



Report to Cabinet

Subject : Draft East Midlands Regional Plan : Public Consultation

Date: 7th December 2006

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Purpose of Report

To authorise a response to the Draft East Midlands Regional Plan which has been issued for public consultation, in accordance with the Council's corporate objective to enhance the physical environment of the Borough.

Background

The Draft Regional Plan (RSS8) provides a broad development strategy for the East Midlands up to 2026. It covers the scale and distribution of new housing, priorities for the environment, transport, infrastructure, economic development, agriculture, minerals extraction, waste treatment and disposal. Following a 12 week period of consultation, closing 20th December 2006, and independent Examination in Public, this document will comprise the Regional Spatial Strategy for the East Midlands under the provisions of the Planning and Compulsory Purchase Act 2004 with anticipated adoption early 2008. It will replace the RSS8 issued by Government in March 2005 and policies in the Nottinghamshire and Nottingham Joint Structure Plan, adopted February 2006. The Regional Plan will provide the strategy within which the Borough Council's Local Development Framework should be prepared.

Options for Change, October 2005

The Options for Change document published by the East Midlands Regional Assembly (EMRA) formed the second round of consultation on the review of the Regional Plan and was considered by Cabinet in January 2006. The Borough Council submitted comments to the EMRA with the key issues being:-

- The Borough Council's preferred option for housing growth equated to 310 dwellings per annum which will focus growth in urban centres and allow regeneration;

- The 3 Cities sub-area excludes Hucknall which does not reflect the Housing Market Area and should be revised to include the Hucknall part of Ashfield District Council;
- Employment and transport options are not considered in any detail but the delivery of necessary infrastructure is crucial; and
- Employment land needs and retail policy are poorly addressed.

Broad Contents of the Draft Regional Plan

The Plan has been divided into two parts, with Part 1 considering the Regional Strategy and Part 2 the Sub-Regional-Strategies. Also included is the Consultation Summary and Sustainability Appraisal.

Section 1 of **Part 1** includes the Core Strategy which provides 10 Regional Core Objectives in Policy 1. These establish the context for the delivery of sustainable development in the Region. Section 2 outlines the Spatial Strategy which includes definitions of the Principal Urban Areas and policies for the Region's five sub-areas. Gedling is included within the Three Cities Sub-area. Section 3 highlights the topic based priorities and includes:-

- **Housing**, which identifies Nottingham and Nottinghamshire Housing Totals as annual build rates between 2001 and 2026 with the proposed Regional Plan provision of 3875 dwellings per year and the proposed Gedling Borough provision of 310 dwellings per year. It has also been proposed that between 25% and 33% of all new housing in Nottinghamshire should be affordable.
- **Economy and Regeneration**, which highlights new policies consistent with the Regional Economic Strategy developed by emda. There is also revised guidance on employment land and major logistics uses.
- **Natural and Cultural Resources**, which considers:-
 - Higher environmental standards for new development;
 - New policies on water and flood risk based on research by the Environment Agency;
 - New policies on Environmental and Green Infrastructure, including proposals for a Sherwood Forest Regional Park and a Trent Valley Park;
 - New policies to promote an increase in the Region's biodiversity;
 - New policies to promote waste recycling and renewable energy; and
 - New policies on cultural provision consistent with the Regional Cultural Strategy developed by Culture East Midlands.
- **Regional Transport Strategy**, which identifies new transport investment priorities, consistent with the Region's advice on regional Funding Allocations. There are also strengthened policies on reducing traffic growth and promoting travel "behavioural change".
- **Implementation, Monitoring and Review**

Part 2 includes the Sub-Regional Strategy for the Three Cities.

Comments

At the outset it is viewed important to highlight the concern that there is no automatic right for individuals to appear at sessions at the Examination in Public unless invited. Representation is difficult by committee and this will prove particularly significant when sessions are called on sensitive issues such as housing numbers.

Outlined below are comments on policies which are considered to be of key significance to the production of Gedling Borough's Local Development Framework.

Policy 2 A Regional Approach to Selecting Land for Development highlights the importance of the best use of previously developed land and vacant and underused buildings in line with national policy and national and regional targets. This aspiration is supported but in view of the fact that no survey of brownfield land has been undertaken, a 60% target may not be achievable or realistic. It does not necessarily follow that with the allocated housing growth that there is brownfield capacity to meet the targets. It should be made clear that housing figures need to be the priority and not brownfield targets. These comments also apply to **Policy 17**.

Policy 2 also identifies the importance of the capacity of existing or planned infrastructure being able to absorb further development. More growth is dependent on infrastructure investment and with significant development, such as urban extensions, there needs to be an opportunity to consider infrastructure requirements, such as, for example, the deliverability on the improvements to the A52. The Transport Secretary's recent important approval to extend the Nottingham Express Transit is noted with interest, with two extensions that will run to Chilwell and Beeston and Clifton with construction potential commencing in 2010 with trams running by 2013. It is crucial that transport problems are solved in order that the predicted levels of growth can be delivered. It is understood that the Highways Agency have predicted that the trunk road network will not cope with the growth anticipated for the region if traffic continues to increase at its present rate.

Pressure is growing on transport infrastructure as travel demand increases and support is offered to the ambitious target for nil growth in car traffic by end of the plan period.

Policy 3 Promoting Better Design. This policy is supported, in particular ensuring that all new development is compliant with a BREEAM building assessment rating of at least very good. However, the policy states that standards of construction and design should be achieved by approaches to design, layout and construction which take account of and where appropriate provide for increased in biodiversity. It is viewed that the wording should be stronger in order to meet the aims of the plan, which include increasing biodiversity and achieving high environmental standards.

Policy 14 Regional Housing Provision. The policy identifies that between 2001 and 2026 the average annual rate for dwelling provision for Gedling will be 310 per annum. It is considered that the proposed figure is acceptable in principle but with

certain conditions. It is firstly supported that housing provision will be monitored annually and reviewed at least every five years. Secondly, as highlighted by the response by Gedling Borough to the Options for Change document published by the Regional Assembly in October, it is absolutely crucial to ensure that just because Gedling Borough is the only Local Planning Authority (LPA) in South Nottinghamshire to include safeguarded land, that this is not used in a strategic context to allocate more development here above other local authorities that make up the sub-region. There is a perceived risk that when the time comes to find more land for development, the district that has already drawn back Green Belt boundaries and identified safeguarded land will be perceived as a soft target.

It is also viewed that the policy is not clear that Hucknall forms part of the Nottingham Core Housing Market Area (HMA). It is noted that Appendix 2 Housing Market Areas – Summary Table, highlights including provision for Hucknall which forms part of the Nottingham Core HMA but it is viewed that further clarity would be provided if Hucknall was specifically listed under policy 14.

Policy 15 Regional Priorities for Affordable Housing. Draft PPS3 emphasises that an adequate supply of affordable housing is important for the performance of the regional economy and to promote social inclusion. It is accepted that the planning system plays a role in increasing the supply of affordable housing, creating a greater choice of housing types and balanced communities and therefore the principles outlined within this policy are supported. The indicative targets set out in policy 15 sets 30% for the Nottingham Core HMA, which is broken down into 23% social renting and 8% intermediate housing. It is important to note that these figures do not represent a maximum and should be regarded as provisional until informed by Housing Market Assessments.

A Housing Market Assessment has been commissioned by the Borough Council in partnership with the other members of the Nottingham Core Housing Market Area and will provide a framework for a better understanding of housing and demand issues and how housing markets operate at the sub regional level. The full report is expected to be completed by the end of January 2007. The current affordable housing target achieved in the Borough is 20% of all developments over one hectare and therefore the acceptability of the affordable housing target for the Borough Council will be reviewed in the light of the results of the Housing Market Assessment as part of the Local Development Framework.

Policy 16 Regional Priorities for Provision for Gypsies and Travellers

Circular 01/2006 requires that the Regional Plan specifies pitch numbers for each LPA. The Regional Plan has identified a provisional figure of two pitches¹ for the Gedling area based solely on caravan count data. The acceptability of this figure will be ultimately based on additional research which will then link into the Local Development Framework. As required by the Housing Act 2004, Gedling has commissioned, in partnership with other Nottinghamshire authorities, research into

¹ Pitches are the areas of land on which each tenant is allowed to pitch his caravan or caravans – two pitches should accommodate two families.

the Accommodation Needs of Gypsies and Travellers. A Steering Group, made up of Gypsies and Travellers, their representatives, local authority officers and other organisations like Supporting People has formulated a brief and carried out a summer survey with approximately 200 families from the Gypsy and Traveller community in Nottinghamshire taking part. Tribal have been appointed to carry out the main body of the research the results of which will be used, in conjunction with the results of the summer survey, to provide revised provision figures. This research will be published in January 2007.

Policy 17 Regional Targets for the Efficient Use of Land and Buildings for Housing indicates that the national target of 60% of new housing development on previously developed land should also apply at the regional level in the East Midlands. This should not be seen to compromise the ability of achieving delivery on housing figures. See comments on **Policy 2**.

Policy 18 Regional Priorities for Managing the Release of Housing highlights that the management of housing supply is principally a matter for Local Development Frameworks and that these should contain policies to manage the release of housing across both local planning authority areas and the wider HMA. To achieve this joint working is expected, with the development of joint Core Strategies across HMAs particularly encouraged. The rationale behind this aspiration is understood but doubt is expressed as to how this will work practically, especially with Local Development Schemes already set for the districts within the HMA and work commenced on individual core strategies. That said, the potential for developing joint Local Development Documents within the HMAs that make up the sub area is supported.

Policy 20 Regional Priorities for Employment Land. Regional studies have found that there will be a significant decline in demand for industrial floorspace and a significant increase in demand for office space over the next 10-15 years. Demand for additional employment land (B1 and B2 uses) is estimated to be broadly static. LPAs are advised to ensure that allocated sites for employment uses are consistent with priorities contained in the Regional Economic Strategy. The policy identifies the need to ensure there is an adequate supply of good quality land for office and industrial uses available for development in sustainable locations.

Roger Tymms and Partners (RTP) were commissioned by EMRA to forecast future requirements for employment land but net figures are currently not available and the intention is that these will be provided within the next draft of the report for consideration at the Examination in Public. It is also important to note that this is a quantitative study and does not deal with qualitative issues and the practical deliverability of sites. Key findings highlighted employment forecasts lead to a negligible increase in net employment land need but it is also necessary to allow for:-

- The so-called “gross “ effect covering such factors as the loss of employment land to other uses, land quality, regeneration proposals and the need for a choice of sites; and
- An allowance for the “churn” effect to allow for continuing stock availability throughout the plan period.

RTP stress the importance of the need for local employment studies to incorporate these two effects to determine employment land requirements. Whilst local studies are available in some parts of the region, there is not a comprehensive coverage either existing or proposed.

Developing employment land requirements for inclusion within Local Development Frameworks will need to take into account a range of local factors, such as losses of employment land, issues of land quality, densities and greenfield/brownfield development, regeneration and policy initiatives, the need for a choice of sites and continuing stock of employment land. It is viewed necessary to have guidance included in the Regional Plan, with HMA net employment land figures (i.e. gains minus losses) based on the final housing option in the Regional Plan. In addition, it is important to note there is difficulty in understanding the rationale for the housing land distribution without the guidance for employment land distribution.

Up to date employment land reviews are essential for a robust Development Plan. Without them, Councils will be less equipped to encourage economic growth or to resist unwelcome pressures on land supply. In view of this, the Borough Council consider it necessary to reserve the right to make additional representations once comprehensive employment quantity and land distribution findings have been made available. It is appreciated that there will be another opportunity to comment with the Proposed Modifications but it is viewed that this is too late in the process and not in the spirit of “front loading” consultation.

Policy 21 Regional Priorities for Town Centres and Retail Development has been informed by the Regional Town Centres Study (2003) and an update study that took place in 2005. These studies present a comprehensive quantitative and qualitative analysis of retail floorspace. At regional level the latest projections indicate that by 2016 there will be potential for at least 444,000 sqm of net additional floorspace serving the comparison goods market. Support is given to the fact that LPAs should bring forward retail and leisure development opportunities within town centres based on identified need, looking to prevent the development or expansion of additional regional out-of-town retail and leisure floorspace. This will include monitoring changes in retail floorspace on a regular basis.

Policy 28 Priorities for Enhancing the Region’s Biodiversity identifies that Local Biodiversity Action Plans will need to be reflected in Local Development Frameworks and other strategic documents such as Community Strategies. The Assembly demands for higher environmental standards is supported, particularly in view of the fact that the East Midlands is comparatively impoverished in environmental terms.

Policy 29 Regional Priorities for Woodlands. The woodlands of the East Midlands provide a wide range of social, environmental and economic benefits. Opportunities to increase woodland cover as part of new development including areas such as the Greenwood Community Forest, principal transport corridors and strategic river corridors, including the River Trent, and delivering local Biodiversity Action Plan targets is supported.

Policy 30 Priorities for the Management and Enhancement of the Region's Landscape. This policy advocates the establishment of criteria based policies in Local Development Frameworks to ensure that development proposals respect intrinsic landscape character in rural and urban fringe areas, ensuring integration of Landscape Character Assessments to inform the preparation of Local Development Frameworks and development of Supplementary Planning Documents. This is supported by the Borough Council.

Policy 31 Regional Priorities for the Historic Environment. This policy identifies that LPAs should identify and assess the significance of specific historic assets and their settings, which is acknowledged and supported.

Policy 32 A Regional Approach to the Water Resources and Water Quality. The national context for water management is strongly influenced by the predicted impact of climate change on the water environment. Water related issues need to be taken into account at an early stage in the process of identifying land for development and in the phasing and implementation of development. The policy identifies that Local Development Frameworks and the development industry have a key role to play in promoting greater water efficiency in new development and this is fully supported.

Policy 35 A Regional Approach to Managing Flood Risk. In accordance with Draft PPS25 and the conclusions of the Regional Flood Risk Appraisal, local authorities are advised to undertake detailed Strategic Flood Risk Assessments when preparing Local Development Frameworks. This is ongoing within the Borough and is supported.

Policy 38 Regional Priorities for Energy Reduction and Efficiency. The Government has reviewed the delivery of national energy policy and has recognised that the two major long term challenges are tackling climate change and delivering secure, clean energy at an affordable price. The planning system can contribute to reducing energy demands through measures to improve the location of development, site layout and building design. New development will need to achieve carbon neutrality in order to ensure that the region can also make its contribution to the national carbon emissions reduction targets and longer term goals. It is highlighted that policies in Local Development Frameworks for delivering carbon neutral new development will need to be supported by additional advice, including Supplementary Planning Documents. This is currently being actively explored at the County and local level and is supported.

Policy 44 A Regional Approach to Behavioural Change is aiming to encourage a behavioural change to encourage a reduction in the need to travel and to alter public attitudes toward car usage and public transport, walking and cycling. This approach is supported.

Policy 55 Regional Priorities for Implementation, Monitoring and Review. It is accepted that all Local Development Documents will be required to be in general conformity with the Regional Plan and therefore all the measures and targets need to be taken into account. It is encouraging to see that there is a strong emphasis on the implementation of Regional Plan and monitoring its effectiveness is key. Monitoring plays an increasingly important role in development planning, especially with the greater emphasis now being placed on plan, monitor and manage. However, it is noted that for a significant number of policies contained within the draft Regional Plan no targets have been developed and it is considered that this will need to be updated to ensure that there are measurable targets.

Three Cities Sub-Regional Strategy Policy 2 – Sub-Regional Priorities for Green Belt Review. A process of strategically reviewing the Nottingham-Derby Green Belt has been undertaken in accordance with Policy 14 RSS8. The review has highlighted that the area between Nottingham and Derby is overall the most important area of Green Belt while areas to the south and east of Nottingham are of lesser importance. In accordance with the findings of the Green Belt review, the major extension to the Principal Urban Area is proposed in an area of lesser importance, to the south in the direction of Clifton. It is essential that the new boundaries are clearly defined, using natural features such as streams or roads, so that boundaries can be defended against unplanned growth. This approach is advocated in the policy and is supported. The policy also highlights the need to review inner boundaries to meet the development land requirements of the Regional Plan to 2026. In addition to the current development land requirements, it is viewed that sites that may be required to serve development needs beyond the plan period should be designated “white” or safeguarded land as described in Annex B to PPG2.

The Inspector’s Report into the Gedling Borough Local Plan Inquiry highlighted that LPAs need to ensure that Green Belt boundaries will not need to be altered at the

end of the plan period. As part of the Inspector's consideration of the need for identifying safeguarded land, he addressed the issue of 'comparability', in terms of consistency between districts regarding their approach to white land. The Inspector was of the view that the more land that is identified as Safeguarded Land, the harder it would be to erode it piecemeal without a full-scale and comprehensive review at the Sub-Regional level. It is requested that the Regional Plan should expressly state that any review of the Green Belt within districts should identify safeguarded land.

Three Cities Sub-Regional Strategy Policy 4 – Housing Provision. This policy identifies that within the context set by the Policy 14, provision for new housing will be made at 310 dwellings per annum, of which 225 should be within or adjoining Nottingham Principal Urban Area which includes the built up parts of Arnold and Carlton, including sustainable urban extensions as necessary. The Borough Council support these targets in principle, especially in the context of the recent successful joint growth point bid by Derby, Leicester and Nottingham of approximately £5.5 million which will be used to help support infrastructure to unlock sites for new housing.

Three Cities Sub-Regional Strategy Policy 5 – Employment Land. The draft Regional Plan indicates that in general terms, employment land lost to other uses should be replaced, to allow for expansion, economic restructuring and relocation. Studies also acknowledge that the Sub-area has an excess of land for employment purposes, but much of this land is of poor quality, poorly located and unattractive to the market. Comments made under **Policy 20** are of relevance and should also be considered for this policy.

Sustainability Appraisal of the Draft East Midlands Regional Plan

The purpose of the Sustainability Appraisal (SA) was to assist EMRA in preparing the draft Regional Plan by identifying the key sustainability issues facing the region, to determine what the likely effects of the draft Regional Plan would be on these issues, and put forward recommendations for improving the draft Regional Plan's sustainability performance. The aim was to ensure that the draft Regional Plan had as many positive effects as possible, and that any negative effects were avoided when the policies in the draft Regional Plan are turned into development on the ground.

Broad conclusions from the draft Regional Plan appraisal were that:-

- Affordable housing will be delivered and house prices overall will increase more slowly;
- Homes built will increase faster than jobs are created, which could increase out commuting from the region;
- Pressure will be put on environmental resources such as water and minerals, and on environmental assets such as wildlife and the landscape;
- Total CO2 emissions and waste generated by the region will increase; and
- Investment will be available for improvements to the environment, community facilities, transport and other infrastructure.

The draft Regional Plan is undoubtedly geared towards growth, particularly in housing, and some parts of the region will change significantly as a result. The draft Regional Plan also includes some strong policy safeguards to ensure that the environmental impacts of development are minimised, and that those most in need are the people that benefit from development. It also includes a clear message that development cannot come without investment, such as improvements to environmental and green infrastructure. So while the draft Regional Plan provides for increased levels of development than that in the previous Regional Plan, it makes clear that this development must be of a high quality. However, the level of development proposed will certainly put pressure on environmental assets and resources, and it will be particularly difficult to achieve the ambitions for a reduction in traffic growth and greenhouse gas emissions.

The implications of this for Gedling's Local Development Framework lie in the following changes to the draft Regional Plan brought about by the SA. The draft Regional Plan:-

- Highlights extensively the need to develop green infrastructure;
- Aims for carbon neutrality for all developments that require Environmental Impact Assessments, promotes operational carbon neutrality wherever practicable and aims to reduce energy demand;
- Recognises the need to protect and enhance the historic and cultural assets and countryside of the region;
- Recognises the need to develop the rural economy;
- Contains a significant amount of additional detail on water resources and water quality;
- Specifically outlines Derby, Nottingham and Newark as priority areas for Strategic Flood Risk Assessments;
- Sets ambitious targets for renewable energy;
- Gives criteria for the location of waste management facilities; and
- Aims to reduce the rate of traffic growth to at least zero by the end of the Plan period.

If successfully implemented, the draft Regional Plan should go some way towards moving the region onto a more sustainable path. This will, however, require determination at the local level and require the Borough Council's Local Development Framework to reflect the policy direction and ambitions outlined above.

Conclusions

It is considered that the Borough Council should, in view of the above comments, offer general support to the draft Regional Plan. There are a few specific concerns, in particular the need to ensure that Gedling Borough is not perceived as a soft target to allocate additional housing or employment development if required as a result of the examination in public by virtue of the fact that the Borough is the only one in South Nottinghamshire to include safeguarded land. The lack of a robust evidence base to provide employment land figures is also of concern. In addition, a number of the proposed draft Regional policies have direct implications in terms of what will need to be considered for inclusion within the Borough Council's Local

Development Framework but generally the issues raised are those which are currently being considered in any event. Overall, it is considered that the above report should form the basis of the submission as the Borough Council's response to the East Midlands Assembly consultation on the Draft East Midlands Regional Plan.

Recommendations

Cabinet resolve to endorse the above report to form the basis of submission as the Borough Council's response to the East Midlands Regional Assembly consultation on the Draft East Midlands Regional Plan.