

Report to Cabinet

Subject: Local Planning Document – Issues and Options

Date: 12 September 2013

Author: Planning Policy Manager

Wards Affected

Borough-wide.

Purpose

To seek approval from Cabinet to go out for consultation on the Local Planning Document Issues and Options and the separate Sustainability Appraisal Scoping Report.

Key Decision

This is a key decision because it is likely to be **significant** in terms of its effect on communities living or working in an area comprising two or more wards of the Borough.

Background

1. Gedling Borough Council along with Broxtowe Borough Council and Nottingham City Council have been jointly preparing Aligned Core Strategies which cover their combined administrative areas and which set out a spatial strategy and key planning policies for development. The Aligned Core Strategies set out, along with other matters, its vision, strategic objectives, delivery strategy and spatial policies for future development. The plan covers the period up to 2028.
 2. The Aligned Core Strategies set out the broad policy direction for Gedling Borough and allocates strategic sites for development. It is not the purpose of the document to identify non-strategic sites for development. This is the purpose of a subsequent site specific development plan document, the Gedling Borough Local Planning Document.
 3. The Local Planning Document is a discussion document which is seeking views on the most appropriate sites and policies to address the Borough's development needs to 2028. This 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.
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Proposal

4. The scope of the Local Planning Document Issues and Options stage has been derived from a number of sources including:
 - National Planning Policy Framework (2012) and other national guidance such as Planning Policy for Traveller Sites (2012) and Community Infrastructure Levy Guidance (2013)
 - Aligned Core Strategy (Publication Version June 2012)
 - Evidence base from the Aligned Core Strategy in the form of Policy Analysis Documents (June 2012); and
 - Officer and member knowledge and informal regular meetings between Development Management and Planning Policy officers.

5. All information relating to the examination of the Aligned Core Strategy is available on the shared website <http://www.gngrowthpoint.com/examination>

6. The Local Planning Document will be borough-wide in coverage and will include 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.

7. 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.

8. 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.

9. 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. For example, 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.

10. The Issues and Options stage of the Local Planning Document is available at Appendix A. Maps are saved separately as Appendices B – E (due to their large file size). The associated evidence is available to view on the Planning Policy pages of the Council's website www.gedling.gov.uk or from the Planning Policy section should Members wish to inspect paper copies.
11. 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. This is a separate document to be published alongside the Local Planning Document and will also be the subject of consultation. The Sustainability Appraisal Scoping Report is attached at Appendix F.
12. The Sustainability Appraisal also includes the scoping for **Equalities Impact Assessment**. The purpose of the Equality Impact Assessment is to highlight the likely impact of the strategy and policies on target groups and to give due consideration to taking action to improve the policies where this is appropriate and achievable.
13. Other supporting documentation considered relevant to the production of the Local Planning Document includes the Habitats Directive on the conservation of natural habitats and of wild fauna and flora which requires that any plan likely to have a significant effect on a designated habitats site is to be subject to an "Appropriate Assessment". The Local Planning Document will be developed in accordance with the findings of the Habitat Regulations Assessment, which was previously approved by Borough Council to support the Aligned Core Strategy and will be the subject of its own Habitat Regulations Assessment as options begin to be developed.

Consultation

14. The Statement of Community Involvement, originally adopted in 2006, is currently being reviewed and is the subject of a separate report for this cabinet meeting. The proposed consultation for the Local Planning Document will be in excess of the minimum statutory requirements and provides for a six week period for statutory and non-statutory consultees. The specific details are outlined in Appendix G in accordance with the proposed revisions to the Statement of Community Involvement.

Overview and Scrutiny Committee

15. The Local Planning Document is a development plan document which forms part of the Budget and Policy Framework. As such, it needs to be adopted in accordance with the Budget and Policy Framework Procedure Rules set out in the Constitution.
16. The document has been publicised in the Forward Plan and the Chairman of the Overview and Scrutiny Committee has been notified. When the document is published for public consultation, it will be circulated to all members of the Overview and Scrutiny Committee. If the Overview and Scrutiny Committee wishes to respond during the consultation process then it may do so. Cabinet must take any response from the Overview and Scrutiny Committee into account in drawing up firm proposals for submission to the Council.

Duty to Co-operate

17. The Localism Act sets out a 'duty to co-operate' which requires that councils and public bodies 'engage constructively, actively and on an ongoing basis' to develop strategic policies. The National Planning Policy Framework highlights the importance of councils working together to address strategic priorities across boundaries and development requirements which cannot be wholly met within their own areas.

18. Whilst the Local Planning Document will be progressed by Gedling Borough alone (and not on an aligned basis with other Greater Nottingham authorities, as with the Aligned Core Strategies) it is intended that the high level of collaboration and co-operation with other councils and use of a shared evidence base will continue where this is appropriate. Similarly, collaboration with other appropriate public bodies will continue.

Next Steps

19. The Local Development Scheme contains the details of the content and the timetable for the preparation of the planning documents that the Borough Council will be preparing. An amended timetable was published with the Publication Version of the Aligned Core Strategy in June 2013 and is available on the Borough Council's website www.gedling.gov.uk.

20. The next stage in the preparation of the Local Planning Document will take place in Spring 2014 and will involve drafting policies and identifying specific sites for allocation in order to produce a draft version of the final document.

Timetable and milestones:-

Stage	Date	Costs
Consultation on SA scoping report and Issues and Options document	October 2013	From existing budgets
Publication of Submission document	Autumn 2014	From existing budgets
Submission of document and sustainability appraisal to Secretary of State	February 2015	From existing budgets
Independent Examination	April 2015	Approximately £60,000
Receipt of Inspector's report	October 2015	From existing budgets
Adoption	December 2015	From existing budgets

Alternative Options

21. The Local Planning Document will form part of the statutory Development Plan that all local planning authorities must prepare by law. There is an option to prepare the Local Planning Document as a single document (as is proposed) or as two separate documents to address site specific allocations and development management policies. It is considered that these two areas are best combined in order to ensure that issues are addressed in a comprehensive manner and for subsequent ease of use. This approach accords with best practice.
22. An alternative option is for a different document to be produced. However, the content of the proposed Local Planning Document has been scoped against the appropriate planning context (set out in paragraph 4 of this report) and has been prepared on the basis of asking straightforward questions on whether to continue with the existing policy approach or adopt a different policy approach.
23. Another alternative option is not to approve a Local Planning Document for consultation and instead rely on planning policies provided by the National Planning Policy Framework and the Aligned Core Strategy. However, the Aligned Core Strategy provides a broad strategic planning framework and its implementation relies on supporting detailed planning policies to be included in subsequent development plan documents. The National Planning Policy Framework gives broad policy guidance and identifies the scope of policies that should be set out in the Local Plan and states clearly that where plans are silent on a particular issue then there is a presumption in favour of sustainable development. Consequently, this option would mean less planning control over site allocations and over day to day planning applications.

Financial Implications

21. The cost of the examination will be significant and these costs are unavoidable. Recent comparable examination costs have been in the region of £60,000. The precise amount will vary depending on the length of the hearing sessions which is in the hands of the planning inspectorate. The Council will set aside adequate funding for the examination and any unexpected further costs will be reported via the normal quarterly budget monitoring process.
22. The further the Local Planning Document progresses towards adoption, the greater the weight that can be attached to it when used for Development Management purposes. It should, therefore, reduce the risk and cost of appeals concerning planning applications considered and refused planning permission by the Council.

Appendices

- Appendix A: Local Planning Document Issues and Options (Main Document)
- Appendices B – E: Local Planning Document Issues and Options (Maps)
- Appendix F: Sustainability Appraisal Scoping Report, including Equalities Impact Assessment

- Appendix G: Consultation Strategy for the Local Planning Document

Background Papers

- None identified.

Recommendation(s)

THAT:

- (a) Cabinet considers and agrees the Local Planning Document Issues and Options document and the separate Sustainability Appraisal Scoping Report as set out in the report for a six week period of consultation.
- (b) Cabinet authorises the Corporate Director in consultation with the Portfolio Holder for Leisure and Development to approve any drafting or other minor editing changes and update the documents where necessary prior to them being published for consultation.
- (c) The cost of the examination will be funded from the Local Development Framework Reserve. Other costs will be met from existing budgets.

Reasons for Recommendations

23. 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.