

EXECUTIVE BOARD – 17 SEPTEMBER 2013

Subject:	Land and Planning Policies (LAPP) Development Plan Document (DPD) – Preferred Option		
Corporate Director(s)/ Director(s):	David Bishop, Corporate Director for Development Sue Flack, Director for Planning and Transport		
Portfolio Holder(s):	Councillor Jane Urquhart, Portfolio Holder for Planning and Transportation		
Report author and contact details:	Sarah Watson, Senior Planning Officer Phone: 0115 8763974 Email: sarah.watson@nottinghamcity.gov.uk		
Key Decision	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Reasons: Expenditure <input type="checkbox"/> Income <input type="checkbox"/> Savings <input type="checkbox"/> of £1,000,000 or more taking account of the overall impact of the decision	Revenue <input type="checkbox"/> Capital <input type="checkbox"/>		
Significant in terms of its effects on communities living or working in an area consisting of two or more wards in the City	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Subject to call-in <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Total value of the decision: Estimated £7,000		
Relevant Council Plan Strategic Priority:	Wards affected:		
World Class Nottingham	<input checked="" type="checkbox"/>	Date of consultation with Portfolio Holder(s): 22 July 2013	
Work in Nottingham	<input checked="" type="checkbox"/>		
Safer Nottingham	<input checked="" type="checkbox"/>		
Neighbourhood Nottingham	<input checked="" type="checkbox"/>		
Family Nottingham	<input checked="" type="checkbox"/>		
Healthy Nottingham	<input checked="" type="checkbox"/>		
Leading Nottingham	<input type="checkbox"/>		
<p>Summary of issues (including benefits to citizens/service users):</p> <p>The Land and Planning Policies (LAPP) Development Plan Document (DPD) is part of the Local Plan being prepared by Nottingham City Council. Once adopted, it will replace the current Local Plan (adopted in 2005), alongside the Greater Nottingham Aligned Core Strategies.</p> <p>The City Council's 'Statement of Community Involvement' indicates that approval of the Preferred Option is a matter for Executive Board.</p> <p>The Preferred Option sets out draft Development Management Policies and Site Allocations, by which planning applications will be judged in the future. It should be noted that the Policies and Site Allocations are presented in draft form and are for consultation purposes only. They do not yet carry any weight in planning terms.</p> <p>In September 2011, consultation was undertaken on the Issues and Options stage of the LAPP. This included both policy options and options for site allocations. A further consultation was undertaken on additional proposals for site allocations in March 2012. The consultation responses from these earlier consultation stages, along with site assessments and a Sustainability Appraisal have been used to inform the Preferred Option.</p> <p>Following consultation on the Preferred Option, the LAPP will be 'published' for formal consultation in Autumn 2014, prior to submission to the Secretary of State for Examination.</p> <p>Due to the size of the documents, they will not be circulated in paper format, but will be uploaded onto the website (at www.nottinghamcity.gov.uk/localplan) and paper copies will be placed in the political group rooms for Councillors. Citizens wishing to view a paper copy should contact the report author using the contact details above.</p>			
Recommendation(s):			
1 That the Land and Planning Policies Development Plan Document Preferred Option, and			

accompanying Policies Map revisions document, be approved for consultation, subject to factual updates and minor editorial and grammatical changes, to be delegated to Director of Planning and Transport in consultation with the Portfolio Holder for Planning and Transportation.

1 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 1.1 The Planning and Compulsory Purchase Act (2004), as amended by the Localism Act (2011), along with the Town and Country Planning (Local Planning) (England) Regulations (2012), requires the production of a 'Local Plan'. The Local Plan within Nottingham City will comprise two parts – the 'Greater Nottingham Aligned Core Strategies' ('the Core Strategy'), which will provide the overarching strategic planning policy framework for the City, and the Land and Planning Policies (LAPP) Development Plan Document (DPD), which will provide the Development Management Policies and the Site Specific Allocations for the City.
- 1.2 Before a DPD is adopted, it must go through several stages of formal and informal consultation. To date, the LAPP DPD has been through two informal stages of consultation – the Issues and Options consultation stage, from 26 September to 21 November 2011, and the Additional Sites consultation stage, from 5 March to 30 April 2012. The Preferred Option represents the third stage of informal consultation.
- 1.3 Whilst the previous consultations asked questions and posed options regarding future planning policies and site allocations in Nottingham, the Preferred Option sets out the draft development management policies and site allocations. Whilst these policies and site allocations are presented in draft, they do not carry any weight in planning terms and are for consultation purposes only.
- 1.4 The following policy areas are set out in the Preferred Option:
 - climate change;
 - employment provision and economic development;
 - Nottingham City Centre
 - role of Town and Local Centres;
 - housing size, mix and choice;
 - design and enhancing local identity;
 - the historic environment;
 - local services and healthy lifestyles;
 - culture, tourism and sport;
 - managing travel demand;
 - transport infrastructure priorities;
 - green infrastructure, parks and open space;
 - biodiversity;
 - minerals;
 - pollution control;
 - developer contributions.
- 1.5 There are also 78 Site Allocations in the Preferred Option. In addition, there are seven new sites that were put forward, by either the City Council or consultees, at the previous consultation stage. Views are being sought on these sites but they are not considered to be Preferred Options at this stage. A decision on these sites will be made for the Publication version of the LAPP, once consultation responses on these sites have been assessed.

- 1.6 The Preferred Option also contains information that will eventually be used to create the Policies Map that will accompany the adopted version of the LAPP. This information comprises maps showing new or amended designations (e.g. the Castle and Creative Quarters, Retail Centres, Green Belt Revisions and the Open Space Network). It should be noted that only information which differs from that shown on the current adopted Policies Map (which accompanies the current adopted Local Plan (2005)) is presented for consultation.

Consultation

- 1.7 780 individual people and organisations responded to the Issues and Options consultation, and there were approximately 1,700 individual responses. A further 106 people and organisations responded to the additional sites, and there were 198 individual responses.
- 1.8 A Report of Consultation has been produced setting out the consultation details and responses received at the Issues and Options and the Additional Sites consultations. This will be published alongside the Preferred Option.

Sustainability Appraisal

- 1.9 Under the requirements of the Planning and Compulsory Purchase Act (2004), a Sustainability Appraisal (SA) (which incorporates the requirements of the EU Strategic Environmental Assessment Directive) has been produced. The Sustainability Framework (embedded within the SA) has been developed alongside the production of the Core Strategy. It has 14 objectives relating to economic, social and environmental issues in Nottingham. As the document is draft and non-Statutory, the SA that has been produced is an interim report, which first assesses the potential impacts of the options, including the 'do nothing' scenario, and then assesses the potential impacts of the draft policies. The SA also assesses the potential impacts of the site allocations.
- 1.10 The interim SA report will also be published for consultation alongside the Preferred Option.

Other Background Assessments

- 1.11 In addition to assessing the consultation responses and undertaking a SA, a number of other background assessments have been undertaken to inform the Preferred Option. Each of the sites put forward in the Issues and Options and Additional Sites has undergone a detailed assessment. The assessment involved collecting information for each site regarding planning history, land use, constraints, transport and accessibility, wider regeneration benefits, infrastructure and energy and heat networks and previous work, including development briefs. Site visits were also undertaken for each site.
- 1.12 Five background papers were also produced to inform the policies contained within the document. These are titled as follows:
- Climate Change;
 - Sustainable, Inclusive and Mixed Communities;
 - City Centre and Retail;
 - Employment;
 - Parking.

Next Steps

- 1.13 Subject to approval by Executive Board, the proposed consultation period for the Preferred Option is scheduled to take place from 7 October 2013 until 2 December 2013.
- 1.14 Following consultation on the Preferred Option, the next stage in the preparation of the LAPP DPD is the production of the 'Publication' version. This version will form the first formal consultation stage. This is the point at which the policies begin to gain weight. , in terms of making planning decisions. At this stage in the process, comments can only be made regarding the 'Soundness' and 'Legal Compliance' of the document. After formally consulting on the document, the LAPP be submitted to the Secretary of State for independent examination by an Inspector.
- 1.15 It is anticipated that the document will be adopted in Autumn 2015.

2 REASONS FOR RECOMMENDATIONS

- 2.1 Production of a Local Plan is a statutory requirement.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 There are no alternative options as the production of a Local Plan is a statutory requirement.

4 FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY/VAT)

- 4.1 The preparation and consultation of the Land and Planning Policies Development Plan Document is part of the statutory planning process. The costs of this activity will be met from existing resources earmarked for this purpose.

5 RISK MANAGEMENT ISSUES (INCLUDING LEGAL IMPLICATIONS AND CRIME AND DISORDER ACT IMPLICATIONS)

- 5.1 As indicated above, the formulation and adoption of Local Plan Documents have to follow a formal statutory process. Whilst not all of these functions are the responsibility of the Executive, the initial formulation and preparation of documents such as the LAPP is within the Executive's remit. The Board is being asked to authorise release of the LAPP for informal consultation. The risk of challenge at this stage is therefore small, particularly as no weight can be attributed to its content at this time.

6 SOCIAL VALUE CONSIDERATIONS

- 6.1 The LAPP document supports the creation of sustainable inclusive communities and the sets out the parameters for future development of the City. The policies in the LAPP are closely aligned with the objectives of the Nottingham Plan to 2020. The consultation process for the LAPP seeks to engage citizens and ensure that their views are used to shape and inform the content of the document.

7 REGARD TO THE NHS CONSTITUTION

- 7.1 The LAPP document seeks to promote healthy communities and active lifestyles.

8 EQUALITY IMPACT ASSESSMENT (EIA)

Has the equality impact been assessed?

- (a) not needed (report does not contain proposals for new or changing policies, services or functions, financial decisions or decisions about implementation of policies development outside the Council) ☒
- (b) No ☐
- (c) Yes – Equality Impact Assessment attached ☐

9 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

- 9.1 The Land and Planning Policies (LAPP) Development Plan Document (DPD) Interim Sustainability Appraisal Report September 2013
- 9.2 The Land and Planning Policies (LAPP) Development Plan Document (DPD) Consultation Statement September 2013
- 9.3 The Land and Planning Policies (LAPP) Development Plan Document (DPD) Sustainability Appraisal Scoping Report Update September 2013
- 9.4 Climate Change Background Paper September 2013
- 9.5 Retail Background Paper September 2013
- 9.6 Car Parking Background Paper September 2013
- 9.7 Sustainable, Inclusive and Mixed Communities Background Paper September 2013
- 9.8 Employment Background Paper September 2013
- 9.9 Site Assessments September 2013

10 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

- 10.1 The Land and Planning Policies (LAPP) Development Plan Document (DPD) Issues and Options September 2011
- 10.2 The Land and Planning Policies (LAPP) Development Plan Document (DPD) Additional Sites put forward through the Issues and Options Consultation March 2012
- 10.3 The Nottingham Local Plan (2005)

11 OTHER COLLEAGUES WHO HAVE PROVIDED INPUT

- 11.1 Karen Shaw – LDF Manager; karen.shaw@nottinghamcity.gov.uk; ph: 0115 8763969
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- 11.3 Jim Driver – Finance Business Partner; jim.driver@nottinghamcity.gov.uk; ph: 0115 8764226
- 11.4 Judith Irwin – Senior Solicitor; Judith.irwin@nottinghamcity.gov.uk; ph: 0115 8764419
- 11.5 Karen Mutton – Team Leader; karen.mutton@nottinghamcity.gov.uk; ph: 0115 876 4414