

EXECUTIVE BOARD – 18 JUNE 2019

Subject:	Approval to consult on draft Local Plan documents
Corporate Director(s)/Director(s):	Chris Henning, Corporate Director of Development and Growth Paul Seddon, Director of Planning and Regeneration
Portfolio Holder(s):	Councillor Linda Woodings, Portfolio Holder for Planning, Housing and Heritage
Report author and contact details:	Kate Perrey, Planning Officer (0115) 876 3964 kate.perrey@nottinghamcity.gov.uk
Subject to call-in:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Key Decision:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Criteria for Key Decision:	
(a)	<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
and/or	
(b)	Significant impact on communities living or working in two or more wards in the City <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Type of expenditure:	<input type="checkbox"/> Revenue <input type="checkbox"/> Capital
Total value of the decision:	Nil
Wards affected:	All Wards
Date of consultation with Portfolio Holder(s):	18 April 2019
Relevant Council Plan Key Theme:	
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 checked="" type="checkbox"/>
Jobs, Growth and Transport	<input type="checkbox"/>
Adults, Health and Community Sector	<input type="checkbox"/>
Children, Early Intervention and Early Years	<input type="checkbox"/>
Leisure and Culture	<input checked="" type="checkbox"/>
Resources and Neighbourhood Regeneration	<input checked="" type="checkbox"/>
Summary of issues (including benefits to citizens/service users):	
<u>Open Space Supplementary Planning Document (SPD):</u>	
The Open Space SPD will provide guidance on the requirements for the provision of open space in new residential and commercial development proposals. It supplements policies in the adopted Core Strategy and the emerging Local Plan Part 2: Land and Planning Policies document (LAPP).	
<u>Biodiversity SPD:</u>	
The Biodiversity SPD will provide guidance on how to avoid the loss of biodiversity during the development process as well as how to realise an ambition for the net gain of biodiversity. It supplements policies in the adopted Core Strategy and the emerging LAPP.	
<u>Caves SPD:</u>	
The Caves SPD will provide guidance to inform the management of development proposals, which could affect caves. It provides further detail to that set out in the emerging LAPP, regarding the management of caves in the planning process.	
<u>Statement of Community Involvement (SCI):</u>	
The SCI will set out what consultation will take place with the community during the preparation of planning policy documents and the determination of planning applications.	

Once adopted, the SPDs will be a material consideration in planning decisions and will assist in ensuring that development will meet the City Council's development aspirations.

Subject to approval by the Executive Board, these draft documents will be published for a 6-week statutory public consultation period.

Exempt information: State 'None' or complete the following

None

Recommendation(s):

1 To approve a period of public consultation for the draft Supplementary Planning Documents (SPDs), and Statement of Community Involvement (SCI), appended to this report

2 To delegate authority to the Director of Planning and Regeneration to approve any minor changes required to the draft SPDs prior to public consultation commencing.

1 REASONS FOR RECOMMENDATIONS

1.1 The production of the above SPDs will help to ensure that development meets the Council's aspirations in terms of open space contributions, biodiversity enhancement, and the protection of the City's caves, whilst a new and updated SCI will ensure the community are appropriately involved in the planning system.

2 BACKGROUND

2.1 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 development plan.

2.2 Open Space SPD

The current SPD was adopted in 1997 (with an update in 2011). The revised document includes an intention to secure contributions from new commercial development, to deliver public realm improvements, as well as an updated methodology for contributions from new residential development., including purpose built student schemes.

2.3 Biodiversity SPD

This SPD will guide those submitting planning applications on how to take account of biodiversity on their sites. This will involve consideration of the impact of a scheme, the legislative and policy protection for any existing biodiversity, how to avoid, mitigate, or compensate for adverse impacts, and the necessary measures required to enhance biodiversity.

2.4 Caves SPD

This is the first SPD produced on Caves and it will provide further detail to that set out in the emerging LAPP with regards to realising their potential as well as protecting and managing the City's caves in the planning process.

2.5 Statement of Community Involvement

A SCI provides clarity on the extent of community involvement that will take place during the preparation of planning documents and the determination of planning applications. It sets out clear consultation procedures and minimum standards the Council will follow. Essentially, an SCI states whom the Council will consult with, how they will be consulted, and when. An SCI must be reviewed periodically. Since the last SCI was adopted in 2007, there have been a number of legislative and policy changes to the planning system. These changes include the publication of the National Planning Policy Framework (NPPF) in 2012, the new NPPF published in June 2018, the transition from Local Development Frameworks to Local Plans, the abolition of regional planning, and the introduction of Neighbourhood Planning. Due to these significant changes, the SCI is in need of updating. An SCI is not an SPD but is subject to the same requirements in respect of consultation, before it can be adopted.

- 2.6 Prior to adoption, these draft SPDs, and the SCI, must be subject to consultation. A 6-week formal consultation period will be undertaken in June 2019, during which notice will be given to interested parties. The results of this consultation will be considered and the draft SPDs, and SCI, will be amended if appropriate, before being reported back to Executive Board to be considered for adoption.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 Not producing or supporting the draft SPDs. This would however result in a lack of comprehensive planning guidance to underpin the Local Plan and ensure that the City Council's development ambitions are met.

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

- 4.1 There are no direct financial implications arising from the recommendations in this report.

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

- 5.1 It is a statutory requirement for a council to publish a Statement of Community Involvement and the power also exists to adopt Supplementary Planning Documents which add more detail and guidance in relation to Local Plan Policies and can become material planning considerations. Both are Executive functions and the Board has the power to release these documents for consultation in accordance with the relevant statutory procedure.

6 STRATEGIC ASSETS & PROPERTY COLLEAGUE COMMENTS (FOR DECISIONS RELATING TO ALL PROPERTY ASSETS AND ASSOCIATED INFRASTRUCTURE)

- 6.1 There are no direct Property implications arising from the recommendations in this report.

7 SOCIAL VALUE CONSIDERATIONS

7.1 Not applicable.

8 REGARD TO THE NHS CONSTITUTION

8.1 Not applicable.

9 EQUALITY IMPACT ASSESSMENT (EIA)

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

No

An EIA is not required because:
(Please explain why an EIA is not necessary)

Yes

The Open Space SPD, Biodiversity SPD, and the Caves SPD Equality Impact Assessment (EqIA) is part of the EqIA for the emerging Local Plan Part 2 (Land and Planning Policies document) and can be viewed at:

<https://www.nottinghamcity.gov.uk/planning-and-building-control/planning-policy/the-local-plan-and-planning-policy/lapp-local-plan-part-2-examination/examination-library/> (see documents with references [LAPP-CD-REG-11](#), [LAPP-CD-REG-12](#) and [LAPP.NCC 52 13.5.19](#)).

An Equality Impact Assessment of the Statement of Community Involvement (SCI) has been prepared and is attached to this report.

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

10.1 None

11 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT

11.1 Nottingham City Land and Planning Policies Development Plan Document,(Local Plan Part 2) Submission Version, March 2018.

11.2 Greater Nottingham, Broxtowe Borough, Gedling Borough, Nottingham City Aligned Core Strategies (Part 1 Local Plan) September 2014.