

PLANNING COMMITTEE – 17 JULY 2019

Subject:	Consultation 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
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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):

On 18 June 2019, the Executive Board approved the following draft documents for consultation;

- Open Space Supplementary Planning Document (SPD)
- Biodiversity SPD
- Caves SPD
- Statement of Community Involvement (SCI)

Open Space SPD:

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).

Biodiversity SPD:

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.

Caves SPD:

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.

Statement of Community Involvement (SCI):

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.

These draft documents have been published for a 6-week statutory public consultation period, which ends on **Friday 9 August 2019 (5:00pm)**.

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. All the documents are available online, here: <https://www.nottinghamcity.gov.uk/localplanconsultations>.

Exempt information: None

Recommendation(s):

That Committee note the draft Statement of Community Involvement and Supplementary Planning Documents in relation to Open Space, Biodiversity and Caves, and make such comment on them as it feels appropriate.

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 that 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 is underway and notice has been 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 would not support the realisation of the City Council's development ambitions.

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 Whilst the adoption of Local Development Documents are Executive functions, the Constitution gives this Committee a consultative role on such matters. 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. As this Committee applies SPDs in its consideration of planning applications it is appropriate for it to be given the opportunity to comment on such documents.

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 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/information-for-business/planning-and-building-control/planning-policy/the-local-plan-and-planning-policy/lapp-local-plan-part-2-examination/examination-library/core-documents/> (see documents with references LAPP-CD-REG-11, LAPP-CD-REG-12, LAPP-CD-REG-13).

An Equality Impact Assessment of the Statement of Community Involvement (SCI) has been produced.

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.