



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 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?	<input type="radio"/> Individual <input type="radio"/> Landowner/Developer <input checked="" type="radio"/> Organisation <input type="radio"/> Other _____
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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.	<input type="radio"/> ID No. _____ NONE GIVEN
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	Q3 Your Details
Title	
First Name	
Last Name	
Job Title (if relevant)	BRITISH SIGN &
Organisation (if relevant)	GRAPHICS
Address Line 1	ASSOCIATION
Address Line 2	
Address Line 3	
Address Line 4	
Address Line 5	
Post Code	
Telephone Number	
E-mail Address	

Q4 Agent's Details (if relevant)
MR
CHRIS
THOMAS
CHRIS THOMAS LTD
2 BELL BARN RD
STOKE BISHOP
BRISTOL
BS9 2DA
[REDACTED]
[REDACTED]

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?

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> 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 **Q9**)

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).

<input type="checkbox"/> Yes
<input checked="" type="checkbox"/> No
<input type="checkbox"/> Site included within the Plan (please give details) Site Ref: _____ Site Name: _____
<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 **Q9**)

Which Policy? (please provide the Policy reference)

<input checked="" type="checkbox"/> Yes
<input type="checkbox"/> No

Policy <u>DEL</u>

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)

<input checked="" type="checkbox"/> Policy text
<input checked="" type="checkbox"/> Justification text

<u>4.10e - 4.110</u>

c) Does your response relate to another part of the document? (if yes, please state which section then move to **Q9**)

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

<input type="checkbox"/> Yes
<input checked="" type="checkbox"/> No

d) Does your response relate to supporting documents? (if yes, please specify which document, then move to Q9)

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 Q9 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

Q9 Do you consider the Local Plan Part 2 to be legally compliant? (please tick yes or no)

Yes
 No

Q10 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 Q11)

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

Q11 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.

see attached letter

(please continue on a separate sheet if necessary)

Q12 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 **Q11**. 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.

see attached letter

(please continue on a separate sheet if necessary)

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.

Q13 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

Q14 If you wish to participate in person at the examination, please outline why you consider this to be necessary.

(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

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.

Chris Thomas Ltd
Outdoor Advertising Consultants

2 Bell Barn Road, Stoke Bishop, Bristol BS9 2DA
Tel: 0117 904 7235 Mobile: [REDACTED]

Planning Policy Team
Nottingham City Council
LH BOX52
Loxley House
Station Street
Nottingham NG2 3NG

8 February 2016

Dear Sir/Madam,

City of Nottingham Local Plan - Development Management Policies - Places for People - Publication Draft, January 2016

These representations are submitted on behalf of the British Sign and Graphics Association in response to Policy DE6 and supporting text of the above draft Local Plan DPD.

The BSGA represents 65% of the sales of signage throughout the UK and monitors development plans throughout the country to ensure the emerging Local Plan Policies do not inappropriately apply more onerous considerations on advertisements than already apply within the NPPF, Planning Practice Guidance (PPG) and the Town and Country Planning (Control of Advertisements)(England) Regulations 2007 (as amended).

We commented on the Preferred Options version of this draft document in October 2013 and are disappointed that our comments have hardly been heeded, even where the draft DPD is incorrect in law. We note that you have added the word "position" to policy DE6(a) as we suggested; but you have not made the corresponding alterations to the supporting text which becomes redundant. We have no option but to repeat our comments in the hope that you, or the Inspector, will now heed them. We consider that draft Policy DE6 (formerly DM36) and the supporting text only partly reflects the requirements of the legislation and national planning policy advice. Some parts of the draft are incorrect and others, we consider, are unsound, exceeding by far the criteria permitted under the legislation, contrary to national planning policy and practice advice.

We consider that subparagraphs 1(a) to (f) in Policy DE6 accurately and comprehensively reflect the matters over which the law permits control. We would suggest that "position" be added to subparagraph (a) for the reasons we give below.

Subparagraph (2) in Policy DE6 needs to be subdivided to be accurate. Immediate action may be taken against **unlawful** advertisements. If the advertisement is displayed without consent under the Regulations, it is unlawful and the local authority may seek its removal, regardless of any impact on amenity or public safety.

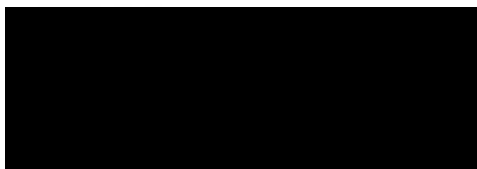
Action against advertisements which are displayed with deemed consent is a different matter. Such advertisements are entirely lawful displays and the local authority may only act against them if they are causing a substantial injury to the amenity of the locality or a danger to members of the public. This reflects the requirements of the legislation (see Regulation 8). Subparagraph (2) of Policy DE6 should be redrafted accordingly.

4115

We consider that paragraphs 4.108 - 4.110 in the supporting text are wrong in law, contrary to national planning policy guidance and superfluous. The Control of Advertisements Regulations (as made clear in paragraph 67 of the NPPF and the NPPG "Advertisements") may be exercised only in the interest of amenity and public safety. The law does not permit any presumptions that certain forms of advertisements (in this case, signs on top of buildings; fascia signs above first floor windows or fully illuminated; "A" boards; or poster display boards) are likely to be unacceptable. Further, many free-standing signs, including "A" boards, may be lawfully displayed with deemed consent under the provisions of Class 6 in Schedule 3 to the Regulations where they are sited on private land (eg shop, garage, office forecourts etc). In this last respect, we would however agree that "A" boards should not be placed on the public highway for the safety of pedestrians - but this is properly covered in subparagraph (1)(f) of Policy DE6. These three paragraphs are also unnecessary, since the proper and only acceptable criteria for control are already identified in subparagraph (1) of Policy DE6 (if amended by the addition of "position", as we suggest). There is no justification or need for advice on particular sign types (illuminated fascia signs; "A" boards, poster hoardings) or on their position (high level, "straddling"). If the particular sign proposed is assessed using the criteria in subparagraph (1) of the Policy, then it will be found acceptable or not without need for any reference to whether it is of a type "not normally acceptable". It is for this reason that we have suggested the addition of "position" to the criteria in subparagraph (1)). This list of criteria will cover (by the addition of "position") whether high level or "straddling" signs are acceptable; and (by all the other criteria within this subparagraph) whether any other aspect of any proposed sign may be unacceptable. We therefore consider that paragraphs 4.108 - 4.110 are wholly unnecessary following the comprehensive and simple policy DE6 if amended as we suggest. They should be deleted.

It is hoped that these comments are found to be useful and informative, if you have any further questions, please contact me.

Yours faithfully



Chris Thomas
Chris Thomas Ltd