

18th July 2012**Agenda Item: 4****REPORT OF GROUP MANAGER, PLANNING****THE BROXTOWE, GEDLING AND NOTTINGHAM CITY ALIGNED CORE
STRATEGIES AND EREWASH CORE STRATEGY PUBLICATION VERSIONS****Purpose of the Report**

1. To seek Committee approval of comments, as set out below, to form the basis of a Nottinghamshire County Council response on the Broxtowe and Gedling Borough Councils (BC) and Nottingham City Council Aligned Core Strategy Publication Documents, to be sent to those Councils (the ACS authorities). The report also seeks approval of comments on the Erewash Core Strategy (ECS) which is also closely aligned, but for which consultation started later to be submitted to Erewash Borough Council (BC).

Information and Advice

2. The ACS councils have published their Publication Core Strategy Development Plan Documents (CS) for a 6 week period ending on the 23rd July 2012. These Core Strategies have been aligned, and so effectively can be seen as one document. They have been published alongside a considerable number of supporting documents, including evidence, background papers, an infrastructure delivery plan and sustainability appraisal. On the 21st June Erewash Borough Council approved the Erewash Core Strategy (ECS) for publication and submission to the Secretary of State. The publication period commenced on the 28th June for 6 weeks.
3. At this stage representations should relate to the requirements of legal compliance or the 'soundness' of the CS. The legal requirements include that the Core Strategy is subject to a sustainability appraisal, and has regard to national policy and the authorities' community strategy. The tests of soundness include the plan being justified, effective, positively prepared and consistent with national policy. This national policy is now the National Planning Policy Framework (NPPF).
4. The National Planning Policy Framework and the Localism Act encompass the principles of sustainable development, the interests of local authorities and neighbourhoods. There are three aspects to Sustainable development described in the NPPF, giving rise to three roles of the planning system:
 - an economic role –
 - building a strong, responsive and competitive economy,

- ensuring that land is available to support growth and innovation;
- identifying and coordinating appropriate infrastructure;
- a social role –
 - supporting strong, vibrant and healthy communities,
 - providing sufficient housing for present and future generations;
 - creating a high quality built environment,
 - providing accessible local services that reflect the community's needs and well-being;
- an environmental role –
 - protecting and enhancing our natural, built and historic environment;
 - helping to improve biodiversity,
 - helping use natural resources prudently and minimise waste and pollution;
 - mitigating and adaptation to climate change;
 - helping moves to a low carbon economy.

5. The Soundness of a Core Strategy depends partly upon it being able to:

- positively seek opportunities to meet the development needs of the area and
- meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in [the NPPF] taken as a whole; or
 - specific policies in [the NPPF] indicate development should be restricted.

6. Any comments made by the County Council can only relate to the tests of soundness and therefore will need to address these issues and these alone. However, officer comments are being provided on minor issues on which the ACS Authorities and Erewash BC may wish to make minor changes to the Core Strategy.
7. All valid representations received by the ACS Authorities and Erewash BC will be submitted to a Planning Inspector who will then conduct a public examination of the Core Strategy. The Strategies can only be adopted if it is found to be 'sound' at examination.
8. Nottinghamshire County Council Officers have provided technical support and advice to the ACS Authorities and Erewash BC utilising expertise from previous roles as the Structure Plan Authority and a "Section 4(4) Authority" for the Regional Spatial Strategy as well as in the areas of transport, ecology, archaeology and heritage. Liaison has also taken place between officers in such matters as education provision, social care and community provision.

Description of the Core Strategies

9. To produce the Core Strategies, the three ACS Authorities have worked with Erewash Borough Council (BC) and Rushcliffe Borough Council (BC) as well as Ashfield District Council (for Hucknall), in preparing the Core Strategies and

coordinating work, including evidence. All the authorities except Ashfield DC originally intended to align their plans but Rushcliffe BC is not doing so. As reported to Committee in May in all respects other than housing (in Rushcliffe) the policies are very similar across those five authorities' Core Strategies.

10. Note: The Nottingham Core Housing Market Area encompasses all five authorities and is a long-established strategic planning unit which has been previously identified in Structure Plans and in the Regional Plan. Where the ACS and ECS evidence relates to the whole HMA, (i.e. including Rushcliffe BC) this report refers to the HMA.
11. This joint working leading up to the publication of their various Core Strategies, and the degree of alignment between them is testament to the effectiveness of working arrangements. It will be a significant element in demonstrating how all the Councils have discharged their Duty to Co-operate under the Localism Act on plan making. This is one aspect in which the Government intends to replace the previous strategic planning undertaken by counties (with structure plans) and regional bodies.
12. The Core Strategies set out a vision and strategy for growth and development from 2011 up to 2028. They define a spatial vision, set out spatial objectives, and a spatial development strategy including strategic sites. They also include strategic policies to guide and control new development and infrastructure. A key diagram of the ACS Core Strategies is reproduced in Appendix 1.
13. The most significant aspect of the plans, certainly in terms of public attention, is the housing proposals. A level of housing provision has been established from joint work (including evidence from the two County Councils) to assess needs and outcomes of alternative levels of housing. This work has also had a measure of consultation with the public, the housing industry and Government agencies and utility providers. This approach has resulted in a slightly reduced level of provision against levels of housing previously proposed through the East Midlands Regional Plan 2009. (It is this aspect where Rushcliffe Borough Council's CS does not align with the other four authorities).
14. However, there are many other aspects to the ACS and ECS; other policies include those on:

Climate Change	– high levels of sustainability in order to mitigate and adapt to climate change.
The Green Belt	– retain the principle of the Nottingham/Derby Green Belt
Economic Development and Regeneration	– strengthen and diversify the economy across all employment sectors and meet restructuring, modernisation and inward investment needs.
Town and Local Centres	– consolidate and strengthen the network and hierarchy of centres and not harm the viability and vitality of existing centres.
Gypsies and Travellers	– accommodate and identify appropriate need.
Design, Culture, Sport and	– to ensure new development aspires to high design standards in a sustainable way and provide culture and

Recreation	sport provision of an appropriate scale.
The Historic Environment	– conserve and enhance the historic environment and heritage assets.
Local Services	– provide new, extend or improve community facilities in order to meet needs.
Transport	– reduce travel demand and identify transport infrastructure priorities in order to meet development requirements.
Green Infrastructure, Landscape, Parks and Open Space	– a strategic approach to the delivery, protection and enhancement of Green Infrastructure.
Biodiversity	– increase biodiversity through protection, enhancement and restoration measures.
Infrastructure, Developer Contributions	– finance for new infrastructure generated from new development and introduce a Community Infrastructure Levy (CIL).

15. There is a full list of policies and their scope in Appendix 2.

16. In the report to the May Committee it was stated that without further supporting evidence there appeared to be insufficient evidence to support the housing and transport proposals in the Rushcliffe CS. That is now available in the context of the HMA as a whole through the evidence supporting these Core Strategies. Consequently any further correspondence with Rushcliffe Borough Council, or response at or before any examination, will take that evidence into account.

17. The Erewash Core Strategy is aligned with the Aligned Core Strategy except for timing, and much of the content of the four Core Strategies is the same. Although Erewash is in Derbyshire, a response will also be submitted to Erewash Borough Council, in line with this report, where relevant.

Key Issues for Nottinghamshire

18. Nottinghamshire County Council has a significant stake in the production of sound Core Strategies for this area; the ACS and ECS cover a significant part of the County, covering most of the Southern part including the majority of its main conurbation. This is as a strategic authority and in terms of service provision and the interests of its residents, community groups and businesses, as well as the concerns of the environment and heritage assets. Indeed, County Council officers, as described above, have been closely involved in the development of the ACS and ECS and its evidence base, even prior to the inception of the joint work. County Council members have a role on the Joint Planning Advisory Board that steers the work, including as Highway authority.

Overall housing provision

19. The National Planning Policy Framework (2012) (NPPF) states that a local plan should be 'positively prepared' and provide for the 'objectively assessed needs' of the housing market area, including the Government's stated aim to boost housing delivery. On the other hand, the Localism Act and the NPPF emphasise the

primacy of the local authority in determining appropriate provision for its area. The NPPF, in referring to the housing market area, also requires local authorities to look outside their boundaries, and meet needs of the area. This relates to the authorities in and around the Nottingham conurbation, the Nottingham Core HMA as described above.

20. The test of soundness encompasses the above, and the evidence presented by the ACS and ECS authorities is designed to demonstrate that the tests are met, as well as demonstrating clearly how the housing provision level has been produced.
21. The level of housing proposed has been established with the assistance of a series of forecasts based on various scenarios including planned housing levels with up-to-date local evidence for the five authorities (Gedling BC, Erewash BC, Broxtowe BC, Nottingham CC and Rushcliffe BC). This work, commissioned by Nottinghamshire County Council and Nottingham City Council in the interests of wider planning considerations, is being used by all the HMA authorities to prepare up-to-date evidence to support planned levels of housing across the HMA.
22. Overall, provision in the ACS amounts to 30,550 dwellings over the Plan period, but for the County Council's point of view this amount needs to be presented in the context of the HMA as a whole, as explained above.

Authority / area	Rounded Planned Provision (dwellings in the Plan period)
Broxtowe (2011-28)	6,150
Gedling (2011-28)	7,250
Nottingham City (2011-28)	17,150
Aligned Core Strategies	30,550
Erewash (2011-28)	6,250
Rushcliffe (NB 2011-26 only)	9,400
Total (Housing Market Area)	46,200

23. The evidence for the ACS and ECS puts forward the case that the level of housing provision is appropriate. This is based on forecasts of what would happen if the housing development proposed in the Core Strategies (including Rushcliffe BC's Core Strategy) occurs.
24. The following justification is given:
 - The level of housing provision meets the needs of the existing population, whilst allowing for continuing in-migration to the area, (higher than 'balanced migration but at a lower level than that experienced over the past 5 – 10 years);
 - It also allows for a significant contribution towards affordable housing needs

- It is sufficient to provide for an increase in economically active people (aged 16+) of about 16,300, which would deliver economic growth;
- It takes account of what is considered to be deliverable over the plan period.

25. This evidence concludes that the combined HMA housing provision of all the relevant Councils Core Strategies is appropriate to meet the needs of the area as a whole. Further evidence on employment concludes that the level of population growth arising from the planned housing would support the office and employment land provision.

26. Evidence on infrastructure matters is provided in an Infrastructure Delivery Plan (IDP), which identifies the following most significant factors which could affect delivery of the Core Strategies across the whole of the HMA:

- the Clifton South site (in Rushcliffe) is dependant on delivery of the A453 improvement scheme;
- flooding and flood risk issues at the Boots/Severn Trent, Field Farm and Waterside sites, require action and intervention;
- The need to ensure there are no adverse affects on the prospective Sherwood Forest Special Protection Area;
- Further detailed assessment of transport proposals and potential mitigation measures required (see paragraph 33 on below).

Other matters of infrastructure revolve mainly around the need to establish and provide for services and facilities, such as education, water supply and health facilities.

27. The IDP points out that the listing does not imply that all of these requirements need to be met for development to proceed. The IDP will assist with the prioritisation of essential infrastructure for acceptable sustainable development to proceed. In addition broad brush viability assessment undertaken as part of the IDP, indicate that the strategic allocations identified in the Core Strategies are broadly viable.

28. With regard to the loss of countryside and Green Belt the ACS evidence includes two independent studies of prospective strategic sites for housing which identify a range of sites & locations considered suitable for sustainable major development. All the sites identified in the ACS and ECS were included in those recommendations. Some Core Strategy strategic locations put forward at earlier stages have been ruled out for various reasons.

29. It should be noted that the issue of soundness to be considered at the Examination, and thus by the County Council, is whether the evidence points to the Plan's strategy, rather than whether other options might have some credence.

30. It is likely that arguments against the soundness of the Core Strategies will relate to the level of provision being too high (principally by residents affected by housing proposals), or too low (from the development industry). The argument that provision is too low is likely to be that provision falls below the continuation of past trends of population growth & migration, leading to increased housing stress, and a detrimental impact on the housing market. On the other hand the argument

that provision is too high is likely to revolve around the impact on the countryside and Green Belt and the inability of infrastructure, in particular the transport system, to cope with the strategic proposals.

Comment:

31. The evidence for the ACS and ECS is considered to be robust, and presents a credible basis for the level of housing for the HMA and reasons for the level being set below past trends, owing to difficulties in delivering higher levels of housing. Nevertheless there is a concern that a lower provision could mean that the Core Strategies across the HMA as a whole would deliver insufficient or limited economic growth, or would not provide for the needs of the population that will require adequate housing; the margins to not meeting economic objectives or providing for housing need are small.
32. There are still concerns that Rushcliffe Borough Council may not deliver the stated level of housing owing to doubts over whether the strategic site at Clifton can be delivered. While the earlier objections to the level of housing in the Rushcliffe Borough CS are satisfied by the HMA-wide evidence now being presented, it is noted that the Rushcliffe Core Strategy does not intend to provide for any alternative should the Clifton site not be developed, consequently reducing the housing provision for the HMA (see previous paragraph).
33. There are justified concerns about the level and nature of any losses of Greenfield land, and the Green Belt is rightly seen as valuable. However, there is a need to meet a range of objectives in the Core Strategies and a balance has to be found. After consideration of all potential and deliverable sites for housing or other uses within the urban area there remains a need to identify some Greenfield or Brownfield sites outside the built-up area, which are in sustainable locations. The evidence presented by the ACS and ECS authorities appears to be enough to demonstrate that the work establishing the scale and the location of such sites is robust.
34. Infrastructure requirements that could affect delivery of the Plan will need addressing. The IDP indicates that these requirements need not prohibit development but the IDP will assist with prioritisation to enable acceptable sustainable development. The IDP also indicates that the strategic allocations identified in the Core Strategies are broadly viable. The IDP will continue to be reviewed as development proposals and infrastructure requirements are confirmed in more detail. In particular it will be updated to reflect the results of ongoing transport modelling work.

Transport

35. Transport modelling based upon the HMA authorities' decisions on housing numbers and preferred locations has not been completed. Although Rushcliffe BC is no longer 'aligned' to the other authorities, the transport modelling work is being carried out as a whole, the transport modelling will consider the full total of homes to be built in the Nottingham Housing Market Area to 2028. The work will take approximately 3 months to complete and will be examined and presented to Joint Planning Advisory Board (JPAB). Only when this work is completed will it be possible for the three highway authorities (Nottinghamshire County Council,

Nottingham City Council, Derbyshire County Council) and the Highways Agency to come to a decision on a suitable package of transport measures to support all the proposed development.

36. With regard to strategic development locations, the delivery of committed transport projects may not be sufficient in their own right to accommodate the additional transport requirements arising from the development proposals in the ACS and ECS area, and surrounding area. Consequently further additional transport upgrades (as yet undetermined) funded by development (through CIL) may well be required. The ACS Infrastructure Delivery Plan identifies this issue.

Comment:

37. Objections to the Aligned Core Strategies and the Erewash CS are raised on highway grounds as it is considered that the transport evidence is unsound. This can of course be subsequently withdrawn if the transport modelling is satisfactorily completed prior to an Examination in Public (EiP).

Developer Contributions

38. The infrastructure need generated by a proposed development is a material consideration in the determination of a planning application. The capacity of existing infrastructure may be exceeded as a consequence of new development, generating a need for new infrastructure or facilities. The use of planning obligations may be appropriate to require developers to make contributions for the provision of infrastructure to support proposed development.
39. The Core Strategies' infrastructure delivery plan has identified that "there are pressures on education provision across the IDP area and contributions to additional school places are likely to be required on most sites". It also states that "strategic level assessments indicate the broad viability of sites but underline the need for open book appraisals with developers to objectively assess developer contributions..."
40. The ACS and ECS recognise that in certain circumstances, additional developer contributions may need to be sought through planning obligations following the introduction of the Community Infrastructure Levy (CIL).

Comment:

41. The ACS and ECS approach is welcomed and the County Council would seek to ensure that all the impact on its services and infrastructure from future development in the plan area is met either through CIL or planning obligations. The County Council would welcome involvement in the development of any CIL(s), in particular with the drawing up of the CIL Regulation 123 list insofar as it relates to County Council services and infrastructure.

Heritage

Comment:

42. Policy 11 is concerned with how heritage assets are dealt with when considering applications for development. To meet with the advice given in the NPPF the first

sentence of the Policy needs to be far clearer and more positive about proactively conserving heritage assets and their settings, in line with their significance. The NPPF emphasises that the more important the asset, the greater the weight to be attached to its preservation, and that of its setting, this needs to be enshrined in the policy. The policy also needs to include explicit reference to Scheduled Monuments.

Minor matters

43. Other minor matters (not related to soundness) have been raised by County Council officers and will be submitted to the ACS authorities and Erewash BC. These are set out in detail in Appendix 3.

Other Options Considered

44. As the consultation requires representations to be made on the soundness of the plan the only other option was not to make representations. This was considered and rejected, as the evidence behind the CS is currently inadequate and the County Council wishes to raise issues of soundness in relation to transport.

Reason for Recommendation

45. Having assessed the Publication Version against the NPPF tests of soundness and as set out in paragraphs 35-37 above, it is considered that the document does not include or make reference to any evidence to support the stated transport provision and therefore has not been demonstrated as sound as it is not justified on the basis of available evidence.

Statutory and Policy Implications

46. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

47. There are no direct financial implications.

Implications for Sustainability and the Environment

48. The failure to consider the representations of the County Council on strategic planning and transport matters could lead to unsustainable development taking place, possibly without the adequate context of an adopted Local Plan. The education and transport interests of the County Council as service provider could also be compromised by the lack of a suitable Local Plan or Local Development Framework.

RECOMMENDATION

- 1) That Committee approve the above comments, which will form the basis of the Nottinghamshire County Council response to the Aligned Core Strategies and Erewash Core Strategy Publication Versions, to be sent to the ACS Authorities and Erewash Borough Council as appropriate.

Sally Gill
Planning Group Manager

For any enquiries about this report please contact: Richard Cooper, Planning Policy Team, ext 74978

Constitutional Comments (NAB 27.06.12)

1. The Environment and Sustainability Committee has authority to approve the recommendation set out in this report.

Financial Comments (DJK 27.07.2012)

2. The contents of this report are duly noted; there are no direct financial implications arising.

Background Papers

Alongside the Core Strategy and the Publication Proposals Map, a range of supporting documents have also been published including:

- Housing and Employment Background Papers
- Infrastructure Delivery Plan
- Sustainability Appraisal
- Equalities Impact Assessment
- Habitats Regulation Assessment

The documents are available on the Councils' Web sites and also at the Greater Nottingham Growth Point Team site:
<http://www.nottinghamcity.gov.uk/index.aspx?articleid=5526>.

Electoral Division(s) and Member(s) Affected

All Broxtowe and Gedling Councillors

Broxtowe:

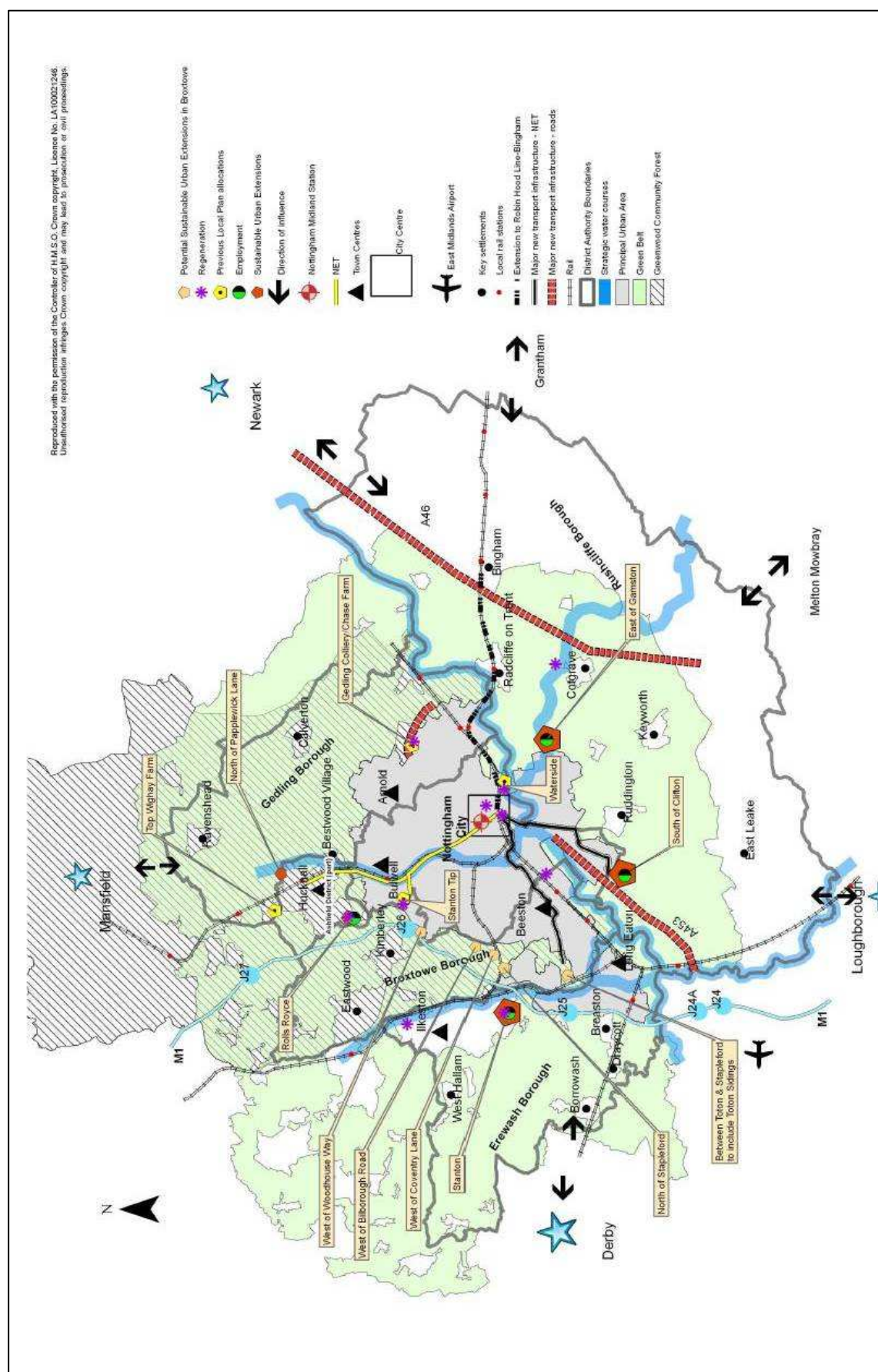
Beauvale - Councillor David Taylor
Beeston North - Councillor Steve Carr
Beeston South & Attenborough - Councillor Eric Kerry
Bramcote & Stapleford - Councillor Stan Heptinstall
Bramcote & Stapleford - Councillor Wombwell Brian
Chilwell & Toton - Councillor Dr John Doddy

Chilwell & Toton - Councillor Richard Jackson
Eastwood - Councillor Keith Longdon
Kimberley & Trowell - Councillor Ken Rigby
Nuthall - Councillor Philip Owen
Selston - Councillor Gail Turner

Gedling:

Arnold North - Councillor Ged Clarke
Arnold North - Councillor Carol Pepper
Arnold South - Councillor Rod Kempster
Arnold South - Councillor Mel Shepherd
Calverton - Councillor Mark Spencer
Carlton East - Councillor Allen Clarke
Carlton East - Councillor John Clarke
Carlton West - Councillor Jim Creamer
Carlton West - Councillor Darrell Pulk
Newstead - Councillor Chris Barnfather

APPENDIX 1: Aligned Core Strategy Publication Version Key Diagram



APPENDIX 2 : List of Aligned Core Strategies Policies and Scope.

Policy	Policy Area
Policy 1: Climate Change	Sustainable Design and Adaption
	Reducing Carbon Dioxide Emissions
	Decentralised Energy Generation
Policy 2: The Spatial Strategy	Detailed proposals for strategic sites including housing
Policy 3: The Green Belt	Green Belt boundaries
Policy 4: Employment Provision and Economic Development	Detailed proposals for strategic sites including employment
	Review of the level of development of office floor space to ensure a 5 year supply
	Sustainable mix of uses for other major development schemes
	Local employment and training for residents (note, no hook in policy, but SPD being produced by City)
Policy 5: Nottingham City Centre	City Centre
Policy 6: The Role of Town and Local Centres	Hierarchy of centres
	Boundaries of centres
	Other major development requiring retail development
	Centres in need of enhancement
	Thresholds for the scale of main town centre development in edge-of and out-of centre locations
Policy 7: Regeneration	Details of the specific sites, mix of uses and scale of development
Policy 8: Housing Size, Mix and Choice	Adaption of housing to suit the lifetime of occupants
	Affordable Housing targets
	Rural Affordable Housing (exception sites)
Policy 9: Gypsies, Travellers and Travelling Showpeople	Allocation of Gypsy & Traveller accommodation sites
Policy 10: Design & Enhancing Local Identity	Local design standards
	Restrict development to avoid areas of special character and to protect the amenity value of private gardens
Policy 11: The Historic Environment	Historic environment policies
	Approaches to assist the protection and enhancement of the historic environment
Policy 12: Local Services and Healthy Lifestyles	Details for the distribution of new, extended or improved community facilities (including schools)
Policy 13: Culture, Sport and Tourism	Provision of culture, tourism and sporting facilities
	Detailed guidance on the location of new religious and cultural facilities

List of Aligned Core Strategies Policies and Scope. (Cont'd.)

Policy 14: Managing Travel Demand	Additional transport infrastructure schemes
Policy 15: Transport Infrastructure Priorities	
Policy 16: Green Infrastructure, Parks and Open Space	Details of more local GI corridors and assets
	Designation of non strategic sites
	Criteria for the assessment of proposals and any areas of locally valued landscape requiring additional protection
	Deficiencies in Parks and Open Space
Policy 17: Biodiversity	Designation of additional further protected sites
Policy 18: Infrastructure	Assessment of the need for more local infrastructure and capacity constraints
Policy 19: Developer Contributions	Development of Community Infrastructure Levy

APPENDIX 3:

Officer comments to be sent to the Aligned Core Strategies Authorities and Erewash Borough Council on the Publication Documents (June 2012)

Heritage:

Policy 11

Sub para 1

The first sentence of this first para is reactive, in that it described responding to submitted proposals (i.e. “will be supported”). To meet with the advice given in para 126 et seq of the NPPF this para needs to be far clearer and more positive about proactively conserving heritage assets, and their settings, in line with their significance. The NPPF emphasises that the more important the asset, the greater the weight to be attached to its preservation, and that of its setting. We also advise that the wording “in line with” should be replaced by “with regard to”.

Sub-para 2,

bullet point c) Recommend the deletion of “other” as this implies Sherwood Forest was all woodland. In the past as today it was a mosaic of woodland, pasture, arable and heathland, and indeed the heathland of the Forest is also a significant feature of the historic environment.

bullet point c) Welcome the specific reference to ridge and furrow field patterns.

bullet point e) Recommend “and scheduled monuments” be inserted after “prominent listed buildings”.

Sub-para 3

bullet point e) Recommend this statement is reworded, the first line to read; “ensuring that information about the historic environment is publicly available”. This would fit better with para 169 of the NPPF. We further recommend the second sentence in this bullet point is of sufficient importance to be treated as a separate bullet point. To keep it in accordance with the NPPF we recommend revised wording. The following is suggested;

“Where loss in whole or part of a heritage asset is deemed acceptable, appropriate evidence of its significance should be recorded in advance. Reports and archives resulting from such work should be made publicly available”.

Section 3.11.1

In the second sentence of this para we recommend the word “registered” needs to be inserted before “parks and gardens”, and the word “historic” deleted. This is because not all historic parks and gardens are registered and therefore designated.

3.11.4

Not all archaeological sites are yet known and recorded on the Historic Environment Record. We therefore recommend that the second sentence of

this section is reworded. The following may be appropriate; “When considering sites of potential archaeological importance, including those identified on the Historic Environment Record , the local authority will....etc”. with the rest of the sentence remaining as it is.

3.11.6

We recommend “a listed” is replaced with “an historic”, as NPPF makes clear that options for viable re-use should be considered for any appropriate heritage asset, designated or otherwise. (NPPF 126, 131 etc)

3.11.9

We recommend this is rephrased to reflect more accurately the degree of loss of the historic environment; the following is suggested “In a number of cases the loss of a heritage asset may be unavoidable. In these cases steps should be taken to ensure that the assets are appropriately recorded before they are damaged or destroyed”.

Ursilla Spence, Jason Mordan
Conservation Team (Heritage)

Transport Comments:

Policy 2. The Spatial Strategy.

Paragraph 6(c) refers to major new transport infrastructure but does not list the Hucknall Town Centre Improvement Scheme (Ashfield) which it ought to? This point also applies to Policy 15 (5).

Paragraph 6(c) refers to High Speed Rail 2 which will 'impact upon the plan area' as stipulated in the text however this scheme is not due to be delivered until well beyond the end of the LDF period and so its inclusion is considered misleading. This observation also applies to Policy 15 (5).

Policy 14. Managing Travel Demand.

Paragraph 3.14.14 is misleading at best, as the necessary transport modelling required to identify packages of measures has yet to be concluded. The IDP itself acknowledges this fact.

Table re Monitoring Arrangements. The Delivery column in this table should include reference to consultation with the local highway authorities.

Policy 15. Transport Infrastructure Priorities.

Policies 15 (1 & 2) rely on the IDP as the evidence base detailing the additional transport infrastructure needed to support new development. The IDP does not however provide the necessary detail at this point in time, since the transport modelling is still work in progress.

Policy 15 (3) lists the strategic transport priorities for the area covered by the Aligned Core Strategies it does not establish, as it should, the additional transport infrastructure required to support the ACS spatial strategy in Policy 2. Policy 15 (3) implies that the listed planned transport schemes are essential to the ACS growth ie a direct requirement to support growth, whereas they are in fact committed transport schemes that feature as part of the 'No Core Strategies Scenario', to largely fulfill existing transport needs.

Paragraph 3.15.2 refers to listed schemes which currently have no available funding as being, or have been, included in programmes. This fact does not apply to all the listed schemes.

Policy 18 Infrastructure.

This policy refers to the IDP at appendix B which lists the critical infrastructure to support the strategic sites and strategic locations. More importantly this appendix does not identify the critical transport infrastructure required as a consequence of the cumulative impact of strategic sites/locations and all other planned growth in Greater Nottingham. As such the supporting evidence could be considered incomplete and unsound. The observations above echo those that were raised earlier regarding Rushcliffe Core Strategy, principally because the transport modelling is still incomplete.

In summary there is no alternative but to raise a holding objection on the grounds that the supporting transport evidence base is incomplete and it would therefore be unsound to draw conclusions without first knowing the full transport facts. An identical objection would need to be raised against each of the three ACS authorities, Broxtowe, Gedling and Nottingham City and against the Erewash Core Strategy (although it is in Derbyshire). These correspond to the objection raised to the Rushcliffe Core Strategy Publication Draft. Once the transport study has been concluded and the IDP list updated then the objection would be able to be withdrawn.

David Pick
Transport Plans and Programmes Team

Ecological comments:

Section 1.5 (Habitats Regulations Assessment)

It is noted that a Habitats Regulations Assessment of the Core Strategy has been undertaken. Given its statutory nature, the ACS authorities should have regard to comments from Natural England about this document.

Section 2.3 (Spatial Vision)

In section 2.3.10, reference to an increase in biodiversity is welcomed, although it is queried why this is made in the context of the 'region', rather than the ACS area.

Section 2.4 (Spatial Objectives)

Reference to ensuring an increase in biodiversity is welcomed in section 2.4.1 paragraph (xi).

The spatial portrait/local distinctiveness descriptions of Gedling and Broxtowe identify the number of Sites of Special Scientific Interest (SSSIs) or Sites of Interest for Nature Conservation (SINCs) present within their areas, but the description for Nottingham City in paragraph 2.9.7 does not. For the sake of consistency, it is suggested that these figures are provided.

Policy 16 – Green Infrastructure, Landscape, Parks & Open Space

In section 2 (d) of the policy, reference to allowing the migration of species is welcomed.

In section 3 (d) of the policy, reference to making provision for biodiversity opportunities is welcomed.

Policy 17 – Biodiversity

Overall, Policy 17 and its supporting text is welcomed and supported, but the following comments should be noted:

Section 1 (a)

In section 1 (a) of the policy, it is suggested two minor amendments are made as follows:

“protecting, restoring, expanding and enhancing existing areas of biodiversity interest, including ~~areas and~~ networks of habitats and species listed in the UK and Nottinghamshire Local Biodiversity Action Plans, to provide a net gain in biodiversity”.

Alternatively, to bring the text more in line with the relevant text in the NPPF (paragraph 117), this section could be amended to read:

“protecting, restoring, expanding and enhancing existing areas of biodiversity interest, including ecological networks and priority habitats and species listed in the UK and Local Biodiversity Action Plans, to provide a net gain in biodiversity”.

Section 1 (b)

In section 1 (b) of the policy, it is unclear why this states “ensuring that fragmentation of the Green Infrastructure network is avoided wherever appropriate” – I would suggest that this should be re-phrased to make it clear that fragmentation of the GI network is not normally appropriate.

Section 1 (e)

In section 1 (e) of the policy, it is suggested that the mitigation hierarchy, as outlined in the NPPF (paragraph 118), should be clarified, as the text as currently drafted implies that mitigation and compensation are equivalent, whereas in reality compensation should only be used as a last resort. In addition, reference to 'minimising impacts on biodiversity' should be added.

Other matters

Currently, the requirement in the NPPF (paragraph 117) for planning policies to plan for biodiversity at a landscape-scale across local authority boundaries does not appear to have been addressed (but it is appreciated that the NPPF has only recently been published). It is suggested that an addition to section 1 of the policy might be required to deal with this.

Regarding section 2 of the policy, it is assumed that a criteria-based policy will be used in the Development Management Policies document to provide further guidance on this matter.

Justification

It is suggested that paragraph 3.17.5 of the justification text is amended slightly as follows:

"Proposed development should particularly seek to contribute towards delivery of the Local Biodiversity Action Plan ~~habitats and species~~. The Nottinghamshire Local Biodiversity Action Plan identifies priority ~~wildlife~~ habitats and species ~~that are a priority for protection~~, either because they are nationally or locally rare or in decline, or are characteristic of the area; and sets targets and action plans for their conservation in order to address their continued decline."

Monitoring arrangements

The first target is 'retain areas of biodiversity importance', but the proposed indicator is 'number of incidents of unmitigated loss of SINC's due to development' – however, the proposed indicator is not a measure of the target. A better indicator would be 'number of SINC's affected by (or lost to) development', or 'area of BAP habitat lost to development' - or both. It should be noted regarding the latter that Nottinghamshire Biodiversity Action Group and the Nottinghamshire Biological and Geological Records Centre are very close to having mapped all LBAP habitats across the county, and this data will be available to local authorities for this very purpose.

The second target is 'improve management of biodiversity sites', and the proposed indicator is 'number of SSSIs in favourable condition'. The use of SSSIs is very limited (for example there is just one in the whole of Gedling Borough). A better indicator would 'number of SINC's under positive conservation management', using the government's Single Data List indicator 160 (local nature conservation/biodiversity – proportion of Local Sites [i.e. SINC's] where positive conservation management is being achieved). This data is collated annually by Nottingham City Council (for the city area) and Nottinghamshire County Council (for

the rest of the county) and is a much better reflection of how well wildlife sites are being managed.

Nick Crouch
Conservation Team (Heritage)

Landscape:

The relationship of the Mature Landscape Areas (MLA Policy saved in Gedling and Broxtowe strategy) and the Greater Nottingham Landscape Character Assessment will need to be addressed at a later stage. While an appendix indicates that protection will be required until a replacement policy is considered through the DC Policies DPD, the means of doing this is not clear.

H Jones
Landscape and Reclamation Team

Reclamation and Noise:

In the main the planning conditions that would be imposed on any development proposed through the core strategy would address the concerns regarding the issues of ground and groundwater contamination, ground gases, and noise.

It is clear from the strategy document that a number of sites will present particular and significant difficulties with respect to ground conditions and in particular contaminated ground. The normal procedure of identifying the potential risks and subsequent assessment through site investigation is a tested procedure and can be conditioned into any of the potential development sites. A similar approach can also be applied to the issue of noise.

With particular regard to Brownfield Redevelopment, we make the following comment. The issue of the ecological value of these brownfield sites, in particular their use as a habitat for rare and valued species, is gaining recognition. The ecological value of these sites should always be considered and that value maximised with integration within any Green Infrastructure of the redevelopment proposals.

2.2.26 Climate Change and Flooding

This paragraph references flooding from rivers, however no mention is made of other sources/forms of flooding: pluvial, groundwater or minewater and flooding from drainage infrastructure, which perhaps have a greater impact locally within the plan area.

2.4.1 xi Spatial Objectives Protecting and improving natural assets

The contribution of brownfield sites in terms of ecological habitat and diversity should be recognised and integrated into any development scheme.

Policy 1 Climate Change par 2.a

The value for water consumption of 105litres per person per day is quoted. This relates to a Code 3 standard, the code is expected to improve to 4 at least in 2013 reducing the water consumption figure to 90litres per person per day.

3.1.8 Sustainable Design and Aadaptation

Similar comment as in previous for CSH 3

3.1.14 Flood Risk and Drainage

The Local (Nottinghamshire) Flood Risk Management Strategy for the county area is in the early stages of preparation.

3.16.5/6 Section C Our Environment

The Green Infrastructure should be integrated and inter -connectivity with existing and proposed green infrastructure should be encouraged at every opportunity. The greater the inter-connectivity the greater the impact. .

Derek Hair
Landscape and Reclamation Team