

MATTER 1 – COMPLIANCE AND PROCEDURAL

- 1** *Has the Plan been prepared in accordance with relevant legal requirements, including the Duty to Co-operate and the procedural requirements of the National Planning Policy Framework?*

No comment.

- 2** *Is the Plan in general conformity with the RSS and consistent with the National Planning Policy Framework? Does it reflect the National Planning Policy Framework's presumption in favour of sustainable development?*

This DPD is considered to be in general conformity with the RSS as it serves to implement the general housing requirements (with the exception of the Newark Strategic Sites) of the Core Strategy, which was in conformity with the RSS. The DPD is also considered to broadly reflect the NPPF's presumption in favour of sustainable development although the Council should produce evidence to demonstrate that the DPD has sufficient flexibility now, and to adapt to rapid change, having due regard to the provisions of paragraph 47 of The Framework. Issues of under provision in certain settlements do raise concerns about flexibility.

The DPD does not outline its approach to Paragraph 47 of The Framework in respect of providing a 5% or potentially a 20% buffer to provide flexibility and ensure choice and competition in the market for land. Newark and Sherwood have significantly underperformed in terms housing completions against RSS targets since 2006, notwithstanding the growth point status sought and secured by the District Council, and so there must be greater clarification of how this under-delivery is to be addressed in the first five years of this Site Allocations DPD. This may well require the identification of additional sites across the District and encouraging/facilitating greater housing numbers from allocated sites where capacity exists.

The Inspector has raised questions directly with the Council in respect of their housing approach (Inspectors initial questions to the Council – Questions 5-8) and we would request that the issue of the NPPF (paragraph 47) 'buffers', and how this will be addressed across the settlement hierarchy, should be looked at closely.