

**Joint Committee on Strategic Planning and Transport**

**Date:** Friday, 22 June 2012  
**Time:** 10:00  
**Venue:** County Hall  
**Address:** County Hall, West Bridgford, Nottingham NG2 7QP

**AGENDA**

- |          |   |                |
|----------|---|----------------|
| <b>1</b> | <b><u>Election of Chairman</u></b><br>Details   | <b>1-2</b>     |
| <b>2</b> | <b><u>Election of Vice-Chair</u></b><br>Details   | <b>1-2</b>     |
| <b>3</b> | <b><u>To note the Membership of the Committee</u></b><br><br>County Councillors Richard Butler, Kevin Greaves, Stan Heptinstall and Richard Jackson<br><br>City Councillors Alan Clarke, Jane Urquhart, Ian Malcolm and Toby Neal   | <b>1-2</b>     |
| <b>4</b> | <b><u>To note the committee's terms of reference</u></b><br>To advise the County Council and the City Council on strategic planning and transport matters, taking account of the best interests of the whole of Greater Nottingham. | <b>1-2</b>     |
| <b>5</b> | <b><u>Minutes 120323</u></b><br>Details   | <b>3 - 8</b>   |
| <b>6</b> | <b><u>Apologies for Absence</u></b><br>Details  | <b>1-2</b>     |
| <b>7</b> | <b><u>Declarations of Interest</u></b><br>(a) Personal<br>(b) Prejudicial   | <b>1-2</b>     |
| <b>8</b> | <b><u>R08 National Planning Policy Framework</u></b><br>Details   | <b>9 - 26</b>  |
| <b>9</b> | <b><u>R09 Waste Development Plan</u></b><br>Details   | <b>27 - 28</b> |

<b>10</b>	<b><u>R10 Local Sustainable transport</u></b> Details	<b>29 - 30</b>
<b>11</b>	<b><u>R11 rail issues update</u></b> Details	<b>31 - 36</b>
<b>12</b>	<b><u>R12 Greater Nottm Joint Planning Advisory Board - Update</u></b> Details	<b>37 - 50</b>



**JOINT COMMITTEE ON STRATEGIC PLANNING AND TRANSPORT**

**MINUTES OF MEETING HELD ON FRIDAY 23 MARCH 2012 AT LOXLEY HOUSE,  
FROM 9.47 AM TO 10.51 AM**

**NOTTINGHAMSHIRE COUNTY COUNCIL**

- ✓ Councillor Butler (Vice-Chair)
- Councillor Greaves
- Councillor Heptinstall
- Councillor Jackson

**NOTTINGHAM CITY COUNCIL**

- ✓ Councillor Urquhart (Chair)
- ✓ Councillor Clark
- ✓ Councillor Longford
- Councillor Malcolm

- ✓ Indicates present at meeting

**28 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Jackson and Malcolm.

**29 DECLARATIONS OF INTERESTS**

No declarations of interests were made.

**30 MINUTES**

**RESOLVED** that the minutes of the meeting held on 16 December 2011, were agreed as a true record and signed by the Chair.

**31 STRATEGIC PLANNING AND GREATER NOTTINGHAM JOINT PLANNING  
ADVISORY BOARD UPDATE**

Further to minutes 24 and 25 dated 16 December 2011, consideration was given to reports of the Joint Officer Steering Group, copies of which had been circulated.

Mr Gregory summarised the reports and drew councillors' attention to the following issues:

- the most recent meeting of the Greater Nottingham Joint Planning Advisory Board(JPAB) had taken place in December 2011. Copies of the most recent

available minutes, dating from October 2011, were attached to the report for information;

- the local planning authorities of Broxtowe, Erewash, Gedling and Nottingham City were to publish a 'Publication draft of the Aligned Core Strategies, for a further period of Representation, scheduled to start in June 2012;
- Rushcliffe Borough Council, having determined a housing provision different to that in the Option for Consultation document, had prepared a separate Core Strategy, albeit aligned in most respects, and intended publishing on 23 March 2012. Arrangements at Ashfield Borough Council, which also producing a separate document, were less advanced;
- the Government's National Public Planning Framework was scheduled for publication on 27 March 2012. Colleagues would scrutinise the implications of the Framework on the Aligned Core Strategies and advise accordingly.

**RESOLVED that the reports be noted.**

### **32 JOINT WASTE DEVELOPMENT PLAN – PROGRESS REPORT AND OTHER WASTE PLANNING ISSUES**

Further to minute 18 dated 23 September 2011, consideration was given to a report of the Joint Officer Steering Group, copies of which had been circulated.

Ms Gill summarised the report and drew councillors' attention to the following issues:

- responses to the consultation had been fully considered but had not led to fundamental changes to the Plan, and a draft Submission Document was approved by both Councils in January 2012;
- the formal Representation period had commenced on 5 March 2012 and was due to end on 30 April 2012. Depending on the significance of representations received and the need for modifications, formal submission to the Department for Communities and Local Government (DCLG) was expected in June/July 2012;
- there was nothing further to report on Veolia Ltd's legal challenge against the Secretary of State's refusal to grant planning permission for the Energy Recovery Facility at the former Rufford colliery, Rainworth.

Councillors welcomed the progress made in respect of the Joint Waste Development Plan, acknowledging the hard work and long lead-in times required to get to the current position.

**RESOLVED that the report be noted.**

### **33 TRANSPORT ISSUES - UPDATE**

Further to minute 26 dated 16 December 2011, consideration was given to a report of the Joint Officer Steering Group, copies of which had been circulated.

Mr Carter summarised the report and drew councillors' attention to the following issues:

- the Department for Transport had published consultation on devolving Local Major Transport Schemes decision making for prioritisation and investment for the next Spending Review period of 2015 to 2019. The deadline for responses was 2 April 2012. The proposals included:
  - the establishment of Local Transport Bodies (LTBs), involving Local Enterprise Partnerships (LEPs) and local authorities, to be responsible for establishing a prioritised programme of schemes for investment;
  - Consortia of LTBs could be established manage decision-making across LEP boundaries for some large major schemes;
  - a population based formula to allocate funding;
  - a locally led assessment process for prioritising schemes;
  - the removal of the £5 million major scheme threshold;
- negotiations continued with central government in respect of the City Deal process which was expected to be signed off by the end of April 2012. The Nottingham Deal had a strong transport flavour, including improving inter-city rail links, funding for the Joint Strategic Transit and Growth Plan Review, local transport funding, further Quality Bus Partnership working and increased powers to manage traffic and tackle congestion;
- in respect of the Local Sustainable Transport Fund, examples of early project delivery included:
  - the Kangaroo monthly travel ticket was now available for tram, train and bus travel;
  - travel assistance for 1,500 16-19 year-old college students was now operational;
  - the tendering process to operate a pilot Community Smarter Travel Hub in Bulwell was underway;
  - the Big Wheel Business Club travel planning resource tool had been relaunched;
  - the Ucycle project was being expanded to Further Education colleges
- the A453 widening scheme was now awaiting the Secretary of State's decision on the necessary statutory orders following the public inquiry. The main

engineering works were expected to commence in Winter 2012, with the scheme complete by late 2014 early 2015;

- work on Nottingham Express Transit (NET) Phase 2 had commenced in January 2012, with services on the new lines expected to be operational by late 2014. Communications had focussed mainly on those immediately affected by tram-related engineering works;
- the Workplace Parking Levy was due to go live on 1 April 2012.

During discussion the following issues were raised and additional information provided:

the Committee reached consensus on a position to take in respect of the Local Major Transport Schemes decision making consultation, in that there was support for maintaining existing LEP boundaries, and a commitment to work within the LEP model, with the proviso that LEPs could merge on specific projects on a case by case basis, where appropriate;

the view was expressed that current NET route plans and signs provided only partial information on transport interconnectivity between trams, buses and trains. The Committee requested that the Head of Service – NET address the issue of providing comprehensive information on interconnectivity to customers

## **RESOLVED**

- (1) that the Committee's comments on devolving Local Major Transport Schemes decision making for prioritisation and investment be incorporated in both authorities' formal response to the Department for Transport consultation;**
- (2) that the Head of Service – Net be requested to address the Committee's comments on lack of comprehensive information on interconnectivity between the tram, bus and rail services;**
- (3) that the report be noted.**

## **34 RAIL ISSUES - UPDATE**

Consideration was given to a report of the Joint Officer Steering Group, copies of which had been circulated. Mr Bamford acknowledged that the report focussed entirely on Midland Mainline (MML) issues, and undertook to provide a more general update on rail issues to the Committee's next meeting.

Mr Bamford highlighted the key points on MML progress, detailed in the report, and summarised below:

- the Initial Industry Plan (IIP) for the railway network had been published for the period 2014-19, and had included platform lengthening, linespeed works at Market Harborough, an improved layout at Leicester and Derby and

electrification from London to Nottingham, Sheffield and Derby. These proposed improvements did not currently have funding, but MML had, in Mr Bamford's view, a reasonable case;

- lobbying for rail improvements in the East Midlands had gained momentum, thanks in part to the efforts of Nottingham City Council and Nottinghamshire County Council, with other key stakeholders paying increasing attention to the need to improve and enhance the Line. Key stakeholders met in February 2012 and agreed to undertake a high profile campaign to lobby the Government to approve a number of enhancements, most of which had been captured in the IIP. A further event was scheduled for May 2012;
- the MP for Loughborough, Nicky Morgan, had been briefed on the MML and was both active and enthusiastic in being involved with further lobbying activity;
- both Councillors Jackson and Urquhart had written to the Minister of State for Transport, Theresa Villiers, in October and November 2011, in respect of investment in MML, and in particular the scheme at Market Harborough. Initial correspondence from the Minister of State indicated that she had been receptive to the councillors' submissions, but correspondence subsequently received from a senior civil servant was much less positive;
- further information in respect of East Midlands' linkage with the high-speed rail network between London and Birmingham would be made available to a future meeting of the Committee.

The Committee agreed that a further letter be sent to the Minister of State, seeking continuation of the support for MML investment previously expressed. The Committee also expressed its support for continuing lobbying efforts to secure MML improvements, and for improved rail links between Nottingham and Birmingham.

## **RESOLVED**

- (1) that the report be noted;**
- (2) that a further letter from Councillors Jackson and Urquhart be sent to the Minister of State for transport, seeking a continuation of support for investment in the MML, and in particular the scheme at Market Harborough.**





## **NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

### **Purpose of the Report**

1. To provide a summary of the new National Planning Policy Framework (NPPF) as set out by Government and to inform Members of the implications of the new Framework for the Councils.

### **Information and Advice**

#### **Introduction**

2. The National Planning Policy Framework (NPPF) is a key part of the Government's reforms to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth.
3. The NPPF has 3 fundamental objectives, to give power to communities to shape the places they live in; to support growth; and protect the environment.
4. The NPPF emphasises the Plan-led system; this highlights the importance of having an up-to-date Local Plan in place as soon as possible, including the Waste Local Plan. The Framework also retains the presumption in favour of Sustainable Development which was in the draft, but clarifies what that means; effectively it is the Framework itself in its entirety, and by extension the policies of any Local Plan (or LDF) prepared in conformity with it will fulfil the definition of Sustainable Development.
5. The Framework states that Local Planning Authorities (LPAs) should seek positive opportunities to meet the objectively assessed development needs of their areas, It also reinforces the duty to co-operate expressed in the Localism Act. This Committee is a very good example of that duty in practice, as is joint working across the City and districts surrounding it (and including the County Council) which committed to aligned preparation of their Local Development Frameworks.
6. A detailed summary of the NPPF is provided at Appendix 1.
7. The NPPF replaces all Planning Policy Statements/Guidance, including Minerals Planning Guidance (but excepting PPS10, see below). The NPPF is accompanied by two additional documents; 'Planning Policy for Traveller Sites' (Appendix 2) and a 'Technical Guide' which covers Flood Risk and Minerals planning in greater detail. It should be noted that a range of government documents, mainly circulars that relate directly or indirectly to planning, have not been replaced by the NPPF.

## **Implications for the Councils**

8. The Councils have responsibilities for:
- Minerals and Waste planning functions
  - Plan Making
  - Education
  - Transport
  - Historic and Natural Environment
  - Flood prevention
  - Housing and Employment
9. The County Council also has a strategic interest in terms of impacts on and from adjoining areas such as Derbyshire and South Yorkshire. This is also an important part in the Duty to Cooperate role. Both councils also have property interests.

## **Minerals**

10. The national minerals policy situation has changed relatively little with the advent of the new planning framework. Much of the substantive policy content of previous policy: Minerals Planning Statement 1: Planning and Minerals, has been transferred over into the NPPF in technical guidance Safeguarding resources and protecting human and the environment still key, including noise, dust and restoration.

## **Plan Making**

11. The Nottingham City Local Plan was adopted in November 2005 so full weight, even if there is a limited degree of conflict with the NPPF, will be given to the Plan until the 27th March 2013, under the NPPF transitional arrangements. Following this 12 month period, due weight will be given to relevant policies in the Local Plan according to their degree of consistency with the NPPF.
12. The NPPF states that plans should be kept up-to-date and be based on joint working and cooperation to address key issues. The City Council is required to ensure that the new Local Plan, including the Core Strategy accord with the NPPF; this now includes being positively prepared and meet objectively assessed needs. The emerging Aligned Core Strategy is in general conformity with the NPPF. The emerging Aligned Core Strategies' compliance with the NPPF will be tested at an Examination in Public (EiP).
13. The provisions for plan-making apply also to district councils as LPAs and consequently the duty to co-operate will involve the City and County Councils in supporting the evidence base including the assessment of needs, infrastructure planning and guidance in areas in which they have a particular responsibility, interest or expertise, for example transport, the natural and historic environment, flooding and education, community facilities.

## **Waste**

14. The national waste policy situation is almost completely unchanged (NPPF does not include waste policies). Under EU law the Government must prepare a National Waste Management Plan National Plan, which is due for adoption in 2013, until this time Planning Policy Statement 10: “Planning for Sustainable Waste Management”, will remain in force.

## **Education**

15. The NPPF aims to ensure sufficient choice of school places to meet the needs of existing and new communities and thus provides strong policy support for new or expanded schools as well as improving facilities. It reinforces the (previous) requirement for meaningful and effective pre-application engagement to identify key issues at the earliest opportunity.

## **Transport**

16. The NPPF advocates development and transport solutions which help reduce greenhouse gas emissions and congestion. Non-car transport modes are provided supported. The NPPF also seeks to minimise conflict between traffic and cyclists. The Policy position is not substantively different to previous guidance in Planning Policy Guidance 13: Transport.
17. The NPPF makes it more difficult to refuse development proposals on transport grounds and states that car parking thresholds have been removed, but it does set out that LPAs can set their own thresholds if required.

## **Historic and Natural Environment**

18. The NPPF contains positive strategies for the conservation and enjoyment of the historic and natural environment. The level of protection in Planning Policy Statement 5: Planning for the Historic Environment has been maintained. It is important to have access to expertise on the ground, access to high quality local authority data and expertise on the historic environment and County Historic Environment Records Service (HERS) remains important.

## **Flood Prevention**

19. The Sequential approach remains within the NPPF and the document ‘Development and Flood Risk – A Practice Guide’, which accompanied Planning Policy Statement 25 Flood Risk, remains extant. Additional guidance is included in Technical Guidance to the National Planning Policy Framework. Overall, relatively little change is expected in treatment of flood risk as a planning issue.

## **Property Interests**

20. There is a risk of Local Green Space designations being sought on some Council land parcels, which if granted could severely limit their development potential.

### **Housing and Employment**

21. The NPPF states that 'market signalling' should be used as a criterion in Local Plans, when considering the release of employment land. The long-term protection of employment land should be avoided if land is unlikely to be brought forward for development.
22. The NPPF states that Strategic Housing Land Availability Assessments (SHLAA) must be maintained and updated annually and a housing trajectory must be produced. A five year land supply 5% housing buffer in the City must be maintained but windfalls can be included in the first five years. The City will set out its own approach to density to reflect its own circumstances. In terms of Brownfield land and development on it, LPAs may continue to consider the case for setting a locally appropriate target for the use of Brownfield land and there may be a case for including it within the new Local Plan.

### **Duty to Cooperate**

23. Public Bodies have a 'Duty to Cooperate' strategically plan across local boundaries. The Duty to Cooperate applies to Plan-making authorities, i.e. the County Council for Minerals & Waste and Nottingham City for the Aligned Core Strategy. Partners include district and borough councils in preparing their plans.
24. The County Council is already working closely with partners (which include district and borough Councils) to develop Infrastructure Delivery Plans, covering elements such as transport, utilities and broadband. The County Council is also assisting in the compilation and development of parts of various District and Borough Core Strategies' evidence base. Other partners include the Highways Agency, Environment Agency, utility providers & LEP

### **Conclusions**

25. Overall the thrust of planning policy has not changed significantly the NPPF seeks to support growth, protect the environment, plan sustainably, serve the 'public interest' and 'public amenity'.
26. The County's Minerals and Waste role remains.
27. County 'high level' strategic interests and 'duty to co-operate' will require contribution, especially on preparing evidence for district plan-making – but there are limits to this.

### **Other Options Considered**

28. This report considers all of the relevant issues in relation to the introduction of the new NPPF which have led to the comments, as set out below. Alternative options considered could have been to not implement the NPPF.

### **Reason for Recommendation**

29. To inform Members of the implications of the NPPF.

### **Statutory and Policy Implications**

30. 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.

### **RECOMMENDATION**

- 1) It is recommend that Members of the Committee discuss and note the above report.

**Nina Wilson, Principal Planning Officer, Policy Planning and Corporate Services**

**For any enquiries about this report please contact:**

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### **Background Papers**

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.

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

All

## **Appendix 1 – Detailed Summary of the National Planning Policy Framework**

### **Introduction**

The framework does not contain specific waste policies; these will be published as part of the National Waste Management Plan for England. PPS10 remains in place until this time.

### **Sustainable Development**

3 dimensions to sustainable development; an economic role, a social role and an environmental role, these roles should not be taken in isolation, LPAs need to plan for local circumstances whilst making positive improvements to job creation, increasing biodiversity, improving design, improving the conditions of where people live, work, travel and take leisure and provide a wide choice of high quality homes.

NPPF using the Bruntland definition of sustainable development and refers to the 5 guiding principles of the UK Sustainable Development Strategy 'Securing the Future'.

### **Presumption in Favour of Development**

The default 'yes' of the draft NPPF has been removed. Provided a development accords with an up-to-date development plan it should be approved. For plan-making this presumption means that LPAs should seek positive opportunities to meet the development needs of their areas, which are flexible. Any adverse harm caused as a result of proposed development, should be mitigated against where possible.

For decision making this means that LPAs should approve without delay in accordance with the development plan, or where a development plan is absent grant planning permission unless any adverse impact cannot be mitigated against so that the policies in the NPPF restrict such development.

The implications for how communities engage in neighbourhood planning as a result of the presumption in favour of development mean that neighbourhoods should; develop plans that support strategic development needs as set out in Local Plans, support local development and identify opportunities to use Neighbourhood Development Orders (NDOs) to enable development that is consistent with neighbourhood plans.

### **Scope**

The NPPF covers the following areas:

- Achieving sustainable development
- Building a strong, competitive economy
- Ensuring the vitality of town centres
- Supporting a prosperous rural economy
- Promoting sustainable transport
- Supporting high quality communications infrastructure
- Delivering a wide choice of high quality homes

- Requiring good design
- Promoting healthy communities
- Protecting Green Belt land
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment
- Facilitating the sustainable use of minerals

## **Core Planning Principles**

The NPPF contains 12 core planning principles stating planning should:

- Be plan led;
- Be creative in improving places where people live;
- Drive and support sustainable economic development;
- Seek and secure high quality design;
- Promote urban areas and protect the Green Belt, whilst supporting rural communities;
- Support the transition to a low carbon future, take account of flood risk and coastal change, encourage the reuse of existing resources, buildings and renewable sources of energy;
- Conserve and enhance the natural environment;
- Re-use Brownfield land, provided it is not of a high environmental quality;
- Promote mixed use development;
- Conserves heritage assets;
- Manage patterns for growth to promote the use of public transport;
- and improve health, social and cultural well being whilst delivering sufficient community and cultural facilities and services to meet local need.

## **Building a strong, competitive economy**

Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system. LPAs should:

- Set out a clear economic vision and strategy for their area;
- Set criteria for local inward investment to match the needs of the plan period;
- Support existing business sectors and where possible plan for changing economic circumstances;
- Plan positively for the location, promotion and expansion of clusters of knowledge driven sectors;
- Identify priority areas for economic regeneration, infrastructure provision and environmental enhancement; and
- Facilitate flexible working practices, such as live/work units.

LPAs should avoid the long-term protection of sites allocated for employment use where there is no reasonable prospect of the site being used for that purpose. Land allocations should be regularly reviewed.

## **Town Centres**

Planning policies should promote competitive town centre environments and LPAs should:

- Support their vitality and viability;
- Define a network and hierarchy of centres resilient to change and future economic changes;
- Define the extent of town centres and primary shopping frontages, with policies setting out permitted uses within them;
- Provide choice through competition;
- Retain, enhance and encourage new markets;
- Allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town centre – using assessments, and consider the possibility of extending town centres to ensure an adequate supply of sites;
- Allocate edge of centre sites that are well connected to the town centre;
- Set policies for considering proposals outside the edge of town centres;
- Recognise the importance of residential development within town centres;
- Encourage economic development/activity in declining town centres.

The sequential test remains, in, edge of and out of centre hierarchy for development. Applicants must be flexible on format and scale of proposals.

The sequential approach does not apply to small scale rural offices or other small scale rural development.

Development outside a town centre, not in accordance with an up-to-date local plan will need to have an impact assessment. LPAs can set proportionate thresholds, if they do not; the default threshold is 2,500m<sup>2</sup>. The assessment must address, the impact on existing, committed and planned public and private investment in centres within a defined catchment area and the impact on the vitality and viability of the proposal on the town centre and wider area up to five years from the time the planning application is submitted, or 10 years if it is a major development and the potential impact will not be realised within 5 years.

## **Rural Economy**

Planning should support rural economic growth by, supporting growth and expansion of all types of business and rural enterprise, promoting agricultural diversity, tourism, and leisure development, and promoting the retention of local services and community facilities such as pubs and meeting places.

## **Sustainable Transport**

The NPPF aims to reduce the need to travel, reduce emissions, provide a choice of transport modes, use smarter technologies. Transport Assessments and Transport Statements will be required for all development generating significant amounts of movement.



Development should be refused where the residual cumulative impacts are severe.

Local parking standards should take account of accessibility, type, mixed and use of the development, availability of public transport. Car ownership levels and the overall need to reduce the use of high-emissions transport.

Local parking charges should not undermine the vitality of town centres and should be proportionate.

## **Communications Infrastructure**

LPAs should support the expansion of electronic communications networks, including broadband and telecommunications. The use of existing telecommunications masts should be encouraged. Where new sites are required equipment should be sympathetically designed.

The use of Article 4 directions should not be used to impose blanket bans on telecommunications infrastructure.

Applications for telecommunications development should be supported by evidence and should include, community consultation, issues of cumulative impacts and alternatives to the locations such as mast sharing.

## **Housing**

LPAs to identify key sites which are critical to the delivery of the housing strategy during the plan period, identify and update annually a supply of specific deliverable sites, to provide 5 years housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period). In areas of persistent under delivery the buffer should be increased to 20%. LPAs also need to identify sites for broad locations for growth for years 6-10 and where possible, years 11-15. Affordable and market housing to be identified via housing trajectories, policies for on-site, offsite provision or financial contribution should be set.

Housing density will be set by LPAs.

Windfall site allowances are permissible in the 5 year land supply based on compelling evidence, must be realistic and have regard to the SHLAA.

A wide choice and mix of housing should be planned for.

Empty dwellings should be bought back into use using CPO powers where necessary.

LPAs should set policies resisting inappropriate development in residential gardens.

In rural areas LPAs should be responsive to local need, making use of rural exceptions sites where possible.

New isolated dwellings in the countryside should be avoided unless they are for essential countryside workers, bring back into use a heritage asset, where a redundant building would be re-used to the benefit of the surrounding countryside, or is of exceptional innovative design.

## **Design**

Great importance is placed on the need to ensure that sustainable development is indivisible from good planning. LPAs should consider using design codes to deliver good design outcomes. LPAs should also have local design review arrangements in place to provide assessment and support the delivery of high quality design. Major projects should be referred for a national design review (Currently provided by Design Council Cade).

Advertisements should only be subject to control in the interests of amenity and public safety, taking account of the cumulative impacts.

Special protection may be afforded to Areas of Special Control Order, LPAs must consult local businesses prior to designating such areas.

## **Healthy Communities**

Planning policies should aim to provide opportunities between members of the community that do not usually interact, create safe and accessible environments and clear, legible areas of public open space.

LPAs should also deliver social, recreational and cultural facilities and services to meet community needs, planning policies and decisions should:

- Plan positively for shared spaces and local services;
- Guard against unnecessary loss of valued facilities and services ;
- Ensure established shops are retained for the benefit of the community; and
- Ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

LPAs to take a positive approach to enabling development to be brought forward under the Community Right to Build (CRBO).

LPAs should take a proactive, positive and collaborative approach to providing sufficient school places by:

- Giving great weight to the need to create, expand or alter schools; and
- Work with school promoters to identify and resolve key planning issues before applications are submitted.

Planning policies, for open spaces and sport and recreation, must be based on up-to-date assessments for new provision.

Existing open space, sports or recreational buildings and land, including playing fields, must not be built upon unless:

- An assessment identifies them to be surplus to requirements;
- The loss resulting would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; and
- The development is for alternative sports and recreational provision, the needs for which clearly outweighs the loss.

Planning policies should protect and enhance public rights of way.

Local Green Space designation should only be used:

- The green space is within reasonable proximity to the community it serves;
- The green space holds a particular local significance; and
- Where the green area concerned is local in character and is not an extensive tract of land.

## **Green Belt**

Green Belt policy is largely unchanged from PPG2. New development within the Green Belt now refers to 'buildings' rather than just 'dwellings'. The need to justify special circumstances for development within the Green Belt remains.

## **Climate Change, Flooding and Coastal Change**

LPAs, when determining planning applications should not require development to be justified in terms of need and if the impacts are not harmful to the environment, they should be permitted.

New development should be planned to take account of the longer term impacts of climate change. A sequential approach (if necessary the Exception test) to the location of development is advocated. The SFRA will provide the strategic basis for applying this test.

LPAs should reduce the risk of coastal change by implementing Coastal Change Management Areas.

## **Conserving and Enhancing the Natural Environment**

The planning system should contribute to enhancing the natural environment by:

- Protecting and enhancing valued landscapes, geological conservation interests and soils;
- Recognising the wider benefits of ecosystem services;
- Minimising the impact and providing net gains in biodiversity

Planning permission, which cannot be mitigated against, located in designated areas should be refused.

LPAs should plan for:

- Biodiversity at a landscape-scale across local authority boundaries;
- Identify and map components of ecological networks
- Promote preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of species populations, linked to national and local targets;
- Prevent harm to geological interests; and
- Where Nature Improvement Areas are identified in Local Plans authorities should specify type of acceptable development within them.

Planning policies and decisions should aim to:

- Avoid the detrimental impact of noise on health and quality of life;
- Mitigate and reduce to a minimum adverse impacts, including through the use of conditions;
- Recognise some development causes noise and not unreasonably restrict such development where appropriate; and
- Identify and protect areas of tranquillity

Planning policy should sustain compliance with and contribute towards EU limits values or national objectives for pollutants, taking into account Air Quality Management Areas and the cumulative impact of air quality from individual sites in local areas.

The reduction of the impact of light pollution through good design should be encouraged.

## **Conserving and Enhancing the Historic Environment**

LPAs should set out in Local Plans a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets at most risk through neglect, decay or other threats. They should take account of:

- Sustaining and enhancing such assets and bringing them back into use;
- The wider social, cultural, economic and environmental benefits they bring;
- The desirability of new development making a positive contribution to local character and distinctiveness; and
- Opportunities to draw on the contribution made by the historic environment to the character of place.

Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled ancient monuments should be subject to policies for designated heritage assets.

LPA should make information about the significance of the historic environment gathered as part of plan-making or development management, publicly available. Developers are also required to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and make this publicly available.

## **Minerals**

Minerals guidance is contained within the main document as well as the technical document and has replaced the existing Minerals Policy Guidance notes and Minerals Planning Statements.

The guidance is very clear about the role minerals play in supporting sustainable economic growth and the importance of providing a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs.

However it also makes it clear that plans should set out criteria to ensure that permitted operations do not have unacceptable adverse impacts on the natural and historic environment and human health. The technical annex contains more detailed guidance on the proximity of mineral workings to communities, dust and noise emissions and restoration & aftercare of mineral sites.

Safeguarding minerals remains important and plans should define safeguarding areas and adopt appropriate policies to stop minerals being sterilised by non-mineral development.

MPAs should prepare annual Local Aggregate Assessments either individually or jointly with other mineral planning authorities. These should be based on a rolling average of 10 years sales data and other relevant local information including secondary and recycled aggregate production.

Local Aggregate assessments should take account of National and sub national guidelines as well as any advice from the (regional) Aggregate Working Party.

Landbank levels should continue to be maintained: 7 years for sand and gravel, 10 years for crushed rock, 10 years silica sand and 25 years for brick clay.

Plans should indicate where coal extraction and the disposal of colliery spoil may be acceptable.

Presumption against coal development remains in place, however it now includes 'national benefits' along with local and community benefits which clearly outweigh the likely impacts to justify the grant of planning permission.

## **Plan Making**

### *Local Plans*

Local Plans must be produced by each LPA. Additional development plan documents should only be used where clearly justified. SPDs only used to help applicants make successful applications or aid infrastructure delivery, and not to add unnecessarily to the financial burden of the developer.

Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential.

LPAs should set strategic priorities to deliver:

- Homes and jobs;
- Retail, leisure and other commercial development;
- The provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management and the provision of minerals and energy (including heat);
- The provision of health, security, community and cultural infrastructure and other local facilities; and
- Climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

Local Plans should:

- plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of the NPPF;
- be drawn up over an appropriate time scale, preferably a 15-year time horizon, take account of longer term requirements, and be kept up to date;
- be based on co-operation with neighbouring authorities, public, voluntary and private sector organisations;
- indicate broad locations for strategic development on a key diagram and land-use designations on a proposals map;
- allocate sites to promote development and flexible use of land, bringing forward new land where necessary, and provide detail on form, scale, access and quantum of development where appropriate;
- identify areas where it may be necessary to limit freedom to change the uses of buildings, and support such restrictions with a clear explanation;
- identify land where development would be inappropriate, for instance because of its environmental or historic significance; and
- contain a clear strategy for enhancing the natural, built and historic environment, and supporting Nature Improvement Areas where they have been identified.

Overall, in terms of plan making LPAs are expected to provide up-to-date robust evidence bases to support their plans, these includes things such as a SHLAA, and IDP, these documents must be put together with the involvement of relevant external bodies such as Natural England and the MOD.

Public Bodies have a 'Duty to Cooperate' and strategically plan across local boundaries.

Local Plans will be examined by an independent Inspector to consider if the plan is sound namely that the plan is; positively prepared, justified, effective and consistent with national planning policy.

Neighbourhood plans can be produced by parishes and neighbourhood forums. Such plans must confirm with the areas Local Plan and can set policies to determine

decisions locally and grant planning permission through NDO and CRBO for development complying with these orders.

## **Decision Taking**

LPAs should approach decision-taking in a positive way to foster the delivery of sustainable development. Pre-application advice and front loading is essential to improve efficiency and effectiveness.

Where an NDO has been made a planning application is not required for development that is within the terms of the order. This also applies to CRBO.

LDOs should be used to tailor the relaxation of planning controls to fit with local circumstances.

The use of Article 4 Directions should be limited to situations where it is necessary to protect local amenity or the wellbeing of an area.

Obligations should only be sought where they are necessary, directly related to the development and are fairly and reasonably related in scale and kind to the development.

LPAs should consider publishing a local enforcement plan to manage enforcement proactively. This would set out how they would monitor the implementation of planning permission, investigate alleged cases of unauthorised development and take action where it is appropriate to do so

## **Appendix 2 - Planning Policy for Traveller Sites**

### **Introduction**

The Government aims to ensure fair and equal treatment for travellers, that facilitates their way of life and respects the interests of settled communities.

The Governments aims to achieve this are:

- LPAs should make their own assessment of need for the purposes of planning;
- LPAs work collaboratively in developing strategies to meet need through site identification over a reasonable timescale;
- Protect the Green Belt from inappropriate development;
- Promote private traveller site provision, though recognise that not all travellers can provide their own sites;
- Reduce the number of unauthorised development and encampments and make enforcement more effective;
- Increase site level supplies in appropriate locations with planning permission;
- Reduce tensions between settled and travelling communities;
- Make provision for travellers to have access to education, health, welfare and employment infrastructure; and
- LPAs to have due regard to the protection of local amenity and the local environment.

### **Policy A - Using Evidence**

LPAs need to assemble an evidence base that supports their planning approach. LPAs must engage with settled and travelling communities cooperate with travellers and their representatives, other LAs and relevant interest groups in preparing and maintaining an up-to-date understanding of the likely permanent and transit accommodation needs within their areas during their plan period and the evidence base must be robust to inform planning decisions.

### **Policy B - Plan Making**

LPAs must set pitch targets for gypsies and travellers and plot targets for travelling show people, both must address likely permanent and transit site accommodation needs.

In local plans LPAs must:

- Identify and update annually, a 5 years supply of deliverable sites;
- Identify a supply of specific developable sites or board locations for years 6-10 and where possible years 11-15;
- Consider cross boundary plans; and
- Relate number of pitches/plots to local circumstances and protect local amenity and environment.



Criteria should be set to guide land supply allocations where there is an identified need. Where no need is identified, criteria-based policies should be included to deal with decisions on a case by case basis.

Traveller sites should be sustainable economically, socially and environmentally, such as not locating sites in the flood plain.

### **Policy C – Sites in Rural Areas and the Countryside**

LPAs should ensure that the scale of sites do not dominate the nearest settled community.

### **Policy D – Rural Exception Sites**

If there is a lack of affordable land to meet need, LPAs should consider allocating and releasing sites solely for affordable traveller sites. Such policies should be in perpetuity and should seek to address the needs of the local community by accommodating households who are either current residents or have family or employment connections.

### **Policy E – Traveller Sites in the Green Belt**

Traveller sites in the Green Belt are classed as inappropriate development, special circumstances will need to be presented if planning permission were to be acceptable.

Green Belt boundaries can be altered but the land would then need to be allocated as a traveller sites.

### **Policy F – Mixed Planning Use Traveller Sites**

LPAs should consider sites suitable for mixed residential and business uses having regard to safety and amenity, where possible. Consideration needs to be given to the storage and space of equipment. Mixed use sites are not permitted on rural exception sites.

### **Policy G – Major Development Projects**

LPAs must work with the travelling community to identify sites or a site suitable for relocation of the community if a major development proposal requires the permanent or temporary relocation of a traveller site. LPAs are entitled to expect the applicant to identify and provide an alternative site, providing the development on the original site is authorised.

### **Policy H – Determining Planning Applications for Traveller Sites**

When determining applications LPAs must consider, amongst other relevant matters:

- The existing level of local provision and need for sites;
- The availability (or lack) of alternatives accommodation ;

- Other personal circumstances ;
- That the locally specific criteria used to guide site allocation where there is no identified need for pitches/plots should be used to assess applications on unallocated sites; and
- They should determine applications for sites from any travellers and not just those with local connections.

Traveller site development in open countryside should be strictly controlled and should not place undue pressure on existing infrastructure.

Weight should be attached to the use of Brownfield land, sites that would positively enhance the environment, promotion of healthy lifestyles. Sites should not be enclosed with too much hard landscaping, high walls or fences.

Planning obligation use such as limiting which part of a site maybe used for business operation in order to minimise noise are encouraged.

## **JOINT WASTE DEVELOPMENT PLAN – PROGRESS REPORT ON THE CORE STRATEGY**

### **Purpose of the Report**

1. To report on progress with the Nottinghamshire and Nottingham Waste Core Strategy which is the first of the three development documents which will eventually replace the adopted joint Nottinghamshire and Nottingham Waste Local Plan 2002.

### **Information and Advice**

2. The draft Waste Core Strategy was published for a formal period of public representations between 5 March and 30 April 2012. Responses were received from a total of 30 different organisations and individuals including statutory bodies, local district and parish councils, neighbouring county councils, the waste industry, utility companies, interest groups and members of the public.
3. The authorities will jointly consider these responses and whether any consequent changes should be made to the draft Waste Core Strategy prior to submitting it for Examination. As part of that process councillors will receive a summary of all responses, and links to more information. At this stage of preparation changes are only expected to be minor, although they may in this instance include some changes arising from the introduction of the National Planning Policy Framework. The two authorities will approve changes separately through their own appropriate decision-making bodies.
4. This work is part of the process to prepare the Plan for submission to the Planning Inspectorate for Examination. The Examination of the Plan by an independent inspector is anticipated to take place in the autumn.

### **Other Options Considered**

5. Not applicable as preparation of the Waste Core Strategy and other development plan documents is a statutory function of both authorities.

### **Reason/s for Recommendation/s**

6. To ensure that members are aware of the progress of the Waste Development Framework.

### **Statutory and Policy Implications**

7. 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.

## **RECOMMENDATION**

- 1) It is recommended that Members of the Committee discuss and note the above report

**Suzanne Moody, Principal Planning Officer, Policy Planning & Corporate Services, Nottinghamshire CC.**

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## **Background Papers**

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.

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

All

## **LOCAL SUSTAINABLE TRANSPORT FUND UPDATE**

### **Summary**

- 1 This report updates the Joint Committee on background to the Local Sustainable Transport Fund, funding secured as part of the first phase and progress on the second phase bid.

### **Background**

- 2 In January 2011 the Government announced the details of a £560 million Local Sustainable Transport Fund (LSTF) for 2011/12 to 2014/15 specifically for packages of transport measures that support economic growth and reduce carbon in their communities.
- 3 The Authorities have submitted a Nottingham Urban Area bid in partnership with the Greater Nottingham Transport Partnership (GNTP), Sustrans, NHS Nottingham City and Derbyshire County Council along with other partners. The bids were prepared in two stages reflecting the bid application process:
- 4 A **£5 million Phase 1 Key Component bid** was submitted in April 2011. On 5<sup>th</sup> July 2011 the Secretary of State for Transport announced the successful award of £4.925 million (£3.85 million revenue and £1.075 million capital) to deliver the core foundation elements of the LSTF programme. Delivery commenced in September 2011 across four broad work areas including: developing the existing Citycard into an integrated smartcard available for use on bus, tram and local train services for all operators, improving multi-modal integration at public transport interchanges through secure cycle parking facilities, establishing the first community smarter travel hub in Bulwell providing sustainable travel support to local communities, the expansion of the Greater Nottingham Transport Partnership business support activities and the continuation and expansion of the Ucycle programme to Universities and 16-19 colleges.
- 5 An **£11 million Phase 2 Main Bid business case** was submitted in December 2011. The work areas in the Main Bid will build on the key component work programme by offering an enhanced range of public transport products available on the Citycard e.g. cycle hire and on-street and off-street parking payments, the establishment of further community hubs across the wider urban area with a programme of 20mph limits to be implemented across the city, introduction of hybrid electric vehicles and infrastructure for the Linkbus network, on-road strategic cycle corridors, smarter choices and low carbon infrastructure to support businesses and a coordinated programme of

cycling training package aimed at schools, colleges and universities supported by an area-wide calendar of active travel events.

- 6 The LSTF bid aims to establish Nottingham as a national leader for integrated sustainable transport. The bid presents a unique opportunity to local citizens and the business community by supporting economic growth and improving access to local jobs and training. The package has been developed to maintain economic competitiveness and create the capacity for growth of Nottingham. Key proposals will improve access to employment and services and help link people to good jobs by addressing affordability barriers and supporting the sustainable travel needs of the business community to make businesses more accessible to the labour market and for visitors and customers.
- 7 The package is consistent with Local Transport Plans 2011 – 2026 however as a revenue led programme the LSTF funding will complement significant capital schemes such as Nottingham Express Transit Phase Two and the Station Hub by supporting promotion and engagement activities to maximise the value of the infrastructure investment secured through LTP and other capital funding programmes. It also complements the introduction of the Workplace Parking Levy in the city. The bid will support sustainable development patterns in alignment with the Core Strategy by making low carbon travel options practical and realistic choices for people living and working in the Nottingham Urban Area.
- 8 The bid partnership submitted a Full Business Case for the Main Bid to DfT on 20th December 2011. Announcements on successful bids will be announced in June 2012.

## **Recommendation**

It is recommended that the Committee note the contents of this report.

## **Contact Officers**

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Meeting **JOINT COMMITTEE ON STRATEGIC PLANNING AND TRANSPORT**

Date **22 June 2012** Agenda item number

From **JOINT OFFICER STEERING GROUP**

## **RAIL ISSUES UPDATE**

### **Purpose of the report**

1. To update the Committee on key rail issues in and into the Greater Nottingham area and rail services across local authority boundaries. The work of the two Councils, although separate, is complementary, and of mutual benefit.

### **Midland Main Line (MML)**

2. The process has started of determining the financial arrangements for the rail industry for the period 2014 - 2019 (called 'Control Period 5 - or 'CP5'), including provision for investment in enhancements.
3. As detailed in the rail report to the last Joint Committee meeting, the 'Initial Industry Plan' for that period includes proposals for a number of enhancements on the MML, but at this stage they are merely proposals. There are a number of stages at which the MML schemes could be excluded. On the other hand there are just 2 stages at which the MML schemes could gain a definitive approval :-
  - In July 2012. If anything is specified in the Government's High Level Output Statement (HLOS) then that is an absolute Government requirement, and Network Rail and the Office of Rail Regulation (ORR) must deliver during CP5; and
  - In October 2013, when the ORR gives its final approval to the funding for all CP5 schemes.
4. Both Councils have been making great efforts to secure approval for investment in the MML through the HLOS, particularly
  - The second phase of the linespeed works, including easing the curve and the speed limit at Market Harborough,
  - An improved layout at Leicester, with extra tracks and an improved layout to reduce conflicting movements between MML trains and east -west trains (including freight trains) which cause timetabling constraints; and
  - An enhanced layout at Derby.

5. In February, along with Andrew Pritchard from East Midlands Councils, I met and briefed Nicky Morgan MP for Loughborough on the MML, and she has taken the MML campaign up with enormous vigour. She has
  - organised a joint letter from 20 MPs to the Rail Minister, Theresa Villiers MP, pressing the case for the upgrade and electrification;
  - organised an adjournment debate in the House of Commons on April 16<sup>th</sup> in which 28 MPs participated, for which briefings were provided for MPs;
  - organised a series of questions from MPs to the Minister;
  - organised a delegation of MPs to meet the Business Secretary, Vince Cable MP, on 3<sup>rd</sup> July, in which the Leader of Nottinghamshire CC, Cllr Cutts, will represent local authorities along the line; and
  - generally sustained a high level of pressure on DfT.
6. East Midlands Councils has organised a joint letter from all the East Midlands' Council Leaders. And Cllrs Jackson and Urquhart have also written a joint letter.
7. Network Rail has continued work on developing and designing the schemes, and the latest estimated cost of these enhancements, is believed to be (in approximate round figures)
 

• Second phase of linespeed works	£ 30m
• Improved layout and flyover at Leicester	£120m
• Improved layout at Derby	£ 65m

### **Nottingham - Newark - Lincoln**

8. Work continues to secure an enhanced service on this line. The County Council's LSTF bid had contained a sum to cover the cost of an additional train from Newark into Nottingham at the start of the morning peak period, but unfortunately that bid was unsuccessful. Possible other funding sources are now being sought

### **Nottingham station**

9. The multi-story car park has been completed to schedule and opened in May 2012. Network Rail have appointed Vinci Plc to deliver the main station works. Detailed design work is ongoing with substantive works due to start in the Autumn. These are also being coordinated with NET Phase 2 and station resignalling works, all for completion by 2014.
10. Preparatory works have commenced for the renewal of the track and signals that will be undertaken in summer 2013, and the enhancements for which the Councils have secured funding of £11.6million.

### **Cycle Rail Integration**

11. East Midlands Trains, Nottinghamshire County Council and the City Council are working in partnership to install secure cycle parking cages and bike hire facilities at Bulwell, Beeston and Hucknall Stations. This will also include



additional gating and smart card access to half of the cycle parking facility at Nottingham Station. Nottingham Station will be up and running before the end of June with installation of the other sites over the next few months.

12. Access to the parking will be provided free of charge once the user has registered to obtain a smart card. Cards which contain this feature currently include the Citycard, Trent University staff and student card and employer's smart cards.
13. The new parking facilities will be incorporated into a package of facilities which will also be available at tram and bus park and ride sites, Broad Marsh bus station and the Fletcher Gate car park. This investment will help encourage cycle use as well as integration with public transport and the car.
14. Funding for the Station specific works is coming from the Association of Train Operating Companies (ATOC), there is also a Local Sustainable Transport Fund contribution which is also funding the wider scheme.

### **Rail devolution**

15. The Government is currently consulting on proposals to devolve responsibility for rail franchising. At the moment the franchise contracts underlying most train services in England are specified, funded and managed centrally by the DfT. The Government is seeking views on whether, in line with its localism agenda, improved outcomes for passengers might be achieved in some cases if decisions relating to local rail services were made closer to the communities they serve.
16. If any of the potential changes go ahead, then they will be implemented in line with the franchise re-letting process, which will gain momentum over the next few years. The document focuses particularly on the Northern franchise, which contains the Nottingham – Leeds and Retford - Worksop - Sheffield services, as that will be re-let September 2013.
17. The document is currently open for consultation until the 28<sup>th</sup> June. As well as the consultation the DfT are looking for expressions of interests from bodies that may be willing to take these powers on.
18. The DfT has approached this question with the presumption that some train services are primarily of national strategic importance and therefore should be specified and procured centrally, while other services are of greatest significance to more local interests, and might therefore benefit from being locally specified. It suggests 5 types of service:-
  - Inter-city services linking London with other major towns and cities – this includes the MML
  - Inter-regional services linking large towns and cities, other than London, across the country – including Nottingham to Birmingham, Liverpool to Norwich, and Nottingham to Leeds
  - Commuter services taking hundreds of thousands of people to work into London every day on a very congested network

- Local services conveying people into the major cities and conurbations across the country
  - Services linking smaller towns and rural areas with larger towns, cities and the inter-city rail network.
19. Depending on the degree of decentralisation sought, the devolved body must be democratically accountable, and have a governance structure that is able to make all necessary decisions and take responsibility for risk for the duration of a franchise.
  20. In most cases the devolved body will expect a block grant or 'dowry' from the Government to enable it to fund a network of services similar to that which exists prior to decentralisation. The devolved body will also wish to ensure that the network is able to adapt to the changing needs of its users, including the provision of additional capacity to meet growth in demand, and to support economic growth by improving local connectivity. It is not entirely clear how such additional capacity would be funded.
  21. The great potential benefit of such devolution is that it could facilitate enhancements as determined by local stakeholders. The big danger is that, the responsibility would include financial responsibility. The budget of the devolved services could amount to around £1billion per annum.
  22. Three Integrated Transport Authorities(ITA) - South Yorkshire, West Yorkshire and Greater Manchester ITAs - are interested in principle in such devolution, and are exploring what interest there might be from other local authorities. They envisage a dual tier of governance, with a small Board of those authorities that are willing and able to assume full responsibility and a wider stakeholder group of other authorities that would be served by a devolved franchise but who do not wish to have formal or financial responsibilities.
  23. Neither the City nor the County Council has the resources of an ITA, neither financial nor staffing, to participate as full members. However, if devolution was to proceed anywhere then there would be a need to protect the interests of any Nottingham services that were operated under a devolved franchise.

## **RECOMMENDATION**

24. Recommendation
  - a) that in their responses on rail franchise devolution both Councils should
    - require that 'inter-Regional services', which category includes Nottingham - Birmingham, Liverpool - Manchester - Sheffield - Nottingham - Norwich , and Nottingham -Sheffield - Leeds, must continue to be specified at a national level, and
    - require an opportunity to participate in the stakeholder groups for any devolved franchises
  - b) that the Committee notes the other contents of this report.

## **Contact Officers**

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## **GREATER NOTTINGHAM JOINT PLANNING ADVISORY BOARD UPDATE**

### **Summary**

- 1 The Greater Nottingham Joint Planning Advisory Board (JPAB) oversees the preparation of Aligned Core Strategies across Greater Nottingham, and the implementation of the New Growth Point infrastructure projects. This report updates the Joint Committee on the work of JPAB.

### **Background**

- 2 Meetings of JPAB have been held on 23<sup>rd</sup> March and 19<sup>th</sup> April 2012. The minutes of the previous 14<sup>th</sup> December 2011 meeting and the 23<sup>rd</sup> March 2012 meeting are attached to this report, as appendix 1 and 2. The minutes of the 19<sup>th</sup> April meeting are yet to be considered by JPAB and are therefore not available for inclusion in this report.
- 3 The main item of business for both meetings was consideration progress towards formal publication of the Core Strategies covering the area. This progress is summarised below.
- 4 Following their approvals, Broxtowe, Gedling and Nottingham City Councils published their Aligned Core Strategies for a statutory 6 week period commencing on June 11<sup>th</sup>, with representations required by 5:00pm on 23<sup>rd</sup> July 2012.
- 5 Erewash Borough Council will be seeking formal approval on 21<sup>st</sup> June for publication programmed for 28<sup>th</sup> June. Due to the later publication date, Erewash will be publishing a separate document to Broxtowe, Gedling and Nottingham City.
- 6 Assuming no issues are raised as a result of representations which would entail re-publishing either document, this would still allow for both documents to be submitted for Examination at the same time, and therefore a conjoined Examination remains possible, subject to the views of the Planning Inspectorate.
- 7 Assuming the four Councils approve and publish the Core Strategies in line with the timetable above, the following timetable to Examination and Adoption is proposed. It assumes no major changes to the Publication draft are

required that would entail further consultation or re-Publication. (NB after Submission, the timetable is driven by the Planning Inspectorate.

<b>STAGE</b>	<b>DATE</b>
<b>Council Approvals</b>	Feb to June 2012
<b>Publication</b>	11 <sup>th</sup> June 2012
<b>Close of Rep Period</b>	23 <sup>rd</sup> July 2012
<b>Inputting etc</b>	22 <sup>nd</sup> Oct 2012
<b>Schedule of Changes</b>	5 <sup>th</sup> Nov 2012
<b>Approval/Submission</b>	30 <sup>th</sup> Nov 2012
<b>Pre Hearing</b>	25 <sup>th</sup> Jan 2013
<b>Hearing Sessions</b>	8 <sup>th</sup> March 2013
<b>Delivery of report</b>	25 <sup>th</sup> June 2013
<b>Adopt</b>	July/September 2013

- 8 Ashfield are preparing a 10 year Local Plan covering the whole of their District, and are targeting a 'Preferred Option' consultation for the summer. Rushcliffe Council published its Core Strategy for representations on 23<sup>rd</sup> March, with a closing date of 10<sup>th</sup> May, and are currently considering the representations made.

### **Recommendation**

It is recommended that the Committee note the contents of this report.

### **Background Papers referred to in compiling this report**

Greater Nottingham Joint Planning Advisory Board papers for 23<sup>rd</sup> March and 19<sup>th</sup> April 2012.

### **Contact Officer**

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## **APPENDIX 1**

### **ITEM 3 MINUTES OF THE GREATER NOTTINGHAM JOINT PLANNING ADVISORY BOARD HELD ON WEDNESDAY 14 DECEMBER 2011 AT THE OLD COUNCIL CHAMBER, TOWN HALL, BEESTON**

#### **Appendix 1**

#### **PRESENT**

**Broxtowe:** Councillor Steve Barber (Chair);  
**Erewash:** Councillor C Corbett;  
**Gedling:** Councillor R Allan;  
**Nottingham City:** Councillor J Urquhart;  
**Nottinghamshire County:** Councillor R Butler; Councillor R Jackson;  
**Rushcliffe:** Councillor D Bell

#### **Officers in Attendance**

**Broxtowe:** Mr Steve Dance;  
**Erewash:** Mr Steve Birkinshaw;  
**Gedling:** Mr Peter Baguley;  
**Growth Point:** Ms Dawn Alvey; Mr Matt Gregory;  
**Nottingham City:** Mr Grant Butterworth;  
**Nottinghamshire County:** Mrs Sally Gill;  
**Rushcliffe:** Mr Richard Mapletoft, Mr Paul Randle

#### **Observers**

**Environment Agency:** Mrs Naomi Doughty;  
**Growth Point:** Mr Matthew Grant;  
**Nottingham City:** Councillor Ian Malcolm;  
**Oxalis Planning:** Mr B Holmes;  
**Signet Planning:** Miss S Drury;  
Mr Robert Galij  
Mr John Hancock

#### **Apologies:**

**Ashfield:** Ms Christine Sarris  
**Broxtowe:** Mrs R Hyde  
**Derbyshire:** Mrs Christine Massey;  
**Erewash:** Councillor Geoff Smith  
**Nottinghamshire City:** Councillor Alan Clark

1. **Welcome and Apologies**

Councillor Steve Barber, Chair, welcomed those attending and introductions were made. Apologies were noted.

2. **Declarations of Interests**

There were no declarations of interest.

3. **Approval of Minutes of last meeting**

An amendment to note that Mr John Hancock attended the last meeting. The minutes of the meeting held on 20 October 2011 were then approved. There were no matters arising.

4. **Aligned Core Strategies**

4.1 MG presented slides to accompany his report on 19 draft policies to be approved by councils early next year for publication of their respective Aligned Core Strategies. The timetable is challenging with risks to the programme if approval dates should slip.

4.2 At the last board meeting three options were proposed in order to collectively progress with the ACS. Option B (aligned strategies for Broxtowe, Erewash, Gedling and Nottingham with a separate strategy for Rushcliffe) was preferred as it was the safest for all councils. Despite different approaches to housing provision, the strategies would have a high degree of alignment in all other respects which will be important at Examination. Rushcliffe Borough Council expect their strategy to be approved at full council on 15/12/11. No date has been set for publication. Ashfield District Council would develop their own plan with timescale to be confirmed

4.3 Appendix A detailed 18 out of the 19 draft policies which included two new proposed and one amalgamated policy relating to green belt and heritage matters. Policy 2 (Spatial Strategy) will be circulated separately in draft form once outstanding decisions have been reached.

4.4 Each draft policy was discussed in turn.

**Policy 1: Climate Change**

A significant change had been made to the draft policy to respond to recent government guidance. An 'Energy Hierarchy' has been introduced which enables developers to use the most effective way of reducing CO<sub>2</sub> emissions and increasing use of renewables rather than just focussing on the 'Merton Rule'. The policy allows for further more detailed guidance to be prepared.



### Policy 3: Nottingham-Derby Green Belt

Cllr Corbett announced that the green belt was vitally important to Erewash Borough Council and EBC would not be proposing any greenbelt sites.

### Policy 4: Employment Provision and Economic Development

M Gregory emphasised the need for industrial and warehousing land as well as including space for office jobs.

### Policy 5: Nottingham City Centre

G Butterworth explained that this policy was subject to consultation with some minor changes to wording required. Cllr Urquart referred to the two Nottingham shopping centres to make sure that they were included in the policy to balance the city centre appropriately alongside improvements to the railway station and the tram.

### Policy 6: Role of Town and Local Centres

Policy remains unchanged. S Dance – may need to review recommendations of the Portas Report.

### Policy 7: Regeneration

No significant change - makes reference to Gedling Colliery and Chase Farm. Cllr Urquart suggested more focus on particular places in the city centre leading to further changes to the policy. Cllr Barber advised Rolls Royce, Derby was working with University of Nottingham to encourage economic development.

### Policy 8: Housing Mix and Choice

No significant change - Cllr Urquart was pleased that Nottingham City shows emphasis on larger family housing and multi occupancy housing. Cllr Barber stated that waiting lists for council houses in the city was high.

### Policy 9: Gypsies, Travellers and Travelling Show People

No changes made to the policy.

### Policy 10: Design and Enhancing Local Identity

Slight change by amalgamating into design quality. Heritage matters has become a separate policy.

### Policy 11: The Historic Environment

This is a new policy. It gives prominence around development and accounts for historic assets in a way that is appropriate. Cllr Butler voiced that mistakes had been made in the past where heritage had been lost forever.

#### Policy 12: Local Services and Healthy Lifestyles

No comments.

#### Policy 13: Culture, Tourism and Sport

No major proposals for the Board to deal with. Local policies can be developed further.

#### Policy 14: Managing Travel Demand

No significant change, just clarifies what we are trying to achieve.

#### Policy 15: Transport Infrastructure Priorities

Amended to reflect revised status of A453 and Ring Road Major. Cllr Urquart confirmed that committed funding will be forthcoming for the Nottingham Ring Road. Cllr Barber - status of Gedling access road has also changed.

#### Policy 16: Green Infrastructure, Parks and Open Spaces

No change from previous draft.

#### Policy 17: Biodiversity

No comments.

#### Policy 18: Infrastructure

Reviewing policy amongst councils.

#### Policy 19: Developer Contributions

Policy sets out context of contributions and for councils to introduce future CIL. Cllr Butler – concerned that current CIL regulations do not include appropriate arrangements for funding to upper tier authorities.

- 4.5 MG will circulate revised Policy 2 when available.

<b>It was resolved to NOTE progress on the Greater Nottingham Aligned Core Strategies, and consider the draft policies included at Appendix A of the report.</b>
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### 5. Strategic Planning Update and Recent Announcements

- 5.1 DA's report updated on strategic announcements surrounding the Localism Bill. The Act enables Regional Spatial Strategies due to be revoked – likely to take place by spring 2012. It also requires prospective applicants to consult with local communities for large developments.
- 5.2 Community Infrastructure Levy consultation is underway. Current consultation seeks views on using CIL for affordable housing.
- 5.4 The Government's Housing Strategy introduces a number of initiatives to accelerate housing delivery and to help housebuilders.
- 5.5 D2N2 (LEP) has been awarded over £17m from the Government's Growing Places Fund.
- 5.6 With regard to CILs Cllr Butler suggested consultation with County on the preparation of charging levels and fund sharing, as County is major deliverer of infrastructure (roads/schools).

<b>It was resolved to NOTE the report.</b>
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6. **Programme of Development**

- 6.1 DA reported capital programme claims received upto 30/9/11 have now been processed. Projects have been highlighted within Table 1 for close monitoring.
- 6.2 A letter was sent to Network Rail, signed on behalf of the Board, asking to be kept informed of progress to Ilkeston Station in order to secure allocated funds for the development.
- 6.3 The £250k originally allocated for Gedling Colliery will be discussed at a future meeting for possible alternative sites. Individual councils to report any under-spend.
- 6.4 A revenue summary was provided.
- 6.5 Erewash Borough Council thanked the Board for writing to Network Rail. DA advised that no reply had yet been received.

<b>It was resolved that JPAB NOTE the capital and revenue updates and receive a future report setting out recommendations for programme under-spend.</b>
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7. **Any other Business**

None.

8. **Date of Next Meeting**

The following dates were proposed and circulated.

<u>Date</u>	<u>Time</u>	<u>Venue</u>
23 March 2012	2.00 pm	Old Council Chamber, Town Hall, Beeston
19 April 2012	2.00 pm	Old Council Chamber, Town Hall, Beeston

## APPENDIX 2

<b>ITEM 3</b>	<b>MINUTES OF THE GREATER NOTTINGHAM JOINT PLANNING ADVISORY BOARD HELD ON FRIDAY 23 MARCH 2012 AT THE OLD COUNCIL CHAMBER, TOWN HALL, BEESTON</b>
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### PRESENT

**Broxtowe:** Councillor Steve Barber (Chair);  
**Erewash:** Councillor G Smith;  
**Gedling:** Councillor R Allan;  
**Nottingham City:** Councillor A Clark; Councillor J Urquhart;  
**Nottinghamshire County:** Councillor R Butler; Councillor R Jackson;  
**Rushcliffe:** Councillor D Bell

### Officers in Attendance

**Ashfield:** Mr Trevor Watson  
**Broxtowe:** Mr Steve Dance; Mrs Ruth Hyde  
**Derbyshire:** Mrs Christine Massey  
**Erewash:** Ms Yvonne Wright;  
**Gedling:** Mrs Joanna Gray;  
**Growth Point:** Ms Dawn Alvey; Mr Matt Gregory;  
**Nottingham City:** Mrs Sue Flack;  
**Nottinghamshire County:** Mrs Sally Gill;  
**Rushcliffe:** Mr Paul Randle

### Observers

**Growth Point:** Mr Matthew Grant;  
**Oxalis Planning:** Mr John Holmes;  
**Barratt Homes Ltd:** Mr Robert Galij;  
Mr John Hancock

### Apologies:

**Derbyshire:** Mr Nawaz Khan; Councillor Kevin Parkinson;  
**Nottinghamshire City:** Councillor Ian Malcolm (Observer);  
**Rushcliffe:** Mr Richard Mapletoft

1. **Welcome and Apologies**

Councillor Steve Barber, Chair, welcomed those attending and introductions were made.

2. **Declarations of Interests**

There were no declarations of interest.

3. **Approval of Minutes of last meeting**

Minutes of the last meeting were approved and seconded. There were no matters arising.

4. **Aligned Core Strategies**

4.1 MG updated on Rushcliffe Borough Council Core Strategy which is to be published on 23rd March. Gedling and Broxtowe Borough Councils are expecting to have their strategies approved over the next couple of months. Nottingham City Council has already had their strategy approved. All four remaining councils are timetabled for publication early in the summer.

4.2 Erewash Borough Council will be unable approve the Core Strategies prior to the planned publication date in early June. Other councils will therefore publish their strategies ahead of Erewash to enable the statutory representation period to fall prior to the summer holidays. If there are no significant changes required then it is expected to submit core strategies for examination in autumn 2012.

4.3 The Habitats Regulations Assessment is almost complete.

4.4 The National Planning Policy Framework is expected to be published imminently. The ACS document will be reviewed to ensure it is compliant with the NPPF.

4.5 Cllr Barber expressed his concern with timetabling of the strategy for Erewash and asked if their dates could be brought forward by holding an extra Council meeting to approve the document. He also sought assurances from them that their strategy would be completed as indicated. Cllr Smith was confident that Erewash would complete the work due to an appointment of another member of staff to assist.

<b>It was resolved that JPAB NOTE the progress towards publication of the Greater Nottingham Aligned Core Strategies, and the indicative timetable for Submission and Adoption.</b>
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5. **Infrastructure Delivery Plan**

5.1 DA gave a presentation to update the Board on the approach being taken by Nottingham Regeneration Ltd who has been commissioned to assess the

viability of site allocations in the first five years of the plan. Appraisals including construction costs, developer contributions, transport, education, health where available have been undertaken to demonstrate viability under different market conditions.

- 5.2 Cllr Jackson commented that local councils have specific affordable housing requirements – appraisals should not undermine this. Cllr Bell noticed the amount of affordable housing affects site viability significantly. MG explained that these figures would be put in front of the Inspector of the plan to enable them to view if the site is deliverable. Cllr Barber acknowledged that there would be an element of risk for developers.

<b>It was resolved that JPAB NOTE the report.</b>
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6. **Programme of Development**

6.1 **Capital**

DA announced that she would provide a detailed end of financial year report when out turn figs were available. Capital grant claims for Quarter 3 have been processed. There has been some slippage especially for Brook Street and Bath Street project where demolition works have not proceeded as anticipated. A small amount has been allocated for 2013/14 to ensure this project can proceed.

6.2 **Revenue**

The Revenue budget is due to be audited. There will be a detailed report to be presented at a future meeting.

- 6.3 Cllr Barber queried progress with Ilkeston Station. DA explained that it is a slow process and it will be reported at the next Board meeting.

<b>It was resolved that JPAB NOTE the capital and revenue update and RECEIVE a future report setting out detailed proposals for capital and revenue expenditure following confirmation of 2011/12 outturn.</b>
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7. **Growing Places Fund**

DA gave a presentation to announce the successful bid of approximately £18m Growing Places Fund allocated to D2N2 Local Enterprise Partnership. Funding will be partly allocated to Nottinghamshire Enterprise Zone. The funding is expected to be recycled to reinvest in other projects. The Growth Point team have provided assistance in the Accountable Body duties – resources will be made available to support his work. DA will be able to give a more detailed report when it is understood to what extent this entails and what resources are required. Deadline for submission of projects is 27 April.

<b>It was resolved that JPAB NOTE the report.</b>
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8. **Nottinghamshire Enterprise Zone**

- 8.1 MG advised the Board that Government confirmed Boots as an Enterprise Zone in last year's budget. It has now been agreed to extend the zone to include three other sites: Beeston Business Park; Nottingham Science Park and Medi-park. Business rate discounts will be offered for the first five years.
- 8.2 Cllr Jackson asked if there was a different tax incentive.
- 8.3 SD referred to capital allowances only being available in the late 1980s but that the EZ could benefit from Business Rates relief. SD also explained that it would be discretionary for councils to apply discounted rates to existing businesses on the sites.
- 8.4 MG advised that in some Enterprise Zones simplified planning processes would be adopted but unlikely to apply to Boots due to historic buildings and highway issues.

<b>It was resolved that JPAB NOTE the report.</b>
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9. **Local Sustainable Transport Fund**

- 9.1 DA explained that LSTF and partners secured their bid of £5m for sustainable transport measures enabling Smart cards and Travel Hubs to be introduced. There will be shortlisting in July 2012 for large scale bids. Nottingham City and partners would welcome comments from this Board if there is anything they would like to be developed or put forward proposals for the second phase which will then be fed back to the Transport Strategy.
- 9.2 Cllr Allan voiced his concern with problems relating to air pollution on A60 and to consider a Park and Ride service at Leapool.
- 9.3 Cllr Urquart explained why the Kangaroo service had seen a large price increase which was due to high fuel prices and a reduction in bus operator service grants.
- 9.4 Cllr Allan suggested introducing zonal Kangaroo and travel cards.
- 9.5 SB asked for the idea to be put on a possible wish list and hoped that it would be successful.

<b>It was resolved that JPAB NOTE the report and comment on the LSTF programme.</b>
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10. **Any other Business**

None.

11. **Date of Next Meeting**



Tentative Date of next meeting - 19 April in the Old Council Chamber, Town Hall, Beeston at 2.00 pm – focus of meeting to be National Planning Policy Framework if published.

Future proposed dates to be confirmed.

