

Report to Cabinet

Subject: Local Planning Document, Sustainability Appraisal and Statement of Consultation

Date: 19th June 2014

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Wards Affected

All

Purpose

To inform Cabinet of the comments received on the consultation on the Issues and Options stage of the Local Planning Document and to set out the next stages of preparation of the document.

To inform Cabinet of the comments received on the Sustainability Appraisal Scoping Report and to ask Cabinet to agree proposed changes to the Sustainability Appraisal Framework used in progressing the Sustainability Appraisal of the Local Planning Document.

To feed back the comments received on the consultation on the Statement of Consultation and ask Cabinet to adopt the document.

Key Decision

No.

Background

Local Planning Document

1. The **Local Planning Document**, when adopted, will form part of the Gedling Borough Local Plan and must be in accordance with the policies of the Aligned Core Strategy and the National Planning Policy Framework. The Local Planning Document and the Aligned Core Strategy will together form the statutory 'development plan' for Gedling Borough against which planning applications will be determined.
2. Consultation took place on the Issues and Options stage of the Local Planning Document during an 8 week period which ended on 16th December 2013. The Issues and Options stage is a discussion document which is seeking views on the most appropriate sites and policies to address the

Borough's development needs to 2028.

Sustainability Appraisal

3. The **Sustainability Appraisal** is an integral part of the plan making process and assesses the economic, social and environmental sustainability of the policies in the Local Planning Document. The first stage of the Sustainability Appraisal process is a Sustainability Appraisal Scoping Report, which was consulted on alongside the Issues and Options stage of the Local Planning Document.

Statement of Consultation

4. 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 on both planning policy issues and planning applications since then.
5. The Statement of Community Involvement was revised (and renamed the **Statement of Consultation**) in order to reflect changes to the planning system that have been introduced since 2006 and to reflect the increased use of on-line consultation systems. The document was the subject of an 8 week consultation exercise undertaken in tandem with the consultation on the Issues and Options stage of the Local Planning Document, which also asked people to comment on the consultation exercise itself.

Proposal

Local Planning Document

6. Since the end of the consultation period, officers have been considering the comments received and have produced a summary of the comments. For ease of reference, this is provided as two separate documents, focussing on site specific comments (attached as **Appendix A**) and general policy topics (attached as **Appendix B**) respectively. It is emphasised that these documents do not include responses to the issues raised. The process for taking forward the Local Planning Document is set out below.
7. Overview and Scrutiny Committee took part in the consultation process and recommend to Cabinet that:
 - a. The online process of consultation on Key Planning Policy Documents is made more accessible.
 - b. A cross-party working group with experience of dealing with planning matters is established to consider ongoing items of

planning policy that are likely to be of significant impact in the Borough.

8. The next steps in progressing the Local Planning Document are as follows:-
 - a. Informal consultation stage (Summer 2014)
 - b. Formal consultation on Publication Draft document and Sustainability Appraisal (late Autumn 2014)
 - c. Submit Submission Draft document and Sustainability Appraisal to the Secretary of State (February 2015)
 - d. Independent Examination (April 2015)
 - e. Receipt of Inspector's Report (October 2015)
 - f. Adoption (December 2015)
9. The next stage is the informal consultation stage. This will comprise a series of topic/site based workshops involving technical specialists and, where appropriate, local communities to assist with the drafting of policies and identifying specific sites for allocation in order to produce a draft version of the final document. This is an innovative approach which is intended to bring interested parties together to discuss possible policy approaches and agree policy wording as far as possible (in order to reduce the level of objection to policies at the formal Publication Draft stage). The precise timing of this stage will depend on the content and timing of receipt of the Inspector's report into the Aligned Core Strategies.
10. This informal stage will include the identification of non-strategic sites in accordance with the spatial strategy set out in Policy 2 of the emerging Aligned Core Strategy. Whilst the Aligned Core Strategy allocates land at Top Wighay Farm, North of Papplewick Lane and Teal Close for housing, it does not identify specific sites for housing in the areas identified as 'strategic locations'. This is a matter for the Local Planning Document, which will need to identify specific sites at the defined Key Settlements (to provide the number of dwellings set by the Aligned Core Strategy) and also in other rural settlements.
11. To help identify which sites should be developed at the Key Settlements (i.e. Bestwood Village, Calverton and Ravenshead), masterplanning work was commissioned in order to work with local communities (through a series of workshop sessions at the end of 2013) and analyse evidence to produce a report explaining the conclusions reached and including plans showing the recommended sites and supporting infrastructure. This work has recently been completed and is available to view on the Planning Policy pages of the Council's website [Supporting Studies and Publications - Growth](#). The masterplanning reports form part of the evidence base for the Local Planning Document. Engagement has taken place with local communities as part of

the preparation of the masterplanning reports and there will be a further formal opportunity to comment on the sites identified for development as part of the formal consultation on the Publication Draft stage of the Local Planning Document towards the end of the year.

12. Sites will also need to be identified in the Local Planning Document to accommodate 260 homes within the other villages and it is likely that workshop sessions will take place with local communities in these locations in order to consider appropriate sites. These workshops will take into account the 2014 review of the Strategic Housing Land Availability Assessment and will therefore also consider sites that have been put forward for development since the 2013 review on which the Issues and Options stage of the Local Planning Document was based.

Sustainability Appraisal

13. Officers have been considering the comments received on the Sustainability Appraisal Scoping Report and have produced a summary of the comments, which is attached as **Appendix C**. This document includes the Council's proposed response to the comments raised. The Council's proposed response results in changes to be made to the Scoping Report, in particular the Sustainability Appraisal Framework which will be used to appraise the options for the next stage of the Local Planning Document. The changes will be incorporated into the next stage of the Sustainability Appraisal. The Council is also aware of the comments received on the Sustainability Appraisal for the Aligned Core Strategies and will be reviewing these comments, for example in relation to the presentation of the assessment summary in the Sustainability Appraisal document and consistency between the assessment of options.
14. The next step in the Sustainability Appraisal process is to assess the options for the Local Planning Document. The Sustainability Appraisal Framework will be used to assess the policy and site options for the Local Planning Document. A Sustainability Appraisal report will be prepared detailing the assessment of the options and this will be made available for consultation alongside the formal Publication Draft Local Planning Document.

Statement of Consultation

15. Whilst the update and revisions to the Statement of Consultation do not significantly change how and when the Council will engage with the community, it was proposed that the document should be made available for people to comment should they wish to do so.
16. A small number of comments were received with very few people responding to individual questions. However, there were a number of more general comments on the consultation process and suggestions for improvements. In addition a number of respondents to the Local Planning Document (see

Appendix B) made comments on the consultation methods employed which were of a general nature and it is worth considering these particular comments alongside feedback on the Statement of Consultation. The main points raised in the consultation on the Statement of Consultation included:

- A suggestion by Ashfield District Council that the Statement of Consultation refers to consulting with residents of adjoining Councils in relation to development proposals that may impact on their area;
 - A number of respondents commented that they were generally supportive of the approach towards consultation. (Highways Agency, Nottinghamshire Fire and Rescue, Housing and Communities Agency and the Coal Authority although the Highways Agency sought inclusion of a reference to the Duty to Cooperate under the Localism Act);
 - One specific comment (Woodborough Action Group) relating to the publicity methods for planning applications stated that they would wish to see a neighbour notification letter to be sent on every occasion; and
 - Minor comments on the Statement of Consultation, including specific requests to be consulted.
 - Comments of a general nature were received on the Issues and Options stage of the Local Planning Document included:
 - Whilst, the majority of on-line users felt the Local Planning Document was understandable and well explained a sizeable minority disagreed possibly linked to a general call for more “plain English” to be used in consultation documents; and
 - The web links were not very prominent on the Council’s web site and wider publicity should be undertaken including notification sent to properties adjoining proposed development sites.
17. In relation to comments by Ashfield District the suggested change is not considered necessary as the existing wording commits the Borough to give adequate publicity to its planning policy consultation proposals by for example, placing adverts in local papers such as the Hucknall Despatch and to contact consultees direct regardless of where they live. Documents have also been made available outside Gedling Borough for example, in Hucknall Library. In terms of planning applications, it is the Council’s practice to notify residents adjacent to proposed developments regardless of whether they are in an adjoining district and to place site notices in suitable locations around the proposed development site such as in the case of the North of Papplewick Lane site where adjacent residents in Ashfield have been notified by letter and site notices posted in a number of locations within Ashfield. No changes to the Statement of Consultation are therefore considered necessary.
18. A reference to the duty to cooperate under the 2011 Localism Act has been included in the attached Statement of Consultation.

19. In respect of the general comments relating to the Local Planning Document it is acknowledged that there is room for improvement in terms of producing shorter more simple documents where possible and especially in the use of “plain English”. Consideration will also be given to how to improve the “signposting” to Gedling Borough’s planning consultation pages and also to improve guidance for using the on-line consultation system.
20. In respect of notification on planning applications legislation requires local planning authorities to post a site notice or send a letter to neighbouring properties. In practice, the Council would normally use both site notices and letters depending on circumstances for example, where there are no adjacent residential properties only a site notice would be used. Therefore no changes are required to the Statement of Consultation.
21. It is proposed that Cabinet consider the above comments and agree to adopt the final Statement of Consultation, attached as **Appendix D**, to replace the existing Statement of Community Involvement (adopted in 2006).

Alternative Options

Local Planning Document

22. Alternative options include not progressing the Local Planning Document. This would result in there being a policy vacuum as the adopted Local Plan policies become increasingly out of date. There would also be no improvement in the Council’s Five Year Land Supply as additional sites would not be allocated for housing development to meet the Council’s objectively assessed housing need as set out in the Aligned Core Strategy.
23. In terms of the approach to policy preparation, an alternative approach would be to undertake a more traditional consultation on a draft plan instead of the proposed informal consultation stage. However, this approach is considered to be less effective and more time consuming, resulting in a delay to the adoption of the Local Planning Document which may result in difficulties in demonstrating a Five Year Land Supply.

Sustainability Appraisal

24. It is a legal requirement to carry out Sustainability Appraisal as an integral part of the preparation of the Local Planning Document. It is not an option for the Council not to progress the Sustainability Appraisal.
25. One option would be not to take on board the comments received on the Sustainability Appraisal Scoping Report. However, the purpose of the Sustainability Appraisal is to assess the economic, social and environment impacts of the Local Planning Document and the comments received from specialist organisations such as Environment Agency, Natural England and

English Heritage help to improve and develop the appraisal process. By not taking on board the comments received, where appropriate, this would result in a less robust appraisal that could be challenged at the examination stage.

Statement of Consultation

26. An alternative option would be for the revised Statement of Consultation not to be progressed. However, there is a legal requirement for the Council to have in place a Statement of Community Involvement. Whilst the Council already has a document in place, there are a number of changes to the planning system and Council processes that have taken place since 2006 and so it is important that the document is updated to reflect these.

Financial Implications -

Local Planning Document – This report summarises comments received and sets out the next steps in the process for preparing the Local Planning Document. The financial implications of this process were set out in the Cabinet Report dated 12th September 2013.

Sustainability Appraisal – This report sets out the next steps in taking forward the SA and the changes that are being recommended to the Scoping Report. The financial implications of this process were set out in the Cabinet Report dated 12th September 2013 and the changes proposed do not affect these financial implications.

Statement of Consultation – The costs of consultation can be met from existing budgets.

Appendices

Appendix A – Report of Consultation on the Local Planning Document (Issues and Options stage): Sites

Appendix B - Report of Consultation on the Local Planning Document (Issues and Options stage): Topics

Appendix C – Report of Consultation on the Sustainability Appraisal Scoping Report (October 2013)

Appendix D – Revised Statement of Consultation

Background Papers

None

Recommendation

That Cabinet:

- a) Notes the comments received on consultation at the Issues and Options stage of the Local Planning Document.
- b) Notes the proposed next steps for preparing the Local Planning Document.
- c) Agrees the proposed responses to the consultation responses received on the Sustainability Appraisal Scoping Report.
- d) Adopts the Statement of Consultation at Appendix D as Gedling Borough Council's Statement of Community Involvement, to replace the existing Statement of Community Involvement (2006).

Reasons for Recommendations

The production of the Local Planning Document is key in terms of meeting the Borough Council's statutory duties and pro-growth agenda. The regulations impose a specific requirement for the Borough Council to undertake early consultation during the preparation of development plan documents.

There is a legal requirement to carry out Sustainability Appraisal as an integral part of the preparation of the Local Planning Document.

There is a legal requirement for the Council to have in place a Statement of Community Involvement. The Statement of Consultation would replace the existing Statement of Community Involvement adopted in 2006.