

12th December 2013**Agenda Item:****REPORT OF THE CORPORATE DIRECTOR FOR POLICY, PLANNING AND
CORPORATE SERVICES****GEDLING LOCAL PLANNING DOCUMENT ISSUES AND OPTIONS
CONSULTATION OCTOBER 2013****Purpose of the Report**

1. To seek Committee approval for a formal response to be sent to Gedling Borough Council (GBC) in response to the request for comments on the Gedling Local Planning Document Issues and Options consultation (2013).

Information and Advice

2. Nottinghamshire County Council (NCC) has been asked for strategic planning observations on the Gedling Local Planning Document Issues and Options (2013) and this report compiles responses from Departments involved in providing comments and observations on such matters. On the basis of Committee's decision, comments will be sent to Gedling Borough Council. The consultation period runs from the 21st October 2013 until the 16th December 2013.

Background Information

3. The Gedling Local Planning Document Issues and Options must be prepared within the framework set by both national planning policy (set out in the 2012 National Planning Policy Framework) and the Aligned Core Strategy. It will provide more detailed policies and deal with those issues not considered to be 'strategic'. In line with the Aligned Core Strategy, the Local Planning Document will cover the period up to 2028. This Issues and Options document is the first stage in preparing the Local Planning Document. It asks a series of questions regarding key issues that will help narrow down the alternative options and define the content of the final document.
4. The Local Planning Document will be accompanied by a 'Policy Map'. This map will show the allocated or protected sites referred to within the document and the areas within which certain policies will apply. This 'Issues and Options' stage is structured around a series of topics. For each topic, a number of issues have been identified. The Local Planning Document sets out a number of possible options for responding to each issue and asks a series of questions in order to tease out the views of the community, business and other organisations on which

they think would be the best approach. Once the consultation period has ended, the comments received will be looked at alongside the technical evidence and further discussions will take place in order to arrive at a final set of policies and proposals. These will then be formally published and made available for further public consultation before being submitted to the Secretary of State for examination.

Key Issues for Nottinghamshire

5. Nottinghamshire County Council has a significant interest in the production of a Local Plan for the Gedling Borough Area. The County is a strategic planning authority and in terms of service provision and the interests of its residents, community groups and businesses, as well as the concerns of the environment and heritage assets within the county it is important that up-to-date, relevant and robust plans are out in place to ensure, and assist the County Council, in meeting its service requirements and helping to make Nottinghamshire a prosperous place.

Highways

6. The County Council has no strategic highways comments to make as the document drills down to the local site level and does not address strategic sites or transport policies which are already covered in the Core Strategy document and which have been considered in detail at the recent Greater Nottingham Aligned Core Strategy Examination in Public.
7. Detailed Highway comments are set out in Appendix 1.

Landscape and Visual Impact

8. The County Council generally support the principle of the Gedling Local Plan Issues and Options consultation, however a number of detailed concerns are set out in Appendix 2 which the County Council would wish to see addressed in the final adopted version of the Gedling Local Plan.

Ecology

9. The County Council generally support the principle of the Gedling Local Plan Issues and Options consultation. However a number of detailed concerns are set out in Appendix 3 which the County Council would wish to see addressed in the final adopted version of the Gedling Local Plan.

Developer Contributions

10. The Gedling Issues and Options set out in Dev 1a – Developer Contributions their approach to Developer Contributions, asking which types of infrastructure are the most important and how much priority should be given to each of these types of infrastructure.

11. Gedling Borough Council are currently consulting on their CIL Draft Charging Schedule (ending on Monday 16th December 2013), the schedule which sets out where CIL will be levied and how much will be charged. It builds on previous consultation work that was undertaken on the Preliminary Draft Charging Schedule in September 2012. The Draft Charging Schedule also includes the Regulation 123 list which currently includes the proposed Gedling Access Road and the provision for a new secondary school at Top Wighay Farm. The Borough Council are intending to submit their charging schedule to the Secretary of State for independent examination in Spring 2014 with adoption expected towards the end of 2014.
12. The County Council would seek to ensure that all impacts on its services and infrastructure from future development in the plan area is met either through CIL or planning obligations. The County Council welcomes involvement in the development of the CIL, in particular with the drawing up of the CIL Regulation 123 list insofar as it relates to County Council services and infrastructure.

Property Interests

13. The County Council's property team will be submitting a separate response to the consultation based solely on its land ownership interests at Top Wighay Farm, Rolleston Drive, Calverton and Lambley Lane.

Minerals

14. The National Planning Policy Framework (NPPF) requires local plans to include policies on minerals safeguarding and consultation areas. Appendix 4 shows the mineral safeguarding and consultation areas within Nottinghamshire, as set out in the County Council's Minerals Local Plan Preferred Approach document (2013).
15. The County Council does not wish to raise any significant concerns at the Issues and Options Stage. A reference to the County Council's safeguarding and consultation areas should be included in the document to ensure consistency with the NPPF and the Nottinghamshire Minerals Local Plan.

Waste

16. Nottinghamshire County Council, in its role as the statutory Waste Planning Authority for Nottinghamshire, has recently prepared a new joint Waste Core Strategy with Nottingham City Council. This was adopted on the 10th December 2013 and sets out the strategic approach towards the provision of essential future waste management infrastructure such as recycling plants, energy from waste plants and landfill. This will form part of the Development Plan for all parts of Nottinghamshire and Nottingham alongside existing or emerging District Borough Local Plans and any neighbourhood plans which are prepared.
17. The Waste Core Strategy identifies broad locations where future development is likely to be acceptable but does not allocate any specific sites as this will be carried out in separate supporting policies that will be subject to further consultation and public examination. In broad terms facilities for the sorting,

processing and treatment of waste are supported in, or close to, the main urban areas of Nottingham, Mansfield/Ashfield, Newark, Worksop and Retford. Within these broad locations development will be focused on existing or proposed employment sites and other derelict or previously developed land in order to minimise environmental impacts. Limited provision is also made for small-scale recycling or recovery facilities in other rural locations where these can meet a specific local need, especially where this would allow for the re-use of existing farm or forestry buildings.

18. The Waste Core Strategy approach reflects both the need to meet future European and national waste recycling and recovery targets, to manage waste close to source, and the anticipated requirement for additional waste management facilities to support planned housing and economic growth.
19. Delivery of the Waste Core Strategy will depend upon the availability of a suitable range of employment land able to accommodate a mix of essential waste management infrastructure such as recycling, waste transfer and energy recovery. National policy within the National Planning Policy Framework recognises waste management as an employment use and adequate provision is therefore needed for waste related development within local employment policies. Whilst this would not necessarily require separate provision, local planning authorities will need to be mindful of this when assessing the amount and type of employment land to be provided in their area and also when considering releasing established employment/industrial land for other uses.
20. The County Council intends to continue to work closely with each of the local district/borough councils in Nottinghamshire to identify appropriate locations for future waste management facilities and would welcome the opportunity to discuss the suitability of existing or proposed employment sites within the Gedling Local Planning Document for appropriate waste uses.
21. The Council would also highlight national waste planning policy in PPS10: Planning for Sustainable Waste Management, and the draft Updated National Waste Planning Policy issued for consultation in June 2013, which stresses the importance of an integrated approach towards waste management planning from all local planning authorities, not just waste planning authorities. In particular, paragraph 35 of PPS10 stresses the importance of good design in the layout of new development to ensure that there is sufficient provision for waste management. This could include the provision of supporting waste infrastructure and integrating opportunities for heat and/or power from energy from waste developments with other local development where viable.

Overall Conclusions

22. The County Council has no strategic highways comments to make as the document drills down to the local site level and does not address strategic sites or transport policies, but some issues are raised with regards to Highways. (Appendix 1).

23. The County Council generally support the principle of the Issues and Options document, from both a landscape and ecology perspective, however, raise a number of issues that should be addressed, as set out in Appendix 2 and 3.
24. The County Council would seek to ensure that all the impact on its services and infrastructure from future development in the plan area is met either through CIL or planning obligations. The County Council welcomes involvement in the development of CIL, in particular with the drawing up of the CIL Regulation 123 list insofar as it relates to County Council services and infrastructure.
25. The County Council does not wish to raise any significant concerns at this Issues and Options Stage from a Mineral policy perspective.
26. The County Council generally support the principle of the document in terms of Waste Development.

Other Options Considered

27. As the consultation requires representations to be made on the plan the only other option was not to make representations. This was considered and rejected as the education and transport interests of the County Council as service provider could be compromised by the lack of a suitable Local Plan.

Reason for Recommendation

28. Having assessed the Gelding Local Plan Document it is considered that the principle of the document is supported and generally conforms with national planning policy.

Statutory and Policy Implications

29. 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.

Financial Implications

30. There are no direct financial implications.

Implications for Sustainability and the Environment

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

RECOMMENDATION

1) That Committee approve the response as set out above which will be sent to Gedling Borough Council.

Jayne Francis-Ward

Corporate Director, Policy, Planning and Corporate Services

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

Constitutional Comments (SHB.18.11.13)

32. Committee have power to decide the Recommendation.

Financial Comments (SEM 18/11/13)

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

Background Papers and Published Documents

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

Electoral Division(s) and Member(s) Affected

Councillor Pauline Allan and Councillor Michael Payne – Arnold North

Councillor Roy Allan and Councillor Muriel Weisz – Arnold South

Councillor Elliott Boyd – Calverton

Councillor Nicki Brooks and Councillor John Clarke – Carlton East

Councillor Jim Creamer and Councillor Darrell Pulk – Carlton West

Councillor Chris Barnfather – Newstead

Appendix 1 – Detailed Highway Comments

No strategic comments since this document drills down to the local site level and does not address the strategic sites or transport policies which are already covered in the Core Strategy document and have been considered in detail at the recent Examination in Public.

TRAN 1a

As well as making a contribution, the developer should provide appropriate levels of cycle infrastructure to serve the development and to connect the development to the wider cycle network.

TRAN 3a

Can GBC include a definition of “severe” in this policy please..

Context Plan in Appendix A – this should for completeness (and give weight to the SUE sites in Hucknall) include the NET system both operational and those lines under construction.

Appendix 2 – Detailed Landscape and Visual Impact Comments

GEDLING BOROUGH COUNCIL: LOCAL PLANNING DOCUMENT

Local Planning Document Development Sites

Clause URB 2a

Site between Linden Grove and A612; suggest this site is visually important as provides visual link between land to south of Gedling Relief Road and open space to west of Burton Joyce. Keeping this land as open space will give visual separation between the conurbation and Burton Joyce. The other sites mentioned have more visual containment.

Key 2a - Calverton

The development site proposals will fragment the existing open space/agricultural around Calverton. Notwithstanding that the areas omitted fall into protected designations, the functionality and integrity of the land will be compromised over the longer term. This will lead to subsequent degradation and then inclusion in the next round of development sites.

Local Planning Document

Climate Change

Clause CC 1b

Landscape and Visual issues to be included in criteria for assessing renewable and low carbon energy generation. It is recommended that GBC adopt an approach similar to that adopted by Newark and Sherwood, who have commissioned a capacity assessment to allow consideration of cross-cutting and cumulative effects.

Green belt

Clause GB1a and c

Use a criteria based approach for extensions and replacement buildings in the Green Belt, setting out determining factors for each site rather than percentages.

Clause GB1e

Use same approach for residential and non-residential buildings.

Clause GB 2a

Introduce Article 4 direction to include impact on landscape character/visual impact for construction of curtilage buildings.

Clause GB 4a

Set criteria related to size, materials etc.

Clause GB 4c

Adopt a criteria based approach for infilling and partial or total redevelopment, based on determining factors for each site.

Clause GB 4e

Enhancements to the setting of re-used buildings to be informed by landscape policy for immediate area.

Clause GB 5a

Remove permitted development rights for the whole Green Belt.

Design

Clause DES 1a

Take different approaches to design in different parts of the borough eg. using GNLCA policy sheets as guide for development.

Town Centre

Clause TC 7a and 7b

Have specific policies to protect current provision, and seek to promote further investment and diversification.

Green infrastructure (Open Space and Biodiversity)

Clause GI 1a

It is suggested that all open space designated as such on the Local Replacement Plan is listed here, whether listed elsewhere by category or not eg. Local Nature Reserves and Proposed Local Nature Reserves, Ancient Woodlands, Areas and the Calverton Mineral Line (and other potential routes) are added to the list of protected open space. Mature and established boundary hedgerows often contribute to the amenity and integrity of an open space; protection should extend to boundary hedgerows where appropriate if not already protected under legislation.

Clause GI 2b

Criteria to include assessment of proposals to ensure longevity of new tree planting ie. adequate space, appropriate species choice. Also consider that new woodland may not always be the appropriate choice; Sherwood has a unique landscape character (and biodiversity) and in some instances developer contributions could be used to support and promote new heathland and lowland grassland areas. This policy would support any future designation of a Sherwood Regional Park.

Clause GI 2d

Unable to locate Appendix 1

Clause GI 4a

Either continue to safeguard designated 'Mature Landscape Areas', OR , for consistency with the Greater Nottingham Landscape Character (2009), replace MLA designation with the top level of policy within the GNLCA policy zones ie. zones having a policy of '*Conserve*', '*Conserve and Reinforce*' or '*Conserve and Restore*'. This will protect landscape areas assessed as having a minimum of good condition and at least moderate sensitivity, or high sensitivity and at least good condition. This will ensure consistency with the countywide designation and landscape policy.

Clause GI 4c

Continue to identify and protect the ridgelines.

Transport

Clause TRAN 1a

Continue to require developer contributions and protect identified cycling routes.

Clause TRAN 4a

Also identify future links and work with partners eg. Sustrans, Nottingham County Council to identify strategic programme of sustainable and off-road travel and safeguard the potential of future routes against piecemeal development.

If you require further information please do not hesitate to contact me,

Regards

Amanda Blicq
Principal Landscape Architect

Appendix 3 – Detailed Ecology Comments

Re: Local Planning Document – Issues and Options October 2013

Thank you for consulting the Nature Conservation Unit of the Conservation Team on the above matter. We have the following comments regarding nature conservation issues:

In most cases, I have no opinion on the questions posed in the Issues and Options document. However, the following comments are provided regarding specific matters:

Climate Change CC 1b and CC1c

Should the local plan identify areas suitable for renewable energy generation, then Biodiversity and Geology should be included in a policy as criteria requiring consideration.

Development Sites in the Urban Area Urb2a and Urb 2b

Regarding land off Spring Lane, it is queried how this site can be developed without affecting screening of the proposed country park.

Development Sites at the ‘Key Settlements for Growth’ Key 1a and Key 1b

Development to the east of Bestwood begins to infringe upon Bestwood Country Park, and it is suggested that development here should be limited or designed with a significant buffer to the country park

Development Sites at the ‘Key Settlements for Growth’ Key 2a and Key 2b

Development to the north of Calverton would in places be in close proximity to SINC 2/535, for which mitigation against possible indirect impacts would need to be sought, for example through the use of a landscaped buffer zone.

Development Sites at the ‘Key Settlements for Growth’ Key 3a and Key 3b

Development to the north of Ravenshead would affect an area which appears to comprise of woodland, grassland and scrub and which may have nature conservation value. It is suggested that an ecological assessment of this area is carried out before any decision is made about allocating it for development.

Green Infrastructure (Open Space and Biodiversity) GI 2a

Ancient Woodland is specifically identified using set criteria. Natural England's datasets should be used in this respect – see:

http://www.gis.naturalengland.org.uk/pubs/gis/GIS_register.asp

Veteran trees are also identified using particular criteria, and it will be necessary to ensure that any trees identified as ‘veteran’ meet these criteria. It is suggested that a

co-ordinated survey of the borough would be required to get an accurate and consistent picture of the location of veteran trees.

Green Infrastructure (Open Space and Biodiversity) GI 2d

I support the first option.

Green Infrastructure (Open Space and Biodiversity) GI 3a

The prospective SPA issue should be addressed in accordance with Natural England's 'risk-based approach'.

Green Infrastructure (Open Space and Biodiversity) GI 3b and GI 3c

I support the first option.

Local Wildlife Sites are essential for protecting the biodiversity of the borough. Paragraph 113 of the NPPF requires LPAs to develop criteria-based policies including in relation to development affecting locally designated sites, so their validity is established at a national level.

Developer Contributions DEV 1a

I would give a score of 4 or 5 to Green Infrastructure, although noting that the development of GI is more important at some sites than others.

We trust you will find the above comments of use, but if you require any further information, please do not hesitate to contact us.

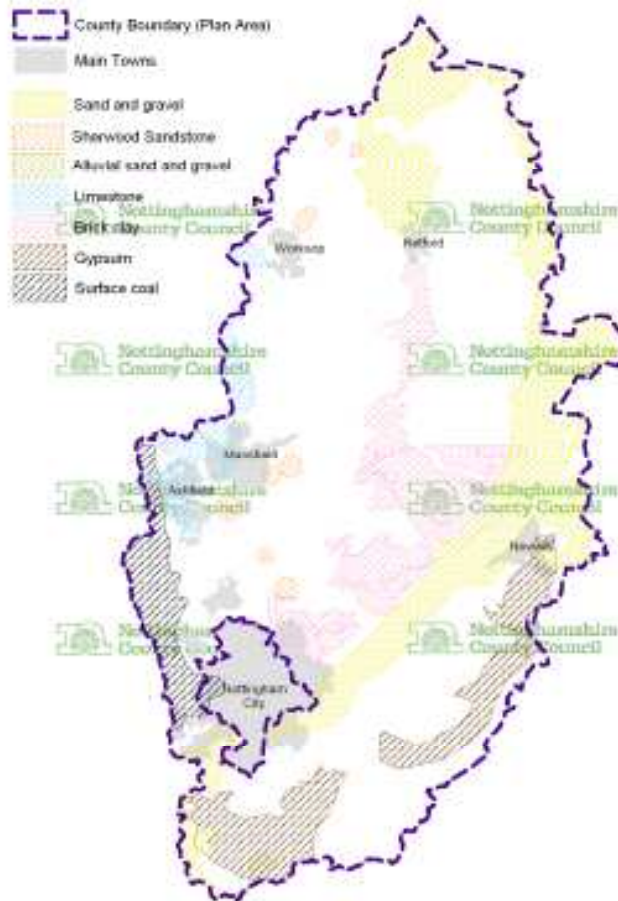


Nick Crouch
Senior Practitioner Nature Conservation

Appendix 4 – Mineral Safeguarded Areas



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British Geological Survey, 2009. Digital Geological Map of Great Britain 1:625,000 (scale 1:625,000) (DGM09-025).
 Superficial Deposits data [CD-ROM] Version 1.0. Keyword: Hartlebury. British Geological Survey. Release date: 30 Oct 2009.