

## **Report to Cabinet**

**Subject:** Local Development Scheme

**Date:** 6<sup>th</sup> June 2013

**Author:** Planning Policy Manager

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### **Wards Affected**

Borough-wide

### **Purpose**

To seek approval from Cabinet to bring the attached revised Local Development Scheme into effect from 7<sup>th</sup> June 2013.

### **Key Decision**

This is not a Key Decision.

### **Background**

- 1 The Local Development Scheme sets out the Council's project plan for the preparation of documents that together will form the Local Development Framework. It lists the local development plan documents to be prepared and provides a timetable for the work.
- 2 There is a requirement for the Council to have an up to date Local Development Scheme in place at the time of submission of a development plan document. Previously, Cabinet approved a revised scheme at its meeting on 7<sup>th</sup> February 2013 as the submission date for the Aligned Core Strategies was to have been at the end of May 2013. However, a short delay to the programme has occurred due to Broxtowe Borough Council having to carry out additional consultation following the Government's announcement for a proposed station on the High Speed Rail Link (HS2) at Toton. This additional necessary consultation has been facilitated as quickly as possible and the Aligned Core Strategies will now be submitted in June 2013.
- 3 Due to the slight delay to the original submission date which was outside of Gedling Borough Council's control, it is necessary to amend the timetable set out for the Aligned Core Strategy in the Local Development Scheme which will require Cabinet's approval. This change to the Local Development Scheme is needed in order to show that Gedling Borough has prepared the Aligned Core Strategy in accordance with its Local Development Scheme which is a legal requirement.
- 4 The current legislative requirements for the Local Development Scheme are to only include the development plan documents which are subject to independent examination.

## **Proposal**

- 5 The Localism Act 2011 amends section 15 of the Planning and Compulsory Purchase Act and provides that the local planning authority must specify the date at which the scheme is to come into effect and that the detail should be made available to the public.
- 6 It is proposed to bring the Local Development Scheme into effect from 7<sup>th</sup> June 2013 (attached as appendix A) and the revised scheme will be made available on Gedling Borough Council's website.

## **Alternative Options**

- 7 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 is required to be in place at the time of submission of a development plan document.

## **Financial Implications**

- 8 None.

## **Appendices**

- Appendix A Gedling Borough Local Development Scheme, June 2013

## **Background Papers**

- 9 None identified.

## **Recommendation(s)**

### **THAT Cabinet:**

- (a) **Approves the revised Local Development Scheme and agrees that it shall come into effect on 7<sup>th</sup> June 2013.**

## **Reasons for Recommendations**

- 10 An up to date Local Development Scheme is required to be in place at the time of submission of development plan documents.

## Appendix A

# GEDLING BOROUGH COUNCIL

## GEDLING BOROUGH LOCAL DEVELOPMENT SCHEME 2013 - 2016

June 2013

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## **1. INTRODUCTION**

- 1.1 This is the revised Local Development Scheme (LDS) for Gedling Borough. Its purpose is to explain how and when the Council will prepare local development plan documents which together will comprise the Local Plan for Gedling Borough. The new Local Plan for Gedling Borough will eventually replace the existing Gedling Borough Replacement Local Plan (saved policies 2008).
- 1.2 The Planning and Compulsory Purchase Act 2004 (as amended) requires Councils to prepare and maintain a Local Development Scheme which sets out what development plan documents are to be produced, their subject matter and broad timetable. This revision is intended to replace the Local Development Scheme that was submitted to the Secretary of State, and came into effect, in March 2010. The revisions are necessary in order to reflect the recent changes to the planning system, to update on progress on the development plan documents in preparation and to roll the programme forward to 2016.

### **How has the planning system changed?**

- 1.3 The Government has introduced significant changes to the planning system under its localism agenda which have sought to introduce a simpler and more effective planning system and to strengthen community involvement. Government has revoked the existing regional spatial strategies and stresses the importance of ensuring that saved policies<sup>1</sup> in adopted Local Plans are replaced quickly by new Local Plans.

### **What is the Local Plan (formerly Local Development Framework)?**

- 1.4 The Local Plan consists of development plan documents which take account of local demands for development and growth and include planning policies to achieve sustainable development. The Local Plan may comprise a number of development plan documents and in combination this constitutes the Development Plan<sup>2</sup> for the area. Development plan documents may include:
- Core Strategy – sets out the overarching spatial vision and the planning framework for other development plan documents;
  - Development Management Policies – sets out policies for the management of development, against which planning applications for the development and use of land will be considered;
  - Other site specific development plan documents – allocates specific sites and detailed policy guidance
- 1.5 Documents which support a Local Plan include
- Local Development Scheme – the timetable for the preparation of local development plans

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<sup>1</sup> The Gedling Borough Replacement Local Plan (“Saved” Policies 2008) was confirmed by the Secretary of State in June 2008. Please see Gedling Borough Council’s website for more details.

<sup>2</sup> The Government revoked the East Midlands Regional Plan in March 2013 which is no longer part of the development plan.

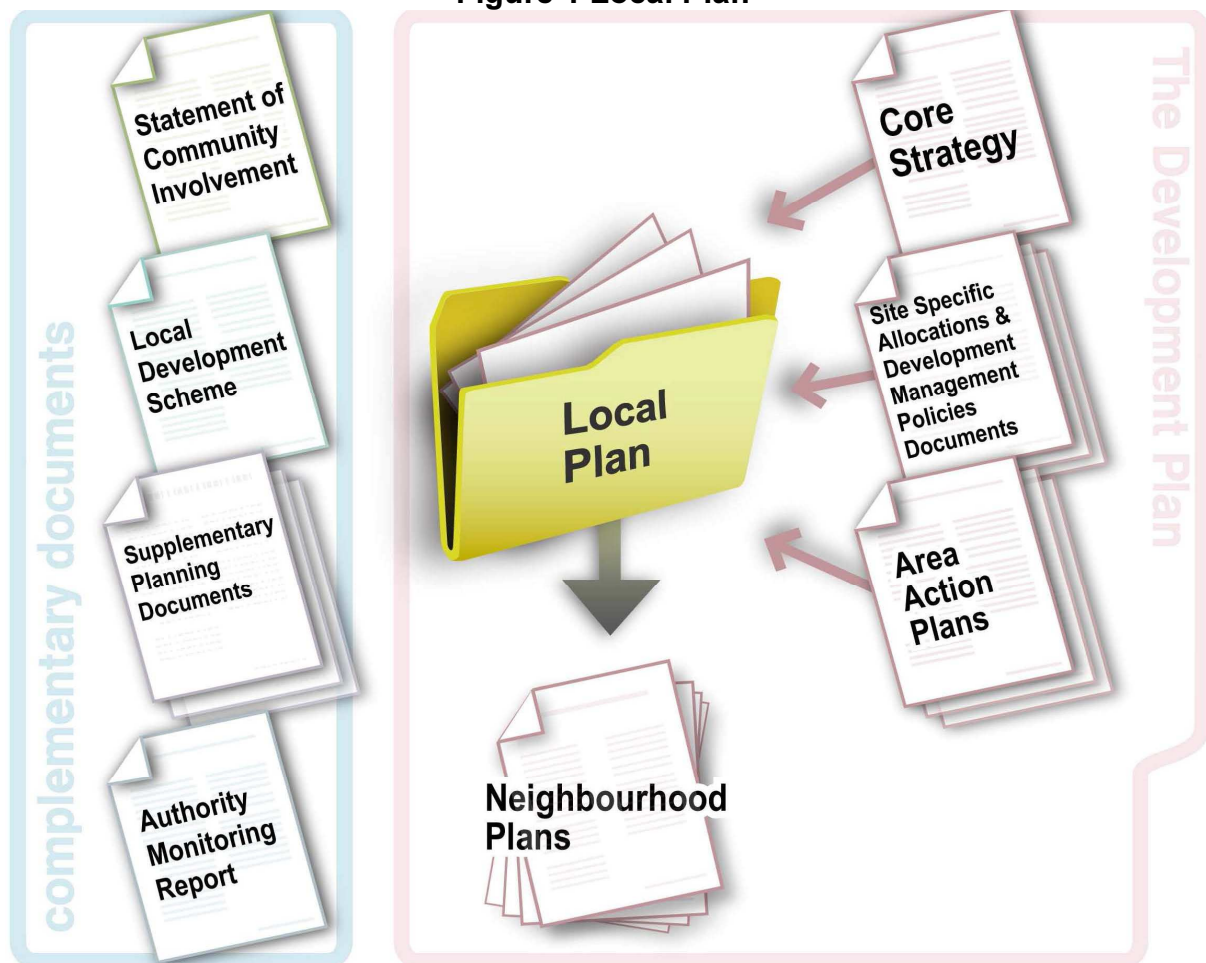
- Statement of Community Involvement – sets out the Council’s approach to engaging with local communities during plan preparation and when consulting on planning applications
- Authority Monitoring Report – sets out the progress in terms of producing development plan documents and implementing policies.

1.6 The Local Plan will also include a Proposals Map which illustrates the geographic extent of policies and proposals on a map base.

1.7 The government has also introduced a system of neighbourhood plans which can be prepared by parish, town councils or by specially designated neighbourhood forums in areas without a parish. Such plans are optional but must take account of national planning policy and be in general conformity with the Local Plan. Neighbourhood Plans are not local development plan documents and therefore cannot be included in this Local Development Scheme. However, if adopted they form part of the Development Plan for the area (further information on neighbourhood plans is on Gedling Borough’s website - see page 9 for links to Gedling Borough Council’s website).

1.8 The individual documents that will make up the Development Plan are set out in **Figure 1** below.

**Figure 1 Local Plan**



## **2. Progress on the Local Plan**

- 2.1 Gedling Borough's Statement of Community Involvement was adopted on 11th October 2006. Gedling Borough initially began work on a Core Strategy solely for Gedling Borough. However, for a variety of reasons, the Council decided to revisit its earlier work and to progress the Gedling Borough Aligned Core Strategy in conjunction with other Greater Nottingham Authorities.
- 2.2 Broxtowe, Gedling and Nottingham City have prepared a new aligned and consistent planning strategy for their part of Greater Nottingham which is due to be submitted for independent examination in June 2013. This document is known as the Aligned Core Strategies for Broxtowe Borough, Gedling Borough and Nottingham City.

### **What Development Plan Documents are to be produced and what will they contain?**

- 2.3 In addition to setting out the timetable for finalising the Aligned Core Strategy this revised Local Development Scheme sets out the full timetable for the preparation of the development management and site specific allocations policies which are to be progressed as a single document. The development management policies will provide criteria based policies that will help implement the core strategy and the site specific land allocations policies will provide the basis for allocating non-strategic sites. The site specific allocations will be shown on the Proposals Map with detailed Inset Plans where necessary.
- 2.4 The previous Local Development Scheme included an Action Area Plan for Arnold Town Centre. However, due to changing circumstances and the unfavourable economic climate this has not been progressed. Given the continuing uncertainties, Gedling Borough is reviewing whether an Area Action Plan is the best approach to the future planning of the town centre and will keep this matter under review. As a consequence a programme for preparing an Area Action Plan for Arnold Town Centre does not feature in this revised Local Development Scheme.
- 2.5 A more detailed timetable, coverage and profiles for each development plan document are included in **Appendix 1**.

### **Supplementary Planning Documents**

- 2.6 Councils may also produce Supplementary Planning Documents (which supersede Supplementary Planning Guidance) to give further guidance on their adopted policies. Supplementary Planning Documents may cover a range of issues, which may be either thematic (e.g. affordable housing or open space provision) or site specific (e.g. development briefs for allocations).
- 2.7 Please note that Supplementary Planning Documents do not form part of the Local Development Scheme and those that are to be prepared are listed for information purposes only (see **Appendix 2**). Supplementary Planning Documents that are adopted are available on Gedling Borough's website which

will also be updated regularly to provide the latest timetable for preparing new Supplementary Planning Documents (see page 9 for details of the website).

### How will Development Plan Documents be prepared?

- 2.8 The Government does not set out precise detail of how a Council should prepare a plan but rather considers Councils are best placed to decide the exact process and how to engage with their communities. However, the Regulations<sup>3</sup> do prescribe certain stages where the public are to be consulted. Government stresses the importance of early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. The Regulations include a requirement for public participation at an early stage in plan preparation before the plan is finalised with the detail left for local authorities to determine. The Regulations also stipulate that the final document should be published for formal consultation prior to it being submitted for independent examination. The various stages of development plan document are summarised in Table 1 below:

**Table 1: Stages of the Preparation of a Development Plan Document**

| <b>Development Plan Document Stage</b>                           | <b>Community Involvement</b>  |
|--|---|
| Early tasks  | This stage involves the Council gathering evidence including concerns and proposals the community may wish to make regarding planning issues. This stage also involves consultation on the Sustainability Appraisal Scoping Report. |
| Pre-submission (regulation 18)                                   | The Council will normally consult on issues and options in the early stages of this process and will continue to engage with stakeholders and the community throughout the pre-submission stage.                                    |
| Pre-submission Consultation or publication stage (regulation 19) | This stage involves a formal consultation on the final version of the DPD, when the Council will invite all interested parties to submit representations.   |
| Submission (regulation 22)                                       | The Council will formally submit the DPD to the Secretary of State for independent examination.   |
| Examination  | Interested parties can seek to make representations to the independent Planning Inspector. Following the examination the Planning Inspector will produce a report and may recommend changes.  |
| Adoption   | This is a formal process for Gedling Borough Council to adopt the documents as part of the Local Plan   |

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<sup>3</sup> Town and Country Planning (Local Planning) (England) Regulations 2012 SI 2012 No. 767



- 2.9 After final publication local development plan documents will be monitored and reviewed on an annual basis and this will be set out in the Gedling Borough's Monitoring Report. A structured approach to review will be adopted.
- 2.10 The above table sets out the broad stages of the process. The profiles for each of the proposed local development documents (see **Appendix 1**) set out the timetable and milestones in their preparation.

### **How will the community be involved?**

- 2.11 Greater and more effective community involvement is a key feature of the changes to the planning system. It is important that everyone, not just industry and interest groups, becomes involved in the main stages of preparing the new development frameworks. Gedling Borough Council has therefore adopted the Statement of Community Involvement, prepared in conjunction with the various stakeholders (members of the public, industry, environmental and heritage groups, utilities and others), to establish agreed standards for carrying out public consultation, with the aim of exceeding minimum statutory requirements. This includes arrangements for public consultation on all planning applications made to the Council. The Statement of Community Involvement identifies who should be involved, at what stage(s) they should be involved and the best way to involve different individuals or groups.
- 2.12 The Statement of Community Involvement links to the objectives of the Council's Sustainable Community Strategy, which seek to involve individuals, partnerships and communities in promoting the social, economic and environmental well-being of the Borough. It is intended to review the Statement of Community Involvement to bring it up to date with the recent changes to the planning system.

### **3. THE TIMETABLE**

- 3.1 The Council has adopted a project management approach to preparing the various parts of its Local Plan and the detailed timetable for each stage is set out in the 'profiles' for each plan attached as **Appendix 1**. Progress will be measured against 'milestones' to see whether there is any need to revise the published timetable.

#### **The Proposals Map**

- 3.2 Certain policies and proposals in existing Plans have been saved in their current form until their replacement under the new Local Plan format. As new development plan documents are adopted, the coverage of new policies and site-specific proposals will be included on a new composite Adopted Proposals Map. This will be updated, where necessary, each time a new document is adopted and will also show any remaining saved policies.

#### **Sustainability Appraisal and Strategic Environmental Assessment**

- 3.3 Each of the development plan documents will be subject to an ongoing process of Sustainability Appraisal, which will incorporate the requirements for Strategic Environmental Assessment. This will inform the direction and content of each stage of the plan preparation process. The information used and the outcome of the appraisal process will be set out in an 'environmental report', which will accompany each development plan document. The timetable for this work will therefore run in parallel with each of the stages of plan preparation.

#### **Equality Impact Assessment**

- 3.4 Councils are also required by legislation to prepare an Equality Impact Assessment to make sure policies in development plan documents do not discriminate against certain groups and that opportunities are taken to promote equality.

#### **4. FURTHER INFORMATION**

- 4.1 For further information on this Local Development Scheme or any of the documents mentioned, please contact the Council at the address shown below. Information on the existing Local Plan and the new development plan process is also available on the Council's website.

By post: Gedling Borough Council  
Planning Policy  
Civic Centre  
Arnot Hill Park  
Arnold  
Nottingham  
NG5 6LU

By E-mail: [planningpolicy@gedling.gov.uk](mailto:planningpolicy@gedling.gov.uk)

Website: [www.gedling.gov.uk](http://www.gedling.gov.uk)

## **Glossary of Terms**

**Adoption:** The formal approval by a Council of the final version of a development plan document once the inspector has found it sound.

**Allocation:** Land identified as appropriate for a specific use.

**Authority Monitoring Report (AMR):** A report prepared by the Council setting out progress on the Local Plan and the effectiveness of the policies it contains.

**Area Action Plan:** A type of development plan document focussed upon a particular location or area subject to conservation or significant change.

**Community Infrastructure Levy (CIL):** A standard charge levied by councils on developers towards the cost of local and strategic infrastructure to support development.

**Core Strategy:** The key development plan document, setting out the long term spatial vision for the area, the spatial objectives and strategic policies.

**Development plan:** an authority's development plan consists of the adopted Local Plans and adopted neighbourhood plans. (Regional Strategies remain part of the development plan until they are abolished by order).

**Development plan document:** a planning document which is part of the Local Development Framework, subject to extensive consultation and independent examination.

**East Midlands Regional Plan:** see regional spatial strategy.

**Equality Impact Assessment (EqIA):** A management tool that makes sure that policies and working practices do not discriminate against certain groups and that opportunities are taken to promote equality.

**Issues and options:** an informal early stage of the development plan document preparation, aimed at engaging the public and stakeholders in formulating the main issues that the core strategy should address and the options available.

**Local Development Document (LDD):** A document that forms part of the Local Development framework and can be either a development plan document or a supplementary planning document.

**Local Development Framework:** A portfolio of Local Development Documents which set out the spatial strategy for the development of the local authority area. The term local plan is now used.

**Local Development Scheme:** A document setting out the timescales for the production of the development plan documents.

**Local Plan:** The plan for the future development of the area drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. Core strategies, development management development plan documents and site specific development plan documents form part of the Local Plan. Policies which have been “saved” under the 2004 Act are also part of the Local Plan.

**Neighbourhood Plans:** A plan prepared by a Parish Council, a Town Council or a Neighbourhood Planning Forum for a particular neighbourhood area.

**Publication Draft:** First full draft of the development plan document prepared for formal consultation.

**Regional Plan/regional spatial strategy:** Strategic plan for the region. The East Midlands Regional Plan was issued in March 2009 but was revoked during March 2013.

**Spatial planning:** spatial planning goes beyond traditional land use planning to bring together and integrate policies for the development and use of land with other policies and programmes which influence the nature of places and how they function.

**Spatial vision:** A brief description of how an area will be changes by the end of a plan period.

**Statement of Community Involvement (SCI):** A document which informs how a council will involve the community in the preparation of planning documents and on all major planning applications.

**Strategic allocations:** strategic sites which are fundamental to the aims of the core strategy.

**Strategic Environmental Assessment (SEA):** A procedure (set out in the Environmental Assessment of Plans and Programmes Regulations 2004) which requires the formal environmental assessment of plans and programmes which are likely to have significant effects on the environment.

**Submission draft:** Final draft of the development plan document submitted to the Secretary of State for independent examination by the Planning Inspectorate.

**Supplementary planning document (SPD):** Documents which add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites or can be topic based for example, design.

**Sustainability Appraisal (SA):** Examines the social, environmental and economic effects of strategies and policies in local development documents from the outset of its preparation.

**Sustainable Community Strategy:** A joint plan agreed by local partnerships covering a local authority area and is a strategy that seeks to promote the well-being of an area.

**Sustainable development:** National planning policy defines this as being meeting the needs of the present without compromising the ability of future generations to meet their own needs.

## APPENDIX 1

### CORE STRATEGY

|                     |  |
|---------------------|--|
| <b>Title</b>        | <b>CORE STRATEGY</b>   |
| Role and content    | Sets out the spatial vision, spatial objectives and strategy for the development of the area and framework for development management. |
| Status              | Development Plan Document.   |
| Conformity with     | Consistent with national planning policy and the community strategy.   |
| Geographic coverage | Broxtowe, Gedling and Nottingham City part of Greater Nottingham <sup>4</sup>  |

The Core Strategy is being progressed as an aligned document with the Core Strategies of Broxtowe and Nottingham City

#### Timetable and milestones (key milestones are in ***bold italics***)

| <b>Stage</b>  | <b>Dates</b>   |
|---|----------------|
| Starting Evidence Base  | September 2008 |
| <b><i>Consultation on SA scoping report</i></b>   | June 2009      |
| Consultation on Issues and Options  | June 2009      |
| Consultation on Preferred Option  | February 2010  |
| Consultation on Greater Nottingham Housing Provision Position Paper & Locally distinct Issues for Gedling Borough | July 2011      |
| <b><i>Publication Version Core Strategy</i></b>   | June 2012      |
| <b><i>Submission of document and sustainability appraisal to Secretary of State</i></b>                           | June 2013      |
| Pre-examination meeting   | July 2013      |
| Independent Examination   | September 2013 |
| Receipt of Inspector's binding report   | Autumn 2013    |
| <b><i>Adoption</i></b>  | Winter 2013/14 |
| Post production (monitoring and review mechanisms)  | Ongoing        |

#### Arrangements for production

|                                       |   |
|---------------------------------------|---|
| Organisational Lead                   | Planning Policy Manager   |
| Political Management                  | Executive and Full Council  |
| Internal Resources                    | Planning Policy Section, with technical, legal and administrative support from other teams as needed (including Development Management) |
| External Resources                    | Legal advice, outsource hardcopy printing   |
| Community and Stakeholder involvement | Informal and formal public consultation as set out in the Statement of Community Involvement.   |

<sup>4</sup> Greater Nottingham is defined as the Nottingham Core Housing Market Area and Hucknall. It comprises of the local authority areas of Broxtowe, Erewash, Gedling, Nottingham City and Rushcliffe plus the Hucknall part of Ashfield.

## GENERIC DEVELOPMENT MANAGEMENT POLICIES AND SITE SPECIFIC ALLOCATIONS AND POLICIES

|                     |  |
|---------------------|--|
| <b>Title</b>        | <b><i>GENERIC DEVELOPMENT MANAGEMENT POLICIES AND SITE SPECIFIC ALLOCATIONS AND POLICIES</i></b>   |
| Role and content    | Development Management - A suite of criteria based policies which are required to ensure that all development within the area meets the vision and strategy set out in the core strategy<br><br>Site Specific Allocations - Identification of land for specific uses/policies and criteria based policies for potential unforeseen proposals |
| Status              | Development Plan Document  |
| Conformity with     | Consistent with national planning policy, the Aligned Core Strategy and Sustainable Community Strategy.  |
| Geographic coverage | Gedling Borough.   |

### Timetable and milestones (key milestones are in bold italics)

| <b>Stage</b>  | <b>Dates</b>  |
|---|---------------|
| Starting Evidence Base  | January 2013  |
| <b><i>Consultation on SA scoping report</i></b>   | Spring 2013   |
| Consultation on Issues and Options  | October 2013  |
| Consultation on Preferred Option  | April 2014    |
| <b><i>Publication of Submission Document</i></b>  | October 2014  |
| <b><i>Submission of document and sustainability appraisal to Secretary of State</i></b> | February 2015 |
| Pre-examination meeting   | March 2015    |
| Independent Examination   | April 2015    |
| Receipt of Inspector's binding report   | October 2015  |
| <b><i>Adoption</i></b>  | December 2015 |
| Post production (monitoring and review mechanisms)                                      | Ongoing       |

### Arrangements for production

|                                       |   |
|---------------------------------------|---|
| Organisational Lead                   | Planning Policy Manager   |
| Political Management                  | Executive and Full Council  |
| Internal Resources                    | Planning Policy Section, with technical, legal and administrative support from other teams as needed (including Development Management) |
| External Resources                    | Legal advice, outsource hardcopy printing   |
| Community and Stakeholder involvement | Informal and formal public consultation as set out in the Statement of Community Involvement.   |



## THE PROPOSALS MAP AND INSET PLANS

|                     |   |
|---------------------|---|
| <b>Title</b>        | <b><i>THE PROPOSALS MAP AND INSET PLANS</i></b>   |
| Role and content    | To map development plan policies, including 'saved' policies.   |
| Status              | Development Plan Document   |
| Conformity with     | The proposals map will conform to existing adopted Development Plan Documents.  |
| Geographic coverage | Whole borough with detailed Inset Plan coverage of those parts of the borough affected by specific policies or proposals. |

### Timetable

| <b>Stage</b><br>(Revised where necessary as each DPD adopted. Submission proposals map submitted with DPD to identify how the adopted proposals map will be amended or added to) | <b>Dates</b>   |
|--|----------------|
| Core Strategy  | Winter 2013/14 |
| Generic Development Control Policies and Site Specific Policies and Allocations  | December 2015  |

### Arrangements for production

|                                       |   |
|---------------------------------------|---|
| Organisational Lead                   | Planning Policy Manager   |
| Political Management                  | Executive and Full Council  |
| Internal Resources                    | Planning Policy Section, with technical, legal and administrative support from other teams as needed. |
| External Resources                    | Possibly outsource hardcopy printing.   |
| Community and Stakeholder involvement | Previous involvement in site specific consultations.  |

## **APPENDIX 2**

### Supplementary Planning Documents/Development Briefs to be prepared

- Gedling Borough Community Infrastructure Levy Supplementary Planning document
- Design/sustainability Supplementary Planning Development
- Open Space Supplementary Planning Document
- Top Wighay Farm Development Brief
- North of Papplewick Lane Development Brief
- Teal Close Development Brief
- Bestwood Development Brief
- Calverton Development Brief
- Ravenshead Development Brief
- Newstead Sports Ground Development Brief