



REPORT OF THE CORPORATE DIRECTOR, PLACE

COUNTY COUNCIL PLANNING OBLIGATIONS STRATEGY - 2018 UPDATE

Purpose of the Report

1. To seek approval of a final version of the County Councils Planning Obligations Strategy – 2018 update following consultation on a Draft version. The Strategy will require subsequent adoption by Policy Committee.

Information

Background

2. The meeting of the Committee on 9 November approved a draft version of a revised Planning Obligations Strategy to enable a period of public consultation on the draft revised Strategy. The County Council Planning Obligations Strategy sets out the approach the County Council takes towards seeking planning obligations to help accommodate the impacts of new development when it is consulted on planning applications by a District Council in Nottinghamshire,. The Strategy also aims to help developers understand at the earliest stage what type and level of planning obligations may be necessary so that relevant costs can be factored into development appraisals.
3. The consultation period attracted responses from District Councils, the development industry and also further comments from various parts of the County Council. A total of 15 organisations and individuals provided a series of comments concerning aspects of the Strategy. The comments have been analysed and responses considered. These are tabled as Appendix A to this report.
4. The Planning Obligations Strategy has subsequently been updated to take account of changes considered necessary and is now presented in Appendix B. The key changes being made following public consultation are as follows:
 - a. Changes to the “tone” of the document which recognise the need to demonstrate robustly why obligations are necessary and to reflect the fact that the District Council is the deciding authority in the majority of cases;
 - b. Amendments to the section relating to the request for information relating to viability issues to clarify the approach taken;
 - c. Amendments to the section on education arising from further consideration and dialogue with NCC pupil place planning;

- d. Amendments to the section on transport arising from dialogue and comments from NCC Highways and Transport officers
5. The Communities and Place Committee is invited to endorse the Planning Obligations Strategy. Since the Obligations Strategy refers to matters of Council policy it will be forwarded to Policy Committee for formal adoption

Other Options Considered

6. The other option would be to continue to use the existing Strategy which was adopted in April 2014, rather than adopt this version. This is not considered appropriate because it will increasingly not comply with national planning policy which has developed further since the document was produced. Some of the cost information for calculating contributions will be out of date which would lead to insufficient sums being collected to deliver the infrastructure which is required.

Reason/s for Recommendation/s

7. To ensure that the County Council continues to be in a strong position to secure the physical and financial contributions for infrastructure which are required to mitigate the impact of development.
8. To ensure that the Planning Obligations Strategy remains up to date and appropriately worded to help set out the County Councils approach to planning obligations.

Statutory and Policy Implications

9. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Crime and Disorder Implications

10. At the Committee in November, the potential incorporation of Crime and Community Safety in the Planning Obligation Strategy was raised. Officers subsequently met with Community Safety officers at the County Council to discuss further and it was agreed that this matter is best dealt with at District Council level where the relevant community safety officer would be able to comment at the time of specific applications. As such the Strategy does not require to contain reference to Crime and Disorder although this has been considered.

Public Sector Equality Duty implications

11. The equality impact of the Strategy has been considered. The Planning Obligation Strategy relates to how the County Council engages with the planning system and specifically consideration of planning applications which are assessed against Local Plans, the provisions and policies in the National Planning Policy Framework and the Community Infrastructure Levy Regulations. These plans, policies and

regulations are already subject to equality assessment and it is considered that a further equality assessment of the Planning Obligations Strategy is not necessary.

Implications for Service Users

12. The Strategy seeks to ensure that the County Council seeks appropriate funding from development where new development is likely to impact on service provision. As such if planning obligations are not forthcoming, there could be an adverse impact of levels of service provision if other sources of funding are not available.

Implications for Sustainability and the Environment

13. The Strategy outlines the areas and circumstances within which the County Council will seek obligations from developers to mitigate the impacts of new development. The provision of community infrastructure such as sufficient local schools, transport facilities and other services helps to make a sustainable place and as such the Strategy has significant implications for sustainability and quality of environment.

RECOMMENDATION/S

- 1) That the Committee endorses the revised Planning Obligations Strategy (update 2018) attached at Appendix A
- 2) That it be considered by Policy Committee for adoption as Council policy.

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Constitutional Comments [RHC 14/06/2018]

14. Communities and Place Committee is the appropriate body to consider the contents of this report by virtue of its terms of reference.

Financial Comments [RWK 07/06/2018]

15. There are no specific financial implications arising directly from the report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

Electoral Division(s) and Member(s) Affected

- All