

Nottingham City Council

Local Plan Part 2 Proposed Site Allocation

Thane Road, Horizon Factory

Consultation Response Form

Please read the guidance notes before completing this form, but if you have any questions, please call 0115 876 4594.

Please return this response form to localplan@nottinghamcity.gov.uk or send to 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 on Wednesday 9 November 2016.

Part A – Contact Details and Future Notifications

Q1 Are you responding as?

- Individual
 Landowner/Developer
 Organisation
 Other _____

Q2 Your Details

Title
 First Name
 Last Name
 Job Title (if relevant)
 Organisation (if relevant)
 Address Line 1
 Address Line 2
 Address Line 3
 Address Line 4
 Address Line 5
 Post Code
 Telephone Number
 E-mail Address

Imperial Tobacco/Henry Boot Developments Ltd

Q3 Agent's Details (if relevant)

Ms
 Katrina
 Hulse
 Senior Associate
 Peacock and Smith Ltd

Q4 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

Please provide your comments below. Please let us know if you support or object to the site allocation and if there are changes you would like us to consider.

See attached Statement

Q5 The following questions are required by Planning Regulations. Please refer to the guidance notes for more information and explanation of ‘legally compliant’ and ‘sound’. If you have any difficulty understanding this question please contact the Policy Team using the contact details on the front sheet.

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

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

Do you consider the Part 2 Local Plan to be ‘sound’? (please tick yes or no)

| |
|----------------------------------------|
| <input checked="" type="checkbox"/> 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’?**

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

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

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

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

| |
|-----------------------------------------|
| <input checked="" type="checkbox"/> Yes |
|-----------------------------------------|

'effective'?

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

No

Yes

No

Q6 The allocation of this site will be considered by an independent Planning Inspector at a public meeting called an Examination in Public. If you are objecting to the allocation of this site, please tell us if you think you need to attend 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

Q7 If you wish to participate in person at the examination, please outline why you consider this to be necessary.

5095

We would like the opportunity to represent our client orally at the Examination. The Horizon Factory site is a major employment site within the City and it is important that once the current operator, Imperial Tobacco leaves the site that its future is not prejudiced by planning policies that are too restrictive. The proposed policy for the site allocation is considered to be too inflexible and therefore if this remains unchanged we would seek to exercise our right to attend the hearing. Section 20(6) of the Planning and Compulsory Purchase Act 2004 states that '*any persons who makes representations seeking to change a development plan document must (if he so requests) be given the opportunity to appear before and be heard by the person carrying out the examination*'.

(please continue on a separate sheet if necessary)

Please note the Inspector (not the Council) will choose who participates at the Examination.

Responses must be received by 5.00pm Wednesday 9th November 2016.

Thank you for taking the time to comment on the proposed inclusion of this site in the new Nottingham City Council Local Plan Part 2. For further information about this consultation and / or the Local Plan document please contact the Planning Policy 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.

Equality Opportunities Monitoring

Nottingham City Council is committed to equality of opportunity, and would like to learn about which groups of people are using its services and their needs. The following questions are **OPTIONAL**.

Are you?

- Male
- Female
- Prefer not to say

Which age group do you belong to?

- Under 16
- 16 - 24
- 25 - 34
- 35 - 44
- 45 - 59
- 60 - 64
- 65+
- Prefer not to say

Do you consider yourself to be disabled?

- Yes
- No
- Prefer not to say

To which of these ethnic groups do you consider you belong?

- White
- Black
- Asian
- Prefer not to say
- Chinese
- Other ethnic group, please specify



IMPERIAL TOBACCO/HENRY BOOT DEVELOPMENTS LTD
PA86, THANE ROAD, HORIZON FACTORY

**REPRESENTATION TO NOTTINGHAM CITY COUNCIL
LOCAL PLAN PART 2 PROPOSED SITE ALLOCATION**

Peacock & Smith Limited



CONTENTS

REPORT

- SECTION 1:** Introduction
- SECTION 2:** Site and surrounding area
- SECTION 3:** Allocation PA86, Thane Road, Horizon Factory
- SECTION 4:** Planning Policy Context
- SECTION 5:** Analysis of the proposed site allocation
- SECTION 6:** Conclusions

1. INTRODUCTION

1.01 Peacock and Smith Ltd have been asked to make representations to the Nottingham City Council Land and Planning Policies Development Plan Document (LAPP), Local Plan Part 2 by Henry Boot Developments Ltd and Imperial Tobacco Ltd. This representation is made specifically in relation to the additional consultation undertaken by Nottingham City Council ('the Council') on the Proposed Allocation of PA86 Thane Road, Horizon Factory.

1.02 The Horizon Factory is currently owned by Imperial Tobacco Ltd and a cigarette manufacturing business, until its recent closure, has operated on the site since the 1960s. The manufacturing operations were undertaken in a bespoke facility located on the southern end of the site. A warehousing and distribution facility was granted planning permission in June 1983 (Planning Application Reference 206/05/83) and the distribution centre was erected to the north of the manufacturing operation in the early 1980s.

1.03 Although manufacturing operations have now closed, Imperial Tobacco will continue to operate the warehousing and distribution centre, with decommissioning of the Horizon Factory continuing until late 2017/early 2018.

1.04 The site is therefore surplus to Imperial Tobacco's requirement and Henry Boot Developments Ltd is the preferred bidder in respect to the sale of the site. As a bespoke building designed specifically for the cigarette manufacturing process it is unsuited to alternative employment use. It is therefore proposed to demolish the existing building to provide new sustainable buildings that create flexible spaces more appropriate for modern employment practices and requirements.

5095

1.05 Imperial Tobacco Ltd and Henry Boot Ltd **support** the allocation of the site for employment uses but advocate some modifications being made to the proposed allocation.

Report Structure

1.06 The remainder of the report is contained within the following sections:

Section 2 provides details of the site and surrounding area

Section 3 provides details of the proposed allocation

Section 4 provides an overview of the planning policy context

Section 5 provides an analysis of the proposed allocation and makes recommendations

Section 6 summarises and concludes

2. SITE AND SURROUNDING AREA

- 2.01 The site is located approximately 3km to the south west of Nottingham City Centre (See Figure 1 below – Aerial view of the site).



Figure 1: Aerial View of the site

- 2.02 Thane Road runs along the southern boundary of the site and there is a vehicular access off this road. Thane Road terminates 500 metres west of the site and provides the main access into the Boots site located to the north west of the Horizon site, beyond the canal. The Boots site is allocated for employment uses, residential C3 and potentially student accommodation and identified on the Policies Map Publication Version ('the Policies Map') as Site PA54.
- 2.03 To the south of Thane Road is an extensive area of greenfield land, which is identified on the Policies Map as part of the Open Space Network. This area is set at a lower level to the representation site and extends down to the River Trent and beyond.

- 2.04 Access can also be taken from Bull Close Road, which runs along the eastern boundary of the site. The site forms part of a wider major industrial estate with a range of B1, B2 and B8 uses located to the north of the representation site and to the east.
- 2.05 The site has excellent public transport connections to Nottingham City Centre and beyond. City Link 1 provides a 12 minute service Monday – Friday between Thane Road – Queens Drive Park and Ride and Nottingham City Centre.
- 2.06 In addition to the more traditional business and industrial uses there are also a number of other uses operating within 500 metres of the site, including the following:
- Hyperama Cash and Carry – Bull Close Road – sui generis
 - Arnold Clark, Car and Van Rental – Bull Close Road/Redfield Road – sui generis – borders the site
 - Dusk Til Dawn, Casino – Redfield Road – sui generis
 - Evans Halshaw, Car dealership, Redfield Road – sui generis
 - Nando's, Restaurant – Redfield Road – A3
 - Chiquito, Restaurant – Redfield Road - A3
 - Frank and Benny's – Restaurant, Redfield Road – A3
 - Sytner Group – Car dealership, Abbey Field Road – sui generis
 - Sytner Group – Car dealership, Bull Close (under construction) – sui generis

3. ALLOCATION PA86 THANE ROAD, HORIZON FACTORY

3.01 The Council propose to allocate the site for employment uses in the LPPD and Figure 2 below sets out the extent of the allocation.

PA86 Thane Road - Horizon Factory



Figure 2: Extent of the allocation

3.02 Although not identified on the above allocation plan, within the Policies Map, parts of the site are also designated as forming part of the Open Space Network. The south western corner of the site, a corridor adjacent to the canal and a strip along the southern boundary of the site were previously identified under a similar policy in the Local Plan. It is noted however, on the Policies Map an additional rectangular area of approximately 1ha located west of the warehousing and distribution centre and within the representation site has been included as part of the proposed Open Space Network.

- 3.03 The Sustainability Appraisal (SA) recognises that although the existing site currently contributes to bio-diversity and green infrastructure by way of existing soft landscaping/open space on site, the redevelopment of the site would diminish the extent of this. Notwithstanding the likely loss of some green infrastructure as part of the redevelopment of the site it does recognise that there are opportunities to enhance biodiversity and green infrastructure, particularly along the boundary with the canal. Overall the SA concludes that the redevelopment of the site for employment uses will have a neutral impact overall on the environmental, bio-diversity and green infrastructure.
- 3.04 The SA recognises that as the site is not fully operational, any redevelopment of the site will result in the creation of new employment opportunities. In addition, during the construction process there will additional short term job creation; both of these factors considered cumulatively will result in a moderate positive impact in terms of the SA's employment objective.
- 3.05 The SA considers that the existing factory buildings are no longer fit for purpose and the redevelopment of the site represents an opportunity to provide modern employment space to meet current demand in an established employment area. The SA concludes that this will result in a moderate to major positive impact providing infrastructure and job diversity.

4. PLANNING POLICY CONTEXT

4.01 The current development plan for Nottingham City Council comprises of the following documents:

- Nottingham City Aligned Core Strategy (ACS) (Local Plan Part 1) (adopted September 2014)
- Saved Policies of the Local Plan (adopted November 2005)

4.02 The Council are currently preparing the second part of the Local Plan – the Nottingham City Land and Planning Policies Document (LAPP) (Part 2). The publication draft was subject to consultation from the 29 January – 11 March 2016, however subsequently the Council have decided to consult on some additional matters, including inter alia, the Horizon site which is the subject of this representation. In the publication draft the Horizon site was not an employment allocation but was designated as a Major Business park/Industrial Estate.

4.03 The ACS forms the appropriate policy context for the proposed allocation of the Horizon site and as such it is considered pertinent to consider the relevant policies of the ACS. This policy overview will also consider the relevant policies in the publication LAPP insofar as they are relevant to the proposed allocation.

Nottingham City Aligned Core Strategy (2014)

Policy 4: Employment Provision and Economic Development

4.04 The main policy objective of Policy 4 is to strengthen and diversify the economy with new floorspace being provided across all employment sectors to meet restructuring, modernisation and inward investment needs with a particular emphasis on supporting Core and Science City objectives. This is to be achieved by a number of measures including:

- The provision of a range of suitable sites for new employment that are attractive to the market, especially in terms of accessibility, environmental quality and size;
- Placing an emphasis on office development (Use Classes B1a) and b) as part of providing for a science and knowledge based economy;
- Ensuring that a sufficient supply of land is maintained in Part 2 of the Local Plan to provide a range and choice of sites up to 2028 for new and relocating industrial and warehouse uses (Use Classes B1c, B2 and B8). A minimum of 37 hectares is required across the Core Strategy Area over the plan period (2011-2028) in the following distribution:
 - Broxtowe Borough Council 15 hectares
 - Gedling Borough Council 10 hectares
 - Nottingham City Council 12 hectares
- Appropriately managing existing employment sites and allocations to cater for the full range of employment uses by:
 - i. Ensuring the allocations most attractive to the employment market remain available for employment uses;
 - ii. Retaining good quality existing employment sites (including strategic employment areas) that are an important source of jobs, and sites that support less skilled jobs in and near deprived areas, or have the potential to provide start up or grow on space; and
 - iii. Considering the release of sites that do not meet criteria i) and ii).

4.05 At paragraph 3.4.2 of the policy justification it is recognised that jobs created outside the traditional employment uses of offices, manufacturing and warehousing will assist in sustaining a strong and flexible economy, as they account for approximately 50% of all jobs.

Policy 16: Green Infrastructure, Parks and Open Space

4.06 This policy confirms that a strategic approach to the delivery, protection and enhancement of Green Infrastructure will be taken through the establishment of a network of regional and sub regional Green Infrastructure corridors and assets identified on the Key Diagram. The representation site falls within one of the sub regional Green Infrastructure corridors and is also identified as falling within an Urban Fringe Enhancement Area.

4.07 The strategic approach requires, inter alia, that:

- Existing and potential Green Infrastructure corridors and assets are protected and enhanced;
- Where new development has an adverse impact on Green Infrastructure corridors or assets, alternative scheme designs which have little or no impact should be considered before mitigation is provided.

4.08 Policy 16 also requires that parks and open space should be protected from development unless it can be demonstrated that the development is only a small part of the Green Infrastructure network and will not be detrimental to its function, or the development is a use associated with parks and open spaces or if none of these criteria apply, that the park or open space is shown to be underused or undervalued. Where a park or open space is underused or undervalued, the reasons for this should be explored and addressed where possible prior to alternative uses being permitted.

Nottingham City Land and Planning Policies Publication Version

4.09 In the publication draft of the LAPP there are a number of policies that are relevant to the proposed allocation of the Horizon site. Paragraph 3.37 re-iterates the requirement set out in the National Planning Policy Framework ('the Framework'), that the planning system should place significant weight on the need to support

sustainable economic growth and it should not act as an impediment to it (paragraph 19).

4.010 At paragraph 3.41 of the Publication Draft, it states that the main aim of the Local Plan policies on employment provision and economic development is to strengthen and diversify the local economy.

4.011 Since the adoption of the Core Strategy the evidence base (Employment Background Paper, 2015 and The Employment Land Forecasting Study, July 2015) has been updated and this is reflected in Policy EE1: Providing a Range of Employment Sites. The definition of employment development in the glossary of the Local Plan encompasses Use Classes B1, B2 and B8 together with 'sui generis' uses of a similar nature which are suitable to be located on employment sites. The supporting text (paragraph 3.49) advises that sui generis uses which may be appropriate include sorting offices, waste management development etc although ultimately it will be the nature of the site that will determine the appropriateness of particular sui generis uses. It is however clear that sui generis uses such as Retail Warehouse Clubs are specifically identified as Main Town Centre Uses.

Policy EE1: Providing a range of employment sites

4.012 This policy sets out an overall requirement for office floorspace (B1a) and B1b) of 253,000 square metres and 25 hectares for other employment uses (B1c), B2 and B8), an increase on the requirement of 12 hectares set out in the ACS.

4.013 The policy also makes provision for additional proposals for employment uses, particularly where they:

- a) Are attractive to the market in terms of accessibility, environmental quality, size;
- b) Are connected or capable of being connected to high speed broadband networks and Next Generation broadband or any similar or superior high speed network subsequently developed;

- c) Support economic development associated with the universities, higher education establishments and the hospital campuses, particularly where the development meets the needs of high technology users;

- d) Support regeneration aims and assist in providing appropriate jobs and training for local residents.

Policy EE2: Protecting Existing Business Parks/Industrial Estates

4.014 The representation site is currently identified on the Policies Map as a Major Business Park/Industrial Estate and therefore only planning permission for employment uses will be granted, with the exception of ancillary development necessary to serve the proposal. Ancillary development is not defined in either the policy or the Glossary of the Local Plan.

Policy EN1: Development of Open Space

4.015 This policy seeks to protect the Open Space network and states that development affecting it will be refused unless:

- a) *An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements and the development would not have a detrimental effect on the open space, environmental, landscape character or wildlife value of the Network as a whole; or*

- b) *The development will enhance the Open Space Network, particularly in areas requiring improvement, and help to achieve the City Council's aims for the Network; or*

- c) *The development is for other types of sports or recreational provision or ancillary development associated with the Open Space, and the needs for which clearly outweigh the loss.*

5. ANALYSIS OF THE PROPOSED SITE ALLOCATION

5095

5.01 In principle the allocation of this industrial site as an employment allocation is **supported**.

5101

5.02 There are however reservations regarding the lack of flexibility in the types of employment uses that could be supported by the site. Concerns are also raised regarding the inclusion as part of the Green Infrastructure Network the additional area of open space located within the site.

5.03 Both the ACS and the LAPP identify a clear need for additional employment provision in order to support the economic regeneration of Nottingham City Council.

5.04 The representation site is well located to support new B2 and B8 employment uses following the redevelopment of the site. The updated evidence base undertaken to support the LAPP and in particular Policy EE1, has identified an increase in the overall requirement of B1c), B2 and B8 employment land from 12hectares (as set out in the ACS) to 25 hectares.

5.05 The site is particularly well located to the strategic road network, with the A52 located 300 metres to the east of the site providing easy access to the motorway network. The site is also served by good quality public transport links into Nottingham City Centre.

5.06 Notwithstanding the support given to the allocation of this site for traditional employment uses (B1c), B2 and B8), it is considered that if the City is to achieve its aspirations for economic growth then providing some flexibility on the types of employment generating uses on such sites is essential. The LAPP however restricts the type of sui generis uses on employment sites to those of a similar nature to the main employment use, which is considered to be overly restrictive.

5101

5.07 The ACS recognises that approximately 50% of all jobs are now outside of the traditional use classes and that these are important in sustaining a strong and flexible economy. It is therefore important to recognise this and ensure that alongside traditional employment uses there are opportunities to support employment generating businesses that are outside of the B1c), B2 and B8 use classes.

5.08 Given the evidence on the types of jobs that the population is undertaking in the City it is considered that a more flexible approach to the range of uses supported on the site would result in an increase in the number of jobs created on the site.

5.09 In the immediate locality of the representation site, although traditional employment uses pre-dominate there are also a range of sui generis uses that cannot be said to be similar in nature to the main employment uses eg car showrooms, car and van hire, cash and carry businesses, A3 use classes.

5.010 In allocating this site for employment uses, greater flexibility should be provided in the policy text to allow for more flexibility in the type of sui generis uses that can be accommodated on the site provided that such uses would not prejudice the overall employment allocation. The restrictions placed on the types of sui generis uses and other ancillary uses that will be permitted on the site are **objected** to.

5.011 It is also noted that prior to the site being proposed as an allocation, Policy EED: Protecting Existing Business Parks/Industrial Estates was the relevant policy. This policy provides greater flexibility for proposals determined under this policy because it allows for ancillary development necessary to serve the proposal. As this is not defined either within the policy or the Glossary of the Local Plan, it can be interpreted more widely than the allocation policy and could include for example a small A1 convenience shop or sandwich shop, which would serve the needs of people employed within local businesses. The same flexibility should be provided for within Allocation PA86.

5102

5.012 Although the designation of the additional land within the site as Open Space is separate to the allocation, it is **objected** to (see Figure 3 below). In the adopted Local Plan the land in the south western corner of the site, along the frontage and immediately adjacent to the canal forms part of the open space networks. The

5102

retention of these elements are supported and will ensure that the City's Green Infrastructure, particularly the canal corridor is maintained. The extension of the City's Green Infrastructure to include a 1ha parcel of land within the site is not supported as it significantly reduces the developable area of this already constrained site. This area of greenspace is not one of high ecological value and is in essence an area of grass with some limited tree planting. The exclusion of this parcel of land from the City's Green Infrastructure network will not have a detrimental impact on the overall function of the network. The area of land in question is not accessible to the public and therefore does not perform any wider open space function but in essence represents an area not required for the former cigarette manufacturing operations that has been greened over.

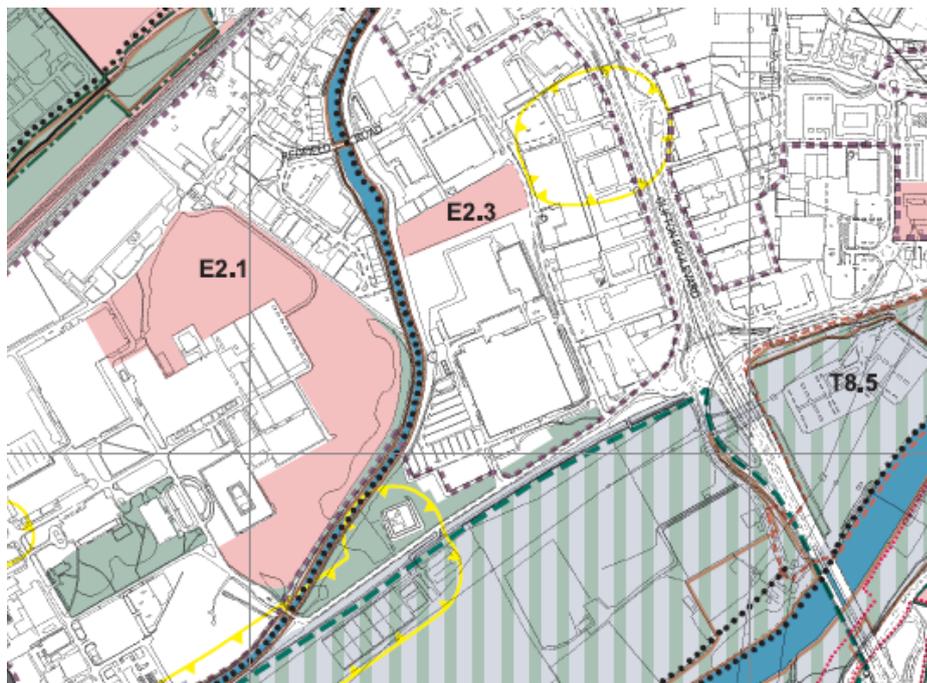


Figure 3a) Extract from the adopted Proposals Map

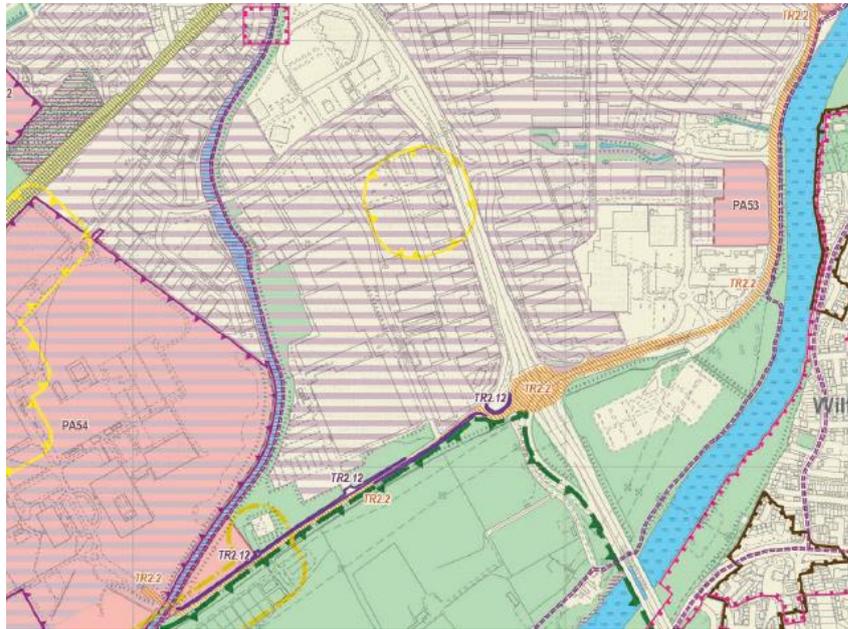


Figure 3b) Extract from Publication Policies Map

5102

5.013 The designation of this parcel of land potentially prejudices the comprehensive redevelopment of this site for employment uses and as such this parcel of land should be removed from the proposed open space designation. Given the area already designated as open space in the south western corner and along the southern boundary of the site it is considered that a significant proportion of the site already makes a contribution towards the aims and objectives of the City's Green Infrastructure.

6. CONCLUSIONS

6.01 This representation is made by Peacock and Smith on behalf of Imperial Tobacco Ltd and Henry Boot Developments Ltd.

5095 6.02 The allocation of the former Imperial Tobacco site 'PA86 Thane Road, Horizon Factory' for employment uses is **supported**.

5101 6.03 An **objection** is maintained with regard to the restrictive nature of the sui generis uses permitted on the site. In order to facilitate the City's economic objectives and maintain a strong and flexible economy a wider range of sui generis and ancillary uses should be supported as part of the allocation. This approach will also potentially increase the overall number of jobs that the site can support.

5102 6.04 The inclusion of land within the site to the west of the distribution centre (see Fig 3a) and b)) as open space is **objected** to.