



Broxtowe
Borough
COUNCIL

Broxtowe Borough Council

Development

Management Policies:

Issues & Options Consultation
February 2015



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Introduction

Broxtowe Borough Council is preparing a Development Management policies Local Plan which with the Site Specific Allocations Local Plan will form a single Part 2 Local Plan (subject to Council approving a revised Local Development Scheme to this effect with this decision likely to be taken in Spring 2015). This, together with the Core Strategy (Part 1 of the Local Plan), will provide full up to date Local Plan coverage for Broxtowe Borough.

This discussion document is the first consultation on the Development Management Policies part of the new Broxtowe Local Plan to replace the remaining saved 2004 Local Plan policies. Broxtowe consulted between November 2013 and January 2014 on Site Allocations issues and options. At the same time as this consultation we are now seeking views on a preferred approach to site allocations insofar as it relates to potential Green Belt boundary change. This is a separate consultation document that is available to view on the website.

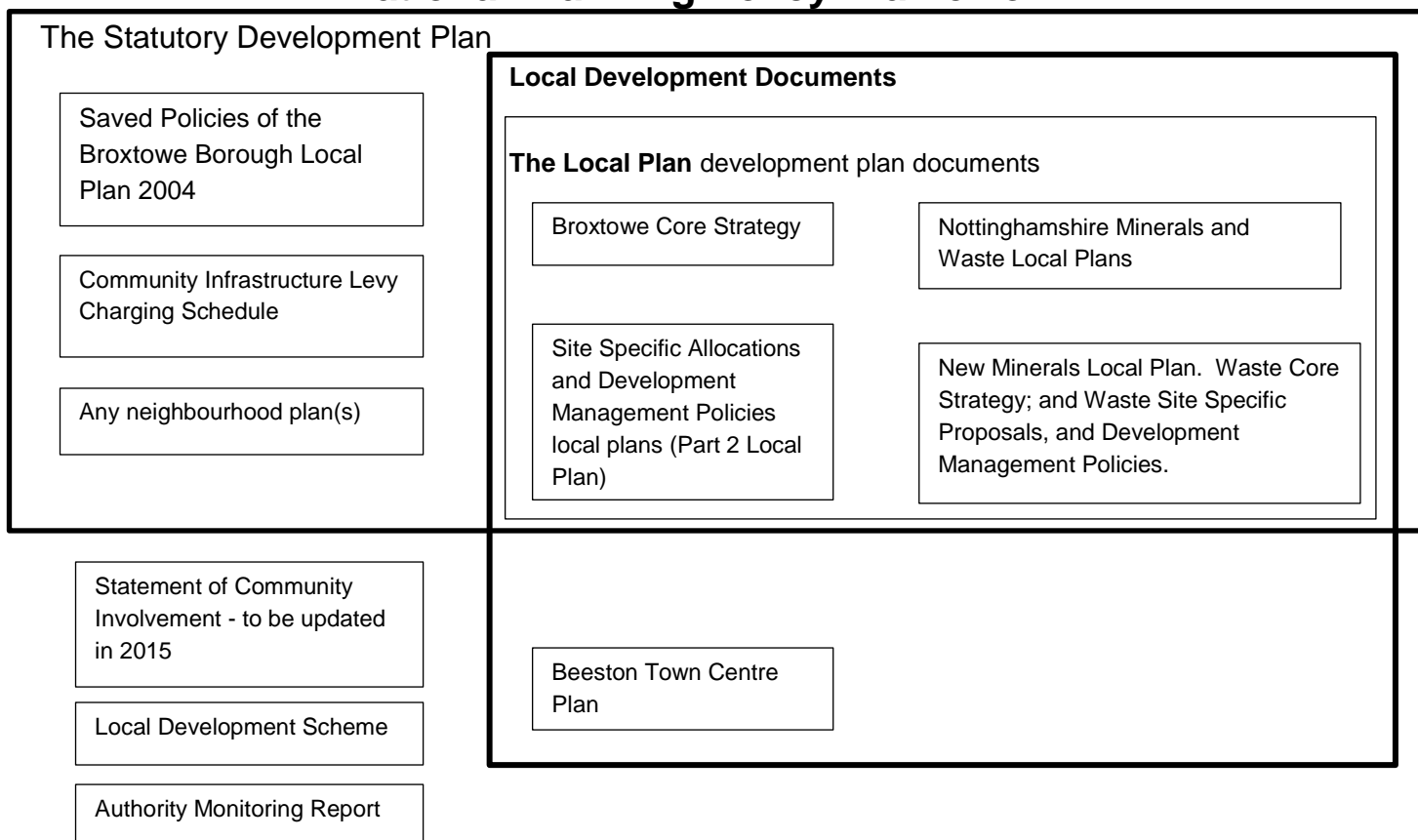
The purpose of this Development Management policies consultation document is to seek views on the inclusion of appropriate Development Management Policies in the part 2 Local Plan.

How this local plan fits in with other documents is explained in the diagram that follows:

Table 1 How the Development Management Policies part of the part 2 Local Plan fits in with other Local Plan development plan documents in Broxtowe.

Planning Policy Documents

National Planning Policy Framework



Local Development Scheme (LDS)

The LDS contains details of the content and the timetable for preparation of the various documents that the Council will be preparing. An amended timetable was published with the publication of the Core Strategy in June 2012 and modified in May 2013.

The currently proposed timetable for what will become a single Part 2 Local Plan is given below. It is intended to formally update this timetable in an amended Local development Scheme in spring 2015.

Timetable:

| Stage | Date |
|--|---|
| Site Allocations Issues and Options Consultation | 4 November 2013 to 10 January 2014 |
| Development Management Policies Issues and Options Consultation | 9 February 2015 to 5.00pm 23 March 2015 |
| Preferred Approach to Site Allocations (potential Green Belt boundary change) consultation | 9 February 2015 to 5.00pm 23 March 2015 |
| Publication of part 2 Local Plan incorporating Allocations and Development Management policies | Summer/ Autumn 2015 |
| Consideration of representations | Autumn 2015 |
| Schedule of changes and Submission | Autumn/ Winter 2015/16 |
| Pre-hearing meeting | Winter 2016 |
| Start of hearing sessions | Winter/ Spring 2016 |
| Delivery of Inspector's report | Spring / Summer 2016 |
| Adoption | Summer/ Autumn 2016 |

Statement of Community Involvement (SCI)

The Statement of Community Involvement (SCI) was adopted in 2009. It sets out the Broxtowe Borough Council's approach in involving and consulting local people and other participants in the local planning process. This is due to be updated at the same time as the Local Development Scheme

Core Strategy

The Core Strategy contains the Strategic Policies of the Local Plan; setting out the vision, objectives and spatial strategy for the borough. Broxtowe Borough Council has been working co-operatively with all our neighbouring councils in the Nottingham Core Housing Market Area to produce Aligned Core Strategies (ACS), which Broxtowe adopted on 17 September 2014.

In preparing specifically local plans such as Development Management policies, although the duty to cooperate will still apply as a test of soundness, the absence of the same cross

boundary strategic issues results in it being more appropriate for Broxtowe to prepare this document without needing the same joint working with our neighbours.

As the Development Management, policies is part of the Local Plan in order to deliver the Core Strategy, it is necessary that it is consistent with the same vision and objectives.

The Vision is on page 18 starting at paragraph 2.3.1 to paragraph 2.3.11 and the objectives are on page 20 in paragraph 2.4.1 of the Core Strategy.

The Core Strategy represents the spatial delivery of the Broxtowe Sustainable Community Strategy (SCS). The current SCS covers the period 2010 to 2020 and has the following vision:-

‘Our 2020 vision for Broxtowe is that it will be a thriving place, where people enjoy living, working and spending their leisure time.’

Characteristics of the borough

A comprehensive statistical illustration of the borough is provided in the ‘Profile of Broxtowe’, which is available at www.broxtowe.gov.uk/CHttpHandler.ashx?id=24763&p=0

The characteristics of Broxtowe and the main issues facing the borough are described in the Core Strategy at page 24 in paragraphs 2.7.1 to 2.7.18.

The Development Management polices part of the local plan will deliver the objectives of the Core Strategy, the priorities of the SCS, and will respond positively to the issues facing the Borough.

The Council has resolved that, where possible, development plan documents will be prepared in the form of Neighbourhood Plans. Where it is not possible to prepare a Neighbourhood Plan for any part of the borough, the Local Plan will contain a statement saying why this is the case.

Planning decisions need to be taken in accordance with policies forming part of the Statutory Development Plan unless material considerations indicate otherwise. Once adopted, the Development Management policies part of the Local Plan will specify a positive framework for achieving sustainable development.

It will consider the whole borough of Broxtowe unless local communities wish to prepare their own Neighbourhood Plans.

We want your views.

Consultation Period: **Monday 9th February 2015 to 5:00pm Monday 23rd March 2015**

All representations must be submitted within this period and received by the Council by 5:00 pm on Monday 23rd March 2015. Representations can be made electronically via the Council's web site www.broxtowe.gov.uk/dmpgreenbelt

Or written representations can be sent to:-

Planning Policy Team,
Broxtowe Borough Council,
Foster Avenue,
Beeston,
Nottingham,
NG9 1AB.

Representation forms are available online at www.broxtowe.gov.uk/dmpgreenbelt

Or paper copies are available at the following locations:

Broxtowe Borough Council, Foster Avenue, Beeston, Nottingham, NG9 1AB (8.30am to 5.00pm Monday – Thursday and 8.30am to 4.30pm on Fridays);

Eastwood Cash Office, 15 Nottingham Road, Eastwood, Nottinghamshire, NG16 3AP (8.45 – 4.30 Monday - Friday)

Stapleford Cash Office, Carnegie Civic and Community Centre, Warren Avenue, Stapleford, Nottinghamshire, NG9 8EY (9.30 am – 3.00pm Monday – Friday)

Libraries within Broxtowe borough

Representation forms can also be requested from the Planning Policy team at the Borough Council

Tel: 0115 9173482

E-mailing: planningpolicy@broxtowe.gov.uk

Evidence Base

A significant amount of research has been undertaken to develop an evidence base to support the preparation of this document and the other documents in the Council's Local Plan. It includes:

- The Strategic Housing Land Availability Assessment, which identifies and assesses the suitability, availability and achievability of potential sites for housing within Broxtowe borough. This has recently been updated.
- The Gypsy and Traveller Accommodation Needs Assessment provides evidence on the accommodation needs, and related support needs, of the Gypsy and Traveller community within Nottinghamshire. An in-house update is underway.
- An in-house review of Green Belt boundaries is underway. The original purposes of Green Belt as set out in the National Planning Policy Framework will be an important consideration, in particular the need to prevent coalescence and maintain openness. Nottinghamshire and Derbyshire County Councils undertook a review of the Green Belt in 2006, and this provides some guidance as to the relative importance of different Green Belt purposes around the whole of Greater Nottingham. It highlighted that the area between Nottingham and Derby is overall the most sensitive area of Green Belt, in relation to the purposes as set out in government policy, and was taken into consideration in the preparation of the Appraisal of Sustainable Urban Extensions Study (Tribal) 2008 and the Sustainable Locations for Growth Study (Tribal) 2010.
- The Greater Nottingham Retail Study, 2008, and its partial update in 2013 reassess the quantitative capacity for retail development in selected centres and the principal out-of-centre shopping locations in Greater Nottingham. A full update of this study has been commissioned and work is underway.
- The Nottingham City Region Employment Land Study (NCRELS) and its Update Report 2009 and the Derivation of Office Employment Figures from NCRELS 2007 and its 2009 Update Paper, set out to assess how many more jobs the City Region needs to provide given a higher than originally expected housing target. A full update of this study has been commissioned and work is underway.
- The Strategic Flood Risk Assessment (SFRA) provides a comprehensive assessment of the extent and nature of flood risk within the borough and its implications for land use planning.
- The Infrastructure Delivery Plan (IDP) provides detailed evidence on the current infrastructure provision within the borough and identifies where and when new infrastructure may be required, the outline costs of such infrastructure and how that infrastructure will be provided and funded. An in-house update is underway.
- The Greater Nottingham Landscape Character Assessment (LCA) defines the landscape character of the area and explains the differences between landscapes based on sense of place, local distinctiveness, characteristic wildlife and natural features.
- The Nottinghamshire Local Transport Plan 2011-2026 is the principal policy and investment tool through which the planning, management and delivery of transport improvements take place.

- Conservation Area Appraisals provide an assessment of the special interest, character and appearance of the Conservation Areas in the borough.
- The 6Cs Growth Point Green Infrastructure Strategy identifies existing networks of green infrastructure and provides an approach for the conservation, protection and enhancement of green spaces in the borough. A Broxtowe Green Infrastructure Strategy is underway.
- The Green Spaces Strategy 2009-2019 provides an assessment of existing green space in the borough, the needs of local communities in relation to green space and the extent to which existing green spaces meet these needs.
- A Plan Wide Viability Assessment (incorporating assessment of the potential for CIL) has been commissioned and work is underway.

These reports are all available to view at:

<http://www.nottinghamcity.gov.uk/CHttpHandler.ashx?id=36361&p=0>

Sustainability Appraisal

The Council is required to ensure that documents prepared for its Local Plan are subject to a Sustainability Appraisal (SA), which incorporates the requirements of a Strategic Environmental Assessment (SEA). Carrying out the process of SA is a statutory requirement within the spatial planning process. It provides a means to assess the economic, social and environmental effects of the strategies and policies of the Local Plan from the outset of the plan preparation process.

The purpose of the SA is to promote sustainable development through the better integration of sustainability considerations into the preparation and adoption of plans. The Part 2 Local Plan – Site Allocations and Development Management Policies will be accompanied by an SA Report which considers the likely significant environmental, economic and social effects of the Plan; a Scoping Report for the SA is included with the Development Management Policies consultation document. The Sustainability Appraisal Scoping Report can be viewed at www.broxtowe.gov.uk/index.aspx?articleid=14231

The current SA Scoping Report has responded to the comments of English Heritage on the SA Scoping Report that accompanied the Site Allocations Issues and Options consultation document of November 2013. The current SA Scoping Report is intended to form a single SA Scoping Report for the Part 2 Local Plan. There are a number of questions relating to this Scoping Report which are included in Appendix C of this document.

Appropriate Assessment

The (European) Habitats Directive (Directive 92/43/EEC) on the Conservation of Natural Habitats and of Wild Fauna and Flora requires that any plan or project that is likely to have a significant effect on a designated habitat site, either individually or in combination with other plans or projects, is subject to an appropriate assessment (AA) of its implications for the site in view of the site's conservation objectives. An AA is required when the habitat site is designated for its international nature conservation interests and includes:

- Special Areas of Conservation (SAC) and candidate Special Areas of Conservation (cSAC);
- Special Protection Areas (SPA) and candidate Special Protection Areas (cSPA); and
- Ramsar sites which are wetlands of international importance, designated under the Ramsar Convention.

There are no sites within Broxtowe and a screening record for the Core Strategy concluded that there are unlikely to be any significant effects on any European sites.

The screening record can be viewed at:

www.nottinghamcity.gov.uk/CHttpHandler.ashx?id=36316&p=0

Summary

The assessment matrix in Appendix A to this consultation document provides commentary on the existing 'saved Broxtowe Local Plan policies' with some comments regarding potential new policies. The full list of saved Local Plan policies can be viewed in Appendix E of the Adopted Broxtowe Core Strategy. A draft Policy on Flood Risk is contained in Appendix B to this consultation. The list of questions is contained in Appendix C.

Appendix A - Matrix

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|---|--|--|---|--|
| 'STRATEGY' | | | | |
| EXISTING POLICIES | | | | |
| K4 Town centres | n/a (but see points regarding policy S1) | Not used in appeals 2005-13. | Not inconsistent. | Could perhaps be merged with policy S1 and/or other policies. |
| K5 Green Belt | n/a (but see points regarding policy E8) | Not used in appeals 2005-13 | Not inconsistent. | Could perhaps be merged with policy E8 and/or other policies. |
| ENVIRONMENT | | | | |
| EXISTING POLICIES | | | | |
| E8 Development in the Green Belt | Policies 3.1 and 3.2 require part 2 Plans to review Green Belt boundaries to meet development land requirements using a sequential approach. Consultation on the review of the Green Belt is taking place in parallel with this consultation on the development management policies. | Used 28 times in appeals 2005-13, 24 dismissed. Inspectors' decision letters suggest that it may be appropriate to include the 50% guideline on extensions (which is currently in the supporting text) to the policy itself. However, an interim guideline on the approach to extensions of more than 50% was approved by cabinet in June 2009. Inspectors' decision letters suggest that it may additionally be appropriate to incorporate this | Development management policy could clarify local implementation of NPPF Green Belt policy. The purposes of national Green Belt policy (as set out at paragraph 80 of the NPPF) are: to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling of | A new policy could set out what changes of use might be considered, in the local context, to be appropriate or inappropriate in principle in the Green Belt. (Such uses might include, for example, recreational uses, cemeteries and/or changes from agricultural to domestic gardens.) Consideration could be given to whether the policy should promote any small-scale developments, such as diversification of rural businesses or the |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|--|-------------------------------|--|--|---|
| | | <p>guideline (or any proposed replacement) as part of a revised policy.</p> <p>Appeal decisions also strongly indicate that it will be necessary to recognise that proportionate extensions to all buildings, and not just to dwellings, are now acceptable in terms of the NPPF.</p> <p>Inspectors have supported the Council's firm approach to treating detached garages and other detached outbuildings as "inappropriate" in NPPF terms, even if very similar buildings could be erected under permitted development rights. It may be appropriate to consider whether or not the Council should continue with this approach.</p> | <p>derelict and other urban land. The policy in the part 2 Plan might clarify how the Council intends to interpret phrases such as "sprawl", "encroachment" and "towns" with regard to the specific local context of Broxtowe.</p> | <p>expansion of community facilities.</p> <p>Care will be needed to avoid details of the policy differing from the NPPF, unless there is a clear local justification.</p> |
| <p>E12 Protected Open Areas</p> | <p>n/a</p> | <p>Used twice in appeals 2005-13, one dismissed.</p> | <p>Not inconsistent.</p> | <p>The Council considers that the Protected Open Areas should become a type of 'Local Green Space', as referred to in</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|--|-------------------------------|--|---|---|
| | | | | <p>the NPPF.</p> <p>They should probably be included in a policy that also deals with other types of 'Local Green Space', such as Prominent Areas for Special Protection (currently policy E13).</p> <p>The boundaries of the Areas may benefit from review.</p> |
| <p>E13 Prominent Areas for Special Protection</p> | <p>n/a</p> | <p>Used twice in appeals 2005-13, one dismissed.</p> | <p>Not inconsistent.</p> | <p>The Council considers that the Prominent Areas for Special Protection should become a type of 'Local Green Space', as referred to in the NPPF.</p> <p>They should probably be included in a policy that also deals with other types of 'Local Green Space', such as Protected Open Areas (currently policy E12).</p> <p>The boundaries of the Areas may benefit from review.</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|--|---|-------------------------------------|---|---|
| <p>E14 Mature Landscape Areas</p> | <p>ACS policy 16.2e) says that part 2 Plans will include “any areas of locally valued landscape requiring additional protection”.</p> | <p>Not used in appeals 2005-13.</p> | <p>The NPPF (paragraph 109) says that the planning system should protect and enhance “valued landscapes”.</p> | <p>It would not be appropriate for the Mature Landscape Areas to become a type of ‘Local Green Space’ as referred to in the NPPF, as they are too expansive.</p> <p>The boundaries of the Areas may benefit from review.</p> <p>There may be a potential link with a possible new, broader landscape policy based on the Greater Nottingham Landscape Character Assessment (see below).</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|---|---|---|---|---|
| <p>E16 Sites of Importance for Nature Conservation</p> | <p>The monitoring arrangements for policy 17 indicate that part 2 Plans will be used to “retain areas of biodiversity importance” and “improve management of biodiversity sites”.</p> | <p>Not used in appeals 2005-13.</p> | <p>There may be a case for linking this topic with the natural environment at the landscape scale, biodiversity networks, ‘Nature Improvement Areas’ (if any were to be established in the locality), species protection and criteria-based policies.</p> | <p>This policy will need to co-ordinate with the Council’s emerging Green Infrastructure Strategy, possibly as part of a single comprehensive policy, or as one of a suite of related policies.</p> <p>Terminology will need changing to the new county-wide term of ‘Local Wildlife Sites’.</p> |
| <p>E24 Trees, hedgerows and Tree Preservation Orders</p> | <p>n/a</p> | <p>Used twice in appeals 2005-13, both dismissed.</p> | <p>The policy could be said to be too restrictive.</p> <p>Reference to ‘veteran trees’ might be included.</p> | <p>Arguably Tree Preservation Orders should not be referred to in the policy, as they are covered by separate legislation.</p> <p>It could be argued that the tone of the policy is too restrictive.</p> <p>It could also be argued that the policy does not add much of a ‘local dimension’ and therefore that the Council could rely on the NPPF in development management decisions.</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|--|--------------------------------------|--|--|---|
| E26 Pollution | n/a | Not used in appeals 2005-13. | There should be a reference to cumulative effects. | <p>The policy will need to complement the work of the Council's Environmental Health department.</p> <p>The policy might perhaps be merged with other related policies, such as E27, E31, E32, E33 and E34.</p> |
| E27 Protection of groundwater | n/a | Not used in appeals 2005-13. | <p>The policy could be said to be too restrictive, and would perhaps be more appropriately worded along the lines of "Permission will only be granted...".</p> <p>There should be a reference to cumulative effects.</p> | <p>The policy will need to complement the work of the Council's Environmental Health department.</p> <p>The policy might perhaps be merged with other related policies, such as E26, E31, E32, E33 and E34.</p> |
| E29 Contaminated land | n/a | Not used in appeals 2005-13. | The policy could be seen as overlapping too much with separate pollution control regimes, contrary to paragraph 122 of the NPPF, which encourages focus on the development itself and its impacts. | <p>It might be argued that there is no need for a planning policy of this sort at all.</p> <p>Any policy will need to complement the work of the Council's Environmental Health department.</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|---|--------------------------------------|--|---|--|
| E31 Gassing landfill sites | n/a | Not used in appeals 2005-13. | Not inconsistent. | <p>The policy will need to complement the work of the Council's Environmental Health department.</p> <p>The policy might perhaps be merged with other related policies, such as E26, E27, E32, E33 and E34.</p> |
| E32 Hazardous substances, hazardous installations and major hazard pipelines | n/a | Not used in appeals 2005-13. | Not inconsistent. | <p>The policy might perhaps be merged with other related policies, such as E26, E27, E31, E33 and E34.</p> |
| E33 Light pollution | n/a | Not used in appeals 2005-13. | Reference might be added to good design, protecting "intrinsically dark landscapes" (NPPF paragraph 125) and nature conservation. | <p>Consideration could be given as to whether any "intrinsically dark landscapes" should be identified in the plan.</p> <p>The policy might perhaps be merged with other related policies, such as E26, E27, E31, E32 and E34.</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|--|--|---|---|--|
| E34 Control of noise nuisance | n/a | Not used in appeals 2005-13. | The policy could be expanded by identifying and protecting any “areas of tranquillity” (NPPF paragraph 123). | The policy might perhaps be merged with other related policies, such as E26, E27, E31, E32 and E33. |
| E35 Telecommunications | n/a | Used three times in appeals 2005-13, all dismissed. | The policy might be seen as being too reactionary and insufficiently strategic, in relation to NPPF paragraphs 43-44. | Consideration might perhaps be given to whether there are any areas where it may be appropriate to restrict telecommunications development. |
| POSSIBLE NEW POLICIES | | | | |
| Possible new policy Flood risk – sequential and exception tests | Policy 1.9 says that, “where appropriate”, part 2 Plans will set out “further guidance on the application of the sequential and Exception Test”. | n/a | Paragraphs 100 to 104 refer to the sequential and exception tests. | Subject to on-going discussions with the Environment Agency, the Council provisionally considers that it may be appropriate to take a pragmatic approach to the sequential test with regard to small-scale proposals (possibly including those for fewer than 10 dwellings) in locations which are protected by the recently-constructed Trent Left Bank Flood Defences. |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|--|--|---------------------------------|---|--|
| | | | | <p>Any new policy might include details of specific steps to be taken for individual applications.</p> <p>EA guidance suggests that policy might refer to quantities of windfall development that would be acceptable in broad locations.</p> <p>A draft Policy is included in Appendix B with this consultation</p> |
| <p>Possible new policy Flood risk – Sustainable Drainage Systems (SuDS)</p> | <p>n/a (although SuDS might form part of the sequential/exception test policy mentioned above)</p> | <p>n/a</p> | <p>Paragraph 103 refers to SuDS.</p> | <p>The national situation with regard to the adoption of SuDS seems to be in a state of flux at the moment, so on-going liaison with the County Council and others will be necessary regarding whether, for example, standards for SuDS should be included in the part 2 Plan.</p> |
| <p>Possible new policy Reducing CO2 emissions</p> | <p>Policy 1.4 says that, “where appropriate”, part 2 Plans will set out “further</p> | | <p>Paragraph 97 says that local planning authorities (LPAs) should “have a positive</p> | <p>The Broxtowe Corporate Plan includes objectives to reduce CO2 emissions</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|--------|---|---------------------------------|---|---|
| | <p>guidance on how development should contribute to reducing carbon dioxide emissions”.</p> | | <p>strategy to promote energy from renewable and low carbon sources”. It also says that LPAs should “identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers”.</p> <p>Paragraph 96 refers to the potential for “local requirements for decentralised energy supply”.</p> | <p>and increase the use of renewable resources.</p> <p>There might be a case for having specific policies to guide different sources of sustainable development production. These might, for example, identify locations where wind turbines, large-scale solar, etc, were to be encouraged or discouraged.</p> <p>Consideration needs to be given to whether to include a ‘Merton’-type policy regarding on-site energy generation in new developments; however there are questions as to whether this is now considered to be the most effective approach to reducing CO2 emissions.</p> <p>Reference to the suitability or otherwise of renewable energy developments in the Green Belt could be</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|--|---|---------------------------------|---|---|
| | | | | <p>incorporated either in a 'stand-alone' policy of this kind or in a new policy on the Green Belt (see E8 above).</p> <p>We may want to include a requirement or at least ambition that where possible the design, layout and landscaping of new development takes the best advantage of passive solar gain (i.e. don't have houses in shaded areas as a general principle and have unshaded roof slopes facing south/south west).</p> |
| <p>Possible new policy Design</p> | <p>Policy 10.3 says that part 2 Plans will set out "best practice standards for design, sustainability and place making", for all development proposals, and in particular proposals of 10 or more homes".</p> <p>Paragraph 3.10.3 says that part 2 Plans "may" include "further design guidance" and that "urban</p> | <p>n/a</p> | <p>Paragraph 58 emphasises the need for "robust and comprehensive" design policies and implies the need for some sort of local character appraisals.</p> <p>Paragraph 59 encourages consideration of the use of 'design codes'.</p> | <p>In light of the fact that, as a result of the adoption of the ACS, policy E1 of the Broxtowe Local Plan has been deleted, any new policy should probably include a reference to the amenity of the occupiers of any new development. Other issues to be covered might include sizes of gardens and amenity standards for</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|--------|---|---------------------------------|---|---|
| | <p>characterisation” “will be used” “where appropriate”.</p> <p>Paragraph 3.10.5 says that “further guidance on design standards” “will” be included.</p> | | | <p>apartments.</p> <p>In light of the wording of ACS policy 10.3, the policy in the part 2 Plan will probably need to make clear whether / to what extent it will apply to non-residential development and to proposals for fewer than 10 homes.</p> <p>Some aspects of any potential design policy might alternatively, or additionally, be included in a revised policy H7 (see below).</p> <p>Any new design policy might incorporate energy-efficiency issues – or alternatively these could form part of a new policy on CO2 emissions (see above).</p> <p>An urban design guide could perhaps be prepared as an SPD, to supplement any design policy.</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|---|--|--|---|---|
| | | | | Any new policy and/or guidance might include references to 'Building for Life', 'Lifetime Homes' and perhaps 'Manual for Streets'. |
| <p>Possible new policy/policies Heritage assets / conservation</p> | <p>Policy 11.2 says that part 2 Plans will set out "further detail" about conservation and enhancement of "elements of the historic environment" including DH Lawrence heritage, Bennerley Viaduct and Boots buildings D6 and D10.</p> | <p>Inspectors have given some weight to non-designated heritage assets. However such assets might be given more weight if they were referred to in a new policy, perhaps with reference to the County Council's Historic Environment Register.</p> | <p>(See 'Additional issues'.)</p> | <p>In drafting any new policy, attention will need to be paid to guidance from English Heritage and others.</p> <p>It can be argued that a new development management policy regarding the conservation of heritage assets is not needed, as the NPPF and the PPS5 Practice Guide are sufficient for making development management decisions.</p> <p>Instead, arguably, other policies in the part 2 Plan could take account of the issues referred to in ACS policy 11.2. Other policies could also include measures to conserve</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|--------------------------------------|--|---------------------------------|--|---|
| | | | | <p>the significance of the Conservation Areas.</p> <p>It can be argued that a 'local list' of heritage assets is not necessary but that it could nevertheless be useful. Criteria for inclusion in any 'local list' could perhaps be referred to in policy.</p> <p>It there were to be any new policies on these issues, it may be that they should include more of a 'local dimension' than previous Broxtowe Local Plan policies, with perhaps different policies for different parts of the borough.</p> |
| Possible new policy Landscape | Policy 16.2e) says that part 2 Plans will include "criteria for the assessment of proposals" (as well as "any areas of locally valued landscape requiring additional protection"). | n/a | Paragraph 109 refers to the need to protect and enhance valued landscapes. | <p>A new policy may be needed, based on the Greater Nottingham Landscape Character Assessment.</p> <p>(Mature Landscape Areas are referred to under policy E14, above.)</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|---|--|---------------------------------|--|---|
| <p>Possible new policy Green infrastructure (GI)</p> | <p>Policy 16.1 says that part 2 Plans will define GI “corridors and assets of a more local level”.</p> <p>Policy 16.2c) says that part 2 Plans will “assess” “non-strategic sites”.</p> <p>Paragraph 3.16.10 says that part 2 Plans will address “a number of issues” which “may” include “Green Infrastructure corridors and assets of a more local nature, locally valued landscapes which require additional protection and embedding the Green Infrastructure network approach into the development of sites”.</p> | <p>n/a</p> | <p>Paragraph 114 highlights the importance of “networks of biodiversity and green infrastructure”.</p> | <p>Any new policy will need to complement the Council’s emerging Green Infrastructure Strategy.</p> <p>Consideration will need to be given as to how best to integrate any policy on GI with potentially complementary policies on Local Wildlife Sites, open space, recreational routes etc.</p> |
| <p>Possible new policy Coal – Mineral Safeguarding Areas</p> | <p>n/a</p> | <p>n/a</p> | <p>Paragraph 143 requires ‘Local Plans’ to define Mineral Safeguarding Areas.</p> | <p>Previous advice from the County Council and the Coal Authority has indicated that it would be helpful for them to be included, for information, in part 2 Plans, as well as in the County’s Minerals</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
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| | | | | Plan. |
| Possible new policy Coal – Coal Mining Development Referral Area | n/a | n/a | n/a | There is a question as to whether there should be a policy and/or a reference on the policies map to the Coal Authority’s ‘Coal Mining Development Referral Area’. It may be helpful, for information at least, as apparently there are over 1500 ‘mine entries’ in Broxtowe. |
| Possible new policy Agricultural land | n/a | n/a | Paragraph 112 refers to “the economic and other benefits of the best and most versatile agricultural land” and advises that LPAs should “seek to use areas of poorer quality land in preference to that of a higher quality”. | A decision will be needed as to whether or not a local policy could usefully add anything to the NPPF. |
| Possible new policy Archaeology | n/a | n/a | Paragraphs 126 to 141 deal with the historic environment, including archaeological issues. | It can be argued that a new policy relating to archaeology is not needed, as the NPPF treats both buildings and buried or submerged archaeological features as ‘heritage assets’, and the NPPF and the PPS5 Practice Guide are |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
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| | | | | <p>therefore sufficient for making development management decisions.</p> <p>However, the City Council's Preferred Options included 'archaeological constraints' adjacent to the Broxtowe boundary at Nuthall, Strelley and Beeston Rylands. Arguably it might therefore be helpful, for information at least, to include something similar in Broxtowe's Plan.</p> |
| HOUSING | | | | |
| EXISTING POLICIES | | | | |
| <p>H1 New housing sites</p> | <p>Policy 2 sets out the requirements for housing that will be met through new site allocations in the part 2 Plan and/or Neighbourhood Plans.</p> | <p>n/a (The policy on currently-allocated sites was not used in appeals 2005-13.)</p> | <p>Housing is dealt with in paragraphs 47-55 and 159.</p> | <p>The choice of sites is being dealt with separately from the consultation on development management policies. However all existing undeveloped allocations will be reviewed to assess whether or not they are still appropriate.</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
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| <p>H4 Subdivision or adaptation of existing buildings</p> | <p>n/a</p> | <p>Used three times in appeals 2005-13, two dismissed.</p> | <p>Not inconsistent.</p> | <p>It might be appropriate to include references to the need to ensure satisfactory amenity for existing neighbouring residents, and to the need to avoid harm to the appearance of the building.</p> <p>It could be argued that the policy is redundant, given the strong national emphasis on the provision of new housing or potentially it could be better to incorporate standards for subdivision or adaption into a more generic design policy (supported by an SPD as required).</p> |
| <p>H5 Affordable housing</p> | <p>Policy 8.5 has a Borough wide 30% target for affordable housing provision</p> <p>Policy 8.6 says that part 2 Plans will set out “any locational variation in affordable housing requirements, and the mix and threshold for</p> | <p>Not used in appeals 2005-13.</p> | <p>It could be argued that the policy is too inflexible with regard to changing market conditions, having regard to NPPF paragraph 50.</p> | <p>Policy will need to address: the appropriate thresholds and targets for affordable housing that should apply in different parts of the borough or whether, or the extent to which, a more consistent Borough wide approach remains appropriate; the appropriate splits</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
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| | <p>affordable housing”.</p> <p>Policy 8.7 says that part 2 Plans will set out “the level of affordable housing” for “larger developments”.</p> <p>Paragraph 3.8.17 says that part 2 Plans “will give consideration as to whether there is a case to allow for a small amount of market housing in villages where this will facilitate the provision of significant additional affordable housing to meet local needs”.</p> | | | <p>between social rented and ‘intermediate’ housing; and approaches to on-site and/or off-site provision (which may relate to the scale of provision).</p> <p>Provisionally, it is unlikely that a ‘rural exception’ policy, as envisaged by ACS paragraph 3.8.17, would be considered appropriate in Broxtowe.</p> <p>Affordable housing is an important issue in the Sustainable Community Strategy, and the Corporate Plan says that “25% of all homes built in Broxtowe each year will be affordable”. It may be debateable as to whether this target can be achieved through the planning system alone.</p> <p>The Council’s cabinet resolved in the summer of 2014 to consult on lower thresholds for affordable housing. The</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
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| | | | | <p>consultants Three Dragons undertook work for the Council on affordable housing viability in 2009 and 2012.. The Three Dragons work also advised that lower thresholds for affordable housing may be viable. Three Dragons suggested that thresholds might go down to a single dwelling; however the national Planning Practice Guidance (ID 23b-013-20141128) now says that affordable housing contributions should not be sought from developments of 10 units or less.</p> |
| <p>H6 Density of housing development</p> | <p>n/a directly, however see below regarding possible new policy on size/mix/choice.</p> | <p>Not used in appeals 2005-13.</p> | <p>Paragraph 59 indicates that design policies should concentrate on guiding the overall density “in relation to neighbouring buildings and the local area more generally”.</p> | <p>The references to public transport accessibility probably need reviewing. There might be a case for scrapping the policy completely.</p> <p>Alternatively, a policy might set out lower and/or variable requirements, which</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
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| | | | | <p>might include different approaches in different parts of the borough, depending on the character of the local area.</p> <p>Density could perhaps be incorporated in a general design policy (see above).</p> |
| <p>H7 Land not allocated for housing purposes</p> | <p>Paragraph 3.10.4 says that part 2 Plans “may seek to restrict development to avoid areas of special character and to protect the amenity value of private gardens”.</p> | <p>Used 39 times in appeals 2005-13, 30 dismissed.</p> <p>An inspector recently said that it was “not clear whether the council applies a standard for private amenity space”. This suggests that, if the Council wants to apply standards or guidelines for residential amenity space – such as the size of rear gardens and distances between dwellings – they will need to be incorporated in policy and/or an SPD in order for them to carry weight in appeal decisions.</p> | <p>The NPPF suggests that the council should consider the case for extending the policy to resist inappropriate development of residential gardens (paragraph 53) – perhaps especially in certain areas, such as Conservation Areas.</p> <p>Policy should address “the connections between people and places and the integration of new development into the natural, built and historic environment” (paragraph 61) – possibly using ‘design codes’.</p> | <p>Issues to be considered include whether design matters should be dealt with as part of several policies (H7, H9 etc) and/or whether there should be a single overall design policy (see above), and/or an SPD on design, and/or ‘design codes’.</p> <p>It is likely to be appropriate to consider issues of local distinctiveness and therefore to have different approaches in different parts of the borough, depending on the character of the local area.</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
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| | | | | Clause (e) should perhaps only refer to the occupiers of nearby residential properties, rather than all properties. |
| H8 Businesses in residential areas and properties | n/a | Used five times in appeals 2005-13, four dismissed. | Not inconsistent. | n/a |
| H9 Domestic extensions | n/a | <p>Used 28 times in appeals 2005-13, 17 dismissed.</p> <p>An inspector has recently pointed out that the wording needs amending so that the policy does not require poorly-designed extensions in order that they remain “in keeping” with poorly-designed original buildings and so that it allows for quality contemporarily-designed extensions.</p> <p>It will be necessary to consider consistency and duplication between H7 (regarding new dwellings), H9 and any new overall design policy (see above).</p> | Not inconsistent. | <p>Options include making the policy more detailed/specific (as mentioned in the AMR column), making it less detailed and more ‘flexible’, or deleting it.</p> <p>This policy therefore raises the general question of the degree of detail that should be included in policies throughout the plan, and the balance between ‘positive’ and ‘negative’ approaches and wordings.</p> <p>An important question will be whether the same policy expectations should apply throughout</p> |

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| | | <p>Nearly 40% of appeals have been lost. It appears that the precise purposes of the policy may not be sufficiently clear to inspectors. It may therefore be appropriate to consider making aspects of the policy more specific – possibly including what constitutes a “terraced or cramped effect” and what kinds of impact represent “an unacceptable degree of loss of privacy or amenity”.</p> | | <p>the borough or whether there should be variations based on local distinctiveness. For example, different expectations regarding standards of amenity or the “terraced or cramped effect” might apply depending on whether the site is in a town centre or in a suburban location, and/or perhaps depending on which town or village it is in.</p> <p>A residential design guide might possibly be prepared as an SPD to supplement this policy or any new more general design policy.</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
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| H10 Extensions for dependent relatives | n/a | Not used in appeals 2005-13. | Not inconsistent. | It could be argued that this policy is unnecessary, because a change of use to a separate dwelling needs permission in itself, and that the policy is unhelpful, because it requires the Council to have regard to the internal arrangements and the nature of the occupants, when arguably the important issues are the external appearance and any impacts on neighbours. |
| H11 Minor development | n/a | Used three times in appeals 2005-13, one dismissed. | Not inconsistent. | It could be argued that this policy does not say anything that is locally distinctive – so perhaps either local detail could be added, or the policy could be deleted. |
| H12 Loss of residential accommodation | n/a | Used once in appeals 2005-13, allowed. | It can be argued that the policy is too general (geographically and in terms of type of housing) and that it is inconsistent with the requirement in paragraph 50 | Despite the points regarding the NPPF in the previous column, it can be argued that, in light of the high levels of need for new housing, it |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
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| | | | to “identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand”. | <p>is important to have a policy basis to ensure that the existing housing stock is not unduly depleted, so as to minimise the need to find sites for housing in Green Belt locations.</p> <p>If there are particular locations and/or types of dwelling which are particularly important to protect, it would probably be helpful to specify them in the policy.</p> <p>If a policy of this sort is to be retained, it will be necessary to ensure that it is consistent with policies for changes to other uses, such as businesses, nurseries etc.</p> |
| POSSIBLE NEW POLICIES | | | | |
| Possible new policy Housing size/mix/choice | Policy 8.1 requires, for “all residential developments”, the definition in part 2 Plans of “a proportion of homes...capable of being adapted to suit the lifetime | n/a | Paragraph 50 requires LPAs to “plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the | Issues that this policy could address might include a pressing need for affordable family housing of 2 or 3 bedrooms, and an |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
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| | <p>of its occupants”.</p> <p>Policy 8.1 (depending on how it is read/interpreted) probably also requires the definition in part 2 Plans of “adequate internal living space”.</p> <p>Policy 8.4 implicitly expects part 2 Plans to set out “the appropriate mix of house size, type, tenure and density within housing development” (informed by a listed set of factors).</p> | | <p>community” and to “identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand”.</p> | <p>expected future requirement for more specialist accommodation for the elderly in the borough.</p> <p>It will need to be decided whether any minimum internal living space requirements should apply throughout the borough, or whether they should vary according to location. (Emerging government policy/guidance on space standards will be important.)</p> <p>Internal and external design standards will also need to be considered.</p> <p>Close liaison with the Council’s housing department will be essential.</p> |
| <p>Possible new policy Gypsies, travellers and travelling showpeople</p> | <p>Policy 9.1 says that part 2 Plans will allocate sites for gypsies, travellers and travelling showpeople.</p> | <p>n/a (previous policy H13 was not used in appeals 2005-13)</p> | <p>Paragraphs 8-9 of ‘Planning policy for traveller sites’ (which accompanies the NPPF) requires LPAs to set pitch and plot targets and to</p> | <p>On-going inter-authority work will provide evidence of need to inform this policy.</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
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| | | | allocate sites or 'broad locations'. | |
| Possible new policy Custom-build / 'Self-build' | n/a | n/a | n/a | Emerging national policy/guidance may require this issue to be addressed in Plans. The government undertook a consultation in October 2014 entitled " Right to Build: supporting custom and self build ". Earlier in 2014 the government established a " Self Build Portal " and issued a "Prospectus" regarding proposed "Right to Build vanguards". The NPPF (paragraph 159) says that, in understanding housing needs in their area, authorities should address the needs of people wishing to build their own homes. The national Planning Practice Guidance (ID 2a-021-20140306) says that plan makers should "consider surveying local residents...to assess local need for this type of housing [i.e. self-build housing], and compile a |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
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| | | | | local list or register of people who want to build their own homes”. |
| EMPLOYMENT | | | | |
| EXISTING POLICIES | | | | |
| EM1 New employment sites | <p>Policy 4a) implicitly requires allocation in part 2 Plans of “a range of suitable sites for new employment”.</p> <p>Policy 4b) requires that this is sufficient for a 5-year supply of office floorspace, including a minimum of 34,000 sq m of “office and research development” in Broxtowe.</p> <p>Policy 4d) requires that the part 2 allocations also include a minimum of 15ha for industry and warehousing in Broxtowe.</p> <p>Policy 4e) and paragraph 3.4.6 require a minimum of 18,000 sq m Class B at the HS2/Toton Strategic Location for Growth.</p> <p>Policy 4e) and appendix A (page 132) require</p> | <p>n/a (The policy on currently-allocated sites was used three times in appeals 2005-13, two allowed and one dismissed.)</p> | <p>Employment is dealt with in paragraphs 18-28 and 160-161. Planning Policies should avoid the long term protection of sites allocated for employment use where there is no realistic prospect of a site being used for that purpose.</p> | <p>The choice of sites is being dealt with separately from the consultation on development management policies. However all existing undeveloped allocations will be reviewed to assess whether or not they are still appropriate. The new employment land study will be a major input into decisions on these issues.</p> <p>Useful consultee input into the formulation of policies on new employment sites would relate to future business requirements; for example, whether there is a shortage of start-up units, how important access to the motorway is, and the extent to which a lack of suitable</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
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| | <p>“significant new economic development” at Boots, of approximately 200,000 sq m across both the Broxtowe and City parts of the site.</p> <p>Policy 4e) also requires the promotion of economic development “of a lesser scale” within “major development schemes”.</p> <p>Paragraph 3.4.2 says that, “where appropriate”, part 2 Plans will make “specific provision” for retail, health, education, “civic/science-based institutions”, crèches and day nurseries.</p> <p>Paragraph 3.4.21 says that part 2 Plans will “identify sites where development will strengthen the knowledge-based economy” including at Boots and Beeston Business Park.</p> | | | <p>premises is an impediment to business growth locally.</p> <p>New policy will need to co-ordinate with the Council’s Economic Regeneration Strategy, which is currently being reviewed.</p> <p>It will be necessary to consider whether new policies should specify particular Use Classes (or parts thereof, such as offices) for allocated sites, or alternatively whether allocations should be for employment uses in general. The former might more closely accord with the ACS and the emerging employment land study; however the latter would be less restrictive.</p> <p>Slightly different terms are used at different parts of the ACS, so there may be some ambiguity as to</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
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| | | | | whether some requirements are solely for offices, for “office and research development” or for “office-based development”. Policy in the part 2 Plan might clarify this issue. |
| EM3 Expansion/redevelopment of existing employment premises | n/a | Not used in appeals 2005-13. | n/a | It could be argued that this policy is neither necessary nor particularly helpful and that it could therefore be deleted. |
| POSSIBLE NEW POLICIES | | | | |
| Possible new policy Boots / Severn Trent | <p>The ‘Note’ to policy 2 requires its allocation as a ‘strategic location’ in the part 2 Plan.</p> <p>Policies 2.4a) and 4e) require that the allocation includes significant new employment/economic development.</p> <p>Policy 7.2 requires the part 2 Plan to identify details regarding “the mix of uses and scale of development”.</p> | n/a | n/a | n/a |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
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| Possible new policy HS2/ Toton Strategic Location for Growth | <p>Policy 2.3a)iii) requires its allocation as a 'strategic location for growth'; the part 2 Plan is to determine "the appropriate mix" of homes and "other development".</p> <p>Policy 4e) and paragraph 3.4.6 require that the mix should include a minimum of 18,000 sq m of Class B floorspace. Together with a minimum of 500 homes, 16 HA of Green Infrastructure and not prejudicing the road or tram access to the HS2 station.</p> | n/a | n/a | The part 2 policy will include detailed site boundaries. The ACS deals with minimum requirements and its appendices provide some detail. It will need to be decided what additional detail should be included in the part 2 Plan. |
| Possible new policy Existing employment sites | Policy 4h) implicitly requires a part 2 policy to: retain the "most attractive" allocations; retain "good quality existing employment sites"; and "consider the release" of other sites. | n/a (The previous policy EM2 was used four times in appeals 2005-13, two dismissed.) | n/a | Useful consultee input into the formulation of policy on existing employment sites would relate to which sites are considered to be of 'good quality'. Information from the SHLAA will also feed into this process. |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
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| TRANSPORT | | | | |
| EXISTING POLICIES | | | | |
| T1 Developers' contributions to integrated transport measures | Policy 19.3 and paragraph 3.19.5 say that part 2 Plans will address planning obligations for “all new infrastructure necessary to support new development”. | Not used in appeals 2005-13. | Not incompatible. | <p>Current policy is based on the County Council's arguably out dated 2002 'Interim Transport Planning Statement', so a new approach is likely to be needed. The Local Transport Plan will be important.</p> <p>This topic might be dealt with as part of a larger overall policy (or section) on developer contributions of all kinds, which could include prioritisation – see below.</p> |
| T4 Park-and-ride facilities | n/a | Not used in appeals 2005-13. | <p>Any policy may need criteria about park-and-ride facilities being local transport infrastructure which can demonstrate a requirement for a Green Belt location (paragraph 90).</p> <p>Sites and routes should be identified and protected.</p> | <p>If no further park-and-ride sites are anticipated, then there may no longer be a need for a policy of this kind.</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
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| <p>T5 South Notts Rail Network (SNRN)</p> | <p>Policy 18 refers to infrastructure generally and policy 15.6 says that further transport infrastructure schemes “are likely to emerge” through part 2 Plans.</p> | <p>Not used in appeals 2005-13.</p> | <p>It may be questionable whether there is still sufficiently robust evidence for this policy.</p> | <p>The policy may be almost redundant now regarding Ilkeston North. However it might be worth keeping this part of the policy until the station is actually implemented.</p> <p>Updates from the rail authorities and the County Council may be needed regarding Ilkeston South and Stapleford. However it might be justifiable to keep the policy unless/until a definite decision is made not to pursue these options.</p> <p>The policy might perhaps be expanded to include other rail issues, such as HS2 and any anticipated upgrading of rail lines.</p> |
| <p>T6 Nottingham Express Transit (NET)</p> | <p>Policy 18 refers to infrastructure generally and policy 15.6 says that further transport infrastructure schemes “are likely to emerge” through part 2 Plans.</p> | <p>Not used in appeals 2005-13, although it was treated by an inspector as being a relevant consideration in a more recent case.</p> | <p>Any possible additional routes may need to be referred to on the policies map.</p> | <p>The policy is probably redundant now regarding the route to Toton.</p> <p>A feasibility study will be undertaken regarding the possible route to Kimberley. Following this,</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
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| | | | | <p>if anything specific can be said about a potential route, it would probably be useful to include it in the policy.</p> <p>Subject to forthcoming central government decisions, it may well be appropriate to include reference to a potential extension of the Toton route as far as the HS2 station and perhaps beyond.</p> |
| <p>T10 Proposed road schemes</p> | <p>Policy 15.6 indicates that part 2 Plans may refer to “further transport infrastructure schemes”.</p> | <p>Not used in appeals 2005-13.</p> | <p>Not inconsistent.</p> | <p>It may be that the policy does not achieve much, beyond recording what is going to happen in any case. However, this may nevertheless be useful for information purposes.</p> |
| <p>T11 Guidance for parking provision</p> | <p>n/a</p> | <p>Not used in appeals 2005-13.</p> | <p>Paragraph 39 indicates that consideration should be given to setting local parking standards.</p> | <p>A 2010 cabinet resolution said that Broxtowe would continue to use the former County Council standards that are in Appendix 4 of the adopted Broxtowe Local Plan “until superseded by new standards approved through the Local Development Framework</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
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| | | | | <p>process”.</p> <p>Issues to be considered may include: avoiding Broxtowe’s own parking standards amounting to a different approach from that of the County Council as highway authority; whether any standards should be expressed as maxima and/or minima; for what uses would standards be particularly useful (perhaps including residential development and sporting facilities); and whether parking considerations should be included as part of any design policy.</p> |
| <p>T12 Facilities for people with limited mobility</p> | <p>n/a</p> | <p>Not used in appeals 2005-13.</p> | <p>Not inconsistent.</p> | <p>Arguably, the policy may not be achieving anything beyond what is covered by the Building Regulations and/or other legislation.</p> <p>If a policy on this topic is to remain, it might be appropriate to consider adding technical details</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
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| | | | | <p>or design guidance, so that the policy is of more practical use.</p> <p>It could be argued that any policy on this topic should refer to heritage issues, as these might possibly require some ‘trade-off’ with mobility issues.</p> |
| POSSIBLE NEW POLICIES | | | | |
| Possible new policy Sustainable transport networks | Policy 14.3 implies that part 2 Plans will take “a hierarchical approach to ensure the delivery of sustainable transport networks to serve new development”, including measures regarding public transport, walking and cycling. | n/a | n/a | It might perhaps be appropriate to merge policies on cycling, walking, parking and mobility into a single policy that addresses all of these topics in a holistic manner. |
| Possible new policy Travel Plans | n/a | n/a | Paragraph 36 says that Travel Plans are a “key tool” in promoting sustainable transport and should be required in respect of “all developments which generate significant amounts of movement”. | <p>Some argue that Travel Plans are actually of little value and are hard to enforce.</p> <p>It may be that there is no need for a local policy, as the NPPF provides a sufficient basis for requiring a Travel Plan</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
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| | | | | <p>from an applicant.</p> <p>However, a local policy might perhaps set a threshold for what is considered to be “significant”.</p> |
| SHOPPING AND TOWN CENTRES | | | | |
| EXISTING POLICIES | | | | |
| <p>S1 Shopping and associated uses within town centres</p> | <p>Policy 6.1 defines a Network and hierarchy of centres with Beeston defined as one of one three ‘town centres’ in Greater Nottingham, and Kimberley, Stapleford and Eastwood defined as ‘District Centres’</p> <p>Policy 6.1 requires, “where appropriate”, the definition in part 2 Plans of: Beeston Town Centre; Eastwood, Kimberley and Stapleford District Centres; ‘Local Centres’ and ‘Centres of Neighbourhood Importance’.</p> <p>Policy 6.4 defines Eastwood and Stapleford as centres in need of</p> | <p>Used once in appeals 2005-13, allowed.</p> | <p>Paragraph 23 also expects policies to encourage, retain and enhance markets in town centres.</p> | <p>Consideration will be needed as to whether it would be appropriate to define ‘Local Centres’ and ‘Centres of Neighbourhood Importance’ in Broxtowe.</p> <p>It may be appropriate to have different policy emphases for different centres, such as, perhaps, regarding offices or takeaways. These might need to reflect the amended status of three of the centres in the ACS.</p> <p>The current boundaries of the centres will need to be reviewed, with consideration given to</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
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| | enhancement or to be underperforming | | | <p>adjusting their size or precise location.</p> <p>Changes to wording will be required to take account of current Use Classes and permitted development rights.</p> |
| <p>S2 Sites for retail and associated development</p> | <p>Policy 6.2 requires the “identification” and/or “definition” in part 2 Plans of sites for “main town centre uses”, to meet identified need.</p> <p>Policy 6.4 says that part 2 Plans will “address” any requirements for “retail development of an appropriate scale” at “major residential-led development”.</p> | <p>Not used in appeals 2005-13.</p> | <p>Regarding Giltbrook, it could be argued that it would be more appropriate to have a criteria-based policy for the consideration of proposals rather than continue an allocation not in conformity with the NPPF.</p> <p>Paragraph 23 emphasises the allocation of sites for “retail, office, tourism, cultural, community and residential development needed in town centres”. “Main town centre uses”, as referred to in the ACS, include a wider range of uses again, for allocation.</p> | <p>A new retail study, which is in preparation, will provide information on the need for space in the centres.</p> <p>The policy is now redundant regarding the Beeston site.</p> <p>Consideration will be needed as to whether the Stapleford site is still realistic. Another option for the Giltbrook site might be to consider an overall floorspace limit.</p> |
| <p>S3 Retail and associated development in locations outside town centres</p> | <p>Policy 6.7 requires part 2 Plans to “set thresholds where impact assessments will be required”.</p> | <p>Not used in appeals 2005-13.</p> | <p>Not inconsistent generally, however in part (a) the reference to need should probably be replaced by a reference to impact.</p> | <p>It may be appropriate to define maximum distances for sites to be considered as ‘edge-of-centre’.</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|--|--|---|---|---|
| | | | | <p>Aspects of the policy may be seen as repeating national policy to an extent.</p> <p>It may not be entirely clear how part (b) relates to Giltbrook.</p> <p>Arguably, part (d) should refer to the cumulative impact of developments that have already taken place, as well as “committed schemes”.</p> <p>A threshold of 1,000 sq might be appropriate for requiring impact assessments.</p> |
| <p>S4 Prime shopping frontages</p> | <p>Policy 6.2 requires the definition in part 2 Plans of “primary shopping areas”.</p> | <p>Used twice in appeals 2005-13, both dismissed.</p> | <p>Paragraph 23 says that plans should define primary and secondary frontages, as well as the primary shopping areas required by the ACS, and that policies should make clear which uses will be permitted in such locations.</p> | <p>Several applications have been approved contrary to this policy, which appears to need major reconsideration, along with other retail policies, bearing in mind the findings of the Portas Review and the subsequent Grimsey Review Issues to be considered may include: whether there should be</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|--|-------------------------------|-------------------------------------|---|---|
| | | | | <p>a more permissive approach to any appropriate town centre use and/or whether there are specific uses to be encouraged; whether the wording is sufficiently clear; whether the gap between A1 units is a relevant consideration or not; and whether the required proportion of A1 should be treated as a firm requirement or an approximate guideline.</p> |
| <p>S5 Local shopping development</p> | <p>n/a</p> | <p>Not used in appeals 2005-13.</p> | <p>The NPPF suggests that the policy could be more positive/permissive.</p> | <p>It may be appropriate to reconsider the approach to local facilities; the policy currently implies that a proposal for a local shop should be resisted solely because it is not next to an existing shop, when arguably small retail development serving a local need should be acceptable. Consideration may need to be given as to how harm to existing facilities should be assessed. It may be appropriate to consider the volume of</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|--|-------------------------------|--|---|---|
| | | | | <p>new development that will require a new local shop.</p> <p>This policy also raises the more general question of whether access and parking require separate mentions in several policies and/or whether they can appropriately be dealt with by a stand-alone policy.</p> |
| <p>S6 Protection of local shopping</p> | <p>n/a</p> | <p>Used three times in appeals 2005-13, two dismissed.</p> | <p>The NPPF suggests that the policy could be extended to include individual shop protection but could also be added to by planning positively for the expansion of facilities.</p> | <p>Consideration will need to be given as to whether or not the policy should continue to apply only to “units within a group of shops” and not to individual ‘isolated’ shops. At the same time, the situation needs to be avoided whereby shops that are not financially viable remain empty for long periods as a result of changes to other uses being unreasonably resisted.</p> <p>It may be appropriate to try to define “unacceptable” harm to local facilities; one option</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|--|-------------------------------|--|---|--|
| | | | | <p>may be to consider the relationship between the amount of housing and the amount of retail floorspace in a given existing area, similarly to how a proposal for new housing might be assessed, and to resist any fall below the level that was considered necessary on this basis.</p> <p>There will be a need to ensure consistency between policies S5 and S6 with regard to whether certain kinds of shop should be promoted/protected or not. The possible designation of 'Local Centres' and 'Centres of Neighbourhood Importance' (see S1) might be relevant in this context.</p> |
| <p>S7 Food and drink retailing outside town centres</p> | <p>n/a</p> | <p>Used 12 times in appeals 2005-13, 6 dismissed.</p> <p>50% of appeals have been lost, which is a concerning high</p> | <p>Not inconsistent.</p> | <p>The policy will need updating so as to reflect the current Use Classes Order and to clarify any policy distinction between takeaways,</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|--|-------------------------------|--|---|--|
| | | <p>proportion (although the absolute numbers are not large). Inspectors have tended to consider the impacts on residents and the environment as being less severe than the Council has perceived them to be (including because of changed attitudes to Sunday opening). It may therefore be appropriate to reconsider the current general ‘presumption against’ this sort of development. Alternatively, the policy could be more precise about; what degree (if any) of “detriment to residential amenity” is acceptable; when cumulative effects become excessive; and/or days or hours of operation that are likely to be unacceptable.</p> | | <p>restaurants/cafes and drinking establishments.</p> <p>Consideration might also be given as to whether there should be any policy distinction between units within groups of shops and stand-alone units, in the context of the provision of local facilities.</p> |
| <p>S8 Shopfront design</p> | <p>n/a</p> | <p>Not used in appeals 2005-13.</p> | <p>Criteria could be extended in accordance with the NPPF and a design code considered.</p> | <p>Options include expanding the policy, deleting it or merging it with policy S9.</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|------------------------------|-------------------------------|---|--|--|
| S9 Security measures | n/a | Not used in appeals 2005-13. | Not inconsistent. | Options include amending the policy, deleting it or merging it with policy S8. Issues to be considered will include: whether the policy is sufficiently clear; whether it is sufficiently or excessively detailed; and whether the ‘two thirds open grille / large slots’ approach is still appropriate. |
| S10 Shopfront signage | n/a | Used three times in appeals 2005-13, all allowed. | Paragraph 67 indicates that control should take account of cumulative impacts. | <p>It could be argued that the policy is unnecessary because (as paragraph 67 of the NPPF also says), control can only be exercised “in the interests of amenity and public safety” (as noted by the inspectors in the lost appeal cases). The NPPF may therefore be sufficient for development management purposes.</p> <p>Alternatively, the policy might be expanded so as to refer to signs and banners generally, rather than just to those on shops.</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|---|---|---------------------------------|---|--|
| POSSIBLE NEW POLICIES | | | | |
| Possible new policy Eastwood and Stapleford district centres | Policy 6.5 says that Eastwood and Stapleford are among the centres which “are considered to be in need of enhancement or to be underperforming”, and therefore for which “part 2 Local Plans or informal planning guidance will be used to enhance their vitality and viability”. | n/a | n/a | <p>The future approach to Giltbrook Retail Park (see policy S2 above) is likely to be relevant in this context.</p> <p>Locally distinct issues regarding the enhancement of each centre will need to be considered.</p> <p>Consideration should perhaps be given to whether an SPD might be more appropriate than “informal planning guidance” for anything that is not in the part 2 Plan itself.</p> |
| RECREATION AND COMMUNITY FACILITIES | | | | |
| EXISTING POLICIES | | | | |
| RC1 Leisure facilities | n/a | Not used in appeals 2005-13. | The NPPF suggests that policy: should refer to leisure as being a “main town centre use”; should refer to an evidence base regarding needs; and should consider allocating sites in | Co-ordination will be required with the Council’s needs assessments, its new Leisure Strategy and its Green Spaces Strategy This topic is part of a core |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|---|--|-------------------------------------|--|---|
| | | | town centres. | <p>theme of the Sustainable Community Strategy.</p> <p>It could be argued that the policy in its current form adds little by way of local distinctiveness to national policy and guidance.</p> |
| <p>RC2 Community and education facilities</p> | <p>Policy 12.1 implies that part 2 Plans will support “new, extended or improved community facilities”, “in particular” to support major new residential development and “especially” in Sustainable Urban Extensions.</p> <p>Paragraph 3.12.3 says that, “where appropriate”, part 2 Plans will “include” “a fair distribution of primary care facilities across the area”.</p> | <p>Not used in appeals 2005-13.</p> | <p>The NPPF indicates that consideration could be given to listing some community facilities, in order to clarify what is being referred to and also to give policy protection to some of them, such as perhaps local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.</p> <p>Consideration should also be given to allocating town centre sites for community facilities.</p> <p>Policy might also promote community facilities in villages, encourage the extension of existing facilities, and refer to associated economic</p> | <p>The policy supports the Sustainable Community Strategy.</p> <p>It could be argued that the policy in its current form adds little by way of local distinctiveness to national policy and guidance.</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|--|---|--|---|--|
| | | | development benefits. | |
| RC3 Community and education facilities: safeguarded sites | n/a | Not used in appeals 2005-13. | Not inconsistent. | The policy supports the Sustainable Community Strategy. References to particular sites will need updating. |
| RC5 Protection of open spaces | Policy 16.4 says that part 2 Plans should protect parks and open space. | Used once in appeals 2005-13, dismissed. | Reference should be made to an assessment of the need for open space. (This will be informed by work which is underway on an update to the Playing Pitch Strategy.) Reference could be made to the need for any replacement provision to be of better quality. | The policy will need to complement, and draw on evidence from, the Council's new Leisure Strategy and associated playing pitch and open space assessments. It might be appropriate to use the NPPF's 'Local Green Space' terminology. |
| RC6 Open space: requirements for new developments | Policy 16.4 says that "deficiencies" in parks and open space should be "addressed" in part 2 Local Plans. | Not used in appeals 2005-13. | Reference should be made to an assessment of the need for open space. The threshold should also be reconsidered. | The policy, including the threshold and the standards, will need to complement, and draw on evidence from, the Council's new Leisure Strategy and associated playing pitch and open space assessments. Consideration could be given to including associated charges in the policy; however this may |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|---|-------------------------------|-------------------------------------|---|---|
| | | | | <p>be difficult as they are likely to change annually.</p> <p>Consideration could perhaps also be given to varying the requirements according to the densities of development.</p> <p>The policy, and associated charges, will need to complement, or perhaps form part of, a possible more wide-ranging policy regarding developer contributions, which would include prioritisations (see below).</p> |
| <p>RC7 New playing fields</p> | <p>n/a</p> | <p>Not used in appeals 2005-13.</p> | <p>Not inconsistent.</p> | <p>The policy supports the Sustainable Community Strategy.</p> <p>References to particular sites will need updating.</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|--|--------------------------------------|--|--|--|
| RC8 New informal open space | n/a | Not used in appeals 2005-13. | Not inconsistent. | The policy supports the Sustainable Community Strategy. References to particular sites will need updating. |
| RC10 Allotments | n/a | Not used in appeals 2005-13. | Not inconsistent. | The policy may help to achieve a priority of the Sustainable Community Strategy. References to particular sites will need updating. |
| RC11 Cemetery extensions | n/a | Not used in appeals 2005-13. | Not inconsistent. | References to particular sites will need updating. |
| RC12 Caring institutions | n/a | Used once in appeals 2005-13, dismissed. | Not inconsistent. | The policy supports the Sustainable Community Strategy. The criteria may need review. However, some find the current criteria valuable, particularly clause e) regarding outlooks from bedrooms and living rooms. |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|--|-------------------------------|---|---|---|
| <p>RC13 Day nurseries</p> | <p>n/a</p> | <p>Used once in appeals 2005-13, dismissed.</p> | <p>Not inconsistent.</p> | <p>The policy supports the Sustainable Community Strategy.</p> <p>With regard to clause a), it may not be necessary to exclude semi-detached properties, if there is adequate sound insulation or if the adjacent property is not in residential use.</p> <p>Also in clause a), the reference to outdoor play space may be unnecessary, as this is sufficiently controlled by OFSTED.</p> |
| <p>RC14 Footpaths, bridleways and cycle routes</p> | <p>n/a</p> | <p>Not used in appeals 2005-13.</p> | <p>Not inconsistent.</p> | <p>The policy supports the Sustainable Community Strategy.</p> <p>However it could be argued that the policy provides no local dimension to the issue and is therefore redundant.</p> |
| <p>RC15 Long distance trails</p> | <p>n/a</p> | <p>Not used in appeals 2005-13.</p> | | <p>The policy supports the Sustainable Community Strategy.</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|-----------------------|-------------------------------|---------------------------------|---|--|
| | | | | <p>Consideration needs to be given as to the perceived importance of these trails, relative to the Erewash Valley Trail and the emerging Broxtowe Country Trail.</p> <p>The 'Nottingham Canal towpath' might be re-named to include reference to the former Cromford Canal (see below).</p> <p>The policy will need co-ordination with the Council's emerging Green Infrastructure Strategy.</p> |
| RC16 Greenways | n/a | Not used in appeals 2005-13. | Not inconsistent. | <p>Consideration needs to be given as to the perceived importance of these greenways, relative to the Erewash Valley Trail and the emerging Broxtowe Country Trail.</p> <p>This policy could perhaps be combined with policy RC5, regarding the protection of open spaces. Alternatively, or</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|---|-------------------------------|-------------------------------------|--|---|
| | | | | <p>additionally, the policy could form part of a wider 'Green Infrastructure' approach.</p> <p>In any case, the policy will need co-ordination with the Council's emerging Green Infrastructure Strategy.</p> |
| <p>RC17 Outdoor recreation pursuits</p> | <p>n/a</p> | <p>Not used in appeals 2005-13.</p> | <p>Could include reference to the Green Belt. Alternatively, all references to the Green Belt might be kept together in the main Green Belt policy (see E8 above); or it could be argued that a local policy is unnecessary, as paragraph 89 of the NPPF indicates that appropriate facilities for outdoor recreation are suitable in principle in the Green Belt. However, it may be helpful for local policy to clarify whether the uses themselves will be acceptable, as this does not appear to be clear from the NPPF.</p> | <p>n/a</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|---|---|---------------------------------|---|-------------------|
| RC18 Tourism facilities including hotels | n/a | Not used in appeals 2005-13 | Consideration could be given to allocating sites for tourism in town centres. The reference to the sequential test might be considered as unnecessary duplication of the NPPF. | n/a |
| POSSIBLE NEW POLICIES | | | | |
| Possible new policy Culture, tourism and sport | Policy 13.1 says that part 2 Plans will set out details of support for “further provision of culture, tourism and sporting facilities”, “as appropriate”. Paragraph 3.13.5 says that, “where relevant”, this will include “new religious and cultural facilities” and “proposals in and around existing religious facilities”. | n/a | n/a | n/a |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|---|---|---------------------------------|---|---|
| Possible new policy Cromford Canal | n/a | n/a | n/a | It may be appropriate to consider reserving/protecting a route for a possible restoration of the former canal, in the event that resources were to become available in the future. The potential route in Broxtowe appears to roughly coincide with the northern part of the proposed long distance trail referred to in policy 15a), to the north/west of Eastwood. Further information is likely to be needed about the possible route and the financial viability of its implementation. |
| OTHER ISSUES | | | | |
| POSSIBLE NEW POLICIES | | | | |
| Possible new policy Infrastructure, planning obligations and developer contributions | Policy 18.4 says that “Local Development Documents such as... masterplans” will provide “further detailed | n/a | n/a | Developer contributions to provide necessary infrastructure of various kinds through planning obligations (for open |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|--------|--|---------------------------------|---|--|
| | <p>assessment” of “known infrastructure and capacity constraints”.</p> <p>Policy 19.3 and paragraph 3.19.5 indicate that part 2 Plans will “provide more detail on the scope and operation of planning obligations”, prior to the implementation of a Community Infrastructure Levy. Paragraph 3.19.2 provides a set of 17 kinds of infrastructure requirements which “may” be included in part 2 Plans and for which “developments must contribute as necessary”.</p> | | | <p>space, other green infrastructure, education, affordable housing etc) could continue to be dealt with in separate policies. However, it would be very useful if all potential developer contributions could be dealt with in a single more all-encompassing policy in the part 2 Plan (. Such a policy could help to provide clarity as to the relative priority of the various kinds of contribution, which may vary throughout the borough, or at least as to the process by which priorities will be set. The policy will have to provide enough flexibility to recognise that priorities will change. Any such policy may be supported by an SPD. Views as to relative priorities for developer contributions would be valuable through this consultation process, with particular regard to local priorities</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|--------|-------------------------------|---------------------------------|---|--|
| | | | | <p>and ‘sustainability’ issues. References to the financial viability of development proposals are likely to need incorporating in the policy/section.</p> <p>With regard to developer contributions for habitat creation and nature conservation resources (including the Greenwood Community Forest), policies E19 and E23 were deleted on the adoption of the ACS in anticipation of the issues being addressed through a combination of the ACS and part 2 Plans.</p> <p>‘Biodiversity offsetting’ might possibly be considered as part of this issue. Close links will be needed with the Council’s emerging Green Infrastructure Strategy.</p> |

| Policy | Aligned Core Strategies (ACS) | Annual Monitoring Reports (AMR) | National Planning Policy Framework (NPPF) | Additional Issues |
|-------------------------------|-------------------------------|--|--|---|
| Possible new policy Health | n/a | n/a (although see policy RC2 above regarding primary care facilities) | Paragraphs 69-78 deal with the potential role of the planning system in promoting healthy communities. | This is a topic which has not been a major focus of previous Broxtowe Local Plans but which may need addressing more thoroughly in the part 2 Plan, including with regard to obesity. Nottinghamshire County Council has a Strategy for Health and Wellbeing and is working on an emerging Obesity Strategy. Any policies will need to draw on local health data and involve collaboration with health professionals. |

Appendix B – Draft Flood Risk Policy

Draft flood policy and text

The south of Broxtowe, including Beeston Rylands and Attenborough, has substantial areas which are within Flood Zones 2 or 3 but nevertheless have a high degree of protection against flooding due to the construction of the River Trent Left Bank flood defences. These highly-protected areas, which are within the ‘main built up area of Nottingham’ (as defined in the Aligned Core Strategy), include sites with the potential for small-scale residential development (some of which are referred to in the Strategic Housing Land Availability Assessment) in economically viable locations. Some of these sites are on previously-developed land and some may bring the opportunity to provide affordable housing in areas of substantial need. If these sites were not to be developed due to concerns about flood risk there would be increased pressure for development within the Green Belt and in locations which were not consistent with the Aligned Core Strategy’s emphasis on urban concentration and regeneration. In applying the Sequential and Exception Tests, as set out in the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG), the minimisation of development in the Green Belt in Broxtowe will be treated as a ‘sustainability benefit’ to be weighed against flood risk, and the Green Belt will be treated as a major constraint with regard to whether other sites are ‘reasonably available’. The NPPF and PPG also indicate that ‘minor development’ need not be subject to the Sequential Test and in Broxtowe ‘minor development’ will be treated as including development of less than 10 dwellings. Applications will have to be accompanied by site-specific Flood Risk Assessments, which must address the impact of potential breaches of the flood defences.

DEVELOPMENT WILL NOT BE PERMITTED IN AREAS WHERE A RISK OF FLOODING OR PROBLEMS OF SURFACE WATER DISPOSAL EXIST UNLESS:

A) APPLYING THE SEQUENTIAL AND EXCEPTION TESTS IN ACCORDANCE WITH THE NPPF AND PPG, THE LOCATION IS ESSENTIAL FOR A PARTICULAR DEVELOPMENT AND THERE ARE NO REASONABLY AVAILABLE ALTERNATIVE LOCATIONS IN A LOWER-RISK AREA; OR

B) THE PROPOSAL IS IN AN EXISTING DEVELOPED AREA AND CAN BE ADEQUATELY PROTECTED AGAINST FOOD RISK AND, FOR DEVELOPMENTS OF 10 OR MORE DWELLINGS OR 1 HECTARE OR MORE, INCLUDES COMPENSATORY MEASURES; AND

C) IT IS DEMONSTRATED THAT THE PROPOSAL WOULD HAVE NO ADVERSE EFFECTS ON THE MANAGEMENT OF FLOOD RISK; AND

D) ADEQUATE PROVISION IS MADE FOR ACCESS TO WATERCOURSES FOR MAINTENANCE PURPOSES; AND

E) SUITABLE ON- OR OFF-SITE MEASURES ARE INCLUDED TO DEAL WITH ANY INCREASE IN SURFACE WATER RUN-OFF.

Appendix C - Questions

(Please see the separate list of all saved 2004 Broxtowe Local Plan policies before responding)

Existing 2004 Broxtowe Local Plan Policies

1. Which policy does your comment relate to?
2. Should this policy be included in the Local Plan
 - a) As it is?
 - b) With amendments?
3. Please provide any comments to expand on your answer(s) above

Potential New policies

(Please refer to the matrix with potential new policies)

4. Which potential new policy does your comment relate to?
5. How should this policy be worded?
6. Are there other policies that should be included?
7. Please provide any comments to expand on your answer(s) above

Questions relating to the Sustainability Appraisal (SA)

- 8a. Have all relevant plans, policies and programmes that will affect or influence the part 2 Local Plan – Site Allocations and Development Management Policies been included in Section 3 and appendix 1?
- 8b. If not, what others should be included?
- 9a. Have the objectives of the various plans, policies and programmes been accurately identified?
- 9b. If not, what other objectives should be identified?
- 10a. Have the implications for the part 2 Local Plan (Site Allocations and Development Management Policies or SA of the various plans, policies or programmes) been properly identified?
- 10b. If not, what other implications are there for the part 2 Local Plan (Site Allocations and Development Management Policies or SA)?
- 11a. Does Appendix 2 identify an appropriate range of relevant baseline data to enable a comprehensive range of sustainability issues and problems to be identified?
- 11b. If not, what other baseline data (and sources) should be included?

- 12a. Are there any errors in the baseline data?
- 12b. If yes, please give details?

- 13a. Are the key sustainability issues identified in Section 5 correct for Broxtowe Borough?
- 13b. If not, which issues should be added or removed? Please identify how any other sustainability issues that should be included are likely to impact on the part 2 Local Plan (Site Allocations and Development Management Policies)?

- 14a. Do the SA objectives adequately cover the key sustainability issues facing Broxtowe Borough?
- 14b. If not, which objectives should be added or removed, bearing in mind that the number of objectives should be manageable?

- 15a. Does this scoping report and intended SA Framework meet the requirements of the SEA Directive and the National Planning Policy Framework?
- 15b. If not, what is required to meet the requirements?

- 16. Do you have any other comments about the SA Scoping Report?

- 17. Do you wish to be notified of any future consultations?

Glossary of technical terms

Affordable housing: Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. (Further detail is given in Annex 2 of the NPPF.)

Aligned Core Strategies (ACS): The strategic planning policy documents for Broxtowe Borough, Gedling Borough and Nottingham City.

Authority Monitoring Report, previously known as Annual Monitoring Report (AMR): A report produced by a local planning authority assessing progress with, and the effectiveness of, the Local Plan.

Biodiversity offsetting: A process, recently trialled by central government, whereby contributions from developers can be used to create off-site biodiversity habitat and so compensate for on-site habitat loss.

Green Infrastructure (GI): A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.

Heritage asset: A building, monument, site, place, area or landscape identified as having a degree of significance in planning decisions because of its heritage interest.

Inappropriate development: The NPPF indicates that most forms of development are inappropriate in the Green Belt and (in accordance with paragraph 87) should therefore not be approved except in very special circumstances. Paragraphs 89-91 refer to various forms of development which are “not inappropriate”.

Local Green Space: Green areas of particular importance to local communities, as referred to in paragraphs 76-78 of the NPPF.

National Planning Policy Framework (NPPF): A document setting out the national planning policies of central government.

Nature Improvement Area: An inter-connected network of wildlife habitats intended to re-establish thriving wildlife populations and help species respond to the challenges of climate change.

Neighbourhood Plan: A plan prepared by a Town or Parish Council, or a Neighbourhood Forum, for a particular neighbourhood area.

Planning obligation: A legally enforceable obligation entered into under section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal.

Planning Practice Guidance (PPG): A web-based resource setting out central government’s national guidance on planning practice.

Strategic Housing Land Availability Assessment (SHLAA): A document with the role of identifying sites with potential for housing, assessing their housing potential and assessing when they are likely to be developed.

Supplementary Planning Document (SPD): A document which adds further detail to the policies in the Local Plan.

Sustainable Drainage System (SuDS): A system for the control of surface water runoff designed to reduce the potential impacts of new development.

Sustainable Urban Extension (SUE): An extension to the built-up area of a town or city built in line with sustainable development principles and aimed at creating a mixed and balanced community.

Travel Plan: A long-term management plan for an organisation or site that seeks to deliver sustainable transport objectives through action and is articulated in a document that is regularly reviewed.

Use Class: The Town and Country Planning (Use Classes) Order 1987 (as amended) specifies various Use Classes for buildings and land. Within each Class, the use for another purpose of the same Class does not need permission.

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