



Report to Cabinet

Subject: East Midlands Regional Plan Partial Review: Public Consultation

Date: 4th December 2008

Author: Planning Policy Manager on behalf of Head of Strategy and Performance and Head of Planning and Environment

Purpose of Report

To authorise a response to the Partial Review to the 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 current Regional Plan was adopted in March 2005. The Regional Assembly started a review in April 2005 to bring this document fully in line with the Planning and Compulsory Purchase Act 2004. Following an independent Examination in Public on the draft document, the Proposed Changes were issued for consultation in July 2008. A report to Cabinet authorising a response to this consultation was agreed in October 2008. The Government is expected to adopt the replacement Regional Plan by early 2009.

In July 2007, however, the Government published the Housing Green Paper which set a national target for new housing completions of 240,000 per year by 2016 and proposed that each region should undertake a further review of regional policy to ensure this target can be met. As a result, the Government has asked the Regional Assembly to undertake a further Partial Review of the Regional Plan on the following limited set of issues, to be completed by 2011:-

- housing provision (including affordable housing)
- transport
- coastal flood risk
- renewable energy

- aggregates apportionment
- inter-regional issues
- sustainability issues
- monitoring and information

A Project Plan has now been prepared for consultation which sets out how it is intended to approach the partial review. The Project Plan includes the following timetable:-

- 17th October 2008 – launch of Project Plan for eight weeks public consultation
- 2nd April 2009 – Options Paper published for eight weeks public consultation
- 26th March 2010 – Draft Regional Plan submitted to the Secretary of State for twelve weeks public consultation
- September 2010 – likely date for Examination in Public
- March 2011 – Secretary of State's Proposed Changes published for consultation
- September 2011 – likely adoption date of the Revised Regional Plan

Comments on the draft Project Plan, Sustainable Appraisal Scoping Report and Habitats Regulations Assessment Pre-Screening Report have been invited by 12th December 2008. The issues addressed by these documents are largely procedural at this stage and the key stages for more detailed comments will be at the Options stage (in April 2009) and the Submission stage (in March 2010).

Comments are requested on a number of targeted questions. These are listed below with an indication of the key response, as follows:-

Draft Project Plan and Statement of Public Participation

Question 1

Do you agree with the summary of the key issues set out in this section and the supporting documentation? If not, can you explain why?

In accordance with the views of the Greater Nottingham Joint Planning Advisory Board, GBC consider that the Partial Review is premature. This is based on the fact that one of the key drivers of the review was to reflect the new household projections. Any further housing brought forward by the review will not be delivered until much later in the Regional Plan period, so the Partial Review will not speed up housing delivery.

With regards to the issue of housing provision, comments were made by GBC to the Proposed Changes to the East Midlands Regional Plan (RSS Review) on the basis that the methodology behind the housing projections in the Proposed Changes is considered flawed, for two reasons. Firstly, it assumes what has happened in the past will continue to happen, whether desirable or not. In the case of the Nottingham Housing Market Area, the period reflects a time of high international immigration, and also already reflects existing policy. Projecting forwards in these circumstances is

likely to overstate housing need. Secondly, it is based on looking back over 5 years with trend over shorter periods being highly volatile. It is considered that using a 10 year trend would be more appropriate. Concerns have also been raised over the Proposed Changes to the proposed split of housing figures at local authority level between housing to be provided in and adjoining the Principal Urban Area, and that to be provided elsewhere does not provide sufficient flexibility.

The Partial Review states that account needs to be taken of local level information on land availability contained in Local Development Frameworks and Strategic Housing Land Availability Assessments. However, the methodologies for these Land Availability Assessments are in their early stages and there may be refinements to methodologies as they are reworked on an annual basis which could have a significant impact on the amount of land identified. Appropriate provision should be made within the RSS Review to accommodate such future amendments.

Similarly, the Partial Review will take account of districts' identification of a five year land supply. Again, the methodology set out in the latest guidance may also change in the future. For example, as currently worded, advice produced by the Department for Communities and Local Government 'demonstrating a 5 year supply of deliverable sites' suggests that calculations of five year land supply can include completions and live permissions that have not yet commenced but cannot include completions that have commenced but are not yet complete. There has also been some queries raised regarding the time frame to be used for the calculation of five year land supply, which is to be based on actual completions for the preceding year, then an assessment of completions in the current year plus an assessment of completions for future years. The concerns that have been expressed with regards to the methodology set out in the latest guidance may be addressed by future revisions to the methodology, which would impact on a Council's overall supply. Again, appropriate provision should be made within the RSS Review to accommodate such future amendments.

It is noted that the scope of the Partial Review includes the issue of affordable housing. However, the draft RSS also addresses this issue and sets out an approach to be taken by districts. The draft RSS requires districts to undertake viability work to justify the percentage of affordable housing on new development sites that can then be subsequently incorporated into a future Development Plan Document. For many districts within the region, and specifically within the Nottingham Core Housing Market Area, this work is still ongoing and the work will not be completed until early 2009. Once the evidence obtained from this work has been translated into policy, it is anticipated that there will be an impact on affordable housing completions.

It is noted that the scope of the Partial Review includes the issues of renewable energy and sustainability issues. The opportunity to set out greater clarity as to the requirements of future Development Plan Documents is welcomed.

It is noted that the scope of the Partial Review includes the issue of inter-regional issues. It would be useful to also address intra-regional issues within the Partial Review, as greater clarity on how intra-regional issues can be addressed through the preparation of aligned or joint core strategies would be of assistance. For example, issues to be addressed within the Nottingham Core Housing Market Area include the

need to consider the context of both Nottinghamshire and Derbyshire, the need to align with a number of potentially conflicting Sustainable Community Strategies, and the need for Ashfield District Council to consider both the Nottingham Core and Northern Sub Area Housing Market Areas.

Question 2

Do you have any comments about the draft Sustainability Appraisal Scoping Report? Do you consider it to be 'fit for purpose'? If not can you explain why?

The Borough Council is generally supportive of the updated Sustainability Scoping Report.

Question 3

Do you have any comments about the Habitats Regulation Assessment Pre-Screening Report? Do you consider it to be 'fit for purpose'? If not, can you explain why?

No specific comments.

Question 4

Do you agree with the work programme and time scales for the Partial Review set out in this section. If not, can you suggest any changes or amendments?

Gedling Borough Council object to the principle of the partial review per se, on the grounds that this review is unnecessary and is premature given that the current review is not yet complete. It is viewed that the Partial Review should be deferred for a period of time to enable the opportunity to develop coherent plans to facilitate growth and development.

The preparation period for the Partial Review overlaps with the preparation of the Borough Council's Core Strategy. In order to meet the government's tests of soundness, the Core Strategy will have to be flexible enough to take account of the Partial Review as it progresses. It is viewed that a period of certainty is required to help progress the Core Strategy and meet the Government's agenda of speeding up housing delivery. Any uncertainty brought about by including new housing numbers in the Partial Review will inevitably slow down Core Strategy preparation.

Question 5

Are there parts of the Region which you feel can accommodate higher levels of housing growth over and above current plans to contribute to the Governments' national target? – if so, can you say where and why?

It is noted that consultation is proposed to take place on a range of spatial planning options to include the scale and general location of new housing required across the region up to 2031. There are difficulties of time scale arising from this element, given that work is progressing on the preparation of aligned core strategies within the Greater Nottingham area to consider issues and options for the location of new housing required in the context of the draft RSS Proposed Changes document. It is noted that the region's Section 4 (4) authorities will propose a district level distribution of housing provision. This work should continue to allow for the

redistribution of housing provision through joint or aligned core strategies, subject to the agreement of all authorities within the Housing Market Area.

Comments submitted on the RSS Proposed Changes relating to the ability to accommodate growth using a proposed split of housing to be provided within and adjoining Principal Urban Area is reiterated as the current form of wording does not provide sufficient flexibility.

Question 6

Do you agree with proposals for public consultation and community engagement set out in this section? If not, can you suggest any changes or amendments?

The Borough Council is generally supportive of the proposed approach to public consultation and community engagement.

Conclusions

The Partial Review will clearly raise issues of significant interest and concern for the Borough Council and it is considered important that officers and members are fully engaged with the preparation process to ensure that the views of the Borough Council are adequately considered and that members are kept up to date with the progress of the Partial Review. It is recommended that the above report form the basis of the Borough Council's response to the Partial Review of the East Midlands Regional Plan.

Recommendations

Cabinet resolve to endorse the above report to form the basis of the Borough Council's response to the Government Office on the Partial Review of the East Midlands Regional Plan.