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**Nottingham City Council**

**Response to Matter 8**



**Nottingham  
City Council**

**Development Management Policies – Making It  
Happen**

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## **Contents**

<b>Issue 1: Delivery and Development Contributions .....</b>	<b>1</b>
<b>Policy IN4: Developer Contributions .....</b>	<b>1</b>
Q1.    Is policy IN4 justified, effective and consistent with national policy? .....	1
Q2.    Should policy IN4 make reference to the relationship between providing additional infrastructure and the viability of a proposal? .....	1
<b>Issue 2: Monitoring .....</b>	<b>2</b>
Q1.    Does the Plan make appropriate provision for the monitoring of its implementation? .....	2
<b>Post Submission Changes proposed as a Result of this Statement</b>	<b>9</b>

**Issue 1: Delivery and Development Contributions**

***Policy IN4: Developer Contributions***

**Q1. Is policy IN4 justified, effective and consistent with national policy?**

8.1 Yes. ACS Policy 19: Developer Contributions sets the strategic context for Policy IN4. Under Policy 19 all development is expected to meet the reasonable cost of new infrastructure required as a consequence of the proposal. This accords with 2012 NPPF paras 203 to 206 ([LAPP-NPG-01](#)).

**Q2. Should policy IN4 make reference to the relationship between providing additional infrastructure and the viability of a proposal?**

8.2 Yes, the Council considers that reference should be made to viability and proposes the addition of a third criterion to Policy IN4. Proposed Post Submission Change (PPSC41) and additional changes to the policy as discussed in response to Matter 1 Issue 6 (PPSC11).

PPSC number	Para Ref/Policy	Proposed Post Submission Change
PPSC41	Policy IN4 Developer Contributions	Additional criteria added to Policy IN4 to read:  <u>“3. If an applicant considers there to be issues of viability due to the level of contributions being sought which render a proposal undeliverable, they will be required to submit robust viability assessments. These will be independently examined before the scale and nature of any reduction is agreed.”</u>
PPSC11	Policy IN4: Developer Contributions	Delete “ <del>and related SPDs</del> ” from criterion 1a), 1b), 1c), 1d), 1e), and 1f) amending criteria of Policy IN4 to read:  a) employment and training in accordance with Policy EE4 <del>and related SPDs</del> ; b) open space in accordance with Policy EN2 and EN3 <u>and</u> relevant site allocations <del>and related SPDs</del> ; c) drainage and flood protection in accordance with Policy CC3 <u>and</u> relevant site allocations <del>and related SPDs</del> ; d) transport in accordance with Policies TR1 and TR2 <u>and</u> relevant site allocations <del>and related SPDs</del> ; e) education in accordance with Policy LS5 <del>and related SPDs</del> ; and f) affordable housing in accordance with Policy HO3 <u>and</u> relevant site allocations <del>and related SPDs</del> .

PPSC number	Para Ref/Policy	Proposed Post Submission Change
		Add the following to the last sentence of the Justification text at Para 6.7 " <u>Supplementary Planning Documents will be used to provide further guidance and to set the charges that are established by this policy where necessary.</u> "

**Issue 2: Monitoring**

**Q1. Does the Plan make appropriate provision for the monitoring of its implementation?**

8.3 Yes. The Authority Monitoring Report (AMR) will monitor the effectiveness of the policies of the LAPP. Updates of the AMR will normally be published annually.

8.4 The LAPP policies support the delivery of ACS policies. Each Development Management policy identifies which lead ACS policy it is delivering. The effectiveness of the LAPP policies will be monitored using indicators currently employed by the AMR to monitor their lead ACS policies. The Monitoring Framework table below sets out the information for those policies where monitoring arrangements are in place.

8.5 The policies will be reviewed annually to ensure that they are continuing to meet the strategic objectives. They will be assessed against the targets and indicators set out in the Monitoring Framework table below. These include the Government's indicators and relevant indicators from the National Indicators set.

## Monitoring Framework

Policy	Monitoring Target	Monitoring Indicator	Delivery
CC1, CC2	To reduce per capita CO2 emissions and increase renewable power generation*	Department of Energy & Climate Change's 'Carbon dioxide emissions within the scope of influence of local authorities'	<ul style="list-style-type: none"> <li>Local Development Documents</li> <li>Development Management decisions</li> </ul>
CC3	Zero planning applications contrary to Lead Local Flood Authority advice on surface water	Number of permission granted against Lead Local Flood Authority advice	<ul style="list-style-type: none"> <li>Local Development Documents</li> <li>Development Management decisions</li> </ul>
CC3	Zero planning permissions contrary to Environment Agency advice on flooding*	Number of permissions in flood risk areas granted against Environment Agency advice	<ul style="list-style-type: none"> <li>Local Development Documents</li> <li>Development Management decisions</li> </ul>
CC3	Increase the number of Sustainable Drainage Systems (SuDS)*	Number of permissions incorporating SuDS	<ul style="list-style-type: none"> <li>Local Development Documents</li> <li>Development Management decisions</li> </ul>
EE1, EE4	Strengthen and diversify the economy and create 27,500- 27,900 new jobs 2011-28 (City fig=20,100)	Overall number of jobs in the plan area	<ul style="list-style-type: none"> <li>Core Strategy</li> <li>Employment land related Development Plan Documents</li> <li>Development Management decisions</li> </ul>
EE1	Develop 253,000 sq m of office space in Nottingham 2011-28*	Net addition in new office floorspace	<ul style="list-style-type: none"> <li>Core Strategy</li> <li>Employment land related Development Plan Documents</li> <li>Development Management decisions</li> </ul>
EE1, EE2, EE3	Maintain a minimum amount of industrial and warehouse supply of 25 hectares 2011-28*	Available supply of industrial & warehouse land. Net change in supply of industrial & warehouse land	<ul style="list-style-type: none"> <li>Core Strategy</li> <li>Employment land related Development Plan Documents</li> <li>Development Management decisions</li> </ul>
EE4	Improve skill levels of the working age population	% of the working age population with NVQ level 2 or above	
SH1	Delivery of major projects outlined in the Core	<ul style="list-style-type: none"> <li>Net new floorspace in the City Centre</li> <li>Net new homes in the City Centre</li> </ul>	<ul style="list-style-type: none"> <li>Development Plan Documents</li> <li>Development Management decisions</li> </ul>

Policy	Monitoring Target	Monitoring Indicator	Delivery
	Strategy*	<ul style="list-style-type: none"> <li>• Planning permissions</li> <li>• Authority Monitoring Report</li> </ul>	
SH1, SH2, SH3, SH4, SH5	Maintain health of Primary Shopping Frontage*	<ul style="list-style-type: none"> <li>• New retail floorspace created</li> <li>• Vacancy rates</li> <li>• Proportion of A1 uses within Primary Shopping Frontage</li> </ul>	<ul style="list-style-type: none"> <li>• Development Plan Documents</li> <li>• Development Management decisions</li> </ul>
SH2, SH3, SH4	Maintain or improve the vitality and viability of the centres within the plan area*	<ul style="list-style-type: none"> <li>• Planning permissions for retail and other town centre use development</li> <li>• Assessed retail need (from Needs Study)</li> <li>• Centre Healthchecks</li> <li>• Amount of new B1 office floorspace created in town centres</li> <li>• Amount of retail floorspace approved outside of defined centres</li> </ul>	<ul style="list-style-type: none"> <li>• Site specific Development Plan Documents</li> <li>• Area Action Plans</li> <li>• Masterplans</li> <li>• Development Management Decisions</li> </ul>
RE2, RE3, RE4, RE5, RE6, RE7, RE8	Delivery of major schemes promoted in policy*	Completion of site or certain elements of it (eg sqm of offices developed)	<ul style="list-style-type: none"> <li>• Development Plan Documents</li> <li>• Supplementary Planning Document</li> </ul>
HO1, HO2	Maintain an appropriate mix of house type, size and tenure*	<ul style="list-style-type: none"> <li>• Completions by dwelling, type, size and tenure</li> <li>• Number of plots for self-build, custom-build</li> </ul>	<ul style="list-style-type: none"> <li>• Core Strategy</li> <li>• Local Development Documents</li> <li>• Development Management decisions</li> </ul>
HO3	Provision of affordable housing (3,430 in Nottingham City 2011-28 for monitoring purposes)*	Affordable housing completions by Social Rent, Intermediate Housing, Affordable rent	<ul style="list-style-type: none"> <li>• Core Strategy</li> <li>• Local Development Documents</li> <li>• Development Management decisions</li> </ul>
HO4	To ensure appropriate development of specialist housing in the City to meet the range of needs of vulnerable citizens	Action plan of the Housing Nottingham Plan 2013 -15. Themes: The supply of new homes and addressing specialist housing and support The number of Accessible and Adaptable (Category 2) homes secured	Development Management Decisions
DE1	To ensure residential	Number of new build residential planning	Development Management Decisions

Policy	Monitoring Target	Monitoring Indicator	Delivery
	development provides satisfactory space standards	permissions which do not meet the National Housing Space Standard	
HE1	Decrease number of heritage assets at risk*	% and number of heritage assets at risk on national register	Development Management Decisions
HE1	Reduce the numbers of undesignated heritage assets that have been demolished/ lost and increase the number	The numbers of undesignated heritage assets that have been demolished/lost in any given year and the number of planning permissions for re- use of such buildings	
LS3	Improvements in health*	Life expectancy	<ul style="list-style-type: none"> <li>Local Development Documents</li> <li>Development Management decisions</li> </ul>
LS5	Improve accessibility from residential development to key community facilities and services*	% of households with access to services and facilities by public transport, walking and cycling within 30 minutes travel time with no more than a 400m walk to a stop	<ul style="list-style-type: none"> <li>Local Development Documents</li> <li>Development Management decisions</li> </ul>
TR1	Increase modal shift towards public transport, walking and cycling*	<ul style="list-style-type: none"> <li>Proportion of households with hourly or better daytime bus service to town, district or City Centre</li> <li>Number of public transport trips</li> <li>Plan area wide traffic Growth</li> <li>Number of cycling trips</li> </ul>	<ul style="list-style-type: none"> <li>Local Development Documents</li> <li>Development Management decisions</li> <li>Consultation with the local Highway Authorities</li> </ul>
TR1	Increase the number of developments supported by Travel Plans*	Number of Travel Plans agreed	<ul style="list-style-type: none"> <li>Local Development Documents</li> <li>Development Management decisions</li> </ul>

Policy	Monitoring Target	Monitoring Indicator	Delivery
TR2	Delivery of projects promoted in policy*	Implementation of individual schemes as in Infrastructure Delivery Plan	<ul style="list-style-type: none"> <li>• Consultation with the local Highway Authorities</li> <li>• Development Management decisions</li> <li>• Other delivery agents eg NET and Highways Agency</li> </ul>
EN1	Increase quality of open spaces*	<ul style="list-style-type: none"> <li>• Number of SINCs/Local Wildlife Sites under positive conservation management, using Single Data List indicator 160</li> <li>• Number of Local Nature Reserves with a management plan in place</li> <li>• Green Flag Status of open space</li> <li>• Number of S106 contributions related to open space</li> </ul>	<ul style="list-style-type: none"> <li>• Green/Open Space Strategies</li> <li>• Development Management decisions</li> </ul>
EN1	Increase the percentage of population with access to GI assets	Amount of open space newly created or improved	<ul style="list-style-type: none"> <li>• Green/Open Space Strategies</li> <li>• Development Management decisions</li> </ul>
EN6	Retain areas of biodiversity importance*	Net change in the area of SINCs/Local Wildlife Sites	<ul style="list-style-type: none"> <li>• Development Management decisions</li> <li>• Development Plan Documents</li> </ul>
MI1, MI2	Ensure comprehensive restoration and aftercare of sites	<ul style="list-style-type: none"> <li>• % of new or extended mineral workings supported by comprehensive restoration and aftercare of sites</li> <li>• Amount of Primary (Sand and gravel, Sherwood Sandstone and limestone) and Secondary aggregates</li> </ul>	Development Management decisions
IN4	Introduction of Community Infrastructure Levy if appropriate*	Adopt Community Infrastructure Levy charging schedule	Adopt Community Infrastructure Levy charging schedule
IN4	Ensure appropriate developer contributions to infrastructure*	Authority reported on S106 contributions and Community Infrastructure Levy funding	<ul style="list-style-type: none"> <li>• Local Development Documents</li> <li>• Development Management decisions</li> </ul>

8.6 Monitoring is focused on policies which are strategic in that they have a significant bearing on the soundness of the Local Plan. The table below sets out how the policies could be monitored as well as the reason for policies not being monitored;

<b>Policy</b>	<b>How Policy could be monitored</b>	<b>Reason why Monitoring not Required</b>
SH6 - Food and Drink Uses and High Occupancy Licensed Premises / Entertainment Venues within the City Centre	Number of qualifying applications refused on basis of policy.	N/A
SH7 - Policy SH7: Centres of Neighbourhood Importance (CONIs)	Monitored via periodic survey.	N/A
SH8 - Markets	Application for new or relocated market.	N/A
RE1 – Facilitating Regeneration	Monitored via other policy e.g. housing, employment.	N/A
H05 - Locations for Purpose Built Student Accommodation	Net increase in PBSA bedspaces by location.	N/A
H06 - Houses in Multiple Occupation (HMOs) and Purpose Built Student Accommodation	Net increase in PBSA bedspaces and number of changes to student council tax exemptions.	N/A
DE2 - Context and Place Making	N/A	Contextual policy.
DE4 - Creation and Improvement of Public Open Spaces in the City Centre	N/A	As implementation is often part of a wider development, it is not possible to monitor this policy. Other schemes led by City Council.
DE5 - Shopfronts	N/A	Non-strategic policy
DE6 - Advertisements	N/A	Non-strategic policy
HE2 - Caves	Number of caves on the City Council's Historic Environment Record lost to development.	N/A
LS1 - Food and Drink Uses and Licensed Entertainment Venues Outside the City Centre	Permission granted/refused for food and drink uses within 400mm of a secondary school.	N/A
LS2 - Supporting the Growth of Further and Higher Education Facilities	N/A	Enabling/contextual policy

<b>Policy</b>	<b>How Policy could be monitored</b>	<b>Reason why Monitoring not Required</b>
LS4 - Public Houses outside the City Centre and/or designated as an Asset of Community Value	Number of planning permissions granted for change of use from a public house.	N/A
TR3 - Cycling	Monitored through the Local Transport Plan.	N/A
EN2 - Open Space in New Development	Number of planning permissions with s106 agreements for open space.	N/A
EN3 - Playing Fields and Sports Grounds	Area (ha) of protected playing fields and sports grounds contributing to development.	N/A
EN4 - Allotments	Number of protected allotments contributing to development.	N/A
EN5 - Development Adjacent to Waterways	N/A	Enabling/contextual policy
EN7 - Trees	Conservation of ancient woodland and veteran trees. TPOs not monitored as they are generally replaced.	N/A
MI3 – Minerals Safeguarding	Number of planning applications approved against the advice of the Coal Authority.	N/A
IN1 - Telecommunications	N/A	Non-strategic policy
IN2 - Land Contamination, Instability and Pollution	Number of planning applications approved against the advice of the City Council's Public Protection Officer/the Coal Authority.	N/A
IN3 - Hazardous Installations and Substances	Number of planning applications approved against the advice of the Health and Safety Executive.	N/A
SA1 – Site Allocations	Planning permission granted for proposed use on allocated site.	N/A

8.7 Section 15 of the Sustainability Appraisal Publication Draft Main Report ([LAPP-CD-REG-08](#)) provides details of the monitoring of the significant effects of implementing the Local Planning Document. The report explains that the ACS and its accompanied Sustainability Appraisal contain monitoring arrangements which set out targets, indicators and delivery requirements for each ACS policy and also to test the sustainability of the policies. The indicators are monitored in the Authority Monitoring Reports. The monitoring framework is shown in Table 32 in the Sustainability Appraisal Main Report. Ongoing review of environmental targets and indicators will be undertaken as consequential local development documents and revisions of the Local Plan are prepared (both Part 1 and Part 2) as such the monitoring programme provided in the table is a starting point and will in itself be subject to review. The monitoring programme will be available to designated environmental authorities and the community through the AMR.

8.8 It is considered that the Plan makes appropriate provision for the monitoring of its implementation.

**Post Submission Changes proposed as a Result of this Statement**

8.9 For completeness, listed below are all the Proposed Post Submission Changes as a result of this statement.

PPSC number	Para Ref/Policy	Proposed Post Submission Change
PPSC41	Policy IN4 Developer Contributions	Additional criteria added to Policy IN4 to read:  <u>“3. If an applicant considers there to be issues of viability due to the level of contributions being sought which render a proposal undeliverable, they will be required to submit robust viability assessments. These will be independently examined before the scale and nature of any reduction is agreed.”</u>
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<b>PPSC number</b>	<b>Para Ref/Policy</b>	<b>Proposed Post Submission Change</b>
		<p>f) affordable housing in accordance with Policy HO3 <u>and</u> relevant site allocations <del>and related SPDs.</del></p> <p>Add the following to the last sentence of the Justification text at Para 6.7 "<u>Supplementary Planning Documents will be used to provide further guidance and to set the charges that are established by this policy where necessary.</u>"</p>