



Nottingham
City Council

**Nottingham City Council
Local Plan Part 2: Land and
Planning Policies Document Main
Modification Version**

Ref:

For office use only

Response Form

A number of changes have been made to the previous 'Revised Publication Version' of the Local Plan as part of the examination. These changes cover Site Allocations and Development Management Policies with additions shown in blue underline and deletions in ~~red strikethrough~~ in the Schedule of Proposed Main Modification. This consultation is focusing only on these changes.

Additional Modifications are minor changes, not subject to consultation and will be made by the Council on adoption. These are shown for information only on these changes in grey underline and deletions in ~~grey strikethrough~~ in the Proposed Main Modifications Tracked Changes Version.

A list of supporting documents, which accompany the Proposed Main Modifications can be found at www.nottinghamcity.gov.uk/mainmodifications.

You are advised to read the Guidance Note before completing this form, but if you have any questions, please call 0115 876 4594 or email the Planning Policy and Research Team at localplan@nottinghamcity.gov.uk.

The Council is encouraging email responses for ease of processing. Please return this response form to localplan@nottinghamcity.gov.uk. Should you need to submit comments in writing, these should be addressed to:

Local Plan Proposed Main Modification Consultation, Planning Policy and Research Team,
Nottingham City Council, LH Box 52, Loxley House, Station Street, Nottingham, NG2 3NG.

Responses must be received by 5.00pm Friday 28th June 2019

Part B – Your Response

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

Q6 If you know the Proposed Change reference number provided in the Schedule of Changes to the Nottingham City Land and Planning Policies Development Plan Document (Local Plan Part 2), [Schedule of Proposed Main Modification](#), or the [Schedule of Changes to the Policies Map](#), please answer below and move to Q7.

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

a) A Proposed Main Modification? (if yes, please specify and move to Q7)

- Yes
- No

Which Proposed Main Modification? (please provide the reference number and any details eg Policy Number/Title or para number) using the [Schedule of Proposed Main Modification](#).

Please give details including Main Modification Ref:

MM 99

b) A Policy Map? (if yes, please specify then move to Q7)

- Yes
- No

Which Policy Map? (please provide the reference number and any details eg Allocation number) using the [Schedule of Changes to the Policies Map](#)

Please give details including Policy Map Ref:

c) Supporting documents? (if yes, please specify which document, then move to Q7)

- Yes
- No

Which document? (please specify)

(Please provide the title)

d) Another issue? (please specify then move to Q7)

- Yes (please give details)

Q7 and Q8 are required by Planning Regulations. Please refer to the [guidance note](#) for more information.

Q7 Do you consider the Local Plan Part 2, with the inclusion of the Proposed Main Modifications, to be legally compliant? (please tick yes or no and explain in the box to Q10. You will also need to answer Q9).

- Yes
- No

Q8 Do you consider the Local Plan Part 2, with the inclusion of the Proposed Main Modifications, to be 'sound'? (please tick yes or no). If not, specify why.

- a) It is not 'positively prepared'?
- b) It is not 'justified'?
- c) It is not 'effective'?
- d) It is not 'consistent with National Policy'?

<input type="radio"/> Yes (go to Q9)
<input checked="" type="radio"/> No (answer a-d below)
<input checked="" type="radio"/> Yes
<input type="radio"/> Yes
<input checked="" type="radio"/> Yes
<input checked="" type="radio"/> Yes

If you consider that the Plan is unsound, explain why in the box to Q9).

Q9 Please explain why you 'support' or 'do not support' the Proposed Main Modification, Changes to the Policies Map, or other Supporting Documents (i.e. why you think the Plan is/is not legally compliant/sound). Try and be as precise as possible.

The entry for site PA43 Salisbury Street in Table A3.1 has been modified by changing the number of anticipated dwellings to 21. This figure is obviously based on the most recent outline planning permission granted on part of the site for 3 storey dwellings. This application was submitted purely to establish the principle of residential development of the former employment site and has never been considered a viable form of development by the owner of the site. The other part of the allocated site has previously had planning permission for 17 student apartments scheme but no account of this has been taken in the allocation. The LPA have not based the figure on any objective assessment of the capacity of the site, which is likely to be considerably higher than 21 dwellings.

NPPF para 117 requires that LPA's planning policies should promote the efficient use of land and in a way that "makes as much use as possible of previously developed or brownfield land". Site PA43 is a brownfield site that has been vacant for at least 25 years. It was previously allocated for employment purposes in the 2005 Local Plan but was granted an outline planning permission for residential use in 2006. Because of the insistence of the LPA that the site should be developed for family housing, the site has remained un-developed apart from temporary car sales and car wash uses. Para 120 of the NPPF requires the LPA to allocate sites for alternative uses where there is no reasonable prospect of sites coming forward for the allocated use. Although the LPA has responded positively by allocating the site for residential rather than the previous employment use, it should have been clear to the LPA that the only way to enable a residential development of the site was to allocate the site for a higher density residential scheme, including an element of student accommodation, and therefore the number of dwellings that the site can accommodate in Table A3.1 should be increased to reflect this.

(please continue on a separate sheet if necessary)

Q10 Please set out what change(s) you consider necessary to make the Proposed Main Modifications, changes to the Policies Map or other Supporting Documents legally compliant or sound, having regard to the reasons you identified in Q9. You will need to say why this change will make the Proposed Main Modifications legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any Policy or text. Try and be as precise as possible.

It is considered that the number of expected dwellings in Table A3.1 should be amended to a minimum of 38 (reflecting previous permissions on the site) to a maximum of 150 which would be achievable with a higher density residential scheme in keeping with existing developments of flats and student accommodation in the surrounding area.

This change would make the Proposed Main Modification sound in that it would be consistent with national policy

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- Yes
 No

Which Proposed Main Modification? (please provide the reference number and any details eg Policy Number/Title or para number) using the [Schedule of Proposed Main Modification](#).

Please give details including Main Modification Ref:

_____ MM69 _____

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- Yes
 No

Which Policy Map? (please provide the reference number and any details eg Allocation number) using the [Schedule of Changes to the Policies Map](#)

Please give details including Policy Map Ref:

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- Yes
 No

Which document?
 (please specify)

(Please provide the title)

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The proposed main modification document proposes the amendment of the wording in the "principles of development" to refer to the need for flood mitigation works. The need for these works has been established through the latest planning application submitted by the owner of the site and will affect the viability of the site. Whilst the owner does not object to the reference to the flooding issue, it is considered that the LPA should not have modified the entry without having re-assessed the allocation of the site for primarily C3 housing, as the flood works mean that the site is unlikely to come forward for development with its current allocation.

(please continue on a separate sheet if necessary)

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The allocation should be widened to include higher density housing including student accommodation to reflect viability issues.

This will enable the plan to be effective and deliver what it sets out to do

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- Yes
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Which Proposed Main Modification? (please provide the reference number and any details eg Policy Number/Title or para number) using the [Schedule of Proposed Main Modification](#).

Please give details including Main Modification Ref:

_____ MM24 _____

b) A Policy Map? (if yes, please specify then move to Q7)

- Yes
 No

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Please give details including Policy Map Ref:

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- Yes
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The NPPF para 60 requires that policies be informed by a local housing need assessment to deliver the number of homes needed. Para 61 requires the needs of different groups including students to be addressed and reflected in the plan's policies. The Local Plan separates student accommodation from other housing in its policies but the LPA has not undertaken any objective assessment of the actual need and the plan policies and supporting text make it clear that applicants are expected to demonstrate that need exists on a case by case basis. This approach is at odds with the requirements of the NPPF.

Policy HO5 relating to locations for purpose built student accommodation (PBSA) has been modified by the deletion of 5(e) "sites where student accommodation accords with an approved SPD"

I do not support this change because it will make the policy even more inflexible than it already is.

This would leave only 4 categories of site where PBSA is encouraged and these are biased towards sites which would serve NTU and would not be located well to serve the U of N. e.g.

Category a) allocated sites – there are only 2 allocated sites outside the City Centre and eastern and southern fringes of the City Centre, PA41 and PA42, neither of which are close to the University of Nottingham campuses, and one of which is now complete.

Category b) University campuses – The U of N has 2 campuses, University Park and Jubilee Campus. There is an acknowledged shortage of bedspaces for first year students on campus. This shortage was so severe in 2018 that it had to be remedied in the short term by the provision of portacabins at University Park with sleeping accommodation for 233 students with toilet / shower facilities in separate portacabins. The students occupying the cabins have to share the dining facilities of nearby Halls of Residence. A two year temporary planning permission has been granted expiring in March 2021 but there is no evidence of permanent replacement provision coming forward. There are 2 sites in U of N ownership adjacent to the Jubilee Campus which are allocated for student accommodation in the Master Plan approved as an SPD in 2004 but no progress has been made by the U of N towards the development of either of these sites. There therefore remains a shortfall in provision which will not be met by this category.

Category c) relates only to sites in the City Centre and fringes

Category d) relates to the upper floors of commercial premises in Town, District and Local Centres and other commercial frontages on main transport routes. There are no Town or District Centres close to the U of N and the use of upper floors in the nearest Local Centres would generate only limited accommodation and no suitable commercial sites have been identified through the SHLAA other than the two sites which are already allocated.

Although in theory other new sites could come forward and be assessed against the criteria in Policy H06, in practice the development of sites in close proximity to the U of N that would be easily accessible and therefore represent sustainable development would be precluded because these areas already have more than 10% student households.

There will therefore be limited opportunities for development of sites which would remedy the evident shortage of accommodation to serve the needs of the U of N.

It is important therefore that Policy HO5 allows a wider range of sites to come forward for development and retaining category e) would assist with this.

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Retain category e) which would allow sites which would otherwise be excluded from student accommodation under Policy HO6 to be considered acceptable where the development accorded with an approved SPD.

The additional flexibility would help to overcome the LPA's lack of an objectively assessed need for student accommodation and would assist in the delivery of such developments in sustainable locations and would therefore make the Modification sound.

(please continue on a separate sheet if necessary)

Please note your response should cover succinctly all the information, evidence and supporting information necessary to support/justify the response and the suggested change.
Responses must be received by 5.00pm on Friday 28th June 2019.