

Greater Nottingham Planning Partnership



AGENDA

GREATER NOTTINGHAM JOINT PLANNING ADVISORY BOARD Tuesday, 7 March 2023 2:00pm: via Microsoft Teams

1. Introductions and Apologies
2. Declaration of Interests
3. Approval of minutes of last meeting and matters arising
4. Presentation on the Strategic Logistics “Call for Sites” **JK/GF**
5. Greater Nottingham Strategic Planning Update **MG/JK**
6. Homes England Capacity Funding projects monitoring **MG**
7. Waste and Minerals Local Plans Update **SG/SB**
8. Government Consultation on Reforms to National Planning Policy **KS**
9. Future Meetings
10. Any other business (previously notified to the Chair) **ALL**



**ITEM 3 - MINUTES OF THE GREATER NOTTINGHAM JOINT PLANNING
ADVISORY BOARD (JPAB) VIRTUAL MEETING HELD ON TUESDAY 13
DECEMBER 2022 VIA MS TEAMS**

PRESENT

Broxtowe: Councillor Milan Radulovic (Chair); Councillor D Watts

Nottingham City: Councillor Pavlos Kotsonis

Nottinghamshire County: Councillor R Jackson

Derbyshire: Councillor Carolyn Renwick

Erewash: Councillor M Powell (Vice Chair)

Gedling: Councillor J Hollingsworth

Rushcliffe: Councillor R Upton

Officers in Attendance

Ashfield: Christine Sarris

Broxtowe: Ruth Hyde; Dave Lawson; Steve Simms; Tom Genway

Derbyshire: Steve Buffery

Erewash: Oliver Dove; Adam Reddish

Gedling: Alison Gibson; Mike Avery

Growth Point: Matthew Gregory; Peter McAnespie; John King

Nottinghamshire County: Steve Pointer

Rushcliffe: Richard Mapletoft

Observers

Simon Atha

Rosie Blenkinsop

Catherine (Guest)

Tom Collins

Ian Deverell

Rob Devon

Jack Dickinson

Joe Drewry

Matt Dugdale

Robert Galij

Robert Gilmore

Chris Gowlett

Amy Harrison

Eleanor Higgs

Greg Hutton

Joel Jessup

Helen Knott

Olivia Price

Matthew Pruce

Jonathan Smith

Phillipa Ward (notes)

Rob Webster

Apologies

Broxtowe: Ryan Dawson

Erewash: Steve Birkinshaw

Nottingham City: Councillors Clarke, Neal and Longford; Paul Seddon

Introductions and Apologies

1. The Chair welcomed everyone to the virtual meeting and apologies were noted.

2. Declarations of Interest

There were no official declarations of interest. The Chair wished to place on record that he represented a number of applications within Derbyshire but not within the JPAB area.

3. Approval of Minutes of the Last Meeting and Matters Arising

The Minutes of the previous meeting held on 27 September 2022 were approved.

Matters arising would be covered under agenda items during the meeting.

4. Presentation on the 20 Minute Neighbourhood Update

(Peter McAnespie/Steve Simms)

4.1 It was reported that research had shown that life expectancy had stalled for the first time for over a century due to mental health, diabetes etc. It is difficult to plan and design new places adequately over a range of issues with the decline of high streets and economies. Environments need to be improved to enable everyone to be more physically active. LAs have a key role but have reduced finances and reduced staff.

The 20 minute neighbourhood was created according to the Garden City model devised in the 19th Century and which has since been rekindled from the Covid 19 Pandemic.

The key features are:

- well connected paths
- community health and wellbeing spaces
- embrace active travel and design
- improved mental and physical health
- improve climate change
- tackle traffic reduction
- local shops and businesses prosper
- local food production and
- places for all ages to interact

Active Design management is the maintenance, monitoring and evaluation process to enable walkable communities.

It was researched in Melbourne, Australia that locals equated a 20-minute walk would represent 800 metres.

SS advised that the 20-minute neighbourhood was included in the current draft Greater Nottingham Plan. The settlement hierarchy was based on a study by Tribal ten years ago to analyse access to allocated settlements and how these areas could be sustainable. The recent study by AECOM analysed travel time thresholds for walking, cycling and bus networks. The Greater Nottingham Strategic Plan will contain a design tool to access different layers to connect places.

AECOM have mapped the entire urban area and non-built-up areas to assess more detailed multimode cycling and public transport. The map has been created by NCC and shows the work achieved so far with various layers for essential amenities such as GP surgery, leisure centres, library, green spaces and shopping facilities, access to allotments and local food production.

Sites might be allocated in locations where '20-minute neighbourhoods' are easier to achieve. Masterplans may be needed to help fill gaps in provision. Part 2 plans may also need criteria-based policies, making use of layers for various amenities. Intervention by the highways authority will reconnect street networks and open up links again.

The following aspects would need to be considered.

- Would town centres work with 20 minute neighbourhoods
- What would neighbourhoods look like graphically and how would they overlap
- Where will the money come from
- What facilities are essential or desirable
- How likely would neighbourhoods use public transport
- What facilities we may like and protect from changes of use
- Will cars be banned locally
- Improved datasets and develop new capabilities for dynamic changes eg retail to online

PK thanked officers for their presentation. He suggested making Lenton Abbey a Green City. He asked how we could achieve these goals and develop 20 minute neighbourhoods given the negative effects of the changes to the Use Classes.

PMc accepted that if the densities were high enough it would be more likely to support essential facilities locally. You do not need to include everything to be sustainable for people's daily lives (possibly 4-5 elements from the wish list) with some facilities being accessible further afield such as hospitals and community centres if the catchment area is large enough.

Communities could come together in green spaces and grow their own produce providing enough food for them to be sustainable and help with their wellbeing.

CS was interested in the strategic and public transport and health provision elements. It would need fundamental planning at concept stage how developments would work together to provide a strategic public network. Strategic infrastructure costs should be considered at the outset. She would welcome working together to plan strategically for new public transport infrastructure and health.

MP regarded essential facilities would be for the short term of 5-10 years. He believed that GPs, Post Offices and banks were essential for the older generation.

SS believed that creating high-density areas would increase footfall to make these facilities viable. Retail has rapidly changed and we will need to ensure that we can make a difference for areas to be more liveable, remove cars and introduce more cycling.

MR thanked both PMc and SS. He made reference to closure of a bank in his area which has affected 20,000 people within the locality.

5. **Greater Nottingham Strategic Planning Update** (Matt Gregory/John King)

5.1 Preferred Approach

5.1.1 The Preferred Approach paper will be considered through the various partner councils' approval processes with key principles being identified up to 2038 which will contain our consolidated ideas. Consultation on the document is expected to commence imminently once agreed by all partner authorities.

5.1.2 GBC resolved to delete one site from their Preferred Approach and now need to reflect the change by GBC's Cabinet. This means that consultation will not take place until 3 January 2023 for a six-week period. We will look at responses to draft a Regulation 19 Plan for formal representations and publish by the middle of 2023.

5.1.3 EBC's Local Plan has now been submitted to the Secretary of State and now awaiting details of their Approved Inspector. MP advised that the paperwork was submitted at the end of November but was not sure when to expect Examination but they are still progressing to timescale as planned.

5.1.4 ADC's Local Plan is currently in preparation. CS advised that Cabinet has decided to progress its Local Plan on the basis that no additional settlements will be provided for in the first ten-year period.

5.2 Planning Reform

5.2.1 MG advised that a draft NPPF would shortly be made available for consultation by government before it is published during 2023. In a Ministerial Statement, housing numbers will be clarified as advisory but not mandatory. A new Performance Framework is intended for delivery of Local Plans. The five-year land supply requirements will be removed if a plan has been adopted for less than five years. The new NPPF will look at development management policies and plan making. Housing delivery test results are not impacting on developers. The new NPPF is expected early in the new year and will be reported at the next JPAB.

5.3 Consultation

- 5.3.1 JK provided a demonstration of the online consultation portal for consultees which would be available from 3 January 2023. He highlighted the dashboard which would allow stakeholders to be directed to the interactive documents so that they are able to make comments against each document. It contains links to view documents and is divided into six main chapters.
- 5.3.2 JK illustrated how it was possible to access each local authority's areas and by using tools to zoom into specific development sites this would give a brief description of the proposed site for comment.
- 5.3.3 The online "story board" has been created to help speed up the consultation and analysis process. MR was impressed with the fully comprehensive document.
- 5.3.4 MG explained that the decision by GBC, in response to the future Planning Reform, has removed a small development of 300+ homes. They are not proposing to change their housing target just removing the site from the plan. We may receive comments at consultation stage but we will be able to justify the Plan in front of the Inspector.

Joint Planning Advisory Board was recommended to NOTE the progress made on the Greater Nottingham Strategic Plan, Erewash Core Strategy Review and Ashfield Local Plan.

6. Waste and Minerals Local Plans Update

(Steve Pointer/Steve Buffery)

6.1 Nottinghamshire/Nottingham

SP reported that the Nottinghamshire Waste Plan (Regulation 19) being prepared with Nottingham City Council is almost complete. They are reassessing the plan following consultation earlier this year and working with some technical consultants (AECOM) to update the Waste Needs Assessment. They want to ensure that they are making the right assessments avoiding further landfill capacity and to minimise as much waste as possible. The final Plan will be presented to both councils in Spring 2023 and published shortly after.

6.2 Derbyshire Waste and Minerals Local Plans

SB advised that both Derbyshire and Derby City Councils met in September 2022 following consultation on a Regulation 18 draft Minerals Local Plan. There were over 800 individual representations which have been logged and summarised. The next stage is seeking approval of the pre-submission Regulation 19 Plan which will be presented to both councils on 19 December 2022 for consultation to be completed by April 2023. The Minerals Local Plan will then be submitted to the Secretary of State later in 2023. Waste Local Plan officers from both local authorities will conduct first stage consultation on the Waste Plan and evidence papers. They will consider the next stage for Issues and Options or Regulation 18 draft plan. Early next year a report will be presented to the Joint Advisory Committee for the next steps and a way forward.

- 6.3 The Chair thanked officers for their very informative updates and looks forward to seeing the results and the reports.

Joint Planning Advisory Board was recommended to NOTE the progress with the Nottinghamshire/Nottingham Waste Local Plan and the Derbyshire Waste and Minerals Local Plans.

7. Homes England Capacity Funding projects monitoring

(Peter McAnespie)

- 7.1 PMcA advised that the projects were nearing completion. EBC's remaining funding was repurposed on works which are now being undertaken. Once invoices have been received then the grant monies can be released. GBC will need a conversation regarding their remaining £40k and how it will be spent. By the end of the financial year all projects will be completed.

Joint Planning Advisory Board was recommended to NOTE this report and the details set out in Appendix 1.

8. Future funding of JPAB

(Matt Gregory)

- 8.1 MG explained that the work and running of JPAB could not happen without partner contributions. The last three-year agreement was in 2019 and it is now time to review our funding.
- 8.2 MG was aware of local authorities facing financial challenges and drew attention to item 2.2 of the report for a breakdown of proposed contributions which would remain the same for the forthcoming three years.
- 8.3 The Chair asked for an agreement in principle which was unanimously received.
- 8.4 MG referred to the recommendation to NOTE that each council through their appropriate mechanisms to make the contributions and to show willingness in this way.

Joint Planning Advisory Board was recommended to NOTE the proposals for partner contributions to the future work of JPAB.

9. Future Meetings 2022/2023

DATE	TIME	VENUE
Tuesday 7 March	2.00 pm	Microsoft Teams Virtual meeting
Tuesday 6 June	2.00 pm	Microsoft Teams Virtual meeting
Tuesday 26 September	2.00 pm	Microsoft Teams Virtual meeting
Tuesday 12 December	2.00 pm	Microsoft Teams Virtual meeting

9. **Any other business**

- 9.1 The Chair wished all the best to candidates at the forthcoming elections or to those standing down wishing them a long and happy retirement.
- 9.2 SS provided a link in the meeting chat for the 20-minute Neighbourhood.
- 9.3 RH wished to thank Peter McAnespie, who will be leaving Growth Point to return to Northern Ireland, for all his involvement and work on JPAB and passed on our very best wishes.
- 9.4 PK asked for any further information about the Planning Reform to be shared by bullet point. MG was happy to circulate the Ministerial Statement he has at the moment to council Members and Members of JPAB following the meeting.

MEETING CLOSED AT 3.10 PM

ITEM 4. Presentation on the Strategic Logistics “Call for Sites”
--

1.0 SUMMARY

- 1.1 The Nottinghamshire Core & Outer HMA Logistics Study (August 2022) identified a significant market demand for logistics development of a strategic scale within the study area. The Greater Nottingham authorities (including Ashfield) invited those with an interest in land to submit any sites they considered suitable for large scale logistics development. Submitted sites are currently being assessed against a range of criteria, and this item provides an update on the process, together with the next steps.

- 1.2 Presentation by John King (Greater Nottingham Panning Partnership), and Graeme Forster (Gedling Borough Council).

ITEM 5 Greater Nottingham Strategic Plan Update

1.0 SUMMARY

- 1.1 JPAB agreed to update strategic policies for Greater Nottingham in December 2017. This report updates on progress on strategic plans across the area, as.

Recommendations

It is recommended that Joint Planning Advisory Board **NOTE** the progress made on the Greater Nottingham Strategic Plan, Erewash Core Strategy Review and Ashfield Local Plan.

2.0 Greater Nottingham Strategic Plan

- 2.1 The September 2022 meeting of JPAB considered a 'Preferred Approach' version of the Strategic Plan. Following relevant council approvals, the Preferred Approach was issued for a six week consultation period between 2nd January and 14th February 2023. It should be noted that the consultation version differed from that considered by JPAB, as Gedling Borough Council resolved to remove the proposed extension to Teal Close from the draft document in response to the Government's proposed planning reforms.
- 2.2 The Strategic Plan is being prepared on the basis of each council meeting its own housing need as determined by the Government's standard method (plus appropriate locally determined buffer), except for Nottingham City. In this respect, the approach is similar to that of the Erewash Core Strategy Review. The Strategic Plan will provide for the City to meet as much of its housing need plus 35% uplift as it can. It is not proposed for the City Council's remaining unmet need to be met elsewhere in Greater Nottingham, as due to Green Belt constraints, the Borough Councils have not agreed to provide for Nottingham City's unmet need. This approach would appear to be supported by the Government's proposed changes to the National Planning Policy Framework, which are anticipated come into effect in Spring 2023. (See separate JPAB item on Planning reform).
- 2.3 All documentation associated with the consultation is available at <https://www.gnplan.org.uk/preferredapproach> and in addition to the Preferred Approach itself, the following documents were prepared to support the consultation:
- Sustainability Appraisal Document
 - Site Selection Report
 - Heritage Assets Assessment
 - Housing Background Paper
 - Assessment of Housing Need and Capacity in Nottingham City
 - Employment Background Paper

- Green Belt Review
- Green Belt Background Paper
- Infrastructure Delivery Plan Baseline assessment
- Habitats Regulations Assessment Review Paper
- Report of Consultation Responses: Growth Options
- Response to the Growth Options Consultation

2.4 Following consideration of consultation responses, a full Pre Submission version of the Strategic Plan will be published later in 2023, prior to submission for examination. This timetable may have to flex in response to planning reform, as the Government's approach will become clearer over the coming months

2.5 A summary of the main points made in representations will be presented to the meeting.

3.0 Erewash Core Strategy Review

3.1 The council submitted the Erewash Core Strategy Review to the Planning Inspectorate on 30th November 2022. The council received initial questions from the appointed inspector on 31st January 2023 and is currently preparing its responses to these, which are due on 23rd February.

4.0 Ashfield Local Plan

4.1 The Council's Cabinet meeting of 13th December resolved to move forward the Local Plan reflecting the standard method of housing need; providing a minimum of a 10-year housing supply and to remove the new settlements at Whyburn Farm and Cauldwell Road from the emerging Plan. The Council is currently working on completing evidence base studies to support the Plan before it undertakes a Regulation 19 Consultation.

5.0 Ongoing work

Strategic Transport Modelling

5.1 Transport modelling is a key piece of evidence to support any chosen development strategy. The East Midlands Gateway Model covers the whole of Greater Nottingham and it is proposed that it be used to provide an assessment of the strategic transport impacts of the selected draft growth scenario.

5.2 The Gateway Model was built around the assumption of the HS2 Hub at Toton, and therefore requires re-basing taking into account the Integrated Rail Plan (IRP) proposals before it can be used to assess accurately the transport impacts of new development. The government has agreed funding to renew the HS2 Growth Plan in the light of the IRP. Officers are seeking to align Strategic Plan transport modelling with that being undertaken for the Growth Plan (they are essentially the same thing), supported by both Nottingham City and Nottinghamshire County strategic transport teams. This would achieve significant cost savings.

Other work:

- 5.3 The Infrastructure Delivery Plan (IDP) which will support the plan review has been scoped out, and contacts identified at main infrastructure providers (Nottinghamshire County Council, Nottingham City Council, National Highways etc.). A working group, comprising officers from the plan making authorities and Nottinghamshire County Council has been established. Meetings with infrastructure providers will commence following completion of consultation on the Preferred Approach and sites confirmed. This will establish the infrastructure required, costs and sources of funding. An IDP Baseline report has been prepared to support the PA consultation. Following consultation, this will be reviewed and revised, identifying where infrastructure issues exist and where, in order to ensure delivery, strategic development will be required to contribute to new or improved provision.
- 5.4 A brief for a Town Centres study has been prepared, although the commissioning has been postponed due to the impact of Coronavirus restrictions and the uncertainty of town centre prospects in the short term. The commissioning of this work is now being revisited, and the brief will be and revised to ensure the study recognises and addresses issues currently affecting city, towns and local centres. Specifically, the changes occurring as a result of the pandemic and increased online shopping which require centres diversify, providing leisure and cultural attractions, the impact of the new Use Class “E”, and the changes to working practices following the covid pandemic.
- 5.5 The partnership authorities are currently working together on a Strategic Distribution and Logistics Background Paper to inform their respective local plans. This work follows recommendations of the Nottinghamshire Core & Outer HMA Logistics Study (2022) and the subsequent call for sites that took place in 2022. The call for sites resulted in 25 sites being submitted as potential locations for strategic distribution. These and other potential sites are currently being reviewed and stage 1 of this process has identified several sites that are ‘reasonable alternatives.’ These alternatives will undergo a more detailed assessment that includes advice from highways authorities and National Highways. Sites within the Greater Nottingham Strategic Plan area will also be assessed within the plan’s SA.
- 5.6 The policies contained within the Core Strategies have been reviewed and are being redrafted in the light of current national policy and guidance and updated evidence, as it becomes available. Comments on the Preferred Approach will inform policies on the strategic distribution of development and sites. This policy drafting is taking place in conjunction with the Sustainability Appraisal process. The next step is to undertake a targeted consultation on the draft policies with key stakeholders. The draft policies will be subject to consultation as part of the final publication draft (Regulation19) plan which will be submitted for examination.
- 5.7 The next steps on the review of strategic policies are to continue to:
- develop the evidence base including undertaking SA, transport modelling, viability assessment, strategic distribution paper, infrastructure delivery plan and habitats regulations assessment.
 - review and update policies for the Strategic Plan.
 - develop the Publication Version of the Strategic Plan, taking into account consultation responses received.

Lead Officer:

Matt Gregory, Greater Nottingham Planning Manager
matt.gregory@nottinghamcity.gov.uk, 0115 876 3981

ITEM 6 HE Capacity Funding – Quarter 3 (Year 6) September to December 2022

1.0 Summary

- 1.1 To report to ESG the progress made on Homes England (HE) Capacity Funding projects.

Recommendations

It is recommended that Executive Steering Group **NOTE** this report and the details set out in Appendix 1.

2.0 Background

- 2.1 The Greater Nottingham Joint Planning Advisory Board successfully bid for £855,000 of HE grant funding in Spring 2017. Under the conditions of the grant award, the Partners are required to provide monitoring information to HE on a quarterly basis and identify key risks, issues and mitigation measures.

3.0 Progress/updates – Quarter 3 (Year 6) September to December 2022

- 3.1 Progress/updates for this quarter is set out at the end of this report. Note that there has been no change since the last report.
- 3.2 Erewash anticipated completing their project by Quarter 4, 2023.

4.0 Risks and Issues

- 4.1 JPAB agreed to work up some reserve projects for both any underspend of the HCA funding and also to have projects 'oven ready' should further opportunities for grant funding come forward. These will continue to be progressed.

5.0 Next Steps

- 5.1 Authorities will continue to populate the monitoring spreadsheet and work up reserve projects. Progress on quarter 4, year 6 will be reported to the next JPAB meeting.

Lead Officer:

Matt Gregory, Greater Nottingham Planning Manager
matt.gregory@nottinghamcity.gov.uk, 0115 876 3981

Appendix 1

Erewash:

- At its meeting of 3 June 2021, ESG approved the repurposing of £98,684 funding, initially secured for Stanton Regeneration site, for studies in relation to accelerating housing delivery on Land South West of Kirk Hallam. A report recommending this project was approved at its April 22 Executive meeting.
 - The funding will support 3 studies in relation to the Kirk Hallam Relief Road
 - a. Hydraulic Modelling
 - b. Transport planning
 - c. Spine Road and Access Junction Design
- The work is underway and the council is awaiting invoices from the Developer upon completion.
- Grant total: £100,000. Remaining: £98,684. Anticipated full spend by quarter 3.

Gedling:

- **A60 corridor transport assessment:** The transport modelling of the initial and additional scenario has now been completed and the report finalised. The remaining funding has been repurposed to fund a temporary post to support the delivery of housing in Gedling Borough and the successful candidate started in post on 22nd July 2021 and will finish mid-November 2022.
- Grant total: £90,000. Anticipated spend next quarter £8,871.42. Full spend by quarter 3.
- **Station Road and Burton Road:**

Savills were appointed to comment on the business case, factoring in issues such as Right to Buy in Quarter 3. Since then the decision has been taken to tender for a design and build partner to develop both sites. The draft tender is currently being worked on. A claim will be submitted shortly for both the Savills consultancy (£5k) and the costs of resolving a right of way issue with Severn Trent (£14k).
- **Killisick Fields**

The Killisick Fields project has been paused and Gedling Council are exploring the possibility of re-purposing the remaining funds to deliver affordable housing on the Station Road and Burton Road sites.
- Grant total: £42,967. Remaining: £42,967. Full commitment of funds anticipated.

NCC:

- **Waterside:** The City Council has capital funding to demolish Innovation House in the Waterside and it is currently intending to use the remaining funding to undertake ecological reports etc to maximise the regeneration potential of the site prior to sale. The work is likely to be completed this calendar year.
- Grant total: £70,000 plus £5,120 repurposed from Island Site. Remaining: £19,424. Full commitment of funds anticipated.

Closed Projects: Homes England funded element of work complete:

- Ashfield: Harrier Park/Rolls Royce. Broomhill Farm - funding repurposed to procure Conurbation Planning Policy Manager post.
- Broxtowe: Walker Street
- NCC: Island, River Leen and Padstow sites. Remaining Island Site funding repurposed for Waterside site.
- Rushcliffe: SSDO to support delivery of housing at Former RAF Newton, North of Bingham, South of Clifton Strategic Allocation, East of Gamston.

ITEM 7 Waste and Minerals Local Plans Update

1.0 Summary

- 1.1 This report updates JPAB on progress with the Nottinghamshire/Nottingham and Derbyshire Waste and Minerals Local Plans.

Recommendations

It is recommended that Joint Planning Advisory Board **NOTE** the progress with the Nottinghamshire/Nottingham and Derbyshire Waste and Minerals Local Plans.

2.0 Plans Update

Nottinghamshire/Nottingham

- 2.1 The Nottinghamshire Minerals Local Plan covering the period to 2036 was adopted by the County Council at its meeting on 25 March 2021.
- 2.2 The County and City Councils are preparing a single joint Waste Local Plan to replace the Waste Core Strategy adopted by both Councils in December 2013. An initial consultation on the new Local Plan, including a 'Call for Sites' was completed in May 2020. A Draft Waste Local Plan was consulted on between the 7th February and 4th April 2022.
- 2.3 Officers from both Councils are analysing the representations received on the Draft Waste Local Plan and looking at where there is a case to amend the Plan and its policies as a result. AECOM have been engaged to provide additional support to help respond to technical comments made in respect of the Nottinghamshire and Nottingham Waste Needs Assessment and also to update the Assessment by reference to the latest data on waste flows and also existing capacity.
- 2.4 A revised Waste Needs Assessment together with a Schedule of Comments and Responses/Proposed Amendments to the Draft Plan will be available to discuss at a forthcoming Joint Waste Planning Members Steering Group in March 2023. The revised Plan will then be presented to both Councils to seek formal approval prior to publication in May and June 2023.

Derbyshire/Derby

- 2.8 Consultation on a range of minerals topic papers entitled 'Towards a Minerals Local Plan' – Proposed Approach was carried out in Spring 2018. Consultation on a Regulation 18 Joint Derbyshire and Derby Draft Minerals Local Plan was published on 2nd March 2022 and ran for a period of eight weeks to 26th April 2022. Six face-to-face public drop-in sessions were carried out across a number of locations in the County as part of the consultation process. The County Council has logged all

representations that have been received and has drafted a Statement of Consultation summarising all representations that have been received, which has been published on the County Council's website. Key issues and concerns made in the representations largely relate to the Plan's policy approach to fracking; climate change; the need to protect the coal resource from development; and specific concerns on the allocation of individual sand and gravel sites in the south of the County. A draft of the pre-submission Reg 19 plan was presented to the City and County Council's Joint Advisory Committee in December 2022. The plan was endorsed to go out to Reg 19 consultation in the first week of March 2023 and run for 8 weeks. The timetable proposes the Minerals Plan will be submitted to the Secretary of State for examination by 31 October 2023.

- 2.9 A series of background and evidence papers on local and strategic waste matters have been prepared. This includes an updated forecasting approach on waste capacity need across the plan period. It also provides a summary of the quantities of waste generated. The papers include a series of questions or gaps in knowledge/evidence which will be used as the basis for the consultation roll out. The consultation will be a hybrid between issues and preferred approach.
- 2.10 Subject to agreement by the Derby and Derbyshire Joint Advisory Committee, it is anticipated that consultation on the papers will take place in early 2023 and will also include running some drop in events around the County to give residents the opportunity to view and comment. This will then be used to draw up the draft plan for consultation later in 2023.

Lead Officers:

Matt Gregory, Greater Nottingham Planning Manager
matt.gregory@nottinghamcity.gov.uk, 0115 876 3981

Stephen Pointer, Team Manager Planning Policy,
Nottinghamshire County Council
stephen.pointer@nottscc.gov.uk, 0115 993 9388

Steve Buffery, Team Leader Policy and Monitoring
Derbyshire County Council
Steven.Buffery@derbyshire.gov.uk 01629 539808

Item 8 Government Consultation on Reforms to National Planning Policy

1.0 Summary

- 1.1 To update JPAB on the Government's recent consultation on reforms to national planning policy.

Recommendations

It is recommended that Joint Planning Advisory Board **NOTE** the content of this report.

2.0 Background

- 2.1 The Government is consulting on potential reforms to national planning policy, involving proposed changes to the National Planning Policy Framework (NPPF). The Government states that it is "also seeking views on our proposed approach to preparing National Development Management Policies, how we might develop policy to support levelling up, and how national planning policy is currently accessed by users". The Government also states that a "fuller review of the framework will be required in due course, and its content will depend on the implementation of the Government's proposals for wider changes to the planning system, including the Levelling-up and Regeneration Bill".
- 2.2 As well as National Development Management Policies, subjects referred to in the consultation include: housing need and green belt boundaries; the tests of 'soundness' for Local Plans; the 'uplift' to housing requirements for large cities such as Nottingham; the 'Duty to Co-operate'; five-year housing land supply; the use of 'buffers' in housing land supply calculations; the Housing Delivery Test; 'irresponsible planning behaviour' by applicants; onshore wind; Supplementary Planning Documents; and 'social rent' homes.
- 2.3 A fuller summary of the consultation is included at Appendix 1 of this report. The consultation document itself is available at:
<https://www.gov.uk/government/consultations/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy>.
The proposed changes to the NPPF are at:
[National Planning Policy Framework: draft text for consultation \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/consultations/national-planning-policy-framework-draft-text-for-consultation).
- 2.4 A response covering the matters related to the scope of JPAB has been submitted, and is attached at Appendix 2.

Contact officer:-

Matt Gregory

Greater Nottingham Planning Manager

0115 876 3981

matt.gregory@nottinghamcity.gov.uk

APPENDIX 1 - summary of the consultation

Background

The Levelling Up and Regeneration Bill is currently before Parliament. The Bill makes a number of changes to existing local government, planning, and compulsory purchase legislation.

Alongside the proposals in the Bill, on 22 December 2022 the Government launched a consultation on reforms to national planning policy. This Briefing Note focuses on this consultation and the changes proposed.

The consultation closed on 2 March 2023.

Extent of the Consultation

The consultation includes:

1. Specific changes that are proposed to be made immediately to the National Planning Policy Framework (NPPF). These are set out in a tracked changes document. The government has indicated that they intend to introduce these changes by spring 2023.
2. Alongside these specific changes, the consultation seeks views on a wider range of proposals which will be considered in the context of a wider review of the National Planning Policy Framework and will follow Royal Assent of the Levelling Up and Regeneration Bill. The government will consult on the detail of these wider changes next year, reflecting responses to this consultation.
3. The consultation sets out the envisaged role for National Development Management Policies (NDMPs) and asks for views on how NDMPs are implemented. The government states they will consult on the detail later.

1. Changes proposed to the NPPF (Spring 2023)

- Local authorities will be expected to continue to use local housing need, assessed through the standard method, to inform the preparation of their plans; although the ability to use an alternative approach is permissible where there are exceptional circumstances that can be justified will be retained. The government states that it will make clearer in the NPPF that the outcome of the standard method is an advisory starting-point to inform plan-making and proposes to give more explicit indications in planning guidance of the types of local characteristics which may justify the use of an alternative method.
- Housing need would not need to be met in full if it would mean building at densities significantly out of character with the existing area or if there is clear evidence of past over-delivery.
- There would not be a requirement to review and alter Green Belt boundaries if this would be the only means of meeting the objectively assessed need for housing over the plan period.
- Plans would not be required to be 'justified'. Instead, the examination would assess whether the local planning authority's proposed target meets need so far as

possible, takes into account other policies in the Framework, and will be effective and deliverable.

- The government intends to retain the uplift of 35 per cent to the assessed housing need for the 20 largest towns and cities in England (which includes Nottingham). The draft NPPF revisions would require that this uplift is, “so far as possible”, met by the towns and cities concerned rather than exported to surrounding areas, except where there is voluntary cross-boundary agreement to do so.
- Councils would no longer have to apply buffers to the five-year housing land supply.
- Additional references to building ‘beautiful’ places and recognition that mansard roofs are an appropriate form of upward extension.
- Changes to enable the re-powering of renewable and low carbon energy (replacing old wind turbines with newer models), provided that the impacts of any development proposal are or can be made acceptable in planning terms.
- Additional text to state that significant weight should be given to the need to support energy efficiency improvements through the adaptation of existing buildings, particularly large non-domestic buildings.
- The government is considering suspension or amendment of the usual consequences of failure of the 2022 Housing Delivery Test.

2. Proposed Future Changes to National Policy (Expected 2024)

- The government says it will review the implications for the standard method of new household projections data based on the 2021 Census, which is due to be published in 2024. But it is not proposing any changes to the standard method formula itself through this consultation.
- The duty to co-operate is to be replaced with an “alignment policy”. The duty will remain in place until those provisions come into effect. Further consultation on what should constitute the alignment policy will be undertaken.
- For the purposes of decision making, where emerging local plans have been submitted for examination or where they have been subject to a Regulation 18 or 19 consultation which included both a policies map and proposed allocations towards meeting housing need, those authorities will benefit from only having to demonstrate a four-year supply of land for housing, instead of the usual five.
- Past “irresponsible planning behaviour” by applicants could be taken into account when applications are being determined. Primary legislation would be needed to enact such measures.
- Government data will be published on developers of sites over a certain size who fail to build out according to their commitments. Delivery will also become a material consideration in planning applications.
- Developers will be required to explain how they propose to increase the diversity of housing tenures to maximise a development scheme’s absorption rate (which is the rate at which homes are sold or occupied).
- A financial penalty for developers that are building out too slowly will be consulted on separately.
- There will be a review of the current degradation provisions for Biodiversity Net Gain “to reduce the risk of habitat clearances prior to the submission of planning applications, and before the creation of off-site biodiversity enhancements”. The government will also consider how “the threat to wildlife created by the use of artificial grass by developers in new development” can be halted.
- Views are sought on effective and proportionate ways of deploying a broad carbon assessment of new developments, including what they should measure, what evidence could underpin them such as Local Area Energy Plans, and how they may

be used in a plan-making context or as a tool for assessing individual developments.

- Policy and guidance in relation to the production of Strategic Flood Risk Assessments will be reviewed.

3. National Development Management Policies (NDMPs)

- These would be given the same weight in certain planning decisions as policies in local plans, neighbourhood plans and other statutory plans. They would cover planning considerations that apply regularly in decision-making such as general policies for conserving heritage assets, and preventing inappropriate development in the Green Belt and areas of high flood risk.
- The government states that the existing National Planning Policy Framework already contains development management policies of this type that can be significant 'material considerations' but these do not have any statutory status. The NDMPs would include these as policies and would also cover other national priorities, "for example net zero policies that it would be difficult to develop evidence to support at a district level, but which are nationally important."
- The intention is that National Development Management Policies, once introduced, would be set out in a separate document to the rest of the National Planning Policy Framework. The latter would be re-focused on principles for plan-making.
- Further consultation will follow on proposals for the draft National Development Management Policies following passage of the Bill.

4. Transition Arrangements

- Councils will have until 30 June 2025 to submit plans (local plans, neighbourhood plans, minerals and waste plans or spatial development strategies/joint strategic plans), for independent examination under the existing legal framework. This will mean that existing legal requirements and duties, for example the Duty to Cooperate, will still apply. Plans must then be adopted by 31 December 2026.
- Under the reformed system, which is expected to go live in late 2024, there will be a requirement for local planning authorities to start work on new plans by, at the latest, 5 years after adoption of their previous plan, and to adopt that new plan within 30 months. Authorities that have prepared a local plan which is less than 5 years old when the new system goes live will not be required to begin preparing a new-style plan until their existing plan is 5 years old.
- In the reformed planning system, authorities will no longer be able to prepare supplementary planning documents (SPDs). Instead, they will be able to prepare Supplementary Plans, which will be afforded the same weight as a local plan or minerals and waste plan. When the new system comes into force (expected late 2024), existing SPDs will remain in force for a time-bound period, until the local planning authority is required to adopt a new-style plan. Current SPDs will automatically cease to have effect at the point at which authorities are required to have a new-style plan in place.

Appendix 2

Greater Nottingham Joint Planning Advisory Board Response to Levelling-up and Regeneration Bill: reforms to national planning policy Published 22 December 2022

1 Do you agree that local planning authorities should not have to continually demonstrate a deliverable 5-year housing land supply (5YHLS) as long as the housing requirement set out in its strategic policies is less than 5 years old?

The 5-year land supply and housing delivery tests are tools that essentially measure the same thing- housing delivery in a LPA. Having both is unnecessary, so removing the requirement for a five year land supply will remove significant argument particularly at planning appeals where the precise level of housing land supply is often a matter of dispute.

Government also need to acknowledge that plan-making is a continual process and to keep a local plan less than five years old requires work to start on a new plan, very soon after adopting the first plan. In order to enable local planning authorities to resource this process planning fees should be increased to provide funding for local plan making as well as decision taking, and ring fenced to protect planning departments.

2 Do you agree that buffers should not be required as part of 5YHLS calculations (this includes the 20% buffer as applied by the Housing Delivery Test)?

Agree that buffers should not be required. The buffers can lead to councils with legitimate reasons for having a tight land supply (eg being Green Belt, constrained authority boundaries) being penalised, so removing the buffer requirement is justified.

(NB Gedling in their response suggest that buffers should continue to apply where plans are out of date, ie more than 5 years old.)

3 Should an oversupply of homes early in a plan period be taken into consideration when calculating a 5YHLS later on or is there an alternative approach that is preferable?

This is logical, as the current situation potentially penalises pro-growth authorities who have allocated sufficient land, when this land is developed early in the plan period.

4 What should any planning guidance dealing with oversupply and undersupply say?

No comment on the specifics of the guidance, except that it should be clear and unambiguous to avoid unnecessary discussion at examinations. JPAB considers that the proposal is reasonable and is supportive. Undersupply is factored into the standard method, which applies an affordability ratio.

5 Do you have any views about the potential changes to paragraph 14 of the existing Framework and increasing the protection given to neighbourhood plans?

No comment.

6 Do you agree that the opening chapters of the Framework should be revised to be clearer about the importance of planning for the homes and other development our communities need?

So long as there is emphasis on the quality of development and directing homes to the right location rather than the focus being purely on the volume of housing. Support the reference to 'supporting infrastructure' at paragraph 7.

7 What are your views on the implications these changes may have on plan-making and housing supply?

The 35% increase for the 20 largest conurbations is completely arbitrary and is not based on any evidence. The 35% uplift should be reconsidered, and replaced with an evidence based approach. As it stands, Nottingham City will be unable to meet its housing requirement in the future, due to tightly constrained boundaries and will be unfairly penalised. This in turn could potentially jeopardise the ability to work across boundaries with neighbouring Greater Nottingham authorities.

8 Do you agree that policy and guidance should be clearer on what may constitute an exceptional circumstance for the use of an alternative approach for assessing local housing needs? Are there other issues we should consider alongside those set out above?

JPAB would find it helpful if the exceptional circumstances (referenced in Paragraph 61) relating to 'the particular characteristics of an authority' could be clarified. In Nottingham, we would expect that the extremely constrained boundaries of the local authority area, resulting in a lack of land supply, would constitute a genuine exceptional circumstance.

9 Do you agree that national policy should make clear that Green Belt does not need to be reviewed or altered when making plans, that building at densities significantly out of character with an existing area may be considered in assessing whether housing need can be met, and that past over-supply may be taken into account?

In some areas, Green Belt boundaries may have been established several decades ago and it will not always be appropriate that they should remain completely unchanged. Green Belt review should be at the discretion of the local

planning authority, but more guidance on the exceptional circumstances would be helpful. Density and character will be covered in design codes and these should play an important role in assessing the impacts of meeting housing needs on an area.

In situations where a local planning authority is partially green belt, this could lead to pressure for a high proportion of development in non designated areas which may not be sustainable.

It is fair and appropriate that past over-supply should be taken into account.

10 Do you have views on what evidence local planning authorities should be expected to provide when making the case that need could only be met by building at densities significantly out of character with the existing area?

Up to date Strategic Housing Land Availability Assessments will be important. The guidance in design codes for an area will be useful in this regard.

11 Do you agree with removing the explicit requirement for plans to be 'justified', on the basis of delivering a more proportionate approach to examination?

JPAB supports the government's proposals to deliver a more 'proportionate' approach to examination. In particular JPAB welcomes a more reasonable approach to assembling the local plan evidence base; this is due to the cost, officer resource and time taken to commission studies. These studies often need to be revisited as the plan progresses due to the pressure of meeting the justified Test of Soundness. JPAB believes that the preparation of the evidence base is one of the most significant factors in determining the length of time take to prepare a Local Plan. In order to move to a 30 month preparation period for a Local Plan, it is imperative that there is a 'proportionate' approach to examination is adopted, and for this approach to be clear and unambiguous. Further guidance on the scope and reach of the evidence base is also necessary.

12 Do you agree with our proposal to not apply revised tests of soundness to plans at more advanced stages of preparation? If no, which if any, plans should the revised tests apply to?

JPAB does not consider any transitional period is necessary, as applying the revised tests of soundness will not hinder the adoption of plans prepared to meet the 'justified' test. However, if a 3 month transition period is proposed, we would appreciate certainty now as to which Tests of Soundness are applicable to our plan. If there were to be any delay to the government's proposed timing, this could entail us having to rethink the scope and extent of our evidence base, which would result in delay to our timetable.

13 Do you agree that we should make a change to the Framework on the application of the urban uplift?

Paragraph 62 of the NPPF could be made clearer with a cross-reference to the policies that would apply when considering whether the uplift can be met.

The JPAB does not support the imposition of the uplift, which not founded on evidence, and does not seem to take into account the constrained nature of the Nottingham City Council boundary, and issues of viability that developers are faced with when developing sites in an urban brownfield area.

Note that Gedling have responded stating that surrounding authorities welcome clarification that the uplift should be accommodated within the authority concerned but consideration of whether it can be met should be a matter for that authority.

14 What, if any, additional policy or guidance could the department provide which could help support authorities plan for more homes in urban areas where the uplift applies?

As previously noted, JPAB does not support the imposition of the arbitrary uplift.

However, priority to uplift authorities for funding and assistance would be the most beneficial help that could be given to local authorities to help deliver homes in urban areas. Regular contact to review the situation with authorities would also be helpful. It is unreasonable for government not to assist authorities with delivery, where issues of lack of land supply have been highlighted. Imposing targets without assistance will only lead to failure to deliver more of the housing target.

It would be helpful if the same guidance relating to the standard method being a starting point was also explicitly applied to authorities subject to the uplift figure, as currently there is ambiguity between uplift and non uplift authorities.

15 How, if at all, should neighbouring authorities consider the urban uplift applying, where part of those neighbouring authorities also functions as part of the wider economic, transport or housing market for the core town/city?

The draft NPPF states that “This uplift should be accommodated within those cities and urban centres themselves unless it would conflict with the policies in this Framework and legal obligations”. It should also be clarified that a lack of supply, due to factors such as tight local authority boundaries is also a reason for the need not being accommodated within the area. This needs to be considered in the light of the draft NPPF proposal that Green Belt boundaries are not required to be reviewed and altered if this would be the only means of meeting the objectively assessed need for housing over the plan period, clarifying that in these circumstances there is no requirement to export need to adjoining Districts.

The future alignment policy (to replace the Duty to Cooperate) urgently needs to be spelt out, to provide clarity for Local Plans going forward.

16 Do you agree with the proposed 4-year rolling land supply requirement for emerging plans, where work is needed to revise the plan to take account of revised national policy on addressing constraints and reflecting any past over-supply? If no, what approach should be

taken, if any?

Agree. There is no requirement to prepare a policies map at the Regulation 18 stage however.

17 Do you consider that the additional guidance on constraints should apply to plans continuing to be prepared under the transitional arrangements set out in the existing Framework paragraph 220?

No comment

18 Do you support adding an additional permissions-based test that will 'switch off' the application of the presumption in favour of sustainable development where an authority can demonstrate sufficient permissions to meet its housing requirement?

Yes, this is supported.

19 Do you consider that the 115% 'switch-off' figure (required to turn off the presumption in favour of sustainable development Housing Delivery Test consequence) is appropriate?

The switch off should apply at 100% and no more. The local planning authority should not be penalised for the decline in economic conditions or developer actions which it cannot control.

20 Do you have views on a robust method for counting deliverable homes permissioned for these purposes?

No comment.

21 What are your views on the right approach to applying Housing Delivery Test consequences pending the 2022 results?

The Housing Delivery Test should be withdrawn. Local Planning Authorities are responsible for determining planning applications and monitoring the progress of those. They should not be accountable for delivery and penalised for the inaction of developers. The consequences of failing the Housing Delivery Test should be immediately suspended as this situation is hugely damaging and contrary to the fundamental objectives of the planning system.

24 Do you have views on the effectiveness of the existing small sites policy in the National Planning Policy Framework (set out in paragraph 69 of the existing Framework)?

The land supply of each area is different, depending on the strategy adopted. The requirement to meet a proportion of on small sites can lead to more land being allocated if most homes are anticipated on large sites. In many areas of Greater Nottingham, these additional small sites will have to be Green Belt, as there are is no alternative source of housing land.

25 How, if at all, do you think the policy could be strengthened to encourage greater use of small sites, especially those that will deliver high levels of affordable housing?

See comments above.

45 Do you agree with the proposed timeline for finalising local plans, minerals and waste plans and spatial development strategies being prepared under the current system? If no, what alternative timeline would you propose?

JPAB considers that the 30 June 2025 timetable is reasonable if the NPPF changes are implemented as currently scheduled for Spring 2023. For the legislative changes, it is requested that government provides regular communication with local authorities about timescales. If delay is anticipated, it is necessary that the 30 June 2025 timescale is reviewed.

The 31 December 2026 timescale is unreasonable as currently worded. The duration of time from submission of a Local Plan to the examination being concluded is usually not within the control of the local authority. In addition, it is highly likely that PINs will see an influx of plans at this time and will not be able to ensure that all plan examinations can be concluded, in time for local authorities to be adopt their plan before the deadline. The 31 December 2026 deadline should be deleted and a submission to PINs deadline should only remain.

46 Do you agree with the proposed transitional arrangements for plans under the future system? If no, what alternative arrangements would you propose?

See comment above.

Item 8 AOB (Previously notified to the Chair)

Future Meetings:

2023 JPAB Meetings (2:00PM via teams)

Tuesday 6 June

Tuesday 26 September

Tuesday 12 December