



Nottingham
City Council

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

Response Form

Ref:

For office use only

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. 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

Please return this response form to 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 10th November 2017

Part A – Contact Details and Future Notifications

Please tick the boxes as appropriate.

Q1 Are you responding as?

A Landowner/Developer

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. _3704_____

Q3 Your Details

Title	Mr
First Name	Matthew
Last Name	Stafford
Job Title (if relevant)	Strategic Planning Manager
Organisation (if relevant)	The Co-op
Address Line 1	Commercial & Investment
Address Line 2	Floor 5

Q4 Agent's Details (if relevant)

Address Line 3	1 Angel Square	
Address Line 4	Manchester	
Address Line 5		
Post Code	M60 0AG	
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)

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

Yes
 Yes
 Yes

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

Please give site details:
Site Ref: PA39
Site Name: Carlton Road - Former Co-op

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?

Yes

Policy Ref SH7

Policy text
 Justification text

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

Yes

	If yes, please specify which section below.
Which section?	<input type="radio"/> Policies Map
d) Supporting documents? (if yes, please specify which document, then move to Q8)	<input type="radio"/> Yes <input type="radio"/> No
Which document? (e.g. Sustainability Appraisal)	_____ _____
e) Another issue? (please specify then move to Q8)	<input type="radio"/> 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).

No

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

No (answer a-d below)

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

Yes

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

Yes

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

Yes

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

Yes

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.

Objection to policy SH7 & Site Allocations: Site ID PA39

Name: Carlton Road - Former Co-op

The Co-op are the leaseholder of the former Co-op store on land to the east of Seymour Street. The land is within the ownership of Nottingham City Council (NCC) who have a legal restriction on the use of the site for a food supermarket.

The proposed approach to allocate the Coop site and former site of the Albany Works to the west of Seymour Street for retail (A1) and residential (C3 including family housing) is not considered to be deliverable and

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cont

therefore not a sustainable use of the site as:

- It does not take into account the current lawful A1 retail use of the Co-op site;
- It does not accord with NCC's legal restriction on the use of the site for a food supermarket;
- It does not recognise the development of a Lidl retail store (Class A1) on the immediately adjoining land to the west (former Albany Works) which undermines the re-use of the current unit/for A1 retail use; and
- The delivery of a residential use on the Co-op site is not deliverable having regard to the sites restricted lawful use, development constraints/abnormals and viability.

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Given the sites current lawful retail (A1) use, NCC's legal restriction on the use of the site for a food supermarket, and existing inclusion in the Neighbourhood Centre (CONI) boundary within the 'saved' Local Plan (2005) there is no justification and it is contradictory to remove the former Co-op store from the proposed CONI boundary. This approach is not appropriate as it does not take into account the existing lawful retail use which will be outside the CONI boundary and conflict with future retail/town/CONI centre policy. If adopted the re-use of the site for alternative leisure, commercial, office, tourism, cultural, community and other main town centre uses as set out in the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) will be required to meet more onerous policy tests to be met through exclusion from Policy SH7: Centres of Neighbourhood Importance (CONIs).

Excluding the Co-op site from the CONI boundary will reduce land within the CONI that can accommodate other main town centre uses and lead to a disjointed centre especially given proposals to include the boundary to include the Lidl supermarket adjoining the site. Excluding the site will not improve the potential for a wider range of goods and services to be made available to the local community. It will reduce access to local goods and services and undermine the centres vitality and viability contrary to national policy. Removing the Co-op from the centre and proposing unviable residential development (given the legal restriction on the use of the Coop for a food supermarket) will fragment the centre and leave the site redundant. This will not protect both the retail function and the local character of the CONI and maintain and enhance the vitality and viability of the CONI.

(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.

For these reasons the allocation is not sound or realistic and the land needs to be retained within the CONI boundary and the site also identified for alternative leisure, commercial, office, tourism, cultural, community and other main town centre uses to best promote re use of the unit/site and conform to policy set out in the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) which requires emerging policy to be justified and effective.

(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.

The Inspector will be best assisted in consideration of the matters through our participation given the knowledge of the site and main issues. It will also be essentially in ensuring fairness and impartiality in the plan making process especially in this instance where the allocation relates to Nottingham City Council's own land.

(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.



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ID No. 3704

Q3 Your Details

Title	Mr
First Name	James
Last Name	Litherland
Job Title (if relevant)	Assistant Planning Manager
Organisation (if relevant)	The Co-op
Address Line 1	
Address Line 2	Floor 5

Q4 Agent’s Details (if relevant)

Address Line 3	1 Angel Square	
Address Line 4	Manchester	
Address Line 5		
Post Code	M60 0AG	
Telephone Number		
E-mail Address		

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<p>Q6 If you know the Proposed Change reference number provided in the <u>Schedule of Changes to the Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2), Publication Version</u>, please provide it and move to Q8.</p>	<p>Proposed Change reference: _____</p>
<p>Q7 Alternatively, if you do not know the Proposed Change reference please answer the following questions:</p> <p>What does your response relate to? (please select <u>only one</u> from a) to e) below).</p> <p>a) A site? (if yes, please specify the site and move to Q8)</p> <p>Which site? (please provide details of the site including ref number and site name).</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> Please give site details: Site Ref: __PA39_____ Site Name: _ Carlton Road - Former Co-op</p>
<p>b) A Policy? (if yes, please give the Policy reference then move to Q8)</p> <p>Which Policy? (please provide the Policy reference)</p> <p>Policy text or justification text?</p>	<p><input type="radio"/> Yes</p> <p>Policy Ref __SH7_____</p> <p><input type="radio"/> Policy text <input type="radio"/> Justification text</p> <p>_____</p>
<p>Which part of the text? (please provide the related Policy criteria or paragraph number)</p> <p>c) Another part of the document? (if yes, please state which section then move to Q8)</p>	<p><input type="radio"/> Yes</p>

	If yes, please specify which section below.
Which section?	<input type="radio"/> Policies Map
d) Supporting documents? (if yes, please specify which document, then move to Q8)	<input type="radio"/> Yes <input type="radio"/> No
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The proposed approach to allocate the Coop site and former site of the Albany Works to the west of Seymour Street for retail (A1) and residential (C3 including family housing) is not considered to be deliverable and

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therefore not a sustainable use of the site as:

- It does not take into account the current lawful A1 retail use of the Co-op site;
- It does not accord with NCC's legal restriction on the use of the site for a food supermarket;
- It does not recognise the development of a Lidl retail store (Class A1) on the immediately adjoining land to the west (former Albany Works) which undermines the re-use of the current unit/for A1 retail use; and
- The delivery of a residential use on the Co-op site is not deliverable having regard to the sites restricted lawful use, development constraints/abnormals and viability.

Given the site's current lawful retail (A1) use, NCC's legal restriction on the use of the site for a food supermarket, and inclusion in the Neighbourhood Centre (CONI) not allowing additional commercial and leisure centre uses such as (A2, A3, A4, A5, B1, C1 and D2 uses) conflict with future retail/town centre policy. If adopted the re-use of the site for alternative leisure, commercial, office, tourism, cultural, community and other main town centre uses as set out in the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) will be required to meet more onerous policy tests and could be constrained by the proposed residential allocation.

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cont

Excluding alternative leisure, commercial, office, tourism, cultural, community and other main town centre uses will reduce land within the CONI that can accommodate other main town centre uses and lead to a disjointed centre especially given proposals to include the boundary to include the Lidl supermarket adjoining the site. Excluding these uses will not improve the potential for a wider range of goods and services to be made available to the local community. It will reduce access to local goods and services and undermine the centres vitality and viability contrary to national policy. Proposing unviable residential development (given the legal restriction on the use of the Coop for a food supermarket) will fragment the centre and leave the site redundant. This will not protect both the retail function and the local character of the CONI and maintain and enhance the vitality and viability of the CONI.

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