

Report to Cabinet

Subject: Review of Core Strategy
Date: 10th January 2019
Author: Service Manager – Planning Policy

Wards Affected All

Purpose

The purpose of this report is to inform members of the intention to commence a review of the Aligned Core Strategy which was adopted in September 2014 and to seek approval from Cabinet to bring the revised Local Development Scheme appended to this report into effect from 1st February 2019.

Key Decision

The Aligned Core Strategy forms part of the development plan for Gedling Borough and affects all wards. However, the purpose of this report is to inform members of the intention to commence a review and is not a key decision. Future stages of its preparation will require approval by Cabinet and/or Council and will be key decisions.

The only decision arising from this report is to seek approval for the revised Local Development Scheme, which is not a key decision.

Recommendations

THAT Cabinet:

- (a) Notes the intention to commence a review of the Local Plan, commencing with the review of the Core Strategy.
- (b) Approves the revised Local Development Scheme appended to this report as Appendix A and agrees that it shall come into effect on 1st February 2019.

Background

National Planning Policy Framework

It is a legal requirement of local planning authorities that they exercise their plan making functions (under s.39(2) of the Planning and Compulsory Purchase Act 2004). The local plan for Gedling Borough comprises two parts. The Aligned Core Strategy comprises part 1 of Gedling Borough Council's Local Plan and was adopted in September 2014. It sets out the strategic policy direction for future development in the Borough up to 2028 and was developed in conjunction with other authorities in the housing market area. The Local Planning Document, adopted in July 2018, comprises part 2 of the Local Plan and shapes future development in Gedling Borough by setting out in more detail how new homes, jobs and infrastructure will be planned for.

There is a legal requirement to review local plans every 5 years (Reg 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012) and this is reflected in the revised National Planning Policy Framework (NPPF) which was published in July 2018. The NPPF is clear that the consequences of not reviewing local plans are that Local Plan policies can be considered out of date. Planning appeal decisions made where Local Plan policies for the supply of housing are out of date adopt a 'tilted balance', resulting in planning decisions being considered in the light of paragraph 14 of the NPPF and the presumption in favour of sustainable development. Recent action by the Government to commence the removal of plan making powers from some councils is an indication that the Government takes the issue of out of date plans very seriously.

The Councils of Greater Nottingham are advised by the Greater Nottingham Joint Planning Advisory Board which is made up of the lead planning and transport councillors from each of the Councils. The Joint Board meets regularly and has overseen the co-ordination of all of the Core Strategies within Greater Nottingham. Broxtowe, Gedling and Nottingham City Councils prepared an aligned and consistent planning strategy for their part of Greater Nottingham. The strategy is not a formal Joint Core Strategy so decisions relating to it have been made separately by each Council. Erewash and Rushcliffe Borough Councils have produced separate core strategies which are consistent apart from a small number of policies which are locally distinctive for their areas. Ashfield District Council did not prepare a separate Core Strategy, but are instead preparing a full Local Plan.

It is important that the core strategies for Greater Nottingham are reviewed to ensure a strategic planning framework remains in place, and that partners retain control over the scale and distribution of development. The principle of reviewing the Core Strategies covering Greater Nottingham was agreed by the Greater Nottingham Joint Planning Advisory Board in December 2017. The scope of the review is still under consideration.

The following timetable for undertaking the review of the Core Strategy has been agreed by the Joint Planning Advisory Board:-

- Growth Options Consultation (Regulation 18) – September 2019
- Draft Publication Consultation – March 2020
- Publication Consultation (Regulation 19) – September 2020
- Submission – January 2021
- Examination in Public – June 2021
- Adoption – December 2021

It is acknowledged by the participating authorities that the latter part of the timetable in particular is ambitious and may be challenging to achieve. However, it is important to get a Plan in place as soon as possible given the requirement to review Local Plans every 5 years and the introduction of a housing delivery test. It also signals that the councils are committed to getting a new strategic plan in place for Greater Nottingham as soon as practicable.

JPAB has recommended that partner Councils consider including the timetable in the next review of their Local Development Schemes and this matter is covered separately below. It should be noted that the core strategy forms part of the budget policy framework and will therefore be brought back to Cabinet at key stages of its preparation, in line with the timetable outlined above.

Local Planning Document

For Gedling Borough Council, the Local Planning Document allocates three housing sites which are dependent on the completion of the proposed Gedling Access Road (GAR). The supporting text to Policy LPD 64 (Housing Allocations – Urban Area and edge of Hucknall) states that the Council will closely monitor progress on the GAR to identify any slippage or risk of no delivery (paragraph 3.19). This text was required by the Inspector who examined the Local Planning Document and reads as follows: *'If the GAR cannot be delivered by Spring 2020, the Council is of the view that the risk to housing delivery both in terms of scale and location would be of such significance as to warrant an early review of the Local Plan. The trigger point for consideration of an early review would be conditional on confirmation from the promoters of the GAR that the scheme is not to be delivered by that date. Whilst such a scenario is unlikely, a decision to undertake an early review of the Local Plan would be made by December 2018 by which time work should have begun on site.'*

Monitoring of progress on the delivery of the housing allocations is included in the Authority Monitoring Report, published annually.

A briefing note dated October 2018 on the GAR has been received (attached as a Background Paper) which states that due to delays relating to the complexity of the scheme, construction works will now commence in summer 2019 and it is anticipated that the road will be completed and open to traffic before the end of 2020. This represents a slight delay, but is perhaps not so significant as to warrant a review of the Local Plan in its own right. As set out above, a review of the Aligned Core Strategy is commencing in any event, given that the Aligned Core Strategies will be considered out of date from five years after adoption (being September 2019).

Local Development Scheme

The Council is required by s.15 of the Planning and Compulsory Purchase Act to prepare and maintain a Local Development Scheme to set out the timetable for preparing the Council's Local Plan. The existing Local Development Scheme was prepared in September 2016 and covers the preparation of the Local Planning Document (part 2 of the Council's Local Plan) which is now adopted. Previous Local Development Schemes related to the preparation of the Aligned Core Strategy (part 1 of the Council's Local Plan).

Given the requirement to undertake a review of the Council's Local Plan, the Local Development Scheme has been updated and is attached as **Appendix A**. The timetable and milestones for the preparation of the review of the Core Strategy included in the document reflect those agreed through the Joint Planning Advisory Board and as set out above. The revised Local Development Scheme will be made available on the Council's website.

Alternative Options

Not to undertake a review of the Local Plan. However, this would mean that Local Plan policies as contained in the Aligned Core Strategy would shortly be considered out of date. Planning appeal decisions made where Local Plan policies for the supply of housing are out of date adopt a 'tilted balance', resulting in planning decisions being considered in the light of paragraph 14 of the NPPF and the presumption in favour of sustainable development.

Not to specify a date upon which the revised Local Development Scheme will come into effect. The production and bringing into effect of a Local Development Scheme is a statutory requirement and the existing document is out of date following the adoption of the Local Planning Document.

Financial Implications

There will be cost implications arising from the review of the Core Strategy relating to the preparation of updated evidence and the examination stage. However, it is intended that evidence will be prepared in house where possible and any costs will be shared across the participating authorities.

None relating to the approval of the Local Development Scheme.

Appendices

Appendix A – Gedling Borough Local Development Scheme 2019 - 2022

Background Papers

- Aligned Core Strategy adopted September 2014
<http://www.gedling.gov.uk/acs/>
- Local Planning Document adopted July 2018
<http://www.gedling.gov.uk/lpd/>
- Gedling Access Road Briefing Note – Update October 2018

Reasons for Recommendations

A review of the Local Plan is required to accord with the requirements of the revised NPPF and

An up to date Local Development Scheme is required to set out the timetable for the preparation of the review of the Local Plan, commencing with the review of the Core Strategy.