

**AREA COMMITTEE EAST (ACE) DALES, MAPPERLEY AND ST ANN'S**  
**12 SEPTEMBER 2017**

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|---|---|--|
| <b>Title of paper:</b>  | <b>Local Plan Part 2: Land and Planning Policies Document – Revised Publication Version</b>                     |  |
| <b>Director(s)/ Corporate Director(s):</b>  | Paul Seddon – Chief Planner<br>David Bishop – Deputy Chief Executive/Corporate Director<br>Development & Growth | <b>Wards affected:</b><br>Dales<br>Mapperley<br>St Ann's |
| <b>Report author(s) and contact details:</b>  | Steve Ryder, Planning Policy Officer, 0115 876 3970<br>steve.ryder@nottinghamcity.gov.uk                        |  |
| <b>Other colleagues who have provided input:</b>  | Matt Gregory, Policy and Research Manager, 0115 876 3981<br>matt.gregory@nottinghamcity.gov.uk                  |  |
| <b>Date of consultation with Portfolio Holder(s) (if relevant)</b>  | N/A   |  |
| <b>Relevant Council Plan Key Theme:</b>   |   |  |
| Strategic Regeneration and Development  |   | <input checked="" type="checkbox"/>                      |
| Schools   |   | <input type="checkbox"/>                                 |
| Planning and Housing  |   | <input checked="" type="checkbox"/>                      |
| Community Services  |   | <input type="checkbox"/>                                 |
| Energy, Sustainability and Customer   |   | <input type="checkbox"/>                                 |
| Jobs, Growth and Transport  |   | <input checked="" type="checkbox"/>                      |
| Adults, Health and Community Sector   |   | <input type="checkbox"/>                                 |
| Children, Early Intervention and Early Years  |   | <input type="checkbox"/>                                 |
| Leisure and Culture   |   | <input type="checkbox"/>                                 |
| Resources and Neighbourhood Regeneration  |   | <input checked="" type="checkbox"/>                      |
| <b>Summary of issues (including benefits to citizens/service users):</b>  |   |  |
| <p>Once adopted, the Land and Planning Policies Document will form the second part of the City Council's Local Plan for Nottingham City, alongside the Nottingham City Aligned Core Strategy (Local Plan Part 1), which was adopted in September 2014.</p> <p>A Revised Publication version of the Land and Planning Policies Document will be published for a six week period from Friday 29th September to Friday 10th November 2017 to allow formal representations. This follows several consultation stages including Issues and Options consultation, a Preferred Options consultation, and a Publication Version consultation.</p> <p>Following this Revised Publication stage, the Land and Planning Policies Document will be submitted to the Secretary of State and undergo independent examination. If found sound, the document will be adopted and, alongside the Core Strategy, will replace the current Local Plan (2005).</p> <p>The Land and Planning Policies Document contains planning policies to guide decision making on planning applications. Some policies have been carried forward from the last Local Plan (adopted in 2005) but there are also new policy areas. The Land and Planning Policies Document also includes 79 specific sites which are allocated for particular uses, such as housing, employment or retail.</p> |   |  |

Site allocations and policy designations are set out on the Policies Map, and changes to the Policies Map will also be published alongside the Revised Publication Land and Planning Policies Document.

**Recommendation(s):**

**1** That the committee notes that the Local Plan Part 2: Land and Planning Policies document (Revised Publication Version) and the accompanying Policies Map changes will be published for representations, and the period for making representations ends on 10th November 2017.

**1 REASONS FOR RECOMMENDATIONS**

1.1 Production of a Local Plan is a statutory requirement.

**2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)**

2.1 Once adopted, the Local Plan Part 2: Land and Planning Policies Document (Local Plan) will form part of the statutory planning framework for Nottingham, alongside the Core Strategy. Before the Local Plan can be adopted, it must go through several stages of formal and informal consultation. To date, the Local Plan has been through three informal stages of consultation – the Issues and Options consultation stage, the Additional Sites consultation stage and the Preferred Option consultation stage, and one formal stage of consultation on the Publication Version of the Local Plan.

2.2 The previous consultations have informed the development of the Local Plan, and a number of changes are proposed to the previous Publication Version of the plan. It is therefore considered necessary to consult on a Revised Publication version of the Plan before it is ready for independent examination by a Government appointed planning inspector. The Revised Publication Version of the Local Plan will be published for representations, with consultation focussed on the changes between the Publication Version and the Revised Publication Version of the Local Plan. This provides a formal opportunity for the local community and other interested parties to consider the changes made to the Local Plan since the original Publication Version.

2.3 All documents can be viewed at [www.nottinghamcity.gov.uk/revisedpublication](http://www.nottinghamcity.gov.uk/revisedpublication).

2.4 The policies in the Local Plan address the following matters:

- Climate Change
- Employment Provision and Economic Development
- Role of Town, District and Local Centres
- Regeneration
- Strategic Regeneration Sites
- Housing Size, Mix and Choice
- Design and Enhancing Local Identity
- The Historic Environment
- Local Services and Healthy Lifestyles
- Community Facilities
- Managing Travel Demand

- Green Infrastructure, Parks and Open Space
- Biodiversity
- Minerals
- Telecommunications
- Land Contamination, Instability and Pollution
- Developer Contributions

2.5 The Local Plan also includes a Policies Map showing new or amended designations (e.g. the Castle and Creative Quarters, Retail Centres, Green Belt Revisions and Minerals Safeguarding Areas), together with the site allocations. The consultation will also include the Policies Map, where this is proposed to be changed.

2.6 The following site allocations are relevant to this Area Committee, and site plans and Development Principles are included as Appendix 1 to this report. Where the Revised Publication Version of the Local Plan makes changes to the sites or to the Development Principles, these are shown in the appendix:

**PA28 Ransom Road – Hine Hall**

(Site deleted as the owners have confirmed the site will not be developed.)

**PA37 Robin Hood Chase**

**PA38 Carlton Road – Former Castle College**

**PA39 Carlton Road – Former Co-op**

(Site reduced to reflect the new Lidl development and renamed “Carlton Road – Former Co-op”)

**PA40 Daleside Road – Former Colwick Service Station**

**PA60 intu Victoria Centre**

**PA61 Royal Quarter – Burton Street, Guildhall, Police Station and Fire Station**

(Development principles amended to reflect current Developer Agreement)

**PA62 Creative Quarter – Brook Street East**

(Development principles amended to reflect the proposed residential development of the site.)

**PA63 Creative Quarter – Brook Street West**

(Site deleted as the owners have confirmed the site will not be developed.)

**PA64 Creative Quarter – Sneinton Market**

(Development principles amended to add clarity to area of focus for development.)

**PA65 Creative Quarter – Bus Depot**

(Development principles amended in response to consultee comments)

**PA82 Waterside – Freeth Street**

(Development Principles amended to acknowledge the need to relocate existing businesses and minimise disruption to existing business through sensitive phasing)

proposals. Development principles also amended to clarify the requirement for family housing.)

**PA83 Waterside – Daleside Road, Trent Lane Basin**

(Development Principles amended to acknowledge the need to relocate existing businesses and minimise disruption to existing business through sensitive phasing proposals. Potential Education use added, together with small scale convenience retail (A1) and restaurant/café use (A3). Development principles also amended to clarify the requirement for family housing.)

**PA84 Waterside - Daleside Road Eastpoint**

(Site deleted as development is now complete)

**PA85 Waterside – Trent Lane Park Yacht Club**

(Development Principles amended to reflect that office uses are no longer expected to be delivered on this site and to reflect a reassessment of the capacity of the site. In light of the aim to foster a sustainable community for the Waterside.)

- 2.7 Of particular note, the policy for the Waterside and Development Principles of the sites fronting the river have been amended to help create a sustainable new community by ensuring the development of family housing on these sites, with apartments being considered acceptable only above active frontages to Meadow Lane and Daleside Road.

## **CONSULTATION**

- 2.7 164 individual people and organisations responded to the Publication Version consultation and there were approximately 967 individual responses.
- 2.8 A Report of Consultation has been produced setting out the measures undertaken at previous consultation stages. This has been published for information alongside the Revised Publication Local Plan.

## **SUSTAINABILITY APPRAISAL**

- 2.9 Under the requirements of the Planning and Compulsory Purchase Act (2004), a Sustainability Appraisal (SA) (which incorporates the EU requirement for Strategic Environmental Assessment) has been produced. The SA has 14 objectives relating to economic, social and environmental issues in Nottingham. The SA assesses the potential impacts of each of the policies and site allocations against the 14 objectives, and has been published alongside the Local Plan.

## **OTHER BACKGROUND ASSESSMENTS**

- 2.10 In addition to analysing the consultation responses and undertaking the SA, a number of other background assessments have been undertaken to inform the Local Plan. Each of the sites put forward for allocation has undergone a detailed assessment. The assessment involved collecting information regarding planning history, land use, constraints, transport and accessibility, wider regeneration benefits, infrastructure and energy and heat networks and previous work, including Development Briefs. Site visits were also undertaken for each site.

2.11 Background Papers have also been produced to inform the Local Plan policies. Where necessary, addendums have been produced to update them for the Revised Publication Version of the Local Plan.

These are titled as follows:

- Climate Change
- Employment and Economy
- Infrastructure Delivery Plan
- Green Belt
- Minerals
- Retail
- Sustainable, Inclusive and Mixed Communities
- Transport
- Equalities Impact Assessment

## **NEXT STEPS**

2.12 Any representations received will be considered and technical drafting changes may be proposed if any factual or minor inaccuracies emerge. These will not be consulted upon. However, if the City Council wishes to make any further substantial changes to the draft Local Plan in response to the representations or other key factors, then it is likely that these will need to be subject to further consultation.

2.13 The Council will summarise the main issues raised by representations, and submit the summary together with the Local Plan and all the representations received at both Publication and Revised Publication stage to the Secretary of State for independent examination by an Inspector. The examination is likely to include a public hearing session, when parties making representations may, at the Inspector's discretion, present their views in person. The examination is expected to be in Summer 2018, and if the Local Plan is found legally compliant and sound it is anticipated that it will be adopted later in 2018.

## **3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS**

3.1 None – the production of a Local Plan is a statutory requirement.

## **4 FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)**

4.1 The production of a Local Plan is a statutory requirement for the Council. There are no direct financial implications from the submission of a Local Plan and the work has been undertaken using current existing resources earmarked for this purpose and presents no financial pressure on the Council. (Comments from Susan Tytherleigh, Strategic Finance Business Partner, Development and Growth, 14 August 2017).

## **5 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)**

- 5.1 As indicated in the main body of the report, the Council is under a statutory duty to produce a Local Plan of which the LAPP is part. Requirements relating to the production and adoption of the local plan are prescribed by regulations. The approval of such documents is not the sole function of the Executive and only full Council can approve the submission of the LAPP for independent examination. Whilst there are risks that the Plan (or parts of it) could be found to be unsound or challenged on adoption the LAPP has been the subject of legal advice during its preparation to seek to ensure its compliance with the law and planning policy. Although the LAPP has already been through one period of consultation it is prudent to carry out a further consultation on the proposed changes (especially those which may affect the Plan's soundness), to strengthen the Council's position at the submission stage and this report is brought before the Committee as part of that process. (Comments from Ann Barrett Team Leader, Planning and Environment Team, Legal Services, 8 August 2017).

## **6 STRATEGIC ASSETS & PROPERTY COLLEAGUE COMMENTS (FOR DECISION RELATING TO ALL PROPERTY ASSETS AND ASSOCIATED INFRASTRUCTURE) (AREA COMMITTEE REPORTS ONLY)**

- 6.1 Property has been fully consulted as appropriate throughout the preparation of the Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2), The LAPP contains a number of sites owned by the City Council the development of which will increase the provision of new homes and employment opportunities, assist in regeneration and generate capital receipts for the Council. (Comments provided by Rod Martin, Property Development Manager, 14 August 2017).

## **7 EQUALITY IMPACT ASSESSMENT**

- 7.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required because the Area Committee is a consultee to the Local Plan.

## **8 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION**

- 8.1 Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2), Revised Publication Version, September 2017. (Shows the proposed changes as track changes to the original Publication Version, January 2016).
- 8.2 Schedule of Changes to the Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2), Publication Version, September 2017.
- 8.3 Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2), Publication Version, January 2016.
- 8.4 The Land and Planning Policies Sustainability Appraisal Report, January 2016, and addendum, July 2017.

- 8.5 Report of Consultation for the Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2) Publication Version, (Draft Regulation 22 Statement), September 2017.
- 8.6 The Land and Planning Policies Site Assessment Document, January 2016 and addendum, September 2017.
- 8.7 Climate Change Background Paper, January 2016.
- 8.8 Retail Background Paper, January 2016 and addendum, September 2017.
- 8.9 Transport Background Paper, January 2016 and addendum, September 2017.
- 8.10 Sustainable, Inclusive and Mixed Communities Background Paper, January 2016 and addendum, September 2017.
- 8.11 Employment Provision and Economic Development Background Paper, January 2016 and addendum, September 2017.
- 8.12 Minerals Background Paper, January 2016 and addendum, September 2017.
- 8.13 Green Belt Background Paper, January 2016.
- 8.14 Infrastructure Delivery Plan, September 2017.

## **9 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT**

- 9.1 Department for Communities and Local Government, National Planning Policy Framework, March 2012.
- 9.2 Nottingham City Council, Local Plan Part 1: The Nottingham City Aligned Core Strategy, September 2014.