

8 January 2015

Agenda Item: 6

## **REPORT OF THE CORPORATE DIRECTOR FOR POLICY, PLANNING AND CORPORATE**

### **UPDATED PROTOCOL FOR PLANNING CONSULTATION RESPONSES TO BE CONSIDERED BY ENVIRONMENT AND SUSTAINABILITY COMMITTEE**

#### **Purpose of the Report**

1. To seek Committee approval for an update to the protocol for when to seek Member approval for comments to be sent to Nottinghamshire District and Borough Councils following their requests for strategic planning comments on planning applications.

#### **Information and Advice**

2. In November 2013 Environment and Sustainability Committee agreed a protocol when to seek Member approval for comments to be sent to Nottinghamshire District and Borough Councils on strategic planning issues. This protocol, has in general been working well, however over the year there has been an increase in the numbers of consultations received and the nature of those consultations, particularly consultations on reserved matters (outstanding matters on a planning permission), and S73 applications (Variation of Conditions on existing approved planning applications). As such it is considered necessary to address these issues by updating the current approved protocol.
3. Appendix A sets out the proposed updated protocol. The changes are highlighted in bold.

#### **Other Options Considered**

4. Not to revise have the approach for providing strategic planning comments to District and Borough Councils and to continue with the current approach.

#### **Reason for Recommendation**

5. To ensure a consistent approach to commenting on planning applications is followed by the County Council.

#### **Statutory and Policy Implications**

6. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, 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.

## **RECOMMENDATION**

- 1) That Committee approve the updated agreed approach as set out in Appendix A.

**Jayne Francis-Ward**  
**Corporate Director, Planning, Policy and Corporate Services**

**For any enquiries about this report please contact: Nina Wilson, Principal Planning Officer, Planning Policy Team, ext 0115 97 73793**

## **Background Papers**

Individual Consultations and their responses.

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.

## **Constitutional Comments**

7. Environment and Sustainability Committee is the appropriate body to consider the content of this report. (SLB 10/12/2014)

## **Financial Comments (SEM 11/12/14)**

1. There are no specific financial implications arising directly from this report.

## **Electoral Division(s) and Member(s) Affected**

All.

### **Appendix A – Updated Protocol**

Committee Reports will be prepared for Environment and Sustainability Committee on the following matters as set out below, (unless specifically requested by a Member, with a valid planning reason):

<b>Type of Development</b>	<b>Committee Approval Required</b>
Renewable energy	<ul style="list-style-type: none"> <li>• Single or multiple wind turbines above 15m high (including blade length);</li> <li>• All Solar Farms;</li> <li>• All Biomass Plants</li> </ul>
Retail development	<ul style="list-style-type: none"> <li>• Applications over 2500m<sup>2</sup> floorspace;</li> <li>• Other retail applications where the proposal is outside of a defined town centre</li> </ul>
Residential Development	<ul style="list-style-type: none"> <li>• 0-50 dwellings: if strategic planning issues are apparent;</li> <li>• 51-200 dwellings: Applications which are contrary to local or national planning policy;</li> <li>• 201+ dwellings: All applications</li> </ul>
Commercial Development	<ul style="list-style-type: none"> <li>• Applications over 2500m<sup>2</sup> floorspace;</li> <li>• All applications outside a defined urban boundary</li> </ul>
Other development	<ul style="list-style-type: none"> <li>• To be decided on a case by case basis</li> </ul>
<b>Reserved Matters Applications</b>	<ul style="list-style-type: none"> <li>• <b>If the proposed change impacts on County Council Service Provision, i.e. Education/Library/Transport</b></li> </ul>
<b>S73 Planning Applications</b>	<ul style="list-style-type: none"> <li>• <b>If the proposed change impacts on County Council Service Provision, i.e. Education/Library/Transport</b></li> </ul>
<b>Local and National Strategies/Guidance</b>	
Local Plans/Core Strategies/Minerals and Waste Local Plans	<ul style="list-style-type: none"> <li>• All plans within the County</li> <li>• Neighbouring Borough/District Plans/strategies</li> <li>• <b>National Significant Planning Applications</b></li> </ul>

Other Plans/Strategies/Publications	<ul style="list-style-type: none"> <li>• To be decided on a case by case basis</li> </ul>

Responses which meet the criteria, set out in the table above, but are required prior to the next scheduled Environment and Sustainability Committee will be agreed with the chairman and/or vice chairman and reported to the earliest available Committee.

Applications for any proposed development that is in accordance with an adopted Local Plan or Core Strategy is unlikely to be taken to E & S Committee, unless requested to do so by an Environment and Sustainability Committee Member, as the principle of development is established in planning policy terms.

Note:

All relevant planning applications requiring strategic planning comments are included on the weekly list which is circulated to all members groups.

Any requests by an Environment and Sustainability Member for specific planning applications to be considered at the earliest Environment and Sustainability Committee should be made to the Planning Group Manager and the Planning Policy Team Manager.