

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	2937
Author:	Matt Gregory
Department:	Development and Growth
Contact:	Matt Gregory (Job Title: Planning Policy and Research Manager, Email: matt.gregory@nottinghamcity.gov.uk, Phone: 0115 876 3981)
Subject:	Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2) - Revised publication Version
Key Decision (decision affects 2 or more wards):	Yes
Total Value:	Nil (Type: Nil)
Decision Being Taken:	<ol style="list-style-type: none">1). To approve the changes included in the Schedule of Changes to the Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2), Publication Version, July 2017 (which includes changes to the Policies Map) for a period of public consultation.2). To delegate authority to the Portfolio Holder for Planning, Housing and Heritage to approve any further minor changes that might be required prior to consultation.3). To approve that should any further Main Changes to the LAPP (changes which may impact on the plan's soundness) be proposed as a result of the consultation, these be reported back to Executive Board, prior to the LAPP being put before City Council for approval for Submission to the Secretary of State.4). In the event that there are no further Main Changes proposed to the LAPP as a result of consultation, that the Portfolio Holder for Planning, Housing and Heritage be delegated authority to approve any further minor changes arising, prior to the LAPP being put before City Council for approval for Submission to the Secretary of State.

Reasons for the Decision(s) Production of a Local Plan is a statutory requirement. If no Development Plan is in place, the government's default presumption in favour of sustainable development will apply to relevant planning applications, which means that planning applications will be determined having regard to the National Planning Policy Framework, without the benefit of applying locally determined planning policies.

The LAPP contains detailed Development Management Policies and Site Allocations, to guide future development in the City up to 2028. Importantly, it establishes how the housing and employment and provisions included in the Nottingham City Aligned Core Strategy (2014) will be implemented.

The Local Plan will form the statutory Development Plan that all planning authorities must prepare by law. Various changes (including some significant amendments) are proposed to the LAPP prior to its submission for examination, and therefore it is proposed that the LAPP be Published again to allow further representations to be made, but only in respect of the proposed changes.

The draft LAPP, Schedule of Changes and related documentation can be found at www.nottinghamcity.gov.uk/revisedpublication. Once adopted, the Land and Planning Policies Development Plan 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. An addendum to the previous Equality Impact Assessment is attached to this decision that covers the proposed changes.

Briefing notes documents: Background Report for Leader Decision.doc

Other Options Considered: None. Production of a Local Plan is a statutory requirement. If no Development Plan is in place, the government's default presumption in favour of sustainable development will apply to relevant planning applications, which will restrict the City Council's ability to make decisions on these planning applications.

Background Papers: None

Published Works:

Affected Wards: Citywide

Colleague / Councillor Interests: N/A

Consultations: Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

The Land and Planning Policies Document contains design policies to specifically enhance community safety, crime prevention and street activity.

Equality:

Please login to the system to view the EIA document: EqIA Addendum July 2017#.pdf

Relates to Council Property Assets:

Yes

Decision Type:

Leader's Key Decision

Subject to Call In:

Yes

Call In Expiry date:

15/09/2017

Advice Sought:

Legal, Finance, Equality and Diversity

Legal Advice:

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. Advice provided by Ann Barrett 25/07/2017.

Finance Advice:

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.

Susan Tytherleigh Advice provided on 25/07/2017. Advice provided by Susan Tytherleigh on 02/08/2017.

Equality and Diversity Advice:

Whilst under a statutory duty the Local Plan highlights numerous examples where protected groups might be at a disadvantage e.g. Waterside-Daleside Road, Trent Lane Basin where the loss of employment opportunities could negatively impact on race and age. It will be absolutely vital that where detriments are identified, that robust mitigating activities are put in place, actioned and monitored to ensure that the benefits expected from the plan are realised by all groups within the city. Advice provided by Adisa Djan (Equalities and Diversity Consultant) on 02/08/2017.

Property Advice:

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. Advice provided by Rod Martin on 26/07/2017.

Signatures:

Jon Collins (Leader of the Council)
SIGNED and Dated: 08/09/2017
David Bishop (Deputy CE, CD for Development and Growth)
SIGNED and Dated: 07/09/2017