

## EXECUTIVE BOARD – 17 NOVEMBER 2015

<b>Subject:</b>	Local Plan Part 2: Land and Planning Policies Document – Publication Version		
<b>Corporate Director(s)/ Director(s):</b>	David Bishop, Deputy Chief Executive/Corporate Director for Development and Growth		
<b>Portfolio Holder(s):</b>	Councillor Jane Urquhart, Portfolio Holder for Planning and Housing		
<b>Report author and contact details:</b>	Matt Gregory, Planning Policy Manager 0115 8763981 <a href="mailto:matt.gregory@nottinghamcity.gov.uk">matt.gregory@nottinghamcity.gov.uk</a>		
<b>Key Decision</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>Subject to call-in</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Reasons:</b> <input type="checkbox"/> Expenditure <input type="checkbox"/> Income <input type="checkbox"/> Savings of £1,000,000 or more taking account of the overall impact of the decision			<input type="checkbox"/> Revenue <input type="checkbox"/> Capital
Significant impact on communities living or working in two or more wards in the City			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Total value of the decision:</b> Nil			
<b>Wards affected:</b> All wards		<b>Date of consultation with Portfolio Holder(s):</b> 12 October 2015	
<b>Relevant Council Plan Strategic Priority:</b>			
Cutting unemployment by a quarter			<input type="checkbox"/>
Cut crime and anti-social behaviour			<input type="checkbox"/>
Ensure more school leavers get a job, training or further education than any other City			<input type="checkbox"/>
Your neighbourhood as clean as the City Centre			<input type="checkbox"/>
Help keep your energy bills down			<input type="checkbox"/>
Good access to public transport			<input checked="" type="checkbox"/>
Nottingham has a good mix of housing			<input checked="" type="checkbox"/>
Nottingham is a good place to do business, invest and create jobs			<input checked="" type="checkbox"/>
Nottingham offers a wide range of leisure activities, parks and sporting events			<input type="checkbox"/>
Support early intervention activities			<input type="checkbox"/>
Deliver effective, value for money services to our citizens			<input type="checkbox"/>
<b>Summary of issues (including benefits to citizens/service users):</b>			
Once adopted, the Land and Planning Policies Document (LAPP) 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.			
The LAPP contains detailed Development Management Policies and Site Allocations, to guide future development in the City up to 2028.			
The Local Plan will form the statutory Development Plan that all planning authorities must prepare by law. 'Publication' is the first formal stage in the preparation of a planning document and follows several stages of informal consultation.			
<b>Exempt information:</b> None			
<b>Recommendation(s):</b>			
1 To approve the Local Plan Part 2: Land and Planning Policies Document (Publication Version), and accompanying Policies Map (located in the Group Rooms), for a period of public consultation.			
2 To delegate authority to the Portfolio Holder for Planning and Housing to approve any minor changes that might be needed prior to consultation.			

### 1 REASONS FOR RECOMMENDATIONS

- 1.1 Production of a Local Plan is a statutory requirement. If no planning framework is in place, the government's default presumption in favour of sustainable

development (as set out in the National Planning Policy Framework) will apply to all relevant planning applications.

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

2.1 Planning legislation requires the City Council to produce a Local Plan. In Nottingham, the Local Plan will comprise the Local Plan Part 1: The Nottingham City Aligned Core Strategy (adopted September 2014) and, on adoption, the Local Plan Part 2: Land and Planning Policies (LAPP).

2.2 Whilst the Nottingham City Aligned Core Strategy contains the overarching strategic planning policies for the City, and the aligned authorities of Gedling and Broxtowe, the LAPP contains detailed Development Management policies and Site Allocations for the City. Prior to its adoption, the LAPP is required to go through a number of formal and informal consultation stages. Publication represents the first formal stage of preparation, and follows extensive informal consultation on the 'Call for Sites', 'Issues and Options', 'Additional Sites' and 'Preferred Option' consultations. All of the consultation responses received as a result of these consultations have been used to inform and shape the LAPP as it has evolved.

### Content of the LAPP

2.3 The Publication version of the LAPP contains 59 Development Management policies and 85 Site Allocations and a set of Development Principles for each site.

2.4 The 59 Development Management Policies are arranged into the following sections in the document:

- Climate change
- Employment Provision and Economic Development
- Role of the City, Town, District and Local Centres
- Regeneration
- Housing Size, Mix and choice
- Design and Enhancing Local Identity
- The Historic Environment
- Local Services and Healthy Lifestyles
- Managing Travel Demand
- Our Environment
- Minerals
- Infrastructure

2.5 All of the Site Allocations and City-wide land-use designations and constraints have been mapped on the accompanying Policies Map. Due to its size, a printed version of the Policies Map is available in the Group Rooms.

2.6 Appendix 1 of this report provides a summary of the main changes that have been made to the LAPP between the Preferred Option and Publication versions.

2.7 The following supporting documents have also been prepared alongside the Publication Version of the LAPP and will be available during the consultation period. The Sustainability Appraisal is a legal requirement of Plan Preparation. These documents, plus a high resolution version of the LAPP, can be viewed at:

[www.nottinghamcity.gov.uk/localplan](http://www.nottinghamcity.gov.uk/localplan)

- **Sustainability Appraisal Report:** This has been prepared to fulfil the requirements of the Planning and Compulsory Purchase Act (2004), and the

requirements of the EU Strategic Environmental Assessment Directive. The report assesses the economic, social and environmental impacts of all of the policies and site allocations contained in the LAPP, and evaluates reasonable alternatives to these.

- **Site Assessment Document:** This contains detailed assessments of each site put forward during the LAPP preparation process in terms of planning history, land use, constraints, transport and accessibility, etc.
- **Report of Consultation:** This document details the consultation comments received at the previous Preferred Option stage and how these have been addressed in the Publication Version of the LAPP.
- **Background Papers:** There are 7 Background Papers in total (Climate Change, Transport, Sustainable, Inclusive and Mixed Communities, Employment Provision and Economic Development, Green Belt, Retail and Minerals) which contain background evidence and the national policy context for specific policies in the LAPP.
- **Infrastructure Delivery Plan:** This document sets out the infrastructure requirements for the City over the plan period.

#### What Happens Next?

- 2.8 Subject to approval by the Executive Board, the LAPP will be published for a formal statutory public representation period early in 2016.
- 2.9 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 LAPP in response to the representations or other key factors, then it is likely that these will need to be subject to further consultation.
- 2.10 For example, it may be necessary to amend the plan to comply with any relevant Government announcements or policy which emerges prior to Public Examination. For instance, the Housing Bill, published on 14 October, proposes further changes to the planning system including Affordable Housing policy, but further details of the Bill are awaited.

#### The Examination

- 2.11 Assuming that there is no need for further substantial changes to the LAPP, the draft LAPP will be considered by City Council, along with all the supporting documents and representations received, prior to being submitted to the Government to allow an independent Examination by an Inspector. The Inspector will examine the 'soundness' of the whole plan, irrespective of whether or not any representations are received. 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.

#### Adoption

- 2.12 At the end of the independent Examination, the Inspector will issue a report that will declare the LAPP sound or unsound. If sound, the City Council can adopt the LAPP. If the LAPP is found to be unsound, then it cannot be adopted.

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

- 3.1 There were no other options considered as the preparation of a Local Plan is a statutory obligation and the City Council must fulfil its obligations in this regard or risk future planning applications being determined in accordance with the National

Planning Policy Framework and its default presumption in favour of sustainable development.

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

- 4.1 The preparation and consultation of the Land and Planning Policies Document is part of the statutory planning process. The costs of this activity will be met from existing resources earmarked for this purpose.

#### **5 LEGAL AND PROCUREMENT COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND INCLUDING 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 Local Plan documents are prescribed by Regulations. Under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) the approval of Development Plans are not the sole responsibility of the Executive but approval of the publication document is within the Executive Board's remit. The LAPP has been the subject of legal advice during its preparation to seek to ensure its compliance with law and Planning Policy.

#### **6 SOCIAL VALUE CONSIDERATIONS**

- 6.1 Not applicable.

#### **7 REGARD TO THE NHS CONSTITUTION**

- 7.1 Not applicable.

#### **8 EQUALITY IMPACT ASSESSMENT (EIA)**

Has the equality impact been assessed?

- (a) not needed (report does not contain proposals for new or changing policies, services or functions, financial decisions or decisions about implementation of policies development outside the Council)
- (b) No
- (c) Yes – Equality Impact Assessment attached

Due regard should be given to the equality implications identified in any attached EIA.

#### **9 LIST OF BACKGROUND PAPERS RELIED UPON IN WRITING THIS REPORT (NOT INCLUDING PUBLISHED DOCUMENTS OR CONFIDENTIAL OR EXEMPT INFORMATION)**

- 9.1 The Land and Planning Policies Sustainability Appraisal Report, November 2015
- 9.2 The Land and Planning Policies Preferred Option Report of Consultation, November 2015
- 9.3 The Land and Planning Policies Site Assessment Document, November 2015

- 9.4 Climate Change Background Paper, November 2015
- 9.5 Retail Background Paper, November 2015
- 9.6 Transport Background Paper, November 2015
- 9.7 Sustainable, Inclusive and Mixed Communities Background Paper, November 2015
- 9.8 Employment Provision and Economic Development Background Paper, November 2015
- 9.9 Minerals Background Paper, November 2015
- 9.10 Green Belt Background Paper, November 2015
- 9.11 Infrastructure Delivery Plan, November 2015

<http://gossweb.nottinghamcity.gov.uk/ncceextranet/index.aspx?articleid=19734>

## **10 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT**

- 10.1 Department for Communities and Local Government, National Planning Policy Framework, March 2012
- 10.2 Nottingham City Council, Local Plan Part 1: The Nottingham City Aligned Core Strategy, September 2014
- 10.3 Nottingham City Council, The Land and Planning Policies Development Plan Document Preferred Option, September 2013
- 10.4 Nottingham City Council, The Land and Planning Policies Development Plan Document Issues and Options September 2011
- 10.5 Nottingham City Council, The Land and Planning Policies Development Plan Document Additional Sites put forward through the Issues and Options Consultation March 2012

## **11 OTHER COLLEAGUES WHO HAVE PROVIDED INPUT**

- 11.1 Dawn Alvey, Local Plans Manager, 0115 8763982, [dawn.alvey@nottinghamcity.gov.uk](mailto:dawn.alvey@nottinghamcity.gov.uk)
- 11.2 Ann Barrett, Solicitor, 0115 8764411, [ann.barrett@nottinghamcity.gov.uk](mailto:ann.barrett@nottinghamcity.gov.uk)
- 11.3 Jim Driver, Finance Service Partner, 0115 8764226, [jim.driver@nottinghamcity.gov.uk](mailto:jim.driver@nottinghamcity.gov.uk)