorke Road Policy Area</u></p> <p>Is there evidence that the anticipated 230 net dwellings will be achieved, taking into account any potential constraints?</p> <p>According to the trajectory, there will be 194 dwellings completed by the end of the Plan period. Will the remaining 36 dwellings take place beyond 2033?</p> <p>Is there evidence to indicate that the delivery of 40 dwellings per annum from 2028/29 up to the end of the Plan period is realistic and achievable?</p>
<p><u>Housing Site 5</u></p> <p>Are the requirements related to any identified mineral resource and archaeological evaluation sufficiently precise to ensure the requirements are clear to developers and can be met?</p>
<p><u>Housing Site 6</u></p> <p>Are the requirements related to archaeological evaluation sufficiently precise to ensure the requirements are clear to developers and can be met?</p>
<p><u>Bowbridge Road Policy Area</u></p> <p>Is the development dependent upon the existing environmental problems being resolved? Can they be and if not, how could the site be developed?</p> <p>Bearing that in mind, is there a realistic prospect that the site can be developed in accordance with the trajectory (150 dwellings are included for NUA/Ho/8 and 120 dwellings for NUA/Ho/9 from 2028/29)?</p>

Policy NUA/Ho/7 encompasses NUA/Ho/8 and NUA/Ho9. Is this sufficiently clear or would it be appropriate to incorporate the text of Policy NUA/Ho/7 into the supporting text?

Housing Site 8

Bowbridge Road Policy Area - see above.

Are the requirements related to archaeological evaluation sufficiently precise to ensure the requirements are clear to developers and can be met?

Housing Site 9

Bowbridge Road Policy Area - see above.

Are the requirements related to archaeological evaluation sufficiently precise to ensure the requirements are clear to developers and can be met?

Housing Site 10

Do the requirements related to ecology within the policy accord with Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) and paragraphs 001 Reference ID: 74-001-20240214 and 002 Reference ID: 74-002-20240214 of the Planning Practice Guidance?

Are the requirements related to any identified mineral resource and archaeological evaluation sufficiently precise to ensure the requirements are clear to developers and can be met?

Is the medieval field system sufficiently defined to provide adequate clarity?

Is the requirement in relation to existing hedgerows sufficiently clear and robust?

Newark Showground Policy Area

How will engagement with the County Council, National Highways, parish councils and landowners take place and how will a masterplan for the policy area be agreed upon? Will it be deliverable?

What is the timescale for improvements being made to the A1/A46/A17 junction and is there funding in place for those improvements?

Does the reference to the Highways Agency require updating?

Mixed Use Site 1

See above question related to the A1/A46/A17 junction

Mixed Use Site 3

No further questions.

Mixed Use Site 4

Does development of the new leisure centre depend on the provision of housing on the site and is it deliverable?

<p><u>Opportunity Sites</u></p> <p>How will the monitoring process operate in ensuring opportunity sites NUA/OS/1 and NUA/OS/2 are brought forward in a timely manner?</p>
<p>Collingham</p>
<p><u>Mixed Use Site 1</u></p> <p>Are all of the envisaged uses deliverable?</p>
<p>Sutton-on-Trent</p>
<p><u>Mixed Use Site 1</u></p> <p>Is the envisaged development of the site deliverable having regard to any existing open space constraints and the retail potential?</p> <p>Are the requirements related to archaeological evaluation sufficiently precise to ensure the requirements are clear to developers and can be met?</p>
<p>Southwell Area</p>
<p><u>Housing Site 2</u></p> <p>Policy So/Ho/2 indicates a development of around 45 dwellings but the trajectory shows a total of 32 dwellings between 2021 and 2023, with 6 dwellings remaining in 2023/24. What is the up-to-date situation?</p>
<p><u>Housing Site 4</u></p> <p>Do i. and iv. seek to achieve the same outcome? If so, is it necessary for both to form part of Policy So/Ho/4?</p> <p>Can the proposed development be made acceptable taking into account the various character and site constraints?</p> <p>What is the current status of the Southwell Neighbourhood Plan?</p>
<p><u>Housing Site 5</u></p> <p>Do i. and iv. seek to achieve the same outcome? If so, is it necessary for both to form part of Policy So/Ho/5?</p> <p>Can the proposed development be made acceptable taking into account the various character and site constraints?</p>
<p><u>Housing Site 7</u></p> <p>Policy So/Ho/7 refers to around 18 dwellings whilst the trajectory shows 15 dwellings to be completed in 2031-2033. Does either the policy or trajectory need to be revised?</p> <p>Are there particular issues on this site that mean it will not come forward until later in the Plan period?</p>
<p>Ollerton & Boughton</p>
<p><u>Mixed Use Site 1</u></p> <p>Is there any reason why public open space cannot be provided within the site?</p>

Do the requirements related to biodiversity within the policy accord with Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) and paragraphs 001 Reference ID: 74-001-20240214 and 002 Reference ID: 74-002-20240214 of the Planning Practice Guidance?

The trajectory shows 187 dwellings to be completed between 2020 and 2024. Have these been completed and of these, what is the current situation with the 40 dwellings shown to be completed in 2023/24?

Policy OB/MU/1 indicates the accommodation of around 225 dwellings, but the trajectory totals 305. What is the most up to-date picture on the total number of dwellings to be accommodated on this site?

Mixed Use Site 2

Is the requirement for community consultation a separate matter to the provision of a masterplan for the proposed development?

Is there a realistic prospect of development commencing in 2028/29, in accordance with the trajectory?

Edwinstowe

Housing Site 2

The proposed development has planning permission (according to the trajectory) but is not set to come forward until 2028/29 onwards. Is there a reason development cannot commence sooner in the Plan period?

Bilsthorpe

Housing Site 1

No further questions.

Housing Site 2

Has development commenced in line with the trajectory? What is the up-to-date situation?

Mixed Use Site 1

Has development commenced in line with the trajectory? What is the up-to-date situation?

Mansfield Fringe Area - Rainworth

Housing Site 2

Policy Ra/Ho/2 envisages 190 dwellings. The trajectory shows 160 dwellings completed up to 2019/20 and a further 95 dwellings later in the Plan period.

- i. Is a main modification necessary to the policy to reflect the up-to-date target for the number of dwellings?
- ii. Is there a specific reason that the further 95 dwellings are not envisaged as coming forward until 2028/29 onwards?
- iii. How does this relate to the masterplan?
- iv. How does it relate to the provision of open space?

v. What is meant by 'new, enhanced' strategic open space – is it new or enhanced existing open space?
<u>Mixed Use Site 1</u> Is the site a suitable location for housing taking into account the juxtaposition of a small number of dwellings to the other proposed uses? Is there a realistic prospect of the proposed development going ahead in light of the requirement to provide access over third party land? What is the proposed timescale for the non-residential uses?
Clipstone
<u>Mixed Use Site 1</u> Is there a realistic prospect of residential development coming forward in 2028/29 onwards given the masterplan and phasing requirements of Policy CI/MU/1? What is the latest situation with the development of the non-residential uses?
Blidworth
<u>Housing Site 1</u> No further questions.
<u>Housing Site 3</u> What is the up-to-date situation in respect of the progress of development of this site?

MATTER 3: HOUSING LAND SUPPLY

Issue 1 – Whether the Plan will provide for a sufficient housing land supply to deliver planned growth over the Plan period and whether a deliverable five year supply of housing will be available on adoption

- 3.1 Could the Council provide an up to date housing trajectory, having regard to the responses provided to Q2.10 above, including start dates, build-out rates and completions for each site within the housing supply, supported by evidence including site proformas and Statements of Common Ground, correspondence with site promoters etc.?

Supply over the Plan Period

- 3.2 What assumptions have been made to inform the trajectory for the delivery of housing sites in terms of:
- a. The time taken from submission of a planning application to its determination

- b. The time taken to determine reserved matters once outline planning permission has been granted
 - c. The time taken from the grant of planning permission to housing starting on site
 - d. The build-out rates for different size sites and number of sales outlets
- 3.3 Will the Plan identify a sufficient supply of specific, deliverable sites for years 1 – 5 and for year 6 onwards of the Plan period?
- 3.4 What evidence is there to support the estimated supply and is it robust?

Five Year Housing Land Supply

- 3.5 What is the relevant five-year period on adoption and what is the requirement?
- 3.6 Does past delivery and/or the Housing Delivery Test results have any implications for the appropriate buffer to be added to the five-year land supply?
- 3.7 Is there clear evidence to support the delivery of sites in the relevant five-year period on adoption?
- 3.8 Based on a requirement of 371 dwellings per year, would the Plan help to ensure a five-year supply of deliverable sites on adoption over the Plan Period?

MATTER 4: AFFORDABLE HOUSING

Issue 1 – Whether the Plan makes adequate provision for affordable housing

Core Policy 1

- 4.1 How has national policy been taken into account in the formulation of the policy?
- 4.2 Is there evidence to indicate that the First Homes model is the appropriate mechanism to meet affordable housing needs in the District? How will First Homes be delivered as part of the mix of affordable housing?
- 4.3 How will the First Homes model assist in meeting the need for shared ownership dwellings?
- 4.4 For brownfield land schemes, what factors will determine the proportion of affordable housing to be provided?

- 4.5 Is the viability evidence sufficiently up-to-date to support the percentages of affordable housing sought and the threshold of 10 or more dwellings at which they will be required.
- 4.6 Overall, are the policy requirements clear, positively prepared and justified by evidence? Will the policy provide for sufficient affordable housing where it is needed in the District? Are any main modifications necessary for soundness?

Issue 2 – Whether the Plan makes adequate provision for rural affordable housing

Core Policy 2

- 4.7 Should the policy be clear on which document contains Spatial Policy 4 Green Belt? Is a main modification necessary for soundness?

Issue 3 – Whether the Plan makes adequate provision for entry-level exception housing

Core Policy 2A

- 4.8 How has national policy and PPG been taken into account in the formulation of the policy?

Issue 4 – Whether the Plan makes adequate provision housing mix, type and density

Core Policy 3

- 4.9 Will the policy provide for a mix and choice of housing to meet the needs of different groups in the community and is it consistent with national policy in that regard?
- 4.10 Is the policy based on up-to-date evidence?
- 4.11 Is the policy sufficiently flexible to take account of changing conditions to the housing market?
- 4.12 Are the requirements for M4(2) and M4(3) standard homes justified having regard to the factors listed in the PPG⁴ and the evidence in the Housing Needs Assessment (Evidence Base H1)?
- 4.13 What evidence is available to demonstrate the level of interest in self and custom build dwellings?

⁴ Paragraph: 007 Reference ID: 56-007-20150327

MATTER 5: GYPSY AND TRAVELLER ACCOMMODATION

Issue 1 – Whether the Plan makes adequate provision for accommodation for Gypsies and Travellers

- 5.1 Is the overall requirement of 169 pitches, including 30 pitches for those who do not meet the planning definition of a Traveller, justified and robust, having particular regard to the judgement in *Lisa Smith v Secretary of State for Housing, Communities and Local Government and others* [2021] EWHC 1650 (Admin)?
- 5.2 Is there clear and robust evidence to justify the approach to demand from inward migration of Gypsy and Traveller households?
- 5.3 Is the approach to providing the bulk of provision in and around the Newark area and then in and around Ollerton, justified by clear evidence?
- 5.4 Policy GRT/1 refers to a new assessment of pitch requirements within 5 years of the publication of the current Gypsy and Traveller Accommodation Assessment (GTAA). That is due in early 2025. Therefore, given that short time horizon, are the pitch requirement figures justified and sufficiently robust?
- 5.5 Is the approach to provision by extending existing sites, bringing existing sites back into use and new site allocations justified and robust in terms of meeting the latest evidenced need?

MATTER 6: EMPLOYMENT DEVELOPMENT

Issue 1 – Whether the Plan makes adequate provision for employment development

- 6.1 Are the scenarios in the Nottingham Core HMA and Nottingham Outer HMA Employment Land Needs Study (the Employment Land Needs Study) soundly based and justified?
- 6.2 How do the conclusions on employment land demand/supply in the Employment Land Needs Study relate specifically to the allocations in Newark and Sherwood District?
- 6.3 Are the post Covid Experian September 2020 projections still sound?
- 6.4 Are the employment allocations based on a robust site selection methodology, positively prepared and will they be deliverable in accordance with the trajectory in Appendix C?

Note – the following question applies to each of the proposed employment site allocations. The Council is requested to respond to all of the questions put. Representors should respond with relevance to the representations they made at Regulation 19 consultation stage.

Question 6.5

- a. Is the proposed scale of employment development justified, having regard to any constraints and the provision of necessary infrastructure?
 - b. Is the allocation consistent with the development strategy in the Core Strategy?
 - c. What is the likely impact of the proposed development on the following factors:
 - Settlement separation and identity and landscape character;
 - The strategic and local highway network;
 - Air and water quality, noise pollution, land stability and flood risk.
 - d. Are the development requirements clear and deliverable and are any further safeguards or mitigation measures necessary to achieve an acceptable form of development? Are any main modifications necessary for soundness?
 - e. Have any further permissions been granted since the Plan was submitted for Examination?
- 6.6 Is the provision of employment land sufficient for 'big box' schemes?
- 6.7 Is the phasing approach in Policy NUA/Ph/1 justified and will it be effective in bringing development forward at the right time? Are there any potential barriers to the phasing envisaged?

MATTER 7: RETAIL AND TOWN CENTRES

Issue 1 – Whether the Plan will contribute to the vitality and viability of Town, District and Local Centres

Policy DM11

- 7.1 Is the retail hierarchy and network of centres informed by up-to-date evidence?
- 7.2 Are the boundaries of Newark Town Centre, the District Centres and the Local Centres on the Policies Maps justified by the evidence in the Town Centre and Retail Study (2016) (Evidence Base R1)?

- 7.3 What is the relationship between the Plan and the Newark on Trent Town Investment Plan (2020) (Evidence Base R3)?
- 7.4 Will the assessment of the impact of edge of town and out-of-centre retail proposals on Town, District and Local Centres be effective in maintaining the vitality and viability of those centres?
- 7.5 What is meant by 'small scale in relation to rural diversification schemes'?
- 7.6 Overall, does the Plan set out a positively prepared, justified and effective mechanism to support the economy and the vitality and viability of the Town District and Local Centres? Are any main modifications necessary for soundness?
- 7.7 What evidence supports the requirement for a sequential test relating to Edge and Out of Centre Locations for retail?
- 7.8 What evidence supports the requirement for a sequential test relating to Non-Retail Main Town Centre Uses?
- 7.9 Overall, does the Plan set out a positively prepared, justified and effective pathway for the economy and for the vitality and viability of the Town, District Centres, Local Centres and Rural Areas? Are any main modifications necessary for soundness?

MATTER 8: OPEN BREAKS AND MAIN OPEN AREAS

Issue 1 – Whether the designated Open Breaks are justified and soundly based

- 8.1 Are the amendments to the Open Breaks set out in the Newark Open Breaks Review (August 2019) soundly based and justified by evidence?
- 8.2 Will Policy NUA/OB/1 be effective in maintaining the separate identity of settlements?

Issue 2 - Whether the designated Main Open Areas are justified and soundly based

- 8.3 Are the boundaries and extent of the Main Open Areas justified by evidence?
- 8.4 Will they serve their intended purpose over the Plan period?

MATTER 9: ENVIRONMENT

Issue 1 – Whether the policies relating to climate change and the natural and built environment are positively prepared, justified, effective and consistent with national policy

Policy DM4 - Renewable and Low Carbon Energy Generation

- 9.1 How will the application of Policy DM4 ensure there are no unacceptable cumulative effects from solar energy development?
- 9.2 Where Neighbourhood Plans identify sites for wind turbines that would require planning permission, how will the application of Policy DM4 ensure there are no unacceptable cumulative effects?

Policy DM5(b) – Design

3 Amenity

- 9.3 How will the requirement to demonstrate adequate internal and external space in new housing be assessed?

4 Local Distinctiveness and Character

- 9.4 How will the Landscape Character Assessment SPD be used to assess the effects of development proposals?
- 9.5 Is the Policy based on up-to-date evidence and if so, what?
- 9.6 Is the policy sufficiently robust to protect the District's distinctive landscape character and how will it be achieved?

5 Public Realm

- 9.7 Is the policy sufficiently robust to create new or strengthen existing street and public open space networks and how will it be achieved?
- 9.8 Does the Open Space Assessment and Strategy (Evidence Base ENV1) correctly identify open space typologies for each site assessed and will it provide a robust mechanism for decision making on the amount of open space necessary in line with planned housing growth?

6 Trees, Woodland, Biodiversity and Green and Blue Infrastructure

- 9.9 Is the policy sufficiently robust to achieve its objectives?

- 9.10 Is the inclusion of biodiversity and green infrastructure necessary in light of the requirements of Policy DM7?

7 Ecology

- 9.11 How will it be determined that a site provides a habitat for protected species in advance of the requirement for development proposals to provide an ecological assessment?

10 Flood Risk and Water Management

- 9.12 Does flood risk and water management need to appear within Policy DM5(b) or should it be incorporated in some form into Policy DM5(c)?
- 9.13 What is meant by 'where the scale and form of development is appropriate' in paragraph 7.46 of the supporting text? Is it referring to major development? If so, how will the policy ensure minor development incorporate SuDS?
- 9.14 Will the policy be effective in minimising surface water flood risk from developments of 9 dwellings or less?

14 Design SPD and Design Codes

- 9.15 What is the timescale for producing a SPD and will the operation of Policy DM5(b) depend on it?
- 9.16 Will the policy secure inclusive and accessible design as required by the NPPF? Is it clear what scale and type of development will trigger the requirement for design codes?
- 9.17 How effective will design codes be in the circumstance that some have not been prepared until later in the plan period (Ref paragraph 7.51 of the supporting text)?

Policy DM5(c) – Sequential Test

- 9.18 How has national policy been taken into account in the formation of the policy and the allocation of sites with regard to (i) the Sequential Test and (ii) the drainage hierarchy?
- 9.19 Is there evidence to indicate that development will not increase flood risk to people and property?

Policy DM5(d) – Water Efficiency Measures in New Dwellings

- 9.20 What evidence supports optional higher water efficiency requirement?

Policy DM6 – Householder Development

- 9.21 How have permitted development rights been taken into account in the formation of the policy?
- 9.22 How will the retention of a reasonable amount of amenity space be quantified and assessed?

Policy DM7 – Biodiversity and Green Infrastructure

- 9.23 Biodiversity Net Gain became mandatory in February 2024. Is a main modification therefore required to update the policy wording?
- 9.24 Is the approach to internationally, nationally and locally designated sites consistent with national policy?

Policy DM8 - Development in the Open Countryside

- 9.25 How has national policy and PPG on Rural Housing been taking into account in the formulation of the policy?
- 9.26 What is meant by small scale employment development and how will that be determined?
- 9.27 How will 'close proximity' to settlements be defined in relation to community and leisure facilities?
- 9.28 Is the expectation in paragraph 7.68 of the supporting text for applications to be accompanied by 3 years audited accounts justified? Does this requirement need to be set out in the policy wording?
- 9.29 Overall, will the Plan contribute to the achievement of sustainable development? Are any main modifications necessary for soundness?

Policy DM9 – Protecting and Enhancing the Historic Environment

- 9.30 Is the policy positively prepared and justified by evidence in relation to the Farndon and River Devon Ice Age Landscape?
- 9.31 Does the Plan set out a positive strategy for the conservation and enjoyment of the historic environment in accordance with paragraph 190 of the NPPF and the Planning (Listed Buildings and Conservations Areas) Act 1990?

Policy DM12 – Presumption in Favour of Sustainable Development

- 9.32 The Policy repeats paragraphs 11 and 12 of the NPPF. Is it necessary to include this policy in the Plan?

MATTER 10: TRANSPORT AND INFRASTRUCTURE

- 10.1 Does the Infrastructure Delivery Plan Update (Evidence Base T12) contain the full range of infrastructure to support the development proposed in the Plan? How will it be reviewed and kept up to date?
- 10.2 Do the Area Schedules in Appendix A of the 2022 update (Evidence Base T15) enable a coordinated strategy led approach to the delivery of new and improved infrastructure to support planned growth?
- 10.3 Does the Transport Infrastructure Delivery Plan Update (2022) (Evidence Base T14) contain the full range of infrastructure to support the development proposed in the Plan? How will it be reviewed and kept up to date?
- 10.4 Are the traffic assumptions in the Transport Infrastructure Delivery Plan Update based on robust evidence?
- 10.5 How will the Plan address any issues where Urban Junctions are close to or at capacity?
- 10.6 Is the Transport Infrastructure Delivery Plan sufficiently up-to-date to provide clear evidence of the costs of highway improvements to 2033? How will the costs be monitored over the Plan period?

MATTER 11: VIABILITY AND MONITORING

- 11.1 Have there been any changes in circumstances which could affect the assumptions made in relation to land values, sales costs, build costs developer profit and other inputs to the viability appraisals – for example, recent inflationary pressures?
- 11.2 Is there a clear mechanism to address the significant differences in residential property value across the District?
- 11.3 Are the key findings on commercial development sufficiently up-to-date?
- 11.4 Does the CIL provide the recommended flexibility to address the variations in residential viability across the District? Are the CIL rates (where they are to be applied) robust and based on up-to-date evidence of the full range of costs?
- 11.5 Will the monitoring indicators and targets in Appendix C of the Plan provide a robust basis for assessing the Plan's delivery?
- 11.6 Does the Plan have sufficient flexibility to respond to changing circumstances and which policies/measures will ensure that?

11.7 Overall, is the Plan viable and deliverable and the mechanisms for monitoring and review robust and appropriate?