

## Report to Planning Committee

**Subject:** Item for Information: Planning Policy Update

**Date:** 30<sup>th</sup> October 2013

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### Purpose

To inform Committee about progress on a number of planning policy documents that are currently being prepared:-

- Local Planning Document (Issues and Options stage)
- Statement of Consultation
- Community Infrastructure Levy (Draft Charging Schedule)

Cabinet considered reports on the above at its meeting on the 12<sup>th</sup> September 2013 and these reports and decisions can be found using the following link:

<https://democracy.gedling.gov.uk/ieListDocuments.aspx?CId=127&MId=867&Ver=4>

### Local Planning Document

1. The Local Planning Document, when adopted, will work with the Aligned Core Strategy to form the statutory development plan for Gedling Borough against which planning applications will be determined. The Aligned Core Strategy sets out the broad policy direction for Gedling Borough Council and allocates strategic sites for development.
  2. The Local Planning Document will be borough-wide in coverage and will include more detailed site specific policies, allocations (of non-strategic sites) and designations for new housing, employment, retail, community facilities, recreation and open space, nature conservation and other land uses. The document will also contain detailed development management policies. The primary purpose of these is to provide the additional detailed policies required to support the implementation of the Aligned Core Strategy and the achievement of its spatial vision, help deliver specific allocations and help in the day-to-day assessment of planning applications.
  3. The first stage in the production of the Local Planning Document is the Issues and Options stage) which asks a series of questions for discussion purposes and which will inform the next stage of the document.
  4. In general terms, the Issues and Options document asks if we should continue with the current policy approach taken by Gedling Borough Replacement Local Plan (2005) or whether we should take a different approach.
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5. With regards to the non-strategic housing sites, the Issues and Options document refers to the Strategic Housing Land Availability Assessment (SHLAA). The SHLAA is an annual review of available housing land which considers sites within the Borough from a range of sources to assess whether it is suitable for housing development. It therefore identifies a 'pool' of suitable sites which could be taken forward as housing allocations in the Local Planning Document. The approach taken by the Local Planning Document is to ask consultees whether they are aware of any other implications of bringing forward these sites which we are not currently aware of. For the key settlements, we are asking consultees to comment on where a settlement should expand, in broad terms only. Specific sites would then be identified in the next stage of the Local Planning Document (based on the spatial strategy set out in the Aligned Core Strategy) to meet the Borough's housing requirement and the masterplanning work currently being undertaken will help inform our decisions on this. The Issues and Options document covers a wide range of land uses in addition to housing.
6. The Issues and Options stage of the Local Planning Document and the separate Sustainability Appraisal Scoping Report were agreed at Cabinet on 12<sup>th</sup> September 2013 for consultation. Consultation is due to commence in October (possibly 21<sup>st</sup> October) for an 8 week period. Once the consultation period commences, the relevant documents plus supporting evidence will be available from [www.gedling.gov.uk/planningbuildingcontrol/planningpolicy/](http://www.gedling.gov.uk/planningbuildingcontrol/planningpolicy/) and also at deposit points around the Borough, including local libraries.

### **Statement of Consultation**

7. It is a legal requirement for Gedling Borough to have in place a Statement of Community Involvement setting out the Council's policy for involving people in the preparation of development plans and for consulting people on planning applications. Gedling Borough adopted its first Statement of Community Involvement in October 2006 and this document has governed the public participation undertaken since then.
8. The Statement of Community Involvement is now being updated in order to reflect changes to the planning system that have been introduced since 2006. The revised document, which we are renaming the 'Statement of Consultation' was agreed at Cabinet on 12<sup>th</sup> September 2013 for consultation.
9. Radical changes to the existing Statement of Community Involvement are not being proposed but rather there is a need to update it in the light of changes to the regulations, current planning practice and to make it more user-friendly. In this context, the principles of the original 2006 version are retained. These reflect the need to:
  - Involve the public at the earliest opportunity in the preparation of planning documents;
  - To be transparent, open and accessible to all sections of the community;
  - To ensure the consultation process will allow local communities to see how ideas have evolved at various stages through effective feedback.

- 10 There are two main elements to the draft Statement. Firstly, it deals with the preparation of planning policy<sup>1</sup> and secondly, it sets out the process for people to comment on planning applications.
- 11 In terms of **planning policy preparation**, it is considered that the proposed revisions would lead to additional publicity on consultation processes over and above that set out in the existing Statement of Community Involvement. A key element to this is the reference within the draft Statement of Consultation to the preparation of an individual consultation strategy for each development plan document and supplementary planning document in preparation. This consultation strategy will be published early on in the policy preparation process and will be kept up to date on the Council's website providing more specific information on the consultation processes that will be undertaken for that document and giving real time information on progress.
- 12 The regulatory framework is now much less prescriptive about how Councils should consult with their communities. The regulations now prescribe two (rather than three) stages of public consultation including at least once early in the process and more formally at the publication stage prior to a plan being submitted. The draft Statement of Consultation includes these two consultation stages but provides for a level of community involvement above the statutory minimum set out in the regulations. Consultation documents (in both hard copy and on-line versions) will continue to be prepared as the main means of gathering people's comments for the purposes of the two required consultation stages (issues and options stage and publication stage), but there is flexibility for the Council to undertake additional consultation documents as it sees fit. In addition, the Statement of Consultation proposes the use of publicity material including leaflets, posters, and press releases but also makes reference to using social network sites which is increasingly common practice.
- 13 In terms of consultations on **planning applications**, the revisions are relatively minor and the current practice relating to publicising planning applications will continue. However, revisions are necessary in order to reflect current practice of referring interested persons to the Council's on-line systems as the best means of finding out information and progress on planning applications or alternatively to contact officers at the Civic Centre.
- 14 Whilst, the update and revisions to the Statement of Consultation would not significantly change how and when the Council will engage with the community, the document is being made available for people to comment should they wish to do so. As for the Local Planning Document, consultation is due to commence in October (possibly 21<sup>st</sup> October) for an 8 week period. Once the consultation period commences, the document will be available from [www.gedling.gov.uk/planningbuildingcontrol/planningpolicy/](http://www.gedling.gov.uk/planningbuildingcontrol/planningpolicy/) and also at deposit points around the Borough, including local libraries.

## Community Infrastructure Levy

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<sup>1</sup> Formerly known as the Local Development Framework, now the Local Plan – and comprises the suite of development plan documents such as the Aligned Core Strategy and the forthcoming Gedling Borough Local Planning Document and also supplementary planning documents.

15. The Community Infrastructure Levy is a charge levied on new buildings and extensions to buildings according to their floor area and the money raised from the development helps to pay for the infrastructure to ensure the Borough grows sustainably. The intention is for Community Infrastructure Levy and planning obligations to play complementary roles.
16. The Levy takes effect through a Charging Schedule which sets out the rate or rates of charge. The first public stage in preparing this document was the Preliminary Draft Charging Schedule and consultation took place in the autumn of 2012.
17. The Charging Schedule relies on two important pieces of evidence – infrastructure planning and a viability assessment of the impact of the proposed rate of Community Infrastructure Levy on development in the Borough Council's area. The Infrastructure Development Plan sets out the range of infrastructure required to support the Aligned Core Strategies. The viability assessment must show that the proposed rate of Community Infrastructure Levy can be borne by most development without making the project commercially unviable.
18. Following consultation on the Preliminary Draft Charging Schedule, a Draft Charging Schedule has now been prepared and this was agreed at Cabinet on 12<sup>th</sup> September 2013 for consultation. The main area of change is the proposed change to the Community Infrastructure Levy Charging Zones which comprise:
  - the inclusion of the whole of Bestwood Village within zone 1, previously the northern section was included within zone 2;
  - Inclusion of Mapperley Plains ward within zone 2, previously it was within zone 3;
  - Inclusion of Gedling ward within zone 2, previously within zone 3; and
  - The inclusion of Teal Close wholly within zone 1, previously it was split between zones 1 and 3.
19. One further amendment to the schedule is the charging rate. The residential CIL rate has been reduced to £45 per square metre for Zone 2 and £70 per square metre for Zone 3. This, alongside realistic drafting of the Regulation 123 list, will provide a clear strategic infrastructure delivery strategy which does not threaten new development in the Borough.
20. These changes have been made in response to a review of the viability evidence and the land registry figures. It is considered that the levy schedules have been set at a realistic level and will not threaten the viability of future development.
21. One further change is the inclusion of the Regulation 123 Statement. Regulation 123 of the Community Infrastructure Regulations provides for the Borough Council to set out a list of those projects or types of infrastructure that it intends to fund through the levy. When the Community Infrastructure Levy is introduced, section 106 requirements should be scaled back to those matters that are directly related to a specific site and are not set out in the Regulation 123 list. The list includes the Gedling Access Road, and the contribution to the secondary school provision arising from the development of the Top Wighay Farm site.
22. Alongside the Local Planning Document and Statement of Consultation, consultation

will take place on the Draft Charging Schedule in October for an 8 week period. Again, the document plus all supporting evidence will be available from [www.gedling.gov.uk/planningbuildingcontrol/planningpolicy/](http://www.gedling.gov.uk/planningbuildingcontrol/planningpolicy/) and also at deposit points around the Borough, including local libraries.

23. Once consultation has taken place on the Draft Charging Schedule, it would then need to be formally submitted to the Planning Inspectorate in the spring of 2014 and the examination would then take place in the summer of 2014. Following receipt of the examiner's report the Borough Council will need to approve the final version of the Charging Schedule.

### **Recommendation**

**THAT:**

**Planning Committee notes the contents of this Report.**