

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	3869
Author:	Matthew Grant
Department:	Development and Growth
Contact:	Matthew Grant (Job Title: Senior Planner (Policy), Email: matthew.grant@nottinghamcity.gov.uk, Phone: 8762561)
Subject:	Consultation on Affordable Housing Contributions arising from Purpose Built Student Accommodation Supplementary Planning Document (SPD)
Total Value:	Nil (Type: Nil)
Decision Being Taken:	1. To approve the draft Affordable Housing Contributions arising from Purpose Built Student Accommodation SPD appended to this report and release it for a period of consultation for 10 weeks. 2. To delegate authority to the Director of Planning and Regeneration to approve any minor changes required to the draft SPD prior to public consultation commencing.
Reasons for the Decision(s)	The Affordable Housing Contributions arising from Purpose Built Student Accommodation SPD will provide guidance on the requirement for Section 106 financial contributions for the provision of affordable housing contributions as a consequence of new PBSA. It will supplement Policy 8 of the Nottingham City Aligned Core Strategy - ACS (2014) (Local Plan Part 1) and Policy HO3 of the Land and Planning Policies Document - LAPP (2020) (Local Plan Part 2). SPDs are documents which add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues. SPDs are capable of being a material consideration in planning decisions but are not part of the Statutory Local Plan. This SPD will provide guidance to PBSA developers on the City Council's approach (as Planning Authority) to seeking contributions towards affordable housing provision.
Briefing notes documents:	Affordable Housing Contributions arising from PBSA SPD (DDS).pdf
Other Options Considered:	Not producing or supporting the draft SPD: This option was rejected as it would result in a lack of comprehensive planning guidance to underpin the Local Plan and impede the City Council from meeting it's affordable housing needs.

Background Papers:	None
Published Works:	Greater Nottingham, Broxtowe Borough, Gedling Borough, Nottingham City Aligned Core Strategies (Part 1 Local Plan) September 2014 Nottingham City Land and Planning Policies Development Plan Document,(Local Plan Part 2) January 2020.
Affected Wards:	Citywide
Colleague / Councillor Interests:	None
Consultations:	Those not consulted are not directly affected by the decision.
Crime and Disorder Implications:	None
Equality:	EIA not required. Reasons: EIA not required. Reasons: Policy HO3: Affordable Housing was assessed as part of the EqIA for the Local Plan Part 2 review.
Decision Type:	Portfolio Holder
Subject to Call In:	Yes
Call In Expiry date:	26/05/2020
Advice Sought:	Legal, Finance, Property
Legal Advice:	The Council as Planning Authority has a power to adopt Supplementary Planning Documents (SPDs) which add more detail and guidance in relation to Local Plan policies and which then become material planning considerations when planning applications are determined. The adoption of SPDs is an executive function and a period of public consultation is required before an SPD can be adopted. The results of the consultation will be presented to Executive Board to consider final adoption of the SPD in due course. Advice provided by Ann Barrett (Team Leader) on 13/05/2020.

Finance Advice:

The Affordable Housing Contributions from Purpose Built Student Accommodation developments will bring in income in accordance with a standard formula mechanism to reflect actual costs. This additional section 106 income must be spent in line with the section 106 agreement and will require appropriate monitoring to ensure that the contribution is expended as agreed.

New regulations came into force on 1st September 2019 that allow local authorities to charge a fee through section 106 to contribute towards the cost of monitoring and reporting on developer contributions. The regulations state that this fee should be 'fair' and 'reasonable' and reflect the authority's estimate of the cost of monitoring. These fees will enable the Council to fund a suitable resource to ensure that developer contributions are fully monitored.

Advice provided by Roma Patel (Commercial Business Partner) on 12/05/2020.

Property Advice:

The SPD to be consulted on, outlined in this report, will impact on the viability of PBSA sites in the City and may have the effect of reducing the number of such sites that come forward for development. It will also reduce the capital receipts obtained in future disposals of sites suitable for PBSA owned by the Council. Advice provided by Rodney Alan Martin (Development Manager) on 12/05/2020.

Signatures

Linda Woodings as Portfolio Holder (PH Housing, Planning and Heritage)

SIGNED and Dated: 14/05/2020

Chris Henning (Corporate Director for Development and Growth)

SIGNED and Dated: 14/05/2020