

NOTTINGHAM CITY COUNCIL

Local Plan Part 2: Land and Planning Policies Document

Statement of Compliance with the Duty to Cooperate

March 2018

Quick guide to the Statement of Compliance with the Duty to Cooperate

This document provides evidence that the Local Plan Part 2: Land and Planning Policies Document has been prepared in accordance with the Duty to Cooperate.

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1.0 Introduction

- 1.1 This report sets out how Nottingham City Council has complied with the duty to cooperate introduced under the Localism Act 2011 in the preparation of the Nottingham City Local Plan Part 2: Land and Planning Policies document.
- 1.2 Part 1 of Nottingham's Local Plan, the Nottingham City Aligned Core Strategy, was adopted in 2014, and provides the planning framework for the strategic development of Greater Nottingham, including how the objectively assessed need for housing and employment will be met across the Housing Market Area. How the Duty to Cooperate was met for matters included in the Core Strategy was set out in a separate Compliance Statement (2013), and was tested at the Core Strategy Examination.
- 1.3 By its very nature, the Core Strategy dealt with many of the strategic matters with cross-boundary implications. Nonetheless, the Duty to Cooperate is an on-going continuous process of engagement that continues through to implementation, and this statement has been prepared to demonstrate how Nottingham City Council has met the Duty in the preparation of its Part 2 Local Plan, the Land and Planning Policies Document.
- 1.4 There is a long history of joint working and cooperation between the Councils making up Greater Nottingham, and other key stakeholders in the area. The preparation of Core Strategies in Greater Nottingham was been part of this process, with on-going and constructive engagement between constituent and neighbouring authorities and relevant organisations since the preparation process began in 2008.
- 1.5 The Infrastructure Delivery Plan which underpinned the Greater Nottingham Core Strategies was prepared with the full positive engagement of the Environment Agency, English Heritage, Natural England, Homes and Communities Agency, Clinical Commissioning Groups (role formerly provided by Primary Care Trusts), Highways England and the three Highway Authorities. The relevant elements of this have been rolled forward and updated, and an Infrastructure Delivery Plan has been prepared to support the Part 2 Local Plan.
- 1.5 Nottingham City Council has sought to positively engage with all the relevant duty to cooperate bodies throughout the preparation of the Part 2 Local Plan, and is confident that it has fully complied with the duty.

2.0 Duty to Cooperate' as set out in the Localism Act 2011

- 2.1 The duty to cooperate is set out in Section 110 of the Localism Act 2011 which requires an amendment to Part 2 of the Planning and Compulsory Purchase Act 2004.
- 2.2 The Act makes clear that the 'duty' applies to all those with planning responsibilities, including local planning authorities and other planning bodies, undertaking the

preparation of Local and other prescribed plans in so far as these plans relate to a 'strategic matter'. The duty:

- Relates to sustainable development or use of land that would have a significant impact on at least two local planning areas or on a planning matter that falls within the remit of a County Council;
- Requires that Councils set out planning policies to address such issues;
- Requires that Councils and public bodies 'engage constructively, actively and on an ongoing basis' to develop strategic policies; and
- Requires Councils to consider joint approaches to plan making.

2.3 Paragraphs 178 to 181 of the NPPF give guidance on planning 'strategically across local boundaries' and highlight the importance of joint working to meet development requirements that cannot be wholly met within a single local planning area, through either joint planning policies or informal strategies such as infrastructure and investment plans.

2.4 The NPPF states that: "The Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities" (NPPF paragraph 178) and further that: "Local planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual Local Plans." (NPPF paragraph 179).

2.5 Part 2 of the Town & Country Planning (Local Planning) (England) Regulations 2012 which came into effect on the 6th April 2012, clarifies that the bodies prescribed for the purposes of section 33A (1) (c) of the Localism Act 2011 (in relation to the duty to cooperate) comprise the following¹:

- ⁽¹⁾ Local Planning Authorities, either neighbouring or making up the Housing Market Area
- ⁽²⁾ Environment Agency
- ⁽³⁾ Historic England
- ⁽⁴⁾ Natural England
- Mayor of London
- ⁽⁵⁾ Civil Aviation Authority
- ⁽⁶⁾ Homes England (formerly Homes and Communities Agency)
- ⁽⁷⁾ NHS Nottingham City (Primary Care Trust) now replaced by Clinical Commissioning Group
- ⁽⁸⁾ Office of the Rail Regulator
- ⁽⁹⁾ Highways England
- Transport for London
- Integrated Transport Authorities
- ⁽¹⁰⁾ Highway Authorities

¹ The numbers in brackets are used later in this report for each prescribed body.

- Marine Management Organisation
- ⁽¹¹⁾ Local Enterprise Partnerships
- ⁽¹²⁾ Local Nature Partnerships

2.6 However, some of these prescribed bodies are not relevant to Nottingham City:

- Mayor of London
- Transport for London
- Integrated Transport Authorities
- Marine Management Organisation

2.7 There are two main separate aspects of the duty:

- i. The legal requirement to cooperate. PINs will need to see sufficient evidence to demonstrate that the duty to cooperate has been undertaken in accordance with the 2011 act appropriate to the plan being examined.
- ii. If PINS consider that the legal requirement to cooperate has been met through joint working but there is disagreement about the policy outcome (for example the proposed level of housing provision), then this will need to be resolved through the examination process based on the evidence.²

2.8 This document sets out how the legal duty has been met by Nottingham City Council on an on-going basis, in the preparation of the Nottingham City Local Plan Part 2: Land and Planning Policies document and how any strategic issues have been resolved through the duty.

3.0 The Plan Area and Relationship to the Greater Nottingham Housing Market Area

3.1 The Part 2 Local Plan covers the administrative area of Nottingham City, which is a Unitary Authority. However, many of the suburbs serving Nottingham are located in the wider Housing Market Area (HMA), which consists of the council areas of Broxtowe Borough, Erewash Borough, Gedling Borough and Rushcliffe Borough, together with the relevant parts of Nottinghamshire and Derbyshire County Councils. In addition, the Hucknall part of Ashfield, although located in the Nottingham Outer HMA, has a strong functional relationship with Nottingham, and forms part of Greater Nottingham.

4.0 Cooperation with Greater Nottingham Councils

4.1 The preparation of the Greater Nottingham Core Strategies was overseen by the Greater Nottingham Joint Planning Advisory Board (JPAB), which is made up of the Portfolio Holding Councillors for planning and transport of the constituent authorities. JPAB meets around four times a year, and although the Core Strategies are now adopted, it has turned its focus towards implementation of the Core Strategies, which

² See para 182 of NPPF (2012)

includes the preparation of Part 2 Local Plans where relevant. Several of the prescribed bodies are observer members of JPAB, including the Environment Agency, Natural England, Highways England, Homes England and D2N2 Local Enterprise Partnership.

- 4.2 JPAB is serviced by at least monthly meetings of the planning officers of the constituent Councils. Recent cooperation has focused on matters such as the implementation of Sustainable Urban Extensions, progressing the planning of the HS2 Hub Station at Toton in Broxtowe, and working together on creating aligned and consistent Self Build Register for Greater Nottingham. Pilot Brownfield Registers for Broxtowe, Gedling, Nottingham and Rushcliffe have also been successfully jointly prepared.
- 4.3 JPAB receives regular updates on Local Plan progress across Greater Nottingham, and the officer group works together to ensure the continuing coherent strategic planning of the area, commissioning new evidence as necessary (such as the Employment Land Forecasting Study 2015 and SFRA Addendum 2017). JPAB is gearing up to begin a review of the Core Strategies, using the 2016-based household projections (due for release in summer 2018) as the basis for objectively assessed need.
- 4.4 This on-going process has ensured that no duty to cooperate issues have arisen between the constituent Councils in the preparation of their Part 2 Local Plans.

5.0 Summary of Cooperation with Prescribed Bodies and Outstanding Issues

- 5.1 This section sets the nature of cooperation with each Prescribed Body, gives a summary of cooperation, process of consultation and sets out what, if any, outstanding key strategic issues need to be considered at the Examination. Although in every case, it is considered that the legal requirement under the duty to cooperate has been met, it has not always been possible to resolve fully issues where parties disagree. It is the City Council's view that the legal and soundness aspects of the duty to cooperate have been resolved, however, where prescribed bodies disagree, these issues are set out.
- 5.2 Although the duty to cooperate goes beyond consultation, several of the prescribed bodies have made representations on the Publication version of the Part 2 Local Plan. In a few cases these have identified some issues which can be met through minor changes to the Local Plan, and they also flag up a small number of which remain unresolved. However, none of these fall into the category of having "a significant impact on at least two local planning areas" and so are not considered to be of a strategic nature.

1. Local Planning Authorities

a) Nottinghamshire County Council (Ref 3737)

Nature of Cooperation

- Joint Planning Advisory Board Member
- Executive Steering Group Member
- Signatory to Transport Modelling Memorandum of Understanding
- Regular HMA meetings
- Joint Waste Local Plan
- Consultee

Summary of cooperation issues - 2016 Publication

Close liaison has taken place to establish requirements associated with waste and minerals and other functions carried out by the County Council.

Issues raised within the consultation on the publication version have been positively considered and amendments proposed to the document in the schedule of changes.

An issue raised by the County Council concerns the development of site PA82 Freeth Street in the Waterside area (Consultee 3737 – Reps 4207, 4937, 4938). The County Council's concerns relate to the fact that a Waste Management Facility operated by Viola, who hold the waste contract with the County Council, is located within PA82. The County Council consider the removal of this facility, without a suitable replacement facility, would be prejudicial to the operation of the Waste contract, and in their view, contrary to the Joint Nottinghamshire and Nottingham Waste Core Strategy Policy WCS10 which seeks to safeguard existing waste management facilities.

Their representations and the City Council's response is set out at appendix 1. In short however, the Waterside redevelopment and the site at Freeth Street are longstanding regeneration aspirations of the City Council, initially included in the [Waterside Regeneration Planning Guidance](#) (2001), and both being included in the 2005 Local Plan. The concept of the Waterside Regeneration Zone is carried forward into the 2014 Nottingham City Core Strategy. The Viola site itself is critical to achieving the comprehensive redevelopment of the area, particularly because the site abuts the River Trent, and a key aspect of the regeneration plan is a continuous waterside cycling/walking route from Trent Bridge to Colwick Park.

The City Council would therefore like to secure the relocation of the facility in the medium term to allow the site to be developed for residential led development. A Supplementary Planning Document is in preparation which will set out more detail in terms of the form and phasing of the development of the Waterside.

Changes to the Waterside Policy (RE8) are proposed to ensure that new development does not impact on existing operations and to protect the amenity of new residents prior to the relocation of uses which are not compatible with the regeneration aims of the Waterside. In addition, changes to the Development Principles for PA82 are also proposed, to protect the interest of the site's operation in the short term, by including sensitive phasing proposals to developments which could impact on the operation, to allow for the identification of relocation opportunities. At the present time it is envisaged that the site assembly would be undertaken by the market. The County Council has signalled that it is content that changes made in the Revised Publication version of the Plan meet its concerns.

Summary of Cooperation Issues - 2017 Revised Publication

Nottinghamshire County Council support the amendments to the Plan which address the issues previously raised with regard to Policy RE8 and PA82 - Freeth Street.

See appendix 1.

b) Derbyshire County Council (Ref 2563)

Nature of Cooperation

- Joint Planning Advisory Board Member
- Executive Steering Group Member
- Signatory to Transport Modelling Memorandum of Understanding
- Consultee

Summary of cooperation issues - 2016 Publication

No representations on Publication Local Plan and no identified issues.

Summary of Cooperation Issues - 2017 Revised Publication

No representations on Revised Publication Local Plan and no identified issues.

c) Ashfield District Council (Ref 2989)

Nature of Cooperation

- Joint Planning Advisory Board Member
- Executive Steering Group Member
- Regular HMA meetings
- Consultee

Summary of Cooperation Issues - 2016 Publication

Representations on Publication Local Plan but no identified issues.

Summary of Cooperation Issues- 2017 Revised Publication

Representations on Revised Publication Local Plan but no identified issues.

See appendix 2.

d) Broxtowe Borough Council (Ref 0259)

Nature of Cooperation

- Joint Planning Advisory Board Member
- Executive Steering Group Member
- Regular HMA meetings
- Consultee

Summary of Cooperation Issues - 2016 Publication

Representations on Publication Local Plan but no identified issues.

Summary of Cooperation Issues - 2017 Revised Publication

Representations on Revised Publication Local Plan but no identified issues.

See appendix 3.

e) Erewash Borough Council (Ref 3815)

Nature of Cooperation

- Joint Planning Advisory Board Member
- Executive Steering Group Member
- Regular HMA meetings
- Consultee

Summary of Cooperation Issues - 2016 Publication

No representations on Publication Local Plan and no identified issues.

Summary of Cooperation Issues - 2017 Revised Publication

No representations on Revised Publication Local Plan and no identified issues.

f) Gedling Borough Council (Ref 2452)

Nature of Cooperation

- Joint Planning Advisory Board Member
- Executive Steering Group Member
- Regular HMA meetings
- Consultee

Summary of Cooperation Issues - 2016 Publication

Representations on Publication Local Plan (Horizon Factory) and no identified issues.

Summary of Cooperation Issues - 2017 Revised Publication

No representations on Revised Publication Local Plan and no identified issues.

See appendix 4.

g) Rushcliffe Borough Council (Ref 258)

Nature of Cooperation

- Joint Planning Advisory Board Member
- Executive Steering Group Member
- Regular HMA meetings
- Consultee

Summary of cooperation issues - 2016 Publication

No representations on Publication Local Plan and no identified issues.

Summary of Cooperation Issues - 2017 Revised Publication

No representations on Publication Local Plan and no identified issues.

2. Environment Agency (Ref 1540)

Nature of Cooperation

- Joint Planning Advisory Board – observer status
- Infrastructure Delivery Plan participant
- Consultee

Summary of Cooperation Issues - 2016 Publication

Representations made, positively responded to in proposed changes,

Summary of Cooperation Issues - 2017 Revised Publication

Further representations made as a result of an updates Strategic Flood Risk Assessment, positively responded to in proposed changes.

See appendix 5.

3. Historic England (Ref 0311)

Nature of Cooperation

- Joint Planning Advisory Board – observer status
- Consultee

Summary of Cooperation Issues - 2016 Publication

Heritage England have responded to all consultation phases of the Local Plan. They have raised a number of concerns, which wherever possible have been positively responded to in proposed changes. Although it has not been possible to agree to all the changes suggested by Historic England, it is not considered that there are any outstanding issues of a strategic nature, see Appendix 5.

Summary of Cooperation Issues - 2017 Revised Publication

Support for changes made at Revised Publication.

See appendix 6.

4. Natural England (0802)

Nature of Cooperation

- Joint Planning Advisory Board – observer status
- Infrastructure Delivery Plan participant
- Consultee
- HRA Steering Group

Summary of Cooperation Issues - 2016 Publication

Natural England have responded to all consultation phases of the Local Plan. They have proposed a number of minor changes to the Local Plan, which wherever possible have been positively responded to in proposed changes.

Summary of Cooperation Issues - 2017 Revised Publication

Support for the changes made.

See appendix 7.

5. Civil Aviation Authority (Ref 0075)

Nature of Cooperation

- Consultee

Summary of cooperation issues - 2016 Publication

The Civil Aviation Authority has confirmed in a letter to Councils in August 2012 that it is not necessary to consult them on Strategic Planning Documents (eg Local Development

Framework and Core Strategy documents). As such, they have been removed from consultation lists.

6. Homes England (Ref 3813)

Nature of Cooperation

- Joint Planning Advisory Board – observer status
- Consultee
- Key scheme implementation partner (eg Waterside)

Summary of Cooperation Issues - 2016 Publication

No representations on Publication Local Plan and no identified issues.

Summary of Cooperation Issues - 2017 Revised Publication

No representations on Revised Publication Local Plan and no identified issues.

7. NHS Nottingham City (Primary Care Trust) now replaced by Clinical Commissioning Group (ref 3883)

Nature of Cooperation

- Infrastructure Delivery Plan participant
- CCGs represented along with planning officers on Health and Wellbeing Steering Group
- Consultee

Summary of Cooperation Issues - 2016 Publication

The Council has convened ongoing meetings with NHS Nottingham City to inform the development of the Local Plan. These meetings have directly informed the development of the Infrastructure Delivery Plan and Local Plan Policies, particularly in relation to the location of hot food takeaways near schools.

The CCG has not requested the provision of or contributions to additional health facilities but will continue to review needs on a case by case basis as development proposals emerge. For example, most recently the CCG have reviewed the need for new services associated with major residential development at Waterside and confirmed that additional facilities are not required..

Nottingham City Council and NHS Nottingham City have collaborated with other partners in the development of 'Happier Healthier Lives' – Nottingham's Health and Well Being Strategy, the action plan for which has directly informed Policy LS1 of the Local Plan.

It is not considered that there are any outstanding issues to resolve. On-going dialogue with NHS Nottingham City will continue.

No representations on Publication Local Plan and no identified issues.

Summary of Cooperation Issues - 2017 Revised Publication

No representations made at Revised Publication. Ongoing dialogue over health facilities as part of the Infrastructure Delivery Plan.

8. Office of Rail Regulation (Network Rail) (Ref 3818)

Nature of Cooperation

- Infrastructure Delivery Plan participant
- Consultee

Summary of Cooperation Issues - 2016 Publication

No representations on Publication Local Plan and no identified issues.

Summary of Cooperation Issues - 2017 Revised Publication

No representations on Revised Publication Local Plan and no identified issues.

9. Highways England (Ref 3530)

Nature of Cooperation

- Joint Planning Advisory Board – observer status
- Infrastructure Delivery Plan participant
- Signatory to Transport Modelling Memorandum of Understanding
- Consultee

Summary of Cooperation Issues- 2016 Publication

Representations on Publication Local Plan (and Horizon Factory consultation) and no identified issues.

Summary of Cooperation Issues - 2017 Revised Publication

Support for changes made at Revised Publication.

See appendix 8.

10. Local Enterprise Partnership (LEP) – Derby, Derbyshire, Nottingham & Nottinghamshire (D2N2) (Ref 3590)

Nature of Cooperation

- Joint Planning Advisory Board – observer status
- Consultee

Summary of Cooperation Issues- 2016 Publication

Representations on Publication Local Plan (Horizon Factory) and no identified issues. The Plan reflects and implements many elements of the LEP’s Strategic Economic Plan.

Summary of Cooperation Issues - 2017 Revised Publication

No representations and no issues raised.

See appendix 9.

11.Lowland Derbyshire & Nottinghamshire Local Nature Partnership (LNP) (Ref 3545)

Nature of Cooperation

- Consultee
- Nottinghamshire County Council is a lead partner in LNP and consultee
- Other partners - Derbyshire County Council
- Other partners – Wildlife Trust

Summary of Cooperation Issues - 2016 Publication

No response was received from the NLP to previous consultation versions of the Plan. However, the LNP have responded to the Publication version of the Local Plan, highlighting a number of areas where they considered the Plan could be improved. A meeting was subsequently held with LNP representatives to explain and clarify the approach to Sustainability Appraisal and the evidence base, which was where the NLP’s concerns were focussed.

Subsequent correspondence confirms that the NLP are content with the City Council’s approach, are there are not considered to be any outstanding issues to resolve at the Examination.

Summary of Cooperation Issues - 2017 Revised Publication

No representations and no issues raised.

See appendix 10.

6.0 Conclusions

The Council believes the collaboration and cooperation highlighted in this paper has resulted in the production of a sound and legally compliant Part 2 Local Plan. Where problems or issues have arisen the Council has worked in partnership with the relevant bodies to consider options and find solutions including making amendments to the Local

Plan in direct response to the comments received through the various stages of consultation and on going dialogue.

The only issue identified that could potentially have had a significant impact on at least two local planning areas (by virtue of the Waste Contract the County Council holds with Viola), are Nottinghamshire County Council's representations on PA82 Freeth Street, relating to a waste management facility in the Waterside. Changes have been made to the Local Plan which the County Council has confirmed meet its concerns.

Initial concerns raised by other bodies are also now resolved.

The Council is committed to continuing the high level of cooperation set out in this paper into the future and believes the duty to cooperate compliance requirement has been fully met.

7.0 APPENDICES

REPRESENTATIONS FROM DUTY TO COOPERATE BODIES TO THE PUBLICATION VERSION OF THE PART 2 LOCAL PLAN, AND THE CITY COUNCILS RESPONSE (WHERE RELEVANT).

Appendix 1 Nottinghamshire County Council

Appendix 1 (a) Nottinghamshire County Council (Publication)

3219 Notts County Council (Wilson N)

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map (including appendices/ development principles/glossary)	List of other docs
4161	Min	The County Council supports the approach to Minerals in policy MI1-3 and Policy IN2 combined cover all the points that the Core Strategy says will be in the part 2 Local Plan. They state that this approach complements the Nottinghamshire Minerals Local Plan (Feb 2016)	Support Noted.	No	N/a
5113	IN2	The County Council supports the approach to Minerals in policy MI1-3 and Policy IN2 combined cover all the points that the Core Strategy says will be in the part 2 Local Plan. They state that this approach complements the Nottinghamshire Minerals Local Plan (Feb 2016)	Support Noted.	No	N/A
4843	MI1	The County Council refers to para 5.59 which makes reference to Figure 5 and considers that Map 7 in the background paper should be repeated in the main document.	The mineral safeguarding area is shown on the Policies Map and also on 3 (wrongly referred to as Figure 5 in para 5.59). Other than correcting the reference number no further change is required.	Reference at para 5.59 corrected "Figure 5 3"	N/a
4844	MI2	The County Council considers that criteria 5 should be	It is agreed that the	Policy MI2 text	N/a

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map (including appendices/ development principles/glossary)	List of other docs
		widened out beyond just agricultural after-use requiring the retention or replacement of soils and any necessary drainage, access, hedges and fences	criteria text should be amended as there are other after-uses where it is appropriate to retain soil or replace it along with any necessary drainage, access, hedges and fencing. This can be done by removing reference to agriculture.	amended to read: “5. Where the proposed after-use is agricultural, Applicants will be required to make provision for the retention or replacement of soils and any necessary drainage, access, hedges and fences.”	
4845	MI3	The County Council is unsure why point 6 of the policy is contained under the heading of ‘restoration’ as it is not applicable to this stage of the process.	It is agreed that this would be more appropriate relocated under Appraisal rather than Restoration	Criteria 6) moved under Appraisal and renumber subsequent criteria	N/a
4847	Min	The County Council agrees with the approach to Barton-in-Fabis in the background paper as this approach is consistent with the Nottinghamshire Mineral Local Plan.	Support noted	None	N/a
4848	DE1	The County Council notes that Policy 1 of the adopted Nottingham Aligned Core Strategy makes reference to the minimisation of waste, however, further consideration in the detailed development management policies in this Part 2 document may also be beneficial.	Policy 1: Climate Change at criteria 2a) states that Development, including refurbishment where it requires planning permission,	Changes made to Policy DE1, to include “i) whether the development would accord with the principles of	N/a

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map (including appendices/ development principles/glossary)	List of other docs
			<p>will be expected to take account of the following</p> <p>a) How it makes effective use of sustainably sourced resources and materials, minimises waste , and water use.</p> <p>In addition, Policy DE1: Building Design and Use incorporates element of the issues raised by County but it is agreed that this could usefully be extended with a new criteria and justification text with a sight amendment to criteria i)</p>	<p>sustainability in design, including renewable resources, recycling, accessibility and efficiency of use and appropriate techniques to minimise the impact of surface water discharges.”</p> <p>And add new criteria to;</p> <p>“j) <u>whether the development is designed, constructed and implemented to minimise the creation of waste, maximise the use of recycled materials, and assist the collection, separation, sorting, recycling and recovery of waste arising from the development.</u>”</p>	

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map (including appendices/ development principles/glossary)	List of other docs
				<p>Also new para added after 4.77 to read;</p> <p><u>“Development should make sufficient provision for waste management and promote good design to secure the integration of waste management facilities with the rest of the development. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service. Through</u></p>	

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map (including appendices/ development principles/glossary)	List of other docs
				<u>development, provision should be made for the handling of waste arising from construction and to ensure that the operation of development maximises reuse/ recovery opportunities, and minimises off-site disposal.”</u>	
4849	SH4	The County Council suggests amended wording to Policy SH4 to incorporate landscape and visual impacts.	It is considered that this issue is adequately addressed in Policy DE1: Building Design and Use for a mainly urban environment.	None	N/a
4850	RE6	The County Council suggests amended wording to Policy RE6 to add reference to links to existing open space/green infrastructure	The Development Principles for PA54 refers to enhancement to open space and green infrastructure but it is agreed that the suggested change would be useful within	Amend text to read: h) “qualitative improvements to on site open space provision <u>and links to existing open space/green</u>	N/a

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map (including appendices/ development principles/glossary)	List of other docs
			the policy as well	infrastructure”	
4851	RE7	The County Council suggests amended wording to Policy RE7 to add reference to links to existing open space/green infrastructure	The Development Principles for PA11 refers to enhancement to open space and green infrastructure but it is agreed that the suggested change would be useful within the policy as well	Amend text to read: “i) creation of new green space within the development <u>and links to existing open space/green infrastructure.</u> ”	N/a
4852	DE1	The County Council refers to Policy DE1 and in particular reference to the Landscape Character Assessment at paragraph 4.75. They consider that the reference should be more specific.	It is considered that both policies DE1 and DE2 along with the justification text at para 4.75 and with reference to the Landscape Character Assessment in each Development Principle with landscape issues, is sufficient.	None	N/a
4853	DE1	The County Council refers to Policy 10 of the Core Strategy (Design and Enhancing Local Identity) in particular the justification text criteria which states that criteria will be set out in Part 2 Local Plans to assess the impact of development proposals on the landscape.	It is considered that both policies DE1 and DE2 along with the justification text at para 4.75 and with reference to the Landscape Character	None	N/a

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map (including appendices/ development principles/glossary)	List of other docs
			Assessment in each Development Principle with landscape issues, is sufficient.		
4854	DE2	The County Council considers that additional text should be added to Policy DE2 “provide new green space, enhance existing and provide links to adjacent green space/GI corridors”.	<p>It is considered criteria g) is sufficient to maximise the benefit of topography ... watercourses, landscape, wildlife, biodiversity and other natural features.</p> <p>However justification text of EN2 is considered a more appropriate place to reflect these comments.</p>	<p>Amend para 5.19 of justification text of Policy EN2</p> <p>“In circumstances where the location and physical characteristics of the site and the surrounding area preclude or restrict the creation of new publicly accessible or other open space, the City Council will negotiate a contribution from the developer to enhance existing local open space, <u>provide links to adjacent or nearby open space</u>, or improve access, in accordance with the</p>	N/a

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map (including appendices/ development principles/glossary)	List of other docs
				City Council's planning guidance relating to open space in new development."	
4855	DE2	The County Council considers that additional text should be added to Policy DE2 "ensure that where new development is on the urban edge, proposals should take account of the recommended actions for the relevant policy zone within the Greater Nottingham Landscape Character Assessment (2009)".	It is considered the justification text for Policy DE1 at para 4.75 would be a more appropriate location to capture the issue raised.	Add additional text to para 4.75 : "Where this is the case, the design and layout should have regard to the <u>relevant policy zone within the Greater Nottingham Landscape Character Assessment and where appropriate a Landscape and Visual Impact Assessment, of an appropriate level to the proposed development should be provided.</u> "	N/a
4856	DE2	The County Council considers that additional text should be added to Policy DE2 "provide a landscape and visual impact assessment, of an appropriate level to the proposed development, which will inform mitigation required to reduce those impacts".	It is considered that both policies DE1 and DE2 along with the justification at para 4.75 and with reference to the	Additional text added to para 4.75 of DE1: "Where this is the case, the design and layout should have	N/a

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map (including appendices/ development principles/glossary)	List of other docs
			Landscape Character Assessment in each Development Principle with landscape issues, is general sufficient. However, reference to the potential need for a Landscape and Visual Impact Assessment, of an appropriate level to the proposed development” is worthwhile and added to the justification text of DE1 at para 4.75.	regard to the <u>relevant policy zone within the Greater Nottingham Landscape Character Assessment and where appropriate a Landscape and Visual Impact Assessment, of an appropriate level to the proposed development should be provided.</u>	
4857	TR3	The County Council suggests additional justification text (4.215) to Policy TR3 “the Council will work with partners (eg. Sustrans/Nottinghamshire County Council) to provide continuity across boundaries and safeguard the potential of future routes against piecemeal development.”	Additional text is useful and has been added to justification text of Policy TR3	New para 4.214a added to justification text of Policy TR3 “ <u>The Council will work with partners (eg. Sustrans/ Nottinghamshire County Council) to provide continuity across boundaries and safeguard the potential of future</u>	

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map (including appendices/ development principles/glossary)	List of other docs
				<u>routes against piecemeal development.</u> "	
4858	MI2	The County Council suggests additional justification text to Policy MI2 "paragraph 5.69 could be added "Recommended landscape actions for the relevant policy zone should be implemented where appropriate. Native species should be used in restoration as recommended in the species list for that character area."	Agree the additional text is useful and has been added to the justification text.	Additional text added to the end of para 5.69 of Policy MI2 " <u>Recommended landscape actions for the relevant policy zone should be implemented where appropriate. Native species should be used in restoration as recommended in the species list for that character area.</u> "	

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map	List of other docs * which need to be updated/changed
5083	PA86	No comments in relation to Ecology	Noted	N/A	N/A
5084	PA86	It should also be noted that this is a like for like replacement of employment land which should generate	Noted. It is considered that proposed developments should be subject to Transport Assessment. Development Principles for the site have been amended to require such	Development Principles	Site Assessment Background Paper Addendum.

		similar amounts of traffic. No strategic transport planning observations to make.	submission. The Site Assessment Background paper addendum makes reference to A52, which is part of the strategic road network, included in the site assessment and need for Transport Assessment added.		
5085	PA86	The canal to the west is a designated BioSINC. There is a substantial buffer of vegetation to the western boundary of the site – this should be retained and enhanced. A policy/allocation for the site should include the following: * Proposals should retain and enhance the areas of vegetation adjacent to the Beeston Canal	Agree that the development principles text relating to the western boundary be amended. Considered appropriate to direct that Development proposals should seek to retain and enhance this wildlife corridor. These changes have been made as set out in changes column. The site assessment has been updated to include importance of LWS and canal corridor	The development principles have been amended, now stating that: Careful treatment is also required at boundaries adjacent to the local wildlife site and canal to the west of the site, which provide opportunities to enhance biodiversity and habitats. Development proposals should seek to retain and enhance this wildlife corridor.	Site Assessment Background Paper Addendum
5086	PA86	The design and layout of the site should minimise the visual impact of the development – Particularly views from	The development principles set out that the site is highly visible from views from the south and east, and therefore careful design would be required to address these long views. It is not considered	N/A	Site Assessment Background Paper Addendum

		the south. The building should be set back from Thane Road with more substantial tree planting to reduce visual impact.	appropriate to prescribe details such as tree planting, which would be better considered within the development management process in response to specific proposals. Opportunities to reduce visual impact noted in site assessment		
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3737 Notts County Council (Osborne-James S)

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map	List of other docs
4207	RE8: Waterside	Nottinghamshire County Council acknowledges the wider development aspirations for the Waterside area however is concerned that this is potentially in conflict with Policy WCS10 of the adopted Nottinghamshire and Nottingham Replacement Waste Local Plan Part 1: Waste Core Strategy (adopted December 2013). WCS10 seeks to safeguard existing waste management facilities from neighbouring uses which	The comprehensive regeneration of the Waterside area is a long held ambition of the City Council, which will result in new sustainable community focussed on and making the most of the waterside location, with strong links to the City Centre and surrounding communities of Sneinton and the Meadows. The aspirations for the Waterside are now beginning to be realised with residential development at Trent Basin under construction (with further phases planned) and planning permission granted for residential development at Meadow Lane and	Additional text added to Policy RE8 criteria a); a) provision of new housing, particularly in the southern part of the area, that exploits the riverside and canal frontages, including family housing and other forms of innovative residential accommodation formats (which may include custom build), delivered as part of mixed use schemes, where this is compatible with and	N/a

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map	List of other docs
		<p>may limit or prevent their continued operation or expansion which reflects national policy in the National Planning Policy for Waste (October 2014). The Council points out that there are well established waste management facilities in the Waterside Area within PA82 and PA83 which could be displaced by policies and allocations in the LAPP.</p> <p>The Council therefore asks that further consideration is given to the detailed wording of Policy RE8, or to consider how appropriate replacement provision could be provided for these facilities.</p>	<p>Park Yacht Club complementing the earlier development at Riverside Crescent.</p> <p>Both PA82: Freeth Street and PA83: Daleside Road, Trent Lane Basin are long standing allocations, first mooted in the Waterside Regeneration Planning Guidance (2001), Trent Lane Development Brief (2002) and subsequently adopted in the Nottingham Local Plan (2005) including allocations MU7.5 Freeth Street and MU7.2 Trent Lane Basin which are saved policies as set out in the Aligned Core Strategy Appendix E. The proposals for the Waterside area are also embedded in the Aligned Core Strategy Policy 7 (adopted 2014).</p> <p>The site occupied by Viola in particular is critical in the implementation of the Waterside as it fronts on to the River Trent and is therefore required to achieve the continuous riverside path (a key part of the regeneration aspirations) as well as the comprehensive redevelopment of the wider Waterside area.</p> <p>Notwithstanding the above, development proposals will need to</p>	<p>does not prejudice the activities of nearby uses. <u>Prior to the relocation of uses incompatible with the regeneration aims of the Waterside, residential development or other sensitive uses shall include mitigation where this is required to avoid adverse impacts on new occupiers and existing businesses;</u></p> <p>Two additional paragraphs also added to the justification text for RE8.</p> <p><u>“3.189a The Nottingham Core Strategy identifies the Waterside as a priority for regeneration. However, there are a number of existing businesses in Waterside which may not be compatible with the long term regeneration aspirations for the area, in particular, the presence of existing waste management facilities and Policy WCS10 of the Nottinghamshire and Nottingham Waste Core Strategy seeks to safeguard the operation of waste</u></p>	

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map	List of other docs
			<p>have regard to the need to relocate existing businesses and sensitive phasing proposals, which will be set out in a new SPD for the area, which is anticipated to be published for consultation shortly</p> <p>In recognition of the presence of established businesses in the area, it is suggested that Policy RE8 including justification text is proposed to be amended to set out that development proposals will be expected to have regard to the need to relocate existing businesses where necessary and to minimise disruption through sensitive development phasing. Similar wording also added to the justification text of Policy PA82 and PA83.</p>	<p><u>management facilities.</u></p> <p><u>3.189b Residential or other sensitive development in close proximity to these existing facilities is unlikely to achieve a satisfactory environment or be compatible with existing operations. Therefore, in order to deliver the planned comprehensive and sustainable regeneration of the area it may be necessary for development proposals to make provision for the timely relocation of existing facilities with development proposals sensitively phased with regard to operational needs, and relocation undertaken in a manner which minimises disruption to both the proposed development and existing facilities. Prior to relocation of these facilities, residential proposals (or other appropriate uses as set out in the Development Principles) may need to make provision for interim stand offs, buffers to active operations, or the incorporation of other forms of</u></p>	

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map	List of other docs
				<p><u>mitigation such as screening or landscaping strips, as well as careful layout to protect both the amenity of new occupiers and existing business operations.</u></p> <p>In addition, criteria b) of Policy DE1 has also been amended to read;</p> <p>whether a satisfactory level of amenity would be provided for occupiers of the development and/or occupiers of neighbouring properties. In assessing this, consideration will be given to issues such as privacy, daylight, sunlight, outlook, scale/massing, security, noise, vibration, <u>odour, dust,</u> and nuisance;</p> <p>Additional text added to Development Principles for both PA82 and PA83;</p> <p><u>“Development proposals will be expected to have regard to the need to relocate existing businesses where necessary and to minimise disruption through sensitive development phasing.”</u></p>	

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map	List of other docs
4937	PA82 Freeth Street	<p>Nottinghamshire County Council acknowledges the wider development aspirations for the Waterside area however is concerned that this is potentially in conflict with Policy WCS10 of the adopted Nottinghamshire and Nottingham Replacement Waste Local Plan Part 1: Waste Core Strategy (adopted December 2013). WCS10 seeks to safeguard existing waste management facilities from neighbouring uses which may limit or prevent their continued operation or expansion which reflects national policy in the National Planning Policy for Waste (October 2014). The Council points out that there are well established waste management facilities in the Waterside Area within PA82 and PA83 which could be displaced by policies and allocations in the LAPP. The Council therefore asks that further consideration is given to the detailed wording of</p>	<p>The comprehensive regeneration of the Waterside area is a long held ambition of the City Council, which will result in new sustainable community focussed on and making the most of the waterside location, with strong links to the City Centre and surrounding communities of Sneinton and the Meadows. The aspirations for the Waterside are now beginning to be realised with residential development at Trent Basin under construction (with further phases planned) and planning permission granted for residential development at Meadow Lane and Park Yacht Club complementing the earlier development at Riverside Crescent.</p> <p>Both PA82: Freeth Street and PA83: Daleside Road, Trent Lane Basin are long standing allocations, first mooted in the Waterside Regeneration Planning Guidance (2001), Trent Lane Development Brief (2002) and subsequently adopted in the Nottingham Local Plan (2005) including allocations MU7.5 Freeth Street and MU7.2 Trent Lane Basin which are saved policies as set out in the Aligned Core Strategy Appendix E.</p>	<p>Additional text added to Policy RE8 criteria a);</p> <p>b) provision of new housing, particularly in the southern part of the area, that exploits the riverside and canal frontages, including family housing and other forms of innovative residential accommodation formats (which may include custom build), delivered as part of mixed use schemes, where this is compatible with and does not prejudice the activities of nearby uses. <u>Prior to the relocation of uses incompatible with the regeneration aims of the Waterside, residential development or other sensitive uses shall include mitigation where this is required to avoid adverse impacts on new occupiers and existing businesses;</u></p> <p>Two additional paragraphs also added to the justification text for RE8.</p>	N/a

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map	List of other docs
		<p>Policy PA82, or to consider how appropriate replacement provision could be provided for these facilities.</p>	<p>The proposals for the Waterside area are also embedded in the Aligned Core Strategy Policy 7 (adopted 2014). The site occupied by Viola in particular is critical in the implementation of the Waterside as it fronts on to the River Trent and is therefore required to achieve the continuous riverside path (a key part of the regeneration aspirations) as well as the comprehensive redevelopment of the wider Waterside area. Notwithstanding the above, development proposals will need to have regard to the need to relocate existing businesses and sensitive phasing proposals, which will be set out in a new SPD for the area, which is anticipated to be published for consultation shortly</p> <p>In recognition of the presence of established businesses in the area, it is suggested that Policy RE8 including justification text is proposed to be amended to set out that development proposals will be expected to have regard to the need to relocate existing businesses where necessary and to minimise disruption through sensitive</p>	<p><u>“3.189a The Nottingham Core Strategy identifies the Waterside as a priority for regeneration. However, there are a number of existing businesses in Waterside which may not be compatible with the long term regeneration aspirations for the area, in particular, the presence of existing waste management facilities and Policy WCS10 of the Nottinghamshire and Nottingham Waste Core Strategy seeks to safeguard the operation of waste management facilities.</u></p> <p><u>3.189b Residential or other sensitive development in close proximity to these existing facilities is unlikely to achieve a satisfactory environment or be compatible with existing operations. Therefore, in order to deliver the planned comprehensive and sustainable regeneration of the area it may be necessary for development proposals to make provision for the timely relocation of existing facilities with development</u></p>	

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map	List of other docs
			<p>development phasing. Similar wording also added to the justification text of Policy PA82 and PA83.</p>	<p><u>proposals sensitively phased with regard to operational needs, and relocation undertaken in a manner which minimises disruption to both the proposed development and existing facilities. Prior to relocation of these facilities, residential proposals (or other appropriate uses as set out in the Development Principles) may need to make provision for interim stand offs, buffers to active operations, or the incorporation of other forms of mitigation such as screening or landscaping strips, as well as careful layout to protect both the amenity of new occupiers and existing business operations.”</u></p> <p>In addition, criteria b) of Policy DE1 has also been amended to read;</p> <p>whether a satisfactory level of amenity would be provided for occupiers of the development and/or occupiers of neighbouring properties. In assessing this, consideration will be given to</p>	

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map	List of other docs
				<p>issues such as privacy, daylight, sunlight, outlook, scale/massing, security, noise, vibration, <u>odour</u> and nuisance;</p> <p>Additional text added to Development Principles for both PA82 and PA83;</p> <p><u>“Development proposals will be expected to have regard to the need to relocate existing businesses where necessary and to minimise disruption through sensitive development phasing.”</u></p>	
4938	PA83: Daleside Road	Nottinghamshire County Council acknowledges the wider development aspirations for the Waterside area however is concerned that this is potentially in conflict with Policy WCS10 of the adopted Nottinghamshire and Nottingham Replacement Waste Local Plan Part 1: Waste Core Strategy (adopted December 2013). WCS10 seeks to safeguard existing waste management facilities from neighbouring uses which may limit or prevent their	The comprehensive regeneration of the Waterside area is a long held ambition of the City Council, which will result in new sustainable community focussed on and making the most of the waterside location, with strong links to the City Centre and surrounding communities of Sneinton and the Meadows. The aspirations for the Waterside are now beginning to be realised with residential development at Trent Basin under construction (with further phases planned) and planning permission granted for residential development at Meadow Lane and Park Yacht Club complementing the	<p>Additional text added to Policy RE8 criteria a);</p> <p>c) provision of new housing, particularly in the southern part of the area, that exploits the riverside and canal frontages, including family housing and other forms of innovative residential accommodation formats (which may include custom build), delivered as part of mixed use schemes, where this is compatible with and does not prejudice the</p>	N/a

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map	List of other docs
		<p>continued operation or expansion which reflects national policy in the National Planning Policy for Waste (October 2014). The Council points out that there are well established waste management facilities in the Waterside Area within PA82 and PA83 which could be displaced by policies and allocations in the LAPP. The Council therefore asks that further consideration is given to the detailed wording of Policy PA83, or to consider how appropriate replacement provision could be provided for these facilities.</p>	<p>earlier development at Riverside Crescent.</p> <p>Both PA82: Freeth Street and PA83: Daleside Road, Trent Lane Basin are long standing allocations, first mooted in the Waterside Regeneration Planning Guidance (2001), Trent Lane Development Brief (2002) and subsequently adopted in the Nottingham Local Plan (2005) including allocations MU7.5 Freeth Street and MU7.2 Trent Lane Basin which are saved policies as set out in the Aligned Core Strategy Appendix E. The proposals for the Waterside area are also embedded in the Aligned Core Strategy Policy 7 (adopted 2014).</p> <p>The site occupied by Viola in particular is critical in the implementation of the Waterside as it fronts on to the River Trent and is therefore required to achieve the continuous riverside path (a key part of the regeneration aspirations) as well as the comprehensive redevelopment of the wider Waterside area.</p> <p>Notwithstanding the above, development proposals will need to have regard to the need to relocate</p>	<p>activities of nearby uses. <u>Prior to the relocation of uses incompatible with the regeneration aims of the Waterside, residential development or other sensitive uses shall include mitigation where this is required to avoid adverse impacts on new occupiers and existing businesses;</u></p> <p>Two additional paragraphs also added to the justification text for RE8.</p> <p><u>“3.189a The Nottingham Core Strategy identifies the Waterside as a priority for regeneration. However, there are a number of existing businesses in Waterside which may not be compatible with the long term regeneration aspirations for the area, in particular, the presence of existing waste management facilities and Policy WCS10 of the Nottinghamshire and Nottingham Waste Core Strategy seeks to safeguard the operation of waste management facilities.</u></p>	

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map	List of other docs
			<p>existing businesses and sensitive phasing proposals, which will be set out in a new SPD for the area, which is anticipated to be published for consultation shortly</p> <p>In recognition of the presence of established businesses in the area, it is suggested that Policy RE8 including justification text is proposed to be amended to set out that development proposals will be expected to have regard to the need to relocate existing businesses where necessary and to minimise disruption through sensitive development phasing. Similar wording also added to the justification text of Policy PA82 and PA83.</p>	<p><u>3.189b Residential or other sensitive development in close proximity to these existing facilities is unlikely to achieve a satisfactory environment or be compatible with existing operations. Therefore, in order to deliver the planned comprehensive and sustainable regeneration of the area it may be necessary for development proposals to make provision for the timely relocation of existing facilities with development proposals sensitively phased with regard to operational needs, and relocation undertaken in a manner which minimises disruption to both the proposed development and existing facilities. Prior to relocation of these facilities, residential proposals (or other appropriate uses as set out in the Development Principles) may need to make provision for interim stand offs, buffers to active operations, or the incorporation of other forms of mitigation such as screening or</u></p>	

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map	List of other docs
				<p><u>landscaping strips, as well as careful layout to protect both the amenity of new occupiers and existing business operations.</u></p> <p>In addition, criteria b) of Policy DE1 has also been amended to read;</p> <p>whether a satisfactory level of amenity would be provided for occupiers of the development and/or occupiers of neighbouring properties. In assessing this, consideration will be given to issues such as privacy, daylight, sunlight, outlook, scale/massing, security, noise, vibration, <u>odour</u> and nuisance;</p> <p>Additional text added to Development Principles for both PA82 and PA83;</p> <p><u>“Development proposals will be expected to have regard to the need to relocate existing businesses where necessary and to minimise disruption through sensitive development phasing.”</u></p>	

Appendix 1 (b)

Nottinghamshire County Council (Revised Publication)

3737 Nottinghamshire County Council (Wilson)

Rep No.	Code	Summary	LA Summary Response	Proposed Changes to text or Policies Map (including appendices/ development principles/glossary)	List of other docs * which need to be updated/changed
5143	PC066 (RE8)	The County Council supports the changes made to Policy RE8: Waterside	Support noted	NA	NA
5144	PC069 (RE8)	The County Council supports the changes made to Policy RE8: Waterside justification text	Support noted	NA	NA
5145	PC093 (DE1)	The County Council acknowledges the changes made to Policy RE8: Waterside justification text	Comments noted		
5146	PC095 (DE1)	The County Council acknowledges the additions to policy DE1 in respect of the inclusion of point j) regarding the minimising of the creation of waste arising from development.	Comments noted	NA	NA
5147	PC129 (TR1)	The County Council supports the policy intent	Support noted	NA	NA
5148	PC129 (TR1)	The County Council seeks further amendments to the criteria d) to refer to possible adverse impacts in the neighbouring County areas.	Agree.	Amend Policy TR1 5 (d) to read: whether traffic generated by the proposed development would be prejudicial to conditions of highway safety or detrimental to the character and appearance of Conservation Areas or other sensitive areas of in or	NA

				immediately adjoining the City, particularly for the reasons set out in Policy DE1;	
5149	PC255 (PA82)	The County Council supports the additional text in the Development Principles for site allocation PA82 Waterside - Freeth Street	Support noted	NA	NA
5151	PC257 (PA82)	The County Council supports the additional text in the Development Principles for site allocation PA83 Waterside - Daleside Road, Trent Lane Basin	Support noted	NA	NA

Appendix 2 Ashfield District Council

Appendix 2 (a) Ashfield District Council (Publication)

2989 Ashfield District Council

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map (including appendices/ development principles/glossary)	List of other docs * which need to be updated/changed
4160	GB	Support continued Green Belt protection of area between Ashfield administrative boundary and Bulwell.	Noted.	N/A	N/A
4323	All	Support level of housing provision, in line with objectively assessed need.	Noted	N/A	N/A
4324	All	Note that land to be allocated in Ashfield will have implications for highways infrastructure, particularly at Moor Bridge.	Noted	N/A	N/A

Appendix 2 (b) Ashfield District Council (Revised Publication)

2989 Ashfield District Council (Oxby)

Rep No.	Code	Summary	LA Summary Response	Proposed Changes to text or Policies Map (including appendices/ development principles/glossary)	List of other docs * which need to be updated/changed
5346		Ashfield District Council notes that the Revised Publication version of the LAPP sets out revised figure reflecting the evidence in the Employment Land Forecasting Study, 2015, together with the Employment Land and the Economy Background Paper, 2015. The	Support noted.	N/A	N/A

	<p>following targets are identified in the Local Plan Part 2 of Offices around 253,000 sqm and Industry/warehousing 25 hectares. Ashfield District Council confirms that at its Examination Hearings that Hucknall, within Ashfield, will contribute 10 ha of employment land (industrial/warehousing) towards Nottingham City requirements.</p>			
5347	<p>Ashfield, including Hucknall, is identified as being within the Nottingham Outer HMA in the Glossary but the evidence base identifies that there are strong links between Hucknall and the City of Nottingham. Under these circumstances the Glossary should be amended to reflect the authorities forming the Nottingham Core HMA but identifying Hucknall's strong links to the Nottingham Core HMA.</p>	<p>It is agreed to amend the definition.</p>	<p>Glossary definition changed: Housing Market Area (HMA) – The area covered by the Aligned Core Strategy. The area includes the whole council areas of Broxtowe, Erewash, Gedling, Nottingham City and Rushcliffe, together with the Hucknall part of Ashfield. to: Housing Market Area (HMA) – Geographical area defined by household demand and preferences for housing. They reflect the key functional linkages between places where people live and work. For Greater Nottingham the area is covered by the individual Aligned Core Strategies for the whole council areas of Broxtowe, Erewash, Gedling, Nottingham City and Rushcliffe and is known as the Nottingham Core HMA. The Hucknall part of Ashfield has strong links to the Nottingham Core HMA but falls within the Nottingham Outer Housing Market Area.</p>	N/A

Appendix 3 Broxtowe Borough Council

Appendix 3 (a) Broxtowe Borough Council (Publication)

0259 Broxtowe Borough Council

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map (including appendices/ development principles/glossary)	List of other docs * which need to be updated/changed
4144	All	No objections to soundness or legal compliance.	Noted.	N/A	N/A
4306	All	Proposals meet the housing and employment requirements of the Core Strategy.	Noted.	N/A	N/A
4307	PA54	Proposals for Boots site are consistent with those in the Broxtowe part of the site.	Noted.	N/A	N/A
4308	All	HS2 Safeguarding noted	Noted.	N/A	N/A
4309	All	Approach to Gypsy and Traveller provision is noted, with no objection to lack of specific site provision.	Noted.	N/A	N/A
4310	All	The sites located close to the Broxtowe borough boundary are noted, and are not anticipated to adversely impact on Broxtowe.	Noted.	N/A	N/A

Appendix 3 (b) Broxtowe Borough Council (Revised Publication)

Rep No.	Code	Summary	LA Summary Response	Proposed Changes to text or Policies Map (including appendices/ development principles/glossary)	List of other docs * which need to be updated/changed
5186	All	Broxtowe Borough Council have no objections to the	Comments noted –	NA	NA

		soundness or legal compliance of the plan, nor regarding compliance with duty to co-operate.	no objections.		
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Appendix 4 Gedling Borough Council

Appendix 4 Gedling Borough Council

2452 Gedling Borough Council (Foster G)

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map	List of other docs * which need to be updated/changed
5066	PA86	The policy principles are strongly supported. This proposed policy approach is consistent with the NPPF and the Aligned Core Strategy Policy	Support noted	N/A	N/A
5067	PA86	Redevelopment on this partly operational site is likely to bring significant economic benefits for local communities.	Comments noted	N/A	N/A
5068	PA86	The employment land supply both at the HMA level and in Nottingham City is "tight". Therefore important to protect good employment sites otherwise economic activity may be lost or need to be replaced elsewhere.	Comments noted	N/A	N/A

Appendix 5 Environment Agency

Appendix 5 (a) Environment Agency (Publication)

1540 Environment Agency (Pitts A)

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map (including appendices/ development principles/glossary)	List of other docs * which need to be updated/changed
4535	Whole	EA considers the plan legally compliant and sound	Noted	N/A	N/A
4071	Whole	Site Assessment report. EA considers the plan has been positively prepared to address water related environmental factors using credible evidence base. Site assessment and background paper documents are open, transparent robust and consistent with national policy in respect of flood risk to site allocations.	Noted	N/A	N/A
4076	PA04	Site PA04 Linby Street/Filey Street. EA Concern at possible flood risk is still relevant, however EA supports appropriate approach taken by NCC in considering best future options for this strategic site.	Support noted	N/A	N/A
4077	PA18	Strategically important site from flood risk perspective. Development of which could proactively contribute towards improving flood risk in the Day Brook catchment. The future development of this site is deemed an important aspect towards (improving flood risk)	Noted	N/A	N/A

4078	PA27	Site PA27 Wilkinson Street former PZ Cussons. Site is interlinked with bobbers mill sites (PA29 & 30) relating to flood risk. Complex flood risk issues and support and welcome that NCC will investigate future options on these sites.	Support noted	N/A	N/A
4079	PA29	Site PA29 Bobbers Mill Bridge. Site is interlinked with bobbers mill site (PA30) & PA27 (former Cussons site) relating to flood risk. Complex flood risk issues and support and welcome that NCC will investigate future options on these sites.	Support noted	N/A	N/A
4080	PA30	Site PA30 Bobbers Mill Bridge – Bobbers mill industrial estate. Site is interlinked with bobbers mill site (PA29) & PA27 (former Cussons site) relating to flood risk. Complex flood risk issues and support and welcome that NCC will investigate future options on these sites.	Support noted	N/A	N/A

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map	List of other docs * which need to be updated/changed
5059	PA86	The site is shown to lie in an area of flood risk from of the River Trent (flood zone 2). The flood risk sequential test will need to be undertaken in accordance with Policy 1 of the Aligned Core Strategy. A site specific flood risk assessment that focuses on flood risk reduction (on and off site) and makes provision for the sustainable management of surface water using SUDS techniques is required. The site is a beneficiary of the River Trent flood defences and future	Development principles require a site specific flood risk assessment. The addendum to the Site Assessments background paper identifies that a site assessment and sequential test has	N/A	Site assessments background paper addendum

		contributions to their long term maintenance will be a consideration.	been prepared in line with the methodology set out in the Publication Version Site Assessment Background Paper.		
5060	IN2	The site is located directly over a former landfill site known as Lenton Lane Tip - household and industrial wastes were known to have been deposited at the site. Extensive gas protection/extraction measures have been installed and within the current buildings constructed on the site. Redevelopment of site will need to take into account the presence of the underlying landfill and any pollution that may have occurred from the historic tobacco operations.	Comments noted. Known possible contamination issues are identified within the addendum to the Site Assessments background paper. Contamination issues would be addressed through the Development Management process as development proposals come forward.	N/A	N/A
5061	IN2	The site is located within source protection zone 3 and is underlain by aquifer, where groundwater is sensitive to pollution. The submission of an environmental assessment that considers the impacts on groundwater and to human health will be required prior to any development commencing on the site.	The addendum for the Site assessment Background Paper identifies that the submission on an environmental assessment that considers the impacts on groundwater and to	N/A	N/A

			human health will be required prior to any development commencing on the site.		
5062	IN2	The redevelopment of this brownfield sites is encouraged as it provides an opportunity to manage areas of contamination that would otherwise continue to present a risk to our environment, controlled waters and human health.	Support noted	N/A	N/A
5063	Gen	Recommend that developers should: 1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination 2. Refer to the Environment Agency Guiding principles for land contamination for the type of information that is required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health. 3. Refer to the contaminated land pages on GOV.UK for more information	Comments noted	N/A	N/A

Appendix 5 (b) Environment Agency (Revised Publication)

1540 Environment Agency

Rep No.	Code	Summary	LA Summary Response	Proposed Changes to text or Policies Map (including appendices/ development principles/glossary)	List of other docs * which need to be updated/changed
5237	CC3	The EA support the suggested amended wording to Policy CC3 – Water.	Support noted	Policy CC3 amended to read: 8. <u>Where development in areas of flood risk is considered acceptable, it will only be considered appropriate when informed by an acceptable site specific flood risk assessment, following the Sequential Test and if required, the Exception Test.</u> 9. <u>Any development of sites within the functional floodplain of the River Leen and Day Brook will be required to compensate for the loss of floodplain on a level for level basis.</u>	NA

			<p><u>be resistant and resilient to flooding through design and layout, and commit to provide onsite flood defence works and/or contribute towards off site schemes which reduce the risk of flooding to the site and/or third parties.</u></p> <p>Sentence added to para 3.24 amended to read: <u>For all sites greater than 1 hectare a site specific FRA focusing on sustainable surface water management is required. Guidance on the level of detail required.....</u></p> <p>Sentence added to end of Para 3.30: <u>elsewhere. When a site does not benefit from formal flood defences any development or raising of land levels within the floodplain</u></p>	
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				<u>will need to be compensated for by the lowering of an equivalent area and volume of land outside, but adjacent to the floodplain.</u>	
5238		EA provide an Appendix providing detailed comments on specific sites to inform the evidence base.	Noted. Comments will be incorporated into Site Assessment Background Paper and site development principles.	Development Principles updated:- PA1, PA4, PA11, PA18, PA23, PA27, PA29, PA30, PA43, PA46, PA47, PA49, PA50, PA52, PA53, PA54, PA55, PA56, PA59, PA69, PA71, PA72, PA77, PA78, PA79, PA81, PA82, PA83 and PA85.	Site Assessment Background Paper.
5239	EN5	Support Revised policy EN5.	Support noted.	N/A	N/A
5240	EN6	Support Revised policy EN5.	Support noted.	N/A	N/A

Appendix 6 Historic England

Appendix 6 (a) Historic England (Publication)

0311 Historic England

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map (including appendices/ development principles/glossary)	List of other docs * which need to be updated/changed
4145	General	Many positive changes in the plan noted and welcomed.	Support noted	N/A	N/A
4492	HE1	Nottingham Heritage Strategy now adopted. Would like to see positive messages about historic environment objectives reflected in the plan.	Paragraph 4.121 of the plan draws attention to the Heritage Strategy and other relevant studies. No further addition considered necessary.	N/A	N/A
4493	HE2	Evolution of policy on caves noted and welcomed.	Support noted	N/A	N/A
4494	HE1	Some allocations could result in harm to heritage assets owing to absence of appropriate protection in development principles. This should be avoided by a general presumption against demolition of buildings contributing to significance of conservation area, subject to NPPF caveats.	Noted. It is considered that the provisions within the NPPF provided sufficient protection.	N/A	N/A
4495	HE1	NPPG has been revised since	Development Principles for	N/A	N/A

		previous iteration of plan. Ref 'In developing their strategy, LA's should identify specific opportunities for conservation and enhancement of heritage assets. This could include, where appropriate, the delivery of development that will make a contribution to, or better reveal the significance of, the heritage asset.'	individual sites identify issues/opportunities relating to Heritage assets, whilst the current iteration of the plan is in conformity with National guidance and takes account of the Nottingham Heritage Strategy (2015-2030)		
4496	HE1	Heritage strategy emphasises the identification locally of heritage assets at risk to capitalise on underused/appreciated heritage assets to deliver economic development.	Paragraph 4.121 of the plan draws attention to the Heritage Strategy and other relevant studies. No further addition considered necessary.	N/A	N/A
4497	EE3	Policy EE3 should be caveated to take Historic Environment into consideration.	It is not considered necessary to include specific provision within EE3 concerning Heritage issues. All policies should be read in conjunction with the Local Plan Part 1, and Heritage issues are addressed elsewhere in the plan.	N/A	N/A
4498	SH8	SH8 should include caveat preserving/enhancing Sneinton Market	Disagree. All policies should be read in conjunction with the Local Plan Part 1, and Heritage issues are addressed elsewhere in the plan.	N/A	N/A

4499	HE1	Policy HE1 welcome amended policy	Support noted	N/A	N/A
4500	HE2	Policy HE2 is warmly welcomed	Support noted	N/A	N/A
4501	PA28	Site PA28 Ransom Road. Question this allocation for housing. Note reference to development brief.	Noted. The site is in a sensitive location and the density of housing would be considered at the Development Management stage as proposals come forward.	N/A	N/A
4502	PA33	Site PA33 Chalfont Drive. Reference to 'historic building' noted. Worthwhile to specify its grade II listed status.	Agreed	Reference to 'Grade II listed building' added to description within development principles for the site	N/A
4503	PA41	Site PA41 Alfreton Road, Forest Mill. Consideration should be given to removal of the site from the conservation area (due to loss of significance) following recent demolition of mill. Development of site would still affect setting of CA.	Disagree. The site continues to have a relationship with the setting of the Conservation Area and new development would offer the opportunity to make a positive contribution to local character and distinctiveness, in accordance with the NPPF.	N/A	N/A
4504	PA53	Site PA53 Electric Avenue. Advise that development principles should refer to need to take account of the setting of grade II listed Church of St Wilfrid, Wilford.	Development principles set out that proposals should have regard to heritage assets located on the east bank of the River Trent.	N/A	N/A
4505	PA54	Site PA54 Boots. The layout of	Noted. Description not	N/A	N/A

		the 'campus' should be more specifically described as a 'grid'. A development brief, informed by conservation would be beneficial.	considered fundamental to soundness of plan. Planning permission for mixed use development has been granted therefore not appropriate to produce a development brief.		
4506	PA57	Site PA57 Clifton West. Concern remains about harm resulting from this allocation. Disagree with findings of the Sustainability Appraisal, which accords only moderate negative impacts. Position of grade I listed Clifton Hall is core to its significance. Development of the site could harm the setting.	Allocation of this site is required to help to meet the Council's objectively assessed housing need. The site is considered suitable for residential development and has been subject to a Site Assessment, Sustainability Appraisal and consultation with statutory bodies. Development principles for the site set out constraints, including references to heritage assets.	N/A	N/A
4507	PA64	Site PA64 Sneinton Market. Development principles should require retention of the early C20 Sneinton Market buildings. Their loss would be unthinkable. Certainty from retention would address issues.	Not considered necessary to require retention of buildings. Development principles for the site require that proposals should be sensitively designed to preserve and enhance heritage assets. However, it is considered appropriate to amend Development Principles to clarify that development	Development Principles amended to read: The site is an important part of the Sneinton Market Conservation Area and proposals should be sensitively designed to preserve and enhance heritage assets. <u>It is anticipated that development would focus on the buildings fronting</u>	Development Principles

			should focus on building fronting onto Lower Parliament Street.	<u>onto Lower Parliament Street, complementing the regeneration improvements already undertaken to the rest of the site.</u> Within an archaeological constraints area,	
4508	PA65	Site PA65 Creative Quarter, Bus Depot. Frontages <i>between</i> Stanhope Street and Manvers Street should be retained. Wording on development principles should be amended (currently says buildings <i>on</i> Stanhope Street and Manvers Street)	Agree.	Development Principles amended to read 'Schemes which retain and integrate frontages between Manvers Street and Stanhope Street will be encouraged.'	Development Principles
4509	PA66	Site PA66 Castle Quarter, Maid Marion Way – College Site. Agree that redevelopment could better reveal significance of Nottingham Castle. Buildings to the south of the site make contribution and there should be a presumption for their retention. Historic England design workshop outcomes may provide useful update to dated design brief.	Noted. Consider wording of Development Principles should refer to opportunities to enhance buildings on Isabella Street. Not considered appropriate to include presumption of their retention.	Amended wording inserted in Development Principles after'.... setting of heritage assets. 'Development proposals should seek to enhance the setting of buildings within the site to the south of Isabella Street'.	Development Principles
4510	PA67	PA67 Broadmarsh. Rationale for the boundaries of this site is unclear. Mention of the Canal Conservation area should be made in the development	The boundaries of site reflect current development proposals.	N/A	N/A

		principles.			
4511	PA68	Site PA68 Canal Quarter Island Site. Reference to 'having regard' to heritage assets is too vague and unspecific. The grade II listed building on site has statutory protection and could be converted to the benefit of the site, anchoring further development.	Noted. An Island Site SPD has now been adopted which covers Heritage issues for the site.	N/A	N/A
4512	PA69	Site PA69 Station St/Carrington Street. Revised wording of accompanying policy (development principles) should go further, applying same requirement for 11-19 Station Street as for 3-9 and 21c Station St. to ensure retention of frontages contributing to the Conservation area	Comments noted. A development brief has been prepared for the site 11-19 Station Street. It is therefore not considered necessary to amend the proposed wording of the Development Principles	N/A	N/A
4513	PA74	Site PA74 Sherriff's Way/Arkwright Street. The development principles should specify the retention of the former Queens Hotel.	Not considered appropriate to include requirement for retention of specific buildings within the Conservation Area. All policies should be read in conjunction with the Local Plan Part 1, and Heritage issues are addressed elsewhere in the plan.	N/A	N/A
5099	PA86	Historic England has no concerns in relation to	Noted	N/A	

		allocation			
5100	SA	Suggest that the Sustainability Appraisal for the site (Objective 3 Heritage be revised to amend subjective text in the second sentence	Agree that wording of SA be reworded to remove subjective element, as follows: Negligible impact. The Horizon Factory was considered for listing in 2015 Historic England concluded that the former factory 'does not meet the very high selection criteria for buildings of this date' and was not taken forward for listing. The unique form and layout resulting from the particular use of the factory may be lost through development. However, new development should result in opportunities for new employment facilities which would need to be in accordance with relevant policies of the ACS.	N/A	Sustainability Appraisal addendum

Appendix 6 (b) Historic England (Revised Publication)

0311 Historic England

Rep No.	Code	Summary	LA Summary Response	Proposed Changes to text or Policies Map (including appendices/development	List of other docs * which need to be updated/changed

				principles/glossary)	
5187	All	Historic England has no concerns to make in respect of the text amendments throughout the revised plan in relation to the historic environment; the amendments are supported.	Comments noted – changes are supported.	NA	NA

Appendix 7 Natural England

Appendix 7 (a) Natural England (Publication)

0802 Natural England

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map (including appendices/ development principles/glossary)	List of other docs * which need to be updated/changed
4147	All	Natural England consider the document to be legally compliant and sound.	Support noted	None	N/a
4941	EN1	Natural England supports the policy which seeks to protect and enhance Open Space, Green Infrastructure network and secure developer contributions.	Support noted	None	N/a
4942	EN6	Natural England supports this policy which takes a positive approach to the protection of biodiversity. They are also pleased that the policy sets out the hierarchy of statutory and non-statutory sites in accordance with para 117 of NPPF.	Support noted	None	N/a
4943	EN6	Natural England considers that the policy should include reference to geological interests as the City includes several important site of geological interest.	The justification text notes that the City has 19 Local Geological Sites, many of which have biodiversity interest and protection. However, it is agreed that the policy could be usefully extend to	Amend criteria 2b) to read: “development proposals on, or affecting, locally designated sites (including <u>Local Geological Sites</u>), sites supporting priority habitats, or	N/a

			also make reference to geological interests.	supporting priority species, will only be permitted where it can be demonstrated that the need for the development outweighs the need to safeguard the nature conservation <u>or geological</u> value of the site;”	
4944	EN6	Natural England is pleased that the policy adopts the principles of the mitigation hierarchy at criteria c).	Support noted	None	N/a
4945	EN6	Natural England considers that the policy wording should be amended to include the potential significant harm from development on all biodiversity.	Criteria d) states “development proposals on, or affecting, other non-designated sites or wildlife corridors with biodiversity value will only be permitted where it can be demonstrated that the need for the development outweighs any harm caused by the development and that adequate mitigation measures are put in place.”	None	N/a

			It is considered that this covers the concerns identified by Natural England.		
4946	EN6	Natural England welcomes that the plan seeks compensation for all residual effects on biodiversity, complying with NPPF para 109. Also pleased that the policy sets out how this will be achieved through for example Biodiversity offsetting.	Support noted	None	N/a
4947	EN6	Natural England notes that the Defra Biodiversity Offsetting pilot has now finished and not sure if the City will continue to use this delivery mechanism.	The justification text notes that the City has taken part in a trial with Nottinghamshire County Council. However, offsetting is only likely to be acceptable where the impact on biodiversity cannot be avoided or mitigated on site as a last resort. In addition, proposals to provide offsetting outside the City boundary will only be accepted in exceptional circumstances and where there is no suitable land available for offsetting within the	Amend justification para 5.43 to read: “Nottingham City Council is working <u>worked</u> with Nottinghamshire County Council and some of the neighbouring authorities, which together have been <u>were</u> selected as one of six pilot areas nationally to trial biodiversity offsetting, to deliver an offsetting scheme within the Nottinghamshire area. Should this approach be successful <u>Although</u>	N/a

			City.	<u>no suitable schemes came forward within Nottingham,</u> Biodiversity Offsetting within Nottingham City should only take place <u>as a last resort</u> where the impact on biodiversity cannot be avoided or mitigated on site. ...”	
4948	MI2	Natural England welcomes the policy as it encourages restoration schemes to deliver environmental enhancement through protection and enhancement of biodiversity, recreation of priority habitats, ecosystems and Green Infrastructure.	Support noted	None	N/a

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map	List of other docs * which need to be updated/changed
5082	PA86	Welcome the intention within the allocation’s description to provide opportunities to enhance biodiversity and habitats and strengthen links with the adjacent local wildlife site.	Support noted	N/A	N/A

Appendix 7 (b) Natural England (Revised Publication)

0802 Natural England (Deeming)

Rep No.	Code	Summary	LA Summary Response	Proposed Changes to text or Policies Map (including appendices/ development principles/glossary)	List of other docs * which need to be updated/changed
5473	EN6 (General)	Support the changes to Policy EN6 which incorporate their advice in the previous round of consultation	Support noted.	NA	NA
5474	EN6 (PC146)	Welcome the inclusion of Local Geological Sites into criteria 2b in accordance with NPPF	Support noted.	NA	NA
5475	EN6 (PC147)	Welcomes criteria 3 which sets out more clearly the avoidance-mitigation-compensation hierarchy which follows para 118 of the NPPF.	Support noted.	NA	NA

Appendix 8 Highways England

Appendix 8 (a) Highways England (Publication)

3530 Highways England (Chambers S)

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map	List of other docs * which need to be updated/changed
5083	PA86	No comments in relation to Ecology	Noted	N/A	N/A
5084	PA86	It should also be noted that this is a like for like replacement of employment land which should generate similar amounts of traffic. No strategic transport planning observations to make.	Noted. It is considered that proposed developments should be subject to Transport Assessment. Development Principles for the site have been amended to require such submission. The Site Assessment Background paper addendum makes reference to A52, which is part of the strategic road network, included in the site assessment and need for Transport Assessment added.	Development Principles	Site Assessment Background Paper Addendum.
5085	PA86	The canal to the west is a designated BioSINC. There is a substantial buffer of vegetation to the western boundary of the site – this should be retained and enhanced. A policy/allocation for the site should include the following: * Proposals should retain	Agree that the development principles text relating to the western boundary be amended. Considered appropriate to direct that Development proposals should seek to retain and enhance this wildlife corridor. These changes have been made as set out in changes column. The site assessment has been updated to include importance of LWS and canal corridor	The development principles have been amended, now stating that: Careful treatment is also required at boundaries adjacent to	Site Assessment Background Paper Addendum

		and enhance the areas of vegetation adjacent to the Beeston Canal		the local wildlife site and canal to the west of the site, which provide opportunities to enhance biodiversity and habitats. Development proposals should seek to retain and enhance this wildlife corridor.	
5086	PA86	The design and layout of the site should minimise the visual impact of the development – Particularly views from the south. The building should be set back from Thane Road with more substantial tree planting to reduce visual impact.	The development principles set out that the site is highly visible from views from the south and east, and therefore careful design would be required to address these long views. It is not considered appropriate to prescribe details such as tree planting, which would be better considered within the development management process in response to specific proposals. Opportunities to reduce visual impact noted in site assessment	N/A	Site Assessment Background Paper Addendum

3530 Highways England (Griffiths S)

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map	List of other docs * which need to be updated/changed
5087	Misc	Highways England	Comments noted	N/A	N/A

		principal interest in relation to the proposed allocation relates to safeguarding the A52.			
5088	PA86	There are existing congestion issues at junctions on the A52 in the Nottingham area, including the A52 Queens Drive junction which serves the site. Future employment uses on the Horizon site, as proposed, will have impacts on the A52 Queens Drive junction. Highways England would therefore expect proposed development of the site to be subject to a Transport Assessment as part of the development management process.	Agree that proposed developments should be subject to Transport Assessment. Development Principles for the site have been amended to require such submission. The Site Assessment Background paper addendum makes reference to A52, which is part of the strategic road network, included in the site assessment and need for Transport Assessment added.	Development Principles amended to read: Access to the site should be taken from Thane Road and Bull Close Road. <u>A transport assessment is required for this site.</u>	Site Assessment Background Paper Addendum.

Appendix 8 (b) Highways England (Revised Publication)

3530 Highways England (Chadha)

Rep No.	Code	Summary	LA Summary Response	Proposed Changes to text or Policies Map (including appendices/development principles/glossary)	List of other docs * which need to be updated/changed
5159		Highways England note and welcome	Support noted	NA	NA

		amendment to Policy TR1, which makes reference to Travel Plans or Transport Statements being submitted to support planning applications and that this statement now also refer to Transport Assessments being carried out as necessary.			
5160		Highways England welcomes the additional reference to safeguarding the existing highway network within policy TR2.	Support noted	NA	NA

Appendix 9 D2N2 Local Enterprise Partnership

Appendix 9 D2N2 Local Enterprise Partnership

3590 D2N2 LEP (Ralph D)

Rep No.	Code	Summary	LA Response	Proposed Changes to text or Policies Map	List of other docs * which need to be updated/changed
5070	Gen	Agree with approach taken to this site	Support noted	N/A	N/A

**Appendix 10 Lowland Derbyshire & Nottinghamshire Local Nature Partnership
(LNP)**

- 1 City Council response to LNP Representation
- 2 Further correspondence endorsing City Council approach.

1 City Council response to LNP Representation

My Ref: LAPP/3545 LNP
Your Ref: -
Contact: Matthew Grant
Email: matthew.grant@nottinghamcity.gov.uk



Nottingham
City Council

Rosy Carter
Lowland Derbyshire and Nottinghamshire Local Nature Partnership

Development and Growth
Planning and Transport
Loxley House
Station Street
Nottingham NG2 3NG

Sent via email

Tel: 0115 876 2561
www.nottinghamcity.gov.uk

31 May 2016

Dear Rosy

Nottingham City Land and Planning Policies Development Plan Document

Thank you for your submission on behalf of Lowland Derbyshire and Nottinghamshire Local Nature Partnership (LNP) dated 21 March 2016 and our subsequent meeting on 16 May 2016 regarding Nottingham City's [Land and Planning Policies Development Plan Document](#) (LAPP). This proved a very useful meeting to allow us both to explain and understand our respective roles.

The City Council is eager to address the comments you made in your response to the Publication Version of the LAPP. I hope that our meeting was helpful to explain the context of the plan, the relationship of it to the adopted Part 1 Local Plan: Nottingham City [Aligned Core Strategy](#) (ACS) and the extensive evidence base that we have prepared for both documents.

As a reminder, the LAPP will form part 2 of the Local Plan and will sit alongside the adopted ACS part 1 Local Plan. The ACS provides the strategic context, allocates strategic sites and provides detailed strategic planning policies. Of particular relevance are:

- Policy A: Presumption in Favour of Sustainable Development,
- Policy 1: Climate Change,
- Policy 2: The Spatial Strategy
- Policy 16 Green Infrastructure, Parks and Open Space, and
- Policy 17: Biodiversity.

Other policies may also be relevant to your remit and the document should be read as a whole, for example Policy 14: Managing Travel Demand encourages development in locations which support the promotion of sustainable travel choices. As part of the evidence base for the ACS a Habitats Regulations Assessment (and addenda) and a Sustainability Appraisal



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(and addenda.) were also produced. The evidence base to the ACS can be viewed on the Greater Nottingham Growth Point [web site](#).

As part of the preparation for the LAPP a further Sustainability Appraisal (SA) has been prepared examining all the policies and each of the 85 proposed allocations including an assessment of the cumulative, synergistic and secondary impacts of the Plan as a whole. The SA framework was agreed with Natural England, Environment Agency and Historic England (the three statutory bodies) in advance of the final SA being produced.

I also note your comments on the Duty to Co-operate. In our meeting we discussed that previously we consulted Nottinghamshire County Council as the contact for the LNP. Details of consultation are set out below.

In order to address each of your comments I attach a summary of the points you have made and our response to them. It is hoped that through our meeting and the points raised in the schedule we can address the points you made on the LAPP.

I therefore kindly request that you review the attached schedule and would then be pleased to receive your response. If you wish to discuss this matter in the meantime, please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Matthew Grant', with a small yellow mark at the end of the signature.

Matthew Grant
Senior Planner (Local Plans)

Summary of Consultation response from Local Nature Partnership (3545) and Response

Summary of LNP Response	Nottingham City Response	Proposed Changes to text or Policies Map
<p>LNP has no record of being consulted on the LAPP Preferred Option.</p>	<p>Original contact for LNP was Heather Stokes (our ref 3137) at Nottinghamshire County Council.</p> <p>The consultation letter send on 25 November 2013 to Heather was followed up on 18 December 2013, although no response was subsequently received direct from County on behalf of LNP.</p> <p>On 11 August 2015 an e-mail was received from Rosy Carter requesting to be added to consultation database – and as a result Heather Stokes excluded from the consultation database and new consultation ID created (our ref 3545) for Rosy Carter on behalf of LNP.</p> <p>Of relevance the County Council did respond on their own behalf and amongst other issues stated that “Given that Nottingham City Council have their own in-house ecological advice, the County Council do not wish to provide any detailed comments, but would offer support for Policy DM51 (Biodiversity), and welcome reference to Biodiversity Offsetting in the Justification text at paragraph 5.19.”</p>	<p>None</p>
<p>LNP consider that the Policy Map is a very good visual spatial representation and welcome the inclusion on the Policies Map of ancient woodlands, plantations on ancient woodlands, SSSIs, Local Wildlife Sites and Local Nature Reserves showing their spatial distribution across the Nottingham area.</p>	<p>Comments noted</p>	<p>None</p>

Summary of LNP Response	Nottingham City Response	Proposed Changes to text or Policies Map
LNP question if spatial distribution of all ecological communities and the net loss or gain from all the proposed development areas has been considered including the combined impact.	<p>To include all background evidence in the Local Plan would make it unwieldy and less focussed. The City Council holds information on the spatial distribution and quality of sites of importance to nature conservation, and this information has informed the Local Plan particularly through the Sustainability Appraisal and the Site Appraisal process.</p> <p>This has been fully considered in the assessment of sites and policies through the SA process including individual appraisals of each policy and proposed allocation using the SA framework. The SA has also considered the cumulative, synergistic and secondary impacts of the Plan as a whole (see section 13 of the SA).</p> <p>In addition, the ACS was subject to its own Sustainability Appraisal and Habitats Regulations Assessment.</p>	None
LNP welcomes the fact that developers are encouraged to restore contaminated land.	Comments noted.	None
LNP are concerned that the extent and spatial distribution of soils, particularly of higher agricultural classification has been considered.	Being a largely urban authority, the majority of sites allocated are brownfield. However as part of the SA process, the impact of development on the small number of green field sites that are of higher agricultural classification has been fully considered (see appraisal in the SA for PA2, PA11 [Policy RE7], PA16, PA17, PA56, PA57).	None
LNP welcomes the reference to locally identified priority habitats and species and to the adoption of Nottinghamshire Biodiversity Action Plan.	Comments noted.	None
LNP is concerned that critical species and their spatial distribution and combined impact have not been identified or mapped.	So far as European Sites are concerned, the ACS was subject of a Habitats Regulations Assessment. This assessment concluded that any significant effects were capable of mitigation through changes to the Core Strategy which were made. Since the LAPP is in general conformity with the Core Strategy it has been agreed with English Nature that there is no need to	None

Summary of LNP Response	Nottingham City Response	Proposed Changes to text or Policies Map
	<p>undertake a further screening of the LAPP.</p> <p>As part of the SA process known environmental and biodiversity interests were fully considered including Local Wildlife Sites, SSSI, Existing and Proposed Local Nature Reserves, Ancient Woodland, Open Space, TPOs, AQMA and flood maps using data obtained from the Biological Records Centre including ecology surveys.</p> <p>Policy EN6 is a criteria based policy that covers the whole of the City boundary and will be used to assess the impact on development on biodiversity.</p>	
<p>LNP welcomes Policy CC3 and its focus on the impact of development on water consumption, quality and flood risk.</p>	<p>Support noted.</p>	<p>None</p>
<p>LNP concerned that the extent, spatial distribution and quality of freshwater, including groundwater and the combined impact from all proposed development has been considered.</p>	<p>The approach to the assessment of water resources is set out in the evidence base and background documents to the Local Plan Part 2. The approach to water resources (including ground water, surface water, flooding, water quality, waste water) has been informed by extensive consultation and engagement with the Environment Agency and Severn Trent Water.</p> <p>Scoping and Outline Water Cycle Studies were commissioned in partnership with these agencies. These studies consider the impact on water resources (including freshwater and groundwater) arising from the proposed scale and location of development anticipated in the Core Strategy and Local Plan Part 2 with particular regard to the EU Water Framework Directive, Severn Trent's Water Resource Management Plan, Environment Agency's River Humber Catchment Management Plan and supporting flood risk information.</p> <p>The main water bodies are identified on the Policies Map or within the Development Principles and address groundwater issues. The evidence</p>	<p>None</p>

Summary of LNP Response	Nottingham City Response	Proposed Changes to text or Policies Map
	base is considered comprehensive and appropriate.	
LNP welcomes the policy and reference to the Air Quality Management Plan and the recognition in/near AQMQs could have consequential effect on local air quality.	Comments noted.	None
Concerned that the location of AQMAs and how they relate spatially to site allocation, the current air quality condition across the district and the impact that development could have overall on air quality.	Policy IN2 addresses air quality across the whole city, not just within AQMAs. As part of the SA process known environmental constraints including AQMA have been considered, and the Development Principles set out which allocations are affected by or close to AQMAs.	None
LNP is concerned that the policies map does not include AQMAs	It is agreed that the suggestion to include current AQMAs on the Policies Map would further assist in implementing Policy IN2 and the AQMAs will be proposed as a change to the current Policies Map.	Add AQMAs to the Policies Map
LNP notes that the policy will protect Archaeological Constraint Areas	Comment noted.	None
LNP notes that the policy will protect Local Geological Sites.	Comment noted.	None
LNP notes that the Policies Map shows where Local Geological Sites and Archaeological Constraints Area are and welcomes the ability to cross reference these with site allocations	Comments noted.	None
LNP welcomes the Open Space Network approach	Comment noted.	None
LNP is concerned that the impact on recognised Landscape Character Areas has not been fully considered.	Nottingham City Council was party to commissioning the Greater Nottingham Landscape Character Assessment (GNLCA). Being a largely urban authority the vast majority of sites are brownfield. However as part of the SA process, the impact of development on areas designated in the Greater Nottingham	None

Summary of LNP Response	Nottingham City Response	Proposed Changes to text or Policies Map
	Landscape Character Assessment has been considered (see appraisals in the SA for PA16, PA17, PA24, PA57 and PA59).	
LNP welcomes the reference to safeguarding minerals and hydrocarbons	Comments noted.	None
LNP welcomes the reference to safeguarding minerals and hydrocarbons	Comments noted.	None
LNP welcomes that safeguarding minerals and hydrocarbons are shown on the Policies Map	Comments noted.	None
LNP is unclear if the minerals safeguarding map applies to safeguarding of hydrocarbons assets.	Hydrocarbons are not included within the Minerals Safeguarding area and instead are shown by the PEDL licence areas (there are two within the city, one to the east and one to the south).	None
LNP is concerned that there is a lack of reference to sustainable development in the plans strategic objectives which is contrary to Government Policy and expectation for Councils to ensure that its local plans deliver sustainable development	<p>In line with Government policy advice, the City Council has adopted a positive approach in seeking to meet the objectively assessed development needs of the area. The National Planning Policy Framework (NPPF) makes it clear that sustainable development has three strands, economic, environmental and social. The 12 spatial objections of the Local Plan are set out in full in the ACS at para 2.4.1 and aim to achieve sustainable development in line with the NPPF, and the policies in the ACS and the LAPP provide a clear framework to guide development that implements these objectives</p> <p>The ACS contains strategic policies and of particular relevance are Policy 1: Climate Change, Policy 14: Managing Travel Demand, Policy 16: Green Infrastructure, Parks and Open Space and Policy 17: Biodiversity. Policy 2: The Spatial Strategy sets out an overall approach to how sustainable development will be achieved.</p> <p>The LAPP has subsequently been prepared to be in conformity with the ACS, and the sustainable development principles set out in the ACS are carried forward into the LAPP.</p>	None

Summary of LNP Response	Nottingham City Response	Proposed Changes to text or Policies Map
LNP welcomes the emphasis on sustainable design and construction and the desire to implement higher energy and water standards for new development	Support noted.	None
LNP is concerned that the policy is restricted to hydrocarbons (i.e. energy), water and the use of recycled materials. They consider the scope of the policy is too narrow and the impact of development on assets such as air, soil, freshwater, ecological communities and species are excluded, particularly for large scale developments.	<p>The Local Plan policies relating to Climate Change have been drafted in close consultation with agencies such as the Environment Agency and Natural England. The Policy wording has regard to the requirements of the NPPF and the Government's recent changes which restrict Councils' ability to introduce local standards for water and energy efficiency (see National Standards).</p> <p>Whilst the Climate change policy specifically addresses energy and water, other separate policies consider air, soil, ecological communities and species therefore no further changes are considered necessary to Policy CC1.</p> <p>It should be noted that the NPPF is carefully worded to require all material considerations to taken into account to weigh the benefits of a scheme against any negative impacts (see para 14).</p>	None
LNP suggests amendment wording to criteria 2 replacing “ should ” with “ <u>must</u> ” to strengthen the policy so that opportunities to improve energy performance and reduce operational energy costs are not missed.	The wording in Policy CC2 is considered to be as robust as possible given the scope of the NPPF and national standards for energy efficiency which prevent LAs from adopting local energy standards and require LAs to have regard to site specific requirements, viability and deliverability.	None
LNP suggests strengthening the post by changing “All developments will be encouraged to include Sustainable Drainage Systems where appropriate” to ‘All development <u>must</u> include Sustainable Drainage Systems where appropriate”	The Policy has been drafted to comply with the NPPF and consider technical feasibility, viability and deliverability in seeking SuDS schemes on minor development. It should be noted that national policy covers major schemes.	None
LNP suggests addition to para 5.2 by adding	See justification text for policy EN6 which fully sets out the importance of	None

Summary of LNP Response	Nottingham City Response	Proposed Changes to text or Policies Map
<p><u>“and to the maintenance and creation of resilient ecological networks.”</u> at the end of the sentence.</p>	<p>biological and geological sites and the importance of the links created by the open space network. It is considered that LNP’s concerns are already accommodated in the text.</p>	
<p>LNP suggests strengthening para 5.8 by adding that the policies also “... <u>aim to create new sites for wildlife, especially in areas where we can connect existing sites to each other. This enables wildlife to move from site to site which increases the resilience of the ecosystem.</u>”</p>	<p>See justification text for policy EN6 which fully sets out the importance of biological and geological sites and the importance of the links created by the open space network. It is considered that LNP’s concerns are already accommodated in the text.</p>	None
<p>LNP suggests Criteria b) of this policy should be strengthened to also promote increasing open space. We recommend changing the paragraph as follows: “the development will enhance <u>or increase the area of the Open Space Network, particularly in areas requiring improvement</u>”</p>	<p>There may be cases where development could lead to additional open space being created therefore it is agreed to amend the criteria of the policy as suggested.</p>	Amend text as suggested.
<p>LNP considers the criteria should clearly state that development should produce no net loss and produce a net gain in biodiversity. Policy should be reviewed to ensure that biodiversity is not incrementally reduced through implementation of the development plan.</p>	<p>The NPPF does have a commitment to halt the overall decline in biodiversity and minimise impacts (para 109), and its approach to this is a weighing exercise, with mitigation and compensation. This policy should be read in conjunction with Policy EN6 “Biodiversity”, and whilst it is considered that the policies (supported by Natural England) are in line with the NPPF, the Justification Text could helpfully be amended to include a reference to the aims of the NPPF.</p>	Amend justification text of EN7 to refer to NPPF commitment to halt the overall decline in biodiversity.
<p>LNP suggests that criteria 4 should be strengthened clearly stating that development impacting on Ancient Woodland should only be permitted in “exceptional and rare circumstances” and should be avoided</p>	<p>The test for ancient woodland is at para 118 of the NPPF. “planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh</p>	Amend justification text of EN7 to echo NPPF, referring to Ancient Woodland and aged and veteran trees being

Summary of LNP Response	Nottingham City Response	Proposed Changes to text or Policies Map
	<p>the loss;" and this is the wording used in the Policy. However, to assist in the use of the Policy, and in assessing the need for and benefits of any development, the Justification Text could helpfully be amended to include a reference to Ancient Woodland and aged and veteran trees are irreplaceable habitats, where development will rarely be appropriate.</p>	<p>irreplaceable habitats, where development will rarely be appropriate.</p>

2 Further correspondence endorsing City Council approach .



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8 Experian Way
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30th August 2016

Matthew Grant
Policy and Research Team
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NG2 3NG

Re: Nottingham City LAPP consultation - reply to LNP's response.

Dear Matthew

Thank you for your letter dated 31st May 2016 detailing Nottingham City Council's response to the LNP's submission as part of the council's recent LAPP DPD consultation.

1) Statutory Duty to Co-operate

We note your contact with Heather Stokes in 2013 regarding the LAPP Preferred Option Consultation which we unfortunately did not have a record of.

2) Consultation responses

We appreciate the detail with which you have addressed our comments and that clear justification has been given where changes are not going to be made. We are happy that your responses address the concerns raised in our consultation response.

We welcome the following changes that will be made to the LAPP and/or Policies Map as a result of the LNP's response:

- Adding AQMAs to the Policies Map.
- Strengthening Policy EN1 with regard to increasing the area of open space.
- Amending the justification text of Policy EN6 to refer to the NPPF commitment to halt the overall decline in biodiversity.

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- Amending the justification text of Policy EN7 to echo the NPPF with regard to the irreplaceability of Ancient Woodland and aged and veteran trees.

If you have any further questions do not hesitate to contact Rosy Carter our LNP Co-ordinator at the above address.

Yours sincerely,

A handwritten signature in black ink that reads "Tim Farr". The signature is written in a cursive, slightly slanted style.

Tim Farr, Chair, Lowland Derbyshire and Nottinghamshire LNP board