



**Nottingham City Council  
Local Plan Part 2: Land and  
Planning Policies Document  
Revised Publication Version**

Ref:  
  
For office use only

**Response Form**

A number of changes have been made to the previous 'Publication Version' of the Local Plan. These changes cover Site Allocations and Development Management Policies with additions shown in blue underline and deletions in ~~red strikethrough~~ in the Revised Publication document. A full schedule of changes is also available as are updates/addendums to the supporting documentation and these can be found at [www.nottinghamcity.gov.uk/revisedpublication](http://www.nottinghamcity.gov.uk/revisedpublication). This consultation is focusing on these changes and comments made in response to the previous 'Publication Version' consultation need not be repeated.

You are advised to read the [guidance note](#) before completing this form, but if you have any questions, please email the Planning Policy and Research Team 0115 876 4594 or [localplan@nottinghamcity.gov.uk](mailto:localplan@nottinghamcity.gov.uk)

Please return this response form to [localplan@nottinghamcity.gov.uk](mailto:localplan@nottinghamcity.gov.uk)

The Council is encouraging electronic responses for ease of processing, however, should you need to submit comments in writing, these should be addressed to:  
Local Plan Revised Publication Consultation, Planning Policy and Research Team, Nottingham City Council, LH Box 52, Loxley House, Station Street, Nottingham, NG2 3NG.

Responses must be received by 5.00pm Friday 10<sup>th</sup> November 2017

**Part A – Contact Details and Future Notifications**

Please tick the boxes as appropriate.

**Q1** Are you responding as?

An individual  
 A Landowner/Developer  
 **An 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. \_\_\_\_\_

<b>Q3 Your Details</b>		<b>Q4 Agent's Details (if relevant)</b>	
Title		Mr	
First Name		Andrew	
Last Name		Astin	
Job Title (if relevant)			
Organisation (if	Sainsbury's Supermarkets	Indigo Planning	

relevant)	Ltd	
Address Line 1		Toronto Square
Address Line 2		Toronto Street
Address Line 3		
Address Line 4		
Address Line 5		Leeds
Post Code		LS1 2HJ
Telephone Number		
E-mail Address		

**Q5 Do you wish to be notified of any of the following?**  
(please tick yes or no for each question)

<b>Submission of the Local Plan Part 2 for Examination?</b>	<input type="radio"/> Yes	<input type="radio"/> No
<b>Publication of the Recommendations of the Inspector?</b>	<input type="radio"/> Yes	<input type="radio"/> No
<b>Adoption of the Local Plan Part 2?</b>	<input type="radio"/> Yes	<input type="radio"/> No

**Part B – Your Response**

If you wish to comment on more than one issue please complete a separate form for each response (although you only need to complete Part A once).

**Q6** If you know the Proposed Change reference number provided in the Schedule of Changes to the Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2), Publication Version, please provide it and move to Q8.

Proposed Change reference: \_\_\_\_\_

**Q7** Alternatively, if you do not know the Proposed Change reference please answer the following questions:

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

**a) A site?** (if yes, please specify the site and move to Q8)

**Which site?** (please provide details of the site including ref number and site name).

Yes

No

Please give site details:  
**Site Ref:** \_\_\_\_\_  
**Site Name:** \_\_\_\_\_

**b) A Policy?** (if yes, please give the Policy reference then move to Q8)

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

**Policy text or justification text?**

**Which part of the text?** (please provide the

Yes

No

**Policy Ref** \_\_\_\_\_ **SH4** \_\_\_\_\_

Policy text

Justification text

related Policy criteria or paragraph number)

**c) Another part of the document?** (if yes, please state which section then move to **Q8**)

Yes

No

If yes, please specify which section below.

**Which section?**

- 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) Supporting documents?** (if yes, please specify which document, then move to **Q8**)

Yes

No

**Which document?**

(e.g. Sustainability Appraisal)

\_\_\_\_\_

\_\_\_\_\_

**e) Another issue?**

(please specify then move to **Q8**)

Yes (please give details)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Q8 and Q9 are required by Planning Regulations. Please refer to the [guidance note](#) for more information.**

**Q8** Do you consider the Local Plan Part 2 to be legally compliant? (please tick yes or no and explain in the box to Q10. You will also need to answer Q9).

Yes

No

**Q9** Do you consider the Local Plan Part 2 to be 'sound'? (please tick yes or no).

Yes (go to Q10)

No (answer a-d below)

**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

**If you consider that the Plan is unsound, explain why in the box to Q10).**

**Q10** Please explain why you 'support' or 'do not support' the Proposed Changes set out in the Revised Publication Version of the Local Plan Part 2 (i.e. why you think the Plan is/is not legally compliant/sound). Try and be as precise as possible.

Please refer to accompanying representations letter appended.

(please continue on a separate sheet if necessary)

**Q11** 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 Q10. 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.

Please refer to accompanying representations letter appended.

(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 may not 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.

**Q12** 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

**Q13** 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 on Friday 10 November 2017.**

Thank you for taking the time to have your say on the Nottingham City Council Local Plan Part 2: Land and Planning Policies Document. You are kindly requested to complete the Equality Opportunities Monitoring questions on page 6, however this is **OPTIONAL.**

**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 although address, telephone and email details will not be published.. 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.

Nottingham City Council  
Loxley House  
Station Street  
Nottingham  
NG2 3NG

By email

[localplan@nottinghamcity.gov.uk](mailto:localplan@nottinghamcity.gov.uk)

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10 November 2017

Dear Sir / Madam

## THE NOTTINGHAM CITY LAND AND PLANNING POLICIES LOCAL PLAN PART 2 DEVELOPMENT PLAN DOCUMENT CONSULTATION

We write on behalf of our client Sainsbury's Supermarkets Ltd to make representations to Draft Policy SH4 of the Local Plan Part 2 Development Plan Document which is currently out for consultation.

Draft Policy SH4 relates to main town centre uses and states that planning applications for such uses will be subject to the sequential and impact tests as set out in the NPPF.

Whilst the principle of the policy accords with the NPPF, paragraph 3 of Policy SH4 also requires that proposals for out of centre and edge of centre main town centre uses are considered against a number of criteria. This includes whether the proposal is for small scale retail provision to meet an identified local need (criteria 3a).

Paragraph 3.117 adds that the justification for the policy is to provide small scale convenience shopping facilities (i.e. up to 280sqm net) in areas of deficiency which meet the day to day requirements of local residents.

However, larger scale convenience stores over 280sqm net floorspace also have an important role in meeting both the main and top up shopping needs of local residents.

Moreover, there is no longer a requirement to demonstrate 'need' for out of centre retail development. The only two tests which should be applied for planning applications for main town centre uses which are not in an existing town centre are the sequential and impact test, as set out in paragraph 24-26 of the NPPF and the PPG (Paragraph 001 Reference ID: 2b-001-20140306).

It is the intention of the NPPF to positively plan for, and encourage appropriate and sustainable new economic development. The NPPF is clear that there is a presumption in favour of sustainable development and the role of planning is not to unnecessarily restrict, burden or delay appropriate development.

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cont

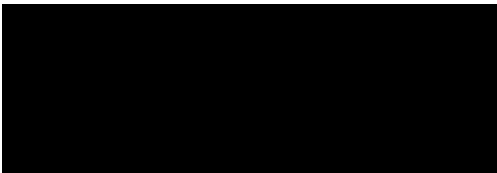
However, as currently worded Policy SH4 is overly restrictive in requiring applications for new convenience retail to demonstrate a 'need' for such proposals which does not reflect national planning policy. As such the requirement to demonstrate 'need' is unjustified and should be removed from the draft policy to make the policy sound and comply with the policy tests set out in paragraph 24-26 of the NPPF.

5428

Furthermore, criteria 3a of Policy SH4 should be amended to support larger scale convenience retail provision to serve local shopping needs subject to satisfying the sequential and impact test.

I trust that you will take the above comments into consideration, but please do not hesitate to contact if you have any queries or require any further information.

Yours faithfully



Andrew Astin

Enc: As noted