

# **Nottingham City Land and Planning Policies Development Plan Document** **(Local Plan Part 2) – Revised Publication Version – Briefing Note**

## **1 BACKGROUND**

- 1.1 Planning legislation requires the City Council to produce a Local Plan. In Nottingham, the Local Plan will comprise the Local Plan Part 1: The Nottingham City Aligned Core Strategy (adopted September 2014) and, on adoption, the Nottingham City Land and Planning Policies Development Plan Document, Local Plan Part 2 (LAPP).
- 1.2 The LAPP contains 57 Development Management policies and 79 Site Allocations, with a set of Development Principles for each site.
- 1.3 The 57 Development Management Policies are arranged into the following sections in the document:
  - Climate change
  - Employment Provision and Economic Development
  - Role of the City, Town, District and Local Centres
  - Regeneration
  - Housing Size, Mix and choice
  - Design and Enhancing Local Identity
  - The Historic Environment
  - Local Services and Healthy Lifestyles
  - Managing Travel Demand
  - Our Environment
  - Minerals
  - Infrastructure
- 1.4 All of the Site Allocations and City-wide land use designations and constraints have been mapped on the accompanying Policies Map.
- 1.5 Following Executive Board approval on 17 November 2015, the LAPP was published in January 2016, to allow formal representations to be made. A total of 967 representations were received from 164 different organisations and individuals, including statutory bodies, neighbouring county, district and parish councils, the development industry, utility companies, interest groups and members of the public. The Report of Consultation on the LAPP (Publication Version) is available at [www.nottinghamcity.gov.uk/revisedpublication](http://www.nottinghamcity.gov.uk/revisedpublication). A separate six week consultation was held to allow formal representations on a new site, the Imperial Tobacco Horizon Factory, as a LAPP allocation for employment uses. This additional consultation closed on 9 November 2016 and resulted in a total of 49 representations from 16 different organisations. Details of this are also in the Report of Consultation on the LAPP (Publication Version).
- 1.6 Some changes are proposed to the draft LAPP in order to address comments raised in representations, to make factual updates (for instance removing fully completed sites) and to increase clarity. In addition, further changes are proposed to address:
  - (a) new Government Policy as expressed in the Housing White Paper, February 2017, and in other policy announcements;
  - (b) confirmation of the HS2 Safeguarding Direction, which impacts on a LAPP site allocation (PA16 Nottingham Business Park North);

- (c) a review of the delivery of LAPP site allocations, which has confirmed that some are undeliverable within the lifetime of the Plan (to 2028). In addition, the capacity of all sites to accommodate development has been reviewed, and the quantum of housing and employment delivery has been updated where necessary.

- 1.7 All these changes are included in the Schedule of Changes (Schedule of Changes to the Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2), Publication Version, July 2017), which includes changes made to the Policies Map. The majority of these changes are considered to be relatively minor, and do not alter the strategy or broad policy approach of the LAPP. However, some, including the site changes, are considered to be significant in that they could impact on the soundness of the LAPP.
- 1.8 As such it is necessary to undertake further consultation on these changes, prior to submitting the LAPP for Examination, in order that the Council can be assured that it considers the LAPP to be Sound prior to its Submission. To ensure this further round of consultation does not open up matters which have already been consulted upon to further representations, consultation will be limited to the changes only as set out in the Schedule of Changes. A 'track changes' version of the LAPP will also be available so that the changes can be seen in the context of the LAPP as a whole. All the consultation documentation can be found at [www.nottinghamcity.gov.uk/revisedpublication](http://www.nottinghamcity.gov.uk/revisedpublication).
- 1.9 The following supporting documents were prepared alongside the Publication Version of the LAPP and will be available during the consultation period on the Revised Publication Version, including updates to them in the form of addendums where necessary. The Sustainability Appraisal is a legal requirement of Plan Preparation. These documents, and the LAPP, can also be viewed at: [www.nottinghamcity.gov.uk/revisedpublication](http://www.nottinghamcity.gov.uk/revisedpublication).
- **Sustainability Appraisal Report and Addendum:** The Sustainability Appraisal has been prepared to fulfil the requirements of the Planning and Compulsory Purchase Act (2004), and the requirements of the EU Strategic Environmental Assessment Directive. The report assesses the economic, social and environmental impacts of all of the policies and site allocations contained in the LAPP, and evaluates reasonable alternatives to these.
  - **Site Assessment Document and Addendum:** These documents provide detailed assessments of each site put forward during the LAPP preparation process in terms of planning history, land use, constraints, transport and accessibility, etc.
  - **Report of Consultation:** This document details the consultation comments received at the previous Publication Version stage and how these have been addressed in changes to the LAPP.
  - **Background Papers:** There are 7 Background Papers in total (Climate Change, Transport, Sustainable, Inclusive and Mixed Communities, Employment Provision and Economic Development, Green Belt, Retail and Minerals) which contain background evidence and the national policy context for specific policies in the LAPP. Addendums to these Background Papers have been prepared where necessary.
  - **Infrastructure Delivery Plan:** This document sets out the infrastructure requirements for the City over the plan period, and has been updated to account for the changes to the LAPP where necessary.
  - **Equalities Impact Assessment and Addendum:** These documents assesses the impact of the LAPP policies on Protected Characteristics.

## **Summary of Proposed Changes**

- 1.10 Appendix 1 shows the key changes to the LAPP. It should be noted that this is not a complete list of changes to the LAPP. A complete list can be found at [www.nottinghamcity.gov.uk/revisedpublication](http://www.nottinghamcity.gov.uk/revisedpublication).

### **What Happens Next?**

- 1.11 Subject to approval by the Executive Board, the LAPP changes will be published for a formal statutory public representation period as soon as practicable. Given that the public representation period will run into the summer holiday period, it is proposed that the period for representations be extended from the six week statutory minimum to eight weeks, to ensure that no one is disadvantaged.
- 1.12 Any representations received will be considered and technical drafting changes may be proposed if any factual or minor inaccuracies emerge. These will not be consulted upon again. However, if any further Main Changes (changes which may impact upon the soundness of the Local Plan) are proposed in response to the representations or other key factors, then it is likely that these will need to be subject to further consultation.

### **The Examination**

- 1.13 Assuming that there is no need for further substantial changes to the LAPP, the draft LAPP will be considered by City Council, along with all the supporting documents and representations received (both those received during the first consultation period and any received as a result of the changes consultation), prior to being submitted to the Government to allow an independent Examination by an Inspector. The Inspector will examine the 'soundness' of the whole plan, taking into account all the representations. The Examination is likely to include a public hearing session, when parties making representations may, at the Inspector's discretion, present their views in person.

### **Adoption**

- 1.14 At the end of the independent Examination, the Inspector will issue a report that will declare the LAPP sound or unsound. If sound, the City Council can adopt the LAPP. If the LAPP is found to be unsound, then it cannot be adopted.
- 1.15 It is anticipated that if the LAPP is found sound, the City Council will adopt it in summer 2018.

### **Published documents relating to the Land and Planning Policies Document**

- National Planning Policy Framework, Department for Communities and Local Government, March 2012.
- Nottingham City Council, Local Plan Part 1: The Nottingham City Aligned Core Strategy, September 2014.
- Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2), Revised Publication Version, July 2017. (Shows the proposed changes as tracked changes to the original Publication Version, January 2016).
- Schedule of Changes to the Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2), Publication Version, July 2017.

- Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2), Publication Version, January 2016.
- Equalities Impact Assessment for the Land and Planning Policies Development Plan Document (Local Plan Part 2) Publication Version (January 2016) and addendum, July 2017.
- The Land and Planning Policies Development Plan Document (Local Plan Part 2) Publication Version Sustainability Appraisal Report, January 2016, and addendum, July 2017.
- Report of Consultation for the Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2) Publication Version, (Draft Regulation 22 Statement), July 2017.
- The Land and Planning Policies Site Assessment Document, January 2016 and addendum, July 2017.
- Climate Change Background Paper, January 2016.
- Retail Background Paper, January 2016 and addendum, July 2017
- Nottingham City Council, Local Plan Part 1: The Nottingham City Aligned Core Strategy, September 2014.
- Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2), Revised Publication Version, July 2017. (Shows the proposed changes as tracked changes to the original Publication Version, January 2016).
- Schedule of Changes to the Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2), Publication Version, July 2017.
- Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2), Publication Version, January 2016.
- The Land and Planning Policies Sustainability Appraisal Report, January 2016, and addendum, July 2017.
- Report of Consultation for the Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2) Publication Version, (Draft Regulation 22 Statement), July 2017.
- The Land and Planning Policies Site Assessment Document, January 2016 and addendum, July 2017.
- Climate Change Background Paper, January 2016
- Retail Background Paper, January 2016 and addendum, July 2017.
- Transport Background Paper, January 2016 and addendum, July 2017.
- Sustainable, Inclusive and Mixed Communities Background Paper, January 2016 and addendum, July 2017.
- Employment Provision and Economic Development Background Paper, January 2016 and addendum, July 2017.
- Minerals Background Paper, January 2016 and addendum, July 2017.
- Green Belt Background Paper, January 2016.
- Infrastructure Delivery Plan, July 2017.

## **APPENDIX 1 – List of significant changes proposed to the Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2), Publication Version, January 2016.**

The changes will be submitted for Public Examination alongside the Nottingham City Land and Planning Policies Development Plan Document Publication Version. Note that this is not a complete list of proposed changes to the Nottingham City Land and Planning Policies Development Plan Document. A complete list can be found at [www.nottinghamcity.gov.uk/revisedpublication](http://www.nottinghamcity.gov.uk/revisedpublication).

### **Proposed Changes to Policies:**

Policy CC1 “Climate Change” - minor amendments are proposed to include feasibility and viability as relevant factors to include when assessing proposals against the policy requirements.

Policy EE3 “Change of Use to Non Employment Uses” – restructured to clarify how the policy will be implemented.

Policy SH4 “Development of Main Town Centre Uses in Edge of Centre or Out of Centre Locations” – amended to clarify how the Sequential Test for proposals for Main Town Centre Uses outside of Town Centres will be applied.

Policy RE8 “Waterside” and associated Justification text – amended to clarify the approach to uses considered incompatible with the regeneration aims of the Waterside, by acknowledging the need to relocate existing businesses and minimise disruption to existing business through sensitive phasing proposals, and emphasising the requirement for family housing.

Policy HO3 “Affordable Housing” - amended to include the Government’s policy on Starter Homes and take account of the Housing White Paper (2017). Clarification added to make it clear that Affordable Rent is an appropriate type of Affordable Housing that can be provided.

Policy HO5 “Locations for Purpose Built Student Accommodation” - amended to include a requirement that the developer demonstrate the need for the type of student accommodation to be provided, or that they have an agreement with a University or other provider of Higher Education for the bed spaces provided.

Policy HO6 “Houses in Multiple Occupation (HMOs) and Purpose Built Student Accommodation” – new criteria added to ensure new purpose built student accommodation includes appropriate room sizes, adequate communal space, and there are appropriate arrangements for student drop off and collection.

Policy DE1 “Building design and Use” – odour added to list of amenity issues to be considered, and additional criteria to ensure development is designed to ensure minimisation of waste, and has adequate facilities for the storage, sorting and recycling of waste materials.

Policy DE2 “Context and Place Making” - amended to incorporate Policy DE3 “Design Principles for Development within the City Centre Primary Shopping Area”, which is deleted.

Policy LS1 “Food and Drink Uses and Licensed Entertainment Venues Outside the City Centre” - amended to clarify that the control of Hot Food Take-Aways near

schools applies to Secondary Schools, and not to Primary Schools, as Primary School pupils are more likely to be accompanied by a parent or guardian when arriving and leaving, and are unlikely to leave the school premises at lunch times.

Policy LS4 “Public Houses outside the City Centre and/or designated as an Asset of Community Value” – amended to include criteria against which the loss of pubs will be assessed, including requirements to demonstrate adequate marketing.

Policy LS5 “Community Facilities” - cross references the marketing requirements of LS4 (above).

Policy TR1 “Parking and Travel Planning” includes new criteria against which proposals for new car parks will be judged.

Policy EN1 “Development of Open Space” – Policies Map amended to show Elms School detached playing field and the Bowling Green area of Stockhill Park as not included in the Open Space Network, because they are safeguarded for future development.

Policy EN6 “Biodiversity” – Policy clarified to also include Local Geological Sites, and restructured to better comply with the National Planning Policy Framework.

New Policy SA1 added “Site Allocations” which clarifies that the site allocations listed in the LAPP have the status of Local Plan Allocations.

### **Proposed Changes to Site Allocations:**

Note that this is not a complete list of proposed changes to the Nottingham City Land and Planning Policies Development Plan Document . A complete list can be found at [www.nottinghamcity.gov.uk/revisedpublication](http://www.nottinghamcity.gov.uk/revisedpublication), which also includes changes to the housing and employment capacities of sites.

PA02 “Blenheim Lane” - Development Principles amended, use class B2 (general industry) added to range of acceptable uses.

PA10 “Piccadilly - Former Henry Mellish School Playing Field” – Development Principles amended in recognition that the development should have regard to the amenity issues of the Poor Clare Monastery.

PA13 “Edwards Lane – Former Haywood School Site” has been deleted due to development being substantially complete.

PA16 “Woodhouse Way - Nottingham Business Park North” – The HS2 Safeguarding Direction renders most of the allocation non developable, and the part of the site affected has been deleted. For the remaining part of the site, the Development Principles have been amended to add retail uses to the range of acceptable uses in recognition of the existing planning permission.

PA21 “Mansfield Road - Sherwood Library” – amended to include desire to replace the current library within any redevelopment scheme.

PA24 “College Way - Melbury School Playing Field” – site area reduced by 0.1 hectare, to reflect the presence of a school garden.

PA25 “Chingford Road Playing Field” – Development Principles amended to ensure

the development secures provision of publically accessible and formal on site open space amounting to approximately one third of the site area, which should act as a buffer to protect the setting of heritage assets.

PA27 “Wilkinson Street - Former PZ Cussons” – Development Principles amended to include a school in the range of acceptable uses.

PA28 “Hine Hall” – Deleted as the owners have confirmed the site will not be developed.

PA31 “Ascot Road - Speedo” has been deleted due to development being substantially complete.

PA32 “Beechdale Road – South of Former Co-op Dairy” has been reduced in size to the area which already benefits from Planning Permission, following consultation with the other land owners.

PA39 “Carlton Road – Former Albany Works Site and Coop” – site reduced to reflect the new Lidl development and renamed “Carlton Road – Former Coop”

PA41 “Alfreton Road – Forest Mill” – Office (B1) removed from Development Principles, and food and drink (A2,A3) uses added, to reflect the recent planning permission.

PA42 “Ilkeston Road – Radford Mill” – Employment (B1) removed from Development Principles and student housing added, to reflect the recent planning permission. Site area reduced to exclude the part that is already developed.

PA44 “Derby Road - Sandfield Centre” – Development Principles amended to clarify that predominantly family housing is anticipated on the site.

PA48 “Queens Drive – Land Adjacent to the Portal” – site deleted due to development being substantially complete, and remaining area lower than the 0.5 hectare threshold for inclusion in the Local Plan.

PA51 “Riverside Way” - Deleted due to existing viable uses and following consultation with other land owners. Land in the east of the allocation is appropriate for residential development, but falls below the 0.5 hectare threshold for allocating in the LAPP.

PA56 “Sturgeon Avenue” – site area reduced to exclude existing Residential Care Home.

PA58 “Green Lane – Fairham House” – Development Principles amended to reflect the recent planning permission by removal of employment and family housing.

PA59 “Farnborough Road – Former Fairham Comprehensive School” – Scope for employment uses (B1) added to Development Principles.

PA62 “Creative Quarter – Brook Street East” – Development principles amended to reflect the proposed residential development of the site.

PA63 “Creative Quarter – Brook Street West” – Deleted as the owners have confirmed the site will not be developed.

PA67 “Broadmarsh Centre” – Development Principles amended to reflect the fact that ancillary residential use which is delivered as an integral element of a mixed use scheme would be acceptable.

PA68 “Canal Quarter - Island Site” – Development Principles amended to include a school in the range of acceptable uses, and to clarify that retail provision should be provided in a range of units aimed at serving the needs of the new development, to reflect the adopted Supplementary Planning Guidance.

PA79 “Waterside – Iremonger Road” - Development Principles amended to reflect desire for residential development at this location by removing employment uses.

PA80 “Waterside - Cattle Market” – Development Principles amended to acknowledge the need to relocate existing businesses and minimise disruption to existing business through sensitive phasing proposals. Potential Education use added.

PA81 “Waterside - Meadow Lane” – Development Principles amended to acknowledge the need to relocate existing businesses and minimise disruption to existing business through sensitive phasing proposals. Development principles also amended to clarify the requirement for family housing.

PA82 “Waterside - Freeth Street” – Development Principles amended to acknowledge the need to relocate existing businesses and minimise disruption to existing business through sensitive phasing proposals. Development principles also amended to clarify the requirement for family housing.

PA83 “Waterside - Daleside Road, Trent Lane Basin” – Development Principles amended to acknowledge the need to relocate existing businesses and minimise disruption to existing business through sensitive phasing proposals. Potential Education use added, together with small scale convenience retail (A1) and restaurant/café use (A3). Development principles also amended to clarify the requirement for family housing.

PA84 “Waterside – Daleside Road, Eastpoint” - site deleted due to development being substantially complete.

PA85 “Waterside – Trent Lane, Park Yacht Club” – Development Principles amended to remove employment (B1/B2) from proposed uses, to reflect the likely form of development. Development principles also amended to clarify the requirement for family housing.

PA86 “Thane Road, Horizon Factory” – subject to separate Publication Consultation and added as a specific allocation to provide planning policy assurance that the site remains in employment use.