



**Nottingham**  
**City Council**

# Nottingham City Council Local Plan Part 2: Land and Planning Policies Document Publication Version Response Form

Ref:

For official  
use only

You are advised to read the [guidance note](#) before completing this form, but if you have any questions, please call 0115 876 4594. For the [online](#) form if your response to any question is longer than 10,000 characters or contains maps/diagrams you can either upload your response using the [online](#) form or send it via [email](#).

Please return this response form to [localplan@nottinghamcity.gov.uk](mailto:localplan@nottinghamcity.gov.uk) or Nottingham City Council, LH BOX 52, Planning Policy Team, Loxley House, Station Street, Nottingham, NG2 3NG.

Your response will be regarded as a formal response on the Local Plan Part 2: Land and Planning Policy Document.

Responses must be received by 5.00pm Friday 11 March 2016.

## Part A – Contact Details and Future Notifications

**Q1** Are you responding as?

- Individual  
 Landowner/Developer  
 Organisation  
 Other \_\_\_\_\_

**Q2** If you have commented before on the Local Plan and have your consultee ID number (this will have been provided on your consultation letter) please provide it.

ID No. \_1782

### Q3 Your Details

Title	
First Name	David
Last Name	Ward
Job Title (if relevant)	Planning Director
Organisation (if relevant)	Wilson Bowden Developments
Address Line 1	Cartwright Way
Address Line 2	Forest Business Park
Address Line 3	Bardon Hill
Address Line 4	Leicestershire
Address Line 5	
Post Code	LE67 1UB
Telephone Number	██████████
E-mail Address	██████████

### Q4 Agent's Details (if relevant)

	Mike
	Downes
	Director
	Aspbury Planning Limited
	20 Park Lane Business Centre
	Park Lane
	Basford
	Nottingham
	██████████
	██████████

**Q5** Do you wish to be notified of any of the following?

(please tick yes or no for each question)

**Submission of the Local Plan Part 2 for Examination?**  
**Publication of the Recommendations of the Inspector?**  
**Adoption of the Local Plan Part 2?**

Yes     No  
 Yes     No  
 Yes     No

## Part B – Your Response

If you wish to make more than one response you will need to fill out another form for each response.

**Q6** What does your response relate to? (please select **one only** from a-e below).

**a)** Does your response relate to a site (whether included or not included within the Plan)? (if yes, please specify the site and move to **Q7**)

**Which site?** (please provide details of the site including ref number and site name. If your comments relate to a site not included in the Plan please provide details so that the site can easily be identified).

- Yes  
 No
- Site included within the Plan  
 (please give details)  
 Site Ref:  
 Site Name:
- Site not included in the Plan  
 (please give details)  
 Site Name and address:  
 \_\_\_\_\_  
 \_\_\_\_\_

**b)** Does your response relate to a Policy? (if yes, please give the Policy, give details then move to **Q7**)

**Which Policy?** (please provide the Policy reference)

**Does your response relate to the Policy text or justification text?**

**Which part of the text?** (please provide the related Policy criteria or paragraph number)

**c)** Does your response relate to another part of the document? (if yes, please state which section then move to **Q7**)

- Yes  
 No
- Policy \_EE 2
- Policy text  
 Justification text
- Paragraph 3.56
- Yes  
 No

**Which part?**

- Policies Map  
 Section 1: Introduction  
 Section 2: Background  
 Appendix 1: Parking Guidance  
 Appendix 2: Schedule of Proposed Transport Network Schemes  
 Appendix 3: Housing Delivery  
 Appendix 4: Employment Delivery  
 Appendix 5: Retail Delivery  
 Appendix 6: Methodology for Significant HMOs Concentration  
 Appendix 7: Schedule of Caves

**d) Does your response relate to supporting documents?** (if yes, please specify which document, then move to **Q7**)

- Yes  
 No

**Which document?**

- Sustainability Appraisal
- Equalities Impact Assessment
- Preferred Option Report of Consultation
- Employment Background Paper
- Retail Background Paper
- Green Belt Background Paper
- Climate Change Background Paper
- Site Assessment Background Paper
- Minerals Background Paper
- Sustainable, Inclusive and Mixed Communities Background Paper
- Transport Background Paper
- Infrastructure Delivery Plan

**e) Does your response relate to another item not listed?**  
 (please specify then move to **Q7** where you can provide more details)

Yes (please give details)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Q7** and **Q8** are required by Planning Regulations. Please refer to the [guidance note](#) for more information

**Q7** Do you consider the Local Plan Part 2 to be legally compliant? (please tick yes or no)

- Yes  
 No

**Q8** Do you consider the Part 2 Local Plan to be 'sound'? (please tick yes or no)

- Yes  
 No

If you consider that the Plan is unsound, explain why (please select all that apply and explain in the box to Q9)

**a)** Do you consider the Plan is unsound because it is **not 'positively prepared'**?

- Yes  
 No

**b)** Do you consider the Plan is unsound because it is **not 'justified'**?

- Yes  
 No

**c)** Do you consider the Plan is unsound because it is **not 'effective'**?

- Yes  
 No

**d)** Do you consider the Plan is unsound because it is **not 'consistent with national Policy'**?

- Yes  
 No

**Q9 Please explain why you 'support' or 'do not support' the Local Plan Part 2 (ie why you think the Plan is/is not legally compliant/sound). Try and be as precise as possible.**

4159

Policy EE2 seeks to 'restrict' identified major business parks and industrial estates for employment uses as defined within the glossary of the local plan which is effectively B1/B2/B8 uses and sui generis uses of a similar nature which are suitably located on employment sites.

We consider that this policy is:-

- Not positively prepared in that it is completely restrictive of other non B class employment generating uses that may be reasonably and economically located on these sites
- Not justified without some policy caveat or criteria which sets out circumstances in which other potential employment uses could be considered subject to compliance with other local plan policies.
- Not effective in that the restriction to Plan defined employment uses may stifle other forms of economic development outside of the B Classes as promoted and defined by The NPPF.
- Not consistent with national policy in that it defines employment uses in its narrowest form and the policy is not criteria led to enable a cost/ benefit consideration of alternative uses.

We understand the City Councils desire to 'protect' its key business and industrial locations from inappropriate development in order to maintain their integrity and function. However the policy as worded is almost an exact replication of the 2005 Local Plan Policy E3 and dictates an inflexible, long term protection that is inconsistent with guidance in The Framework at paragraphs 21 and 22. Non 'B' Class uses are a major contributor to employment within the city and conurbation and many could be accommodated, subject to appropriate policy drafting, on most of the stated business parks and industrial estates referenced by policy EE2 without compromising their essential economic function.

Wilson Bowden Development are owners of Nottingham Business Park, one of the locations 'protected' by 2005 Local Plan Policy E3 and its proposed successor EE2. This site has previously been restricted to Class B1 and has struggled in recent years to attract and maintain B1 occupiers. The relatively recent approval for residential development on part of this site was supported by Nottingham City Council, although the application had to be considered as a departure from the Development Plan. Any replacement policy should contain more flexibility to enable consideration of alternative economic uses within Classes C1/C2/D1/D2 and where appropriate Class A uses in a criteria based policy approach consistent with the NPPF.

(please continue on a separate sheet if necessary)

**Q10 Please set out what change(s) you consider necessary to make the Plan legally compliant or sound, having regard to the reasons you identified in Q9. You will need to say why this change will make the Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any Policy or text. Try and be as precise as possible.**

4159

Nottingham City Council need to consider whether it is appropriate to redefine or expand the definition of 'employment uses' as set out in the Draft Part 2 Local Plan glossary to be consistent with the NPPF or set out criteria within policy EE2 to enable flexible consideration of other economic uses subject to compliance with other, for example, retail, transport and amenity/ compatibility polices of the emerging local plan.

(please continue on a separate sheet if necessary)

Q

Please note your response should cover succinctly all the information, evidence and supporting information necessary to support/justify the response and the suggested change, as there will not normally be a subsequent opportunity to make further responses. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**Q11** If your response is seeking a change, do you consider it necessary to participate at the examination in person?

- Yes, I wish to participate in person at the examination  
 No, I do not wish to participate in person at the examination

**Q12** If you wish to participate in person at the examination, please outline why you consider this to be necessary.

Wilson Bowden Developments and their sister companies David Wilson Homes and Barratt Homes North Midlands are very active in the Nottingham commercial and residential property markets and would wish to reserve the opportunity to appear at the examination to present their representations orally to an examining inspector.

(please continue on a separate sheet if necessary)

Please note the Inspector will determine who participates at the Examination and the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the examination.

**Responses must be received by 5.00pm Friday 11 March 2016.**

Thank you for taking the time to have your say on the Nottingham City Council Local Plan Part 2: Land and Planning Policy Document. For further information about this consultation and / or the Local Plan document please contact: Local Plans team on 0115 876 4594 or email [localplan@nottinghamcity.gov.uk](mailto:localplan@nottinghamcity.gov.uk)

**Data Protection** - The response(s) you submit on the Local Plan Part 2 will be used in the plan making process and may be in use for the lifetime of the Local Plan in accordance with the Data Protection Act 1998. The information will be analysed and the Council will consider issues raised. Please note that responses cannot be treated as confidential and will be made available for public inspection. All responses can be viewed at the Council offices. If you provide your email address this will be the method of communication used in the future by default unless you advise us otherwise.



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	<b>Q3 Your Details</b>	<b>Q4 Agent's Details (if relevant)</b>
Title		
First Name	David	Mike
Last Name	Ward	Downes
Job Title (if relevant)	Planning Director	Director
Organisation (if relevant)	Wilson Bowden Developments	Aspbury Planning Limited
Address Line 1	Cartwright Way	20 Park Lane Business Centre
Address Line 2	Forest Business Park	Park Lane
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Address Line 4	Leicestershire	Nottingham
Address Line 5		
Post Code	LE67 1UB	
Telephone Number		
E-mail Address		

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(please tick yes or no for each question)

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- |                           |                          |
|---------------------------|--------------------------|
| <input type="radio"/> Yes | <input type="radio"/> No |
| <input type="radio"/> Yes | <input type="radio"/> No |
| <input type="radio"/> Yes | <input type="radio"/> No |

**Part B – Your Response**

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<input checked="" type="checkbox"/> Yes
<input type="checkbox"/> No
<input checked="" type="checkbox"/> Site included within the Plan (please give details) Site Ref: PA16 Site Name: Woodhouse Way
<input type="checkbox"/> Site not included in the Plan (please give details) Site Name and address: _____

**b) Does your response relate to a Policy?** (if yes, please give the Policy, give details then move to **Q7**)

**Which Policy?** (please provide the Policy reference)

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**Which part?**

- |                                   |  |
|-----------------------------------|--|
| <input type="radio"/> Yes         | <input type="radio"/> No                 |
| <input type="radio"/> Policy text | <input type="radio"/> Justification text |
| _____                             | _____                                    |
- Policies Map
  - Section 1: Introduction
  - Section 2: Background
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**Q9 Please explain why you 'support' or 'do not support' the Local Plan Part 2 (ie why you think the Plan is/is not legally compliant/sound). Try and be as precise as possible.**

4293 Site PA 16, as currently allocated, only promotes employment uses within Classes B1, B2 and B8 and does not allow for any alternative, employment-generating uses to be contemplated within the proposed site allocation. This restriction to B Class uses is not considered to be justified and is unlikely to be materially effective in the plan period delivering this specific type of employment in this constrained location.

The City Council will be aware of the trend towards and demand for highly accessible and potentially 24 hour business space within the city centre or research and technology hubs such as Nottingham Science Park, NG2 and the Boots Campus. This has had a knock on-effect to the extent that Nottingham Business Park is no longer seen as a prestigious employment location and this has reflected in very limited demand in recent years, as well as other high profile departures from the site such as DVLA. Uncertainty over HS2 and the route safeguarding policy TR2 which bisects the north western parcel, only serves to add to the 'blight' and delivery concerns affecting the marketing of this landholding for high quality B Class occupiers.

In October 2013 outline planning permission was granted for up to 300 dwellings on what was previously identified and consented as a southern extension to the original Nottingham Business Park. This decision reflected an acknowledgement that the Business Park was unlikely to deliver the original vision and these much needed homes are now under construction. The concurrent allocation PA17 confirms the site for C3 residential but facilitates consideration of A1, B1, B2 or B8 uses with an appropriate buffer to be incorporated if employment uses are to be developed alongside residential. The site is however being developed out exclusively for residential use and so no beneficial retail component can be accommodated within PA17.

The landowners Wilson Bowden Developments have received interest from a Class A1 discount supermarket operator and a Class A3/A4 family dining public house operator for the south eastern parcel of PA16 extending to 1.33 hectares. These operators are keen to invest in the site and will provide immediate local employment opportunity on the site, with a range of full and part time positions. These facilities would serve and complement both the existing employment and residential developments on the Nottingham Business Park site as well as the wider residential areas of the Broxtowe estate and Strelley village beyond.

The further 'loss' 1.33 ha of B Class employment land hectares is considered to be minimal in the wider consideration of pipeline office supply. The larger north western parcel will remain available for B class use although little interest is anticipated whilst the uncertainties of HS2 remain.

The longer term development prospects for PA16 in its entirety is currently uncertain and holding back of alternative employment generating uses that will clearly have wider local sustainability benefits on a relatively small site area would be not be justified

(please continue on a separate sheet if necessary)

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4293 Amendment to Site PA16 to enable development of Class A1 local convenience and Class A3/A4 pub/ restaurant uses alongside B Class uses would provide a more flexible approach to employment generation in this location and overcome the soundness considerations of 'not justified' and 'not effective'.

The widening of the 'proposed uses' to incorporate A1/A3/A4 could be specifically restricted to the southeastern parcel, although it is highly unlikely that the north western parcel would be considered suitable to these type of occupiers requiring a more prominent roadside frontage.

(please continue on a separate sheet if necessary)

Q

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