

RUSHCLIFFE CORE STRATEGY - OPTION FOR CONSULTATION

REPORT OF THE DEPUTY CHIEF EXECUTIVE (PR)

CABINET PORTFOLIO HOLDER - COUNCILLOR D G BELL

Summary

The Local Development Framework (LDF) Group considered reports relating to the latest stage of the production of the Greater Nottingham aligned Core Strategies at its meetings on 24 November and 10 December 2009.

Despite strong reservations and concern regarding the required housing numbers, in particular in relation to the Principal Urban Area (PUA), the LDF Group is recommending to Cabinet that the 'Rushcliffe Core Strategy - Options for Consultation' document (attached as **Appendix 1**) should now be published and consulted on in line with the timetable agreed by all the authorities that make up the Nottingham Core Housing Market Area. This will allow residents and other interested parties to have a formal input into the process.

It is RECOMMENDED that:

- a) the Rushcliffe Core Strategy - Option for Consultation document be published for consultation; and
- b) the Head of Corporate Services be given delegated authority to make any minor amendments to the Rushcliffe Core Strategy - Option for Consultation document prior to publication following consultation with the portfolio holder.

Detail

1. All the Greater Nottingham local planning authorities are working together to develop Core Strategies that align with each other. Following a consultation on an Issues and Options paper in the Summer of 2009, the next stage in the process is a further consultation exercise that is due to commence at the end of January 2010. The consultation document contains specific proposals to deal with each of the main issues identified, and also shows where proposed strategic sites may be identified in the Core Strategy. This is a crucial stage in the Core Strategy preparation because it gives the public and stakeholders a chance to comment on the councils' response to the growth targets prior to the publication of full plans.

Local Development Framework Group

2. The Local Development Framework (LDF) Group, at its meeting on 24 November 2009, considered a report relating to the latest stage of the aligned Core Strategies process. In particular this related to the option for the allocation of strategic sites around the PUA at Clifton and Gamston, and the strategic approach to the rest of the Borough. Namely, that development should be mainly focussed on the six large towns and villages and the Cotgrave Colliery site should be redeveloped as a mixed use neighbourhood. The LDF Group felt disinclined to

identify strategic sites adjacent to the PUA because of the scale of development being imposed, the consequential erosion of the Green Belt and the level of opposition from local people.

3. The LDF Group requested that a legal opinion should be sought on the consequences of not adhering to the Local Development Scheme timetable and withdrawing from the aligned core strategy process.
4. On 10 December 2009 the LDF Group considered a report outlining the risks involved should the Rushcliffe Core Strategy (as one of the aligned Core Strategies) not proceed as timetabled alongside those of partner authorities.
5. It was reported to the LDF Group that a failure to comply with the published timescale and consultation plan could be construed as demonstrating a lack of intention to exercise a statutory duty. The risks associated with such a course of action, which were highlighted to the LDF Group, include:
 - *The potential for Government intervention to develop the Rushcliffe Core Strategy and recover the costs from the Council after removing the Council's plan making powers;*
 - *The potential for planning applications to be received that, if refused and appealed, could not be legitimately defended because of the Council's failure to plan for growth. In such circumstances, the risk of the appellant being awarded costs would be high thus exacerbating the financial risk to the Council ;*
 - *That 'planning by appeal' or Government intervention could be viewed as a lack of democratic and community leadership;*
 - *The potential for negative press and a damaged reputation due to the poor use of public money to defend a failure to exercise a statutory duty;*
 - *The potential loss of significant Growth Point funding and HCA 'single conversation' money for affordable housing and infrastructure ;*
 - *Unplanned development with insufficient associated infrastructure.*
6. Following detailed consideration of the officers' report, a majority of the LDF Group felt compelled to support the consultation proceeding in line with the agreed timetable. However, the Group did not support any suggestion that this stage in the process should be referred to as the Council's Preferred Option. This view of the Group principally relates to the proposal that areas to the south of Clifton and to the east of Gamston should both be identified as strategic site allocations (see **Appendix 1**). The Group were critical of this proposal and effectively viewed it as being forced upon the Council as a consequence of the policies within the Government's East Midlands Regional Plan.
7. Reflecting the views of the LDF Group, it is now proposed that the latest Core Strategy document should be referred to as the 'Rushcliffe Core Strategy - Option for Consultation'. It is also open to the Council to make clear that it maintains its opposition to the scale of housing growth required in Rushcliffe by the Government's Regional Plan and that it also remains committed to defending the principles of the Green Belt and the protection it affords.

Aligned Core Strategies Option for Consultation

8. The final draft version of the Aligned Core Strategies Option for Consultation document is attached as **Appendix 1**. The document has three main elements:
- A **VISION** setting out how the area and the places within it would develop;
 - A series of **STRATEGIC OBJECTIVES** for the area focusing on how to deliver the vision; and
 - A **DELIVERY STRATEGY** for achieving the objectives, including policies setting out how much development is intended to happen where, when and by what means.
9. In addition to the LDF Group's consideration of an earlier version of the document, a draft was considered at the Greater Nottingham Joint Planning Advisory Board on 16 December 2009 at which Councillor Bell (Chairman of the LDF Group) who is a member of the Board was present. The Board resolved that "the document should form the basis of public consultation in the partner areas but does not commit any council to the development of any site". Various comments were made which have been incorporated into the document including the removal of the term 'preferred option'.
10. A report summarising the comments made by members of the public and others in relation to the previous Core Strategy Issues and Options consultation stage has also been produced, as has a Sustainability Appraisal of these Issues and Options. Copies of both documents are available to view upon request, and should be referred to in order to help inform consideration of those issues addressed in this report.

Financial Comments

As detailed in the Local Development Framework Group report on 10 December 2009, the financial risks documented could give rise to costs that would put in jeopardy the viability of the medium term financial strategy. The Council has set aside a reserve totalling £330,000 to cover any costs relating to future planning appeals. However, it is considered that this would be insufficient to cover the financial risks associated with a failure to comply with the LDF process.

Additionally there is the risk of the Borough losing significant investment opportunities from external bodies to provide essential infrastructure and affordable housing.

Section 17 Crime and Disorder Act

There are no direct Crime and Disorder implications arising from this report

Diversity

There are no direct diversity implications arising from this report

Background Papers Available for Inspection: Nil