

TOWN & DISTRICT CENTRE MATTERS: M3A1, M3A2, M3A3, M3A4, M3A6, M3A7, M3A8 & M3A9

M3A1

- Provide breakdown of percentages of different Use Classes within the Town and District Centre boundaries within the Borough and also the 'Centre of Neighbourhood Importance'

Details of the use classes within the Town and District Centres is provided within Appendix 2 of the Note on Town and District Centre Boundary Review (separate document). A summary is also provided below.

Beeston Town Centre

Use classes (all units in boundary)	2004 LP Boundary	2004 LP Boundary	Part 2 Local Plan Boundary	Part 2 Local Plan Boundary
A1	109	50.9%	109	52.7%
A2	22	10.3%	21	10.1%
A3	28	13.1%	27	13.0%
A4	5	2.3%	5	2.4%
A5	6	2.8%	6	2.9%
B1	15	7.0%	15	7.2%
B2	2	0.9%	2	1.0%
B8	0	0.0%	0	0.0%
D1	16	7.5%	11	5.3%
D2	2	0.9%	2	1.0%
Sui Generis	9	4.2%	9	4.3%
	214	100.0%	207	100.0%

Eastwood District Centre

Use classes (all units in boundary)	2004 LP Boundary	2004 LP Boundary	Part 2 Local Plan Boundary	Part 2 Local Plan Boundary
A1	80	54.1%	79	55.6%
A2	23	15.5%	20	14.1%
A3	10	6.8%	10	7.0%
A4	6	4.1%	5	3.5%
A5	11	7.4%	12	8.5%
B1	3	2.0%	3	2.1%
B2	1	0.7%	1	0.7%
B8	0	0.0%	0	0.0%
D1	8	5.4%	7	4.9%
D2	1	0.7%	0	0.0%
Sui Generis	5	3.4%	5	3.5%
	148	100.0%	142	100.0%

Kimberley District Centre

Use classes (all units in boundary)	2004 LP Boundary	2004 LP Boundary	Part 2 Local Plan Boundary	Part 2 Local Plan Boundary
A1	37	55.2%	35	55.6%
A2	4	6.0%	4	6.3%
A3	7	10.4%	7	11.1%
A4	3	4.5%	2	3.2%
A5	6	9.0%	7	11.1%
B1	1	1.5%	1	1.6%
B2	0	0.0%	0	0.0%
B8	0	0.0%	0	0.0%
D1	3	4.5%	3	4.8%
D2	0	0.0%	0	0.0%
Sui Generis	6	9.0%	4	6.3%
	67	100.0%	63	100.0%

Stapleford District Centre

Use classes (all units in boundary)	2004 LP Boundary	2004 LP Boundary	Part 2 Local Plan Boundary	Part 2 Local Plan Boundary
A1	54	49.1%	50	49.0%
A2	18	16.4%	17	16.7%
A3	5	4.5%	5	4.9%
A4	8	7.3%	7	6.9%
A5	10	9.1%	10	9.8%
B1	3	2.7%	3	2.9%
B2	0	0.0%	0	0.0%
B8	1	0.9%	1	1.0%
D1	5	4.5%	3	2.9%
D2	0	0.0%	0	0.0%
Sui Generis	6	5.5%	6	5.9%
	110	100.0%	102	100.0%

Centre of Neighbourhood Importance

A survey of premises within the Centre of Neighbourhood Importance was undertaken during the morning of 19 December 2018.

Ground Floor Uses by Building / Unit

USE CLASS	NUMBER OF BUILDINGS / UNITS*	% OF TOTAL BUILDINGS / UNITS (BY NUMBER)	NUMBER / % OF VACANT UNITS
Class A1	42	40.4%	7 / 7%
Class A2	0	0%	N/A
Class A3	7	6.7%	2 / 2%
Class A4	6	5.7%	0
Class A5	5	4.8%	0
Class D1	2	1.9%	0
Class D2	0	0	N/A
Class B1, and / or B2, and / or B8	11**	10.5%	1 / 1%
Residential	31***	30%	Unknown
Total	104****	100%	10

*Note: Some retail premises include more than one unit / property.

**Note: Barton House contains a number of units; most of these do not however have separate access points. Therefore this has been counted as 'one' employment unit. A planning application has recently been granted permission for this site (please see below for further details).

***Note: Westgate Court includes an estimated 3 units at ground floor level.

****Note: It is likely that the number of residential units at ground floor level will increase as a result of a number of planning applications / permissions for sites within the boundary of the Centre of Neighbourhood Importance. This is why the figure of 30% has been applied within the policy.

Relevant Planning Applications & Permissions:

- 16/00859/FUL – Barton's site – 'Hybrid planning application comprising: Full application to construct 29 dwellings, including access, associated road infrastructure, car parking and landscaping. Outline application (including access) with some matters reserved to construct up to 221 dwellings and units with flexible uses (Classes D1, D2, A1, A2, A3, A4 and A5), following demolition of buildings', granted planning permission on 17 November 2017.
- 17/00723/FUL– Myford Limited's site (south west) – 'Construct 47 dwellings, retail unit (Class A1), car parking and highway infrastructure', granted planning permission on 24 May 2018.
- 18/00268/FUL – Myford Limited's site (north east) – 'Construct 75 bed care facility; 30 supported living apartments (Class C2); bistro; gym/spa; hairdressers; bin, cycle and scooter stores; emergency generator; substation,

car parking and landscaping', validated by the Council on 22 May 2018 and currently pending consideration.

- 18/00576/FUL – 10 High Road, Chilwell – *'Change use from retail (Class A1) to bar/restaurant/cafe (Class A3 / A4)'*, granted permission on 16 November 2018.
- 17/00754/FUL - Latino 25 - 27 Chilwell Road Beeston – *'External alterations and change of use of rear of restaurant (Class A3) to residential accommodation (Class C3) to form 4 self-contained studios and construct building containing 2 dwellings'*, granted planning permission on 10 January 2018.

Additional Land Uses, (not 'built' development), within the boundary, include:

- 2 x public car parks
- 1 x private car park for an MOT / car repair workshop which is located outside of the boundary of the Centre of Neighbourhood Importance
- Areas of garden land / cleared land including development sites and land released following completion of the tram route construction.

There are two tram stops within the boundary of the Centre of Neighbourhood Importance.

Centre of Neighbourhood Importance Plan



M3A2

- **Policy 10 1.C) Clarify in the supporting text what is meant by ‘reasonable steps’ in relation to the use of upper floors.**

Add justification text:

10.5 Part 1. c) of the policy seeks to prevent upper floors being left vacant or under-utilised. Proposals will be expected to take reasonable steps to secure the use of upper floors which may include: demonstrating how upper floors will be utilised for a main town centre use or residential use; incorporating a separate access to upper floors to allow for them to be used independently; or providing clear justification why upper floors cannot be used or utilised.

M3A3

- **Policy 10 1.B) iii. Provide clarity on how ‘adverse impacts’ would be assessed and confirmation that main town centre uses in the centre wouldn’t be required to submit an Impact Assessment.**

The Council proposes a Main Modification to remove Policy 10 1.B) iii. This is to recognise that it is not appropriate to require a proposal for a main town centre use within a town or district centre to submit an impact assessment (or equivalent) to demonstrate there would not be an adverse impact on the vitality and viability of the centre.

M3A4

- **Provide a note to show how Town and District Centre boundaries have been assessed including health checks, vacancy rates and details of change of uses.**

A separate note (Note on Town and District Centre Boundary Review) has been produced.

M3A6

- **Policy 13 1B Provide justification text to explain consideration of ‘deficiency’ and ‘local need’.**

Add justification text:

13.8 Part 1 b) recognises that the NPPF supports the development of accessible local services and community facilities, such as local shops. Proposals will be required to demonstrate that the development will meet an outstanding local need which will benefit the local community. Deficiency may include there being no existing local services and facilities within a reasonable walking distance of a residential area.

M3A7

- **Policy 14 (3&4) Provide detail of current % of residential units at ground floor and what is meant by ‘inefficient use of upper floors’**

The current percentage of residential units at ground floor level is provided within the table at M3A1. This shows that 31 units were in ground floor residential units, equating to 30% of the total uses.

It is considered that the ‘inefficient use of upper floors’ means leaving these floors ostensibly vacant, whilst developing the ground floor for retail or office use. This would apply when both the ground and upper floors are in the ownership or control of the same business or organisation.

It is recognised that some retail businesses, particularly smaller ones, may require the use of part or all of upper floors for their specific business needs. However, sometimes not all of the available space may be required. In such circumstances, it may be possible to sub-divide some of the surplus space to create new residential or office units (or space for other town centre uses).

Draft of additional justification text for inclusion within the Part 2 Local Plan Policy 14:

14.4 The ‘inefficient use of upper floors’, as referred to in part 4 of Policy 14, is defined as ‘keeping vacant or not fully utilising the space on floors above the ground floor for a productive town centre or ancillary use’, such as:

- *Additional retail showroom facilities*
- *Ancillary facilities or services, such as toilets, staff room or kitchen*
- *Residential*
- *Offices*
- *Other town centre uses*

M3A8

- **‘Provide clarity regarding the relationship between Policy 12 and 13’.**

Policy 12 relates to the Morrison’s site only. It is considered that, given its importance and close proximity to the District Centre of Eastwood, a more flexible approach in relation to Class A1 uses is justified. In the case of development for other retail, office and leisure uses, and Class A1 retail over 500 sq. m, it is considered that Policy 13 should be applied in order to best protect the vitality and viability of the District Centre.

Add justification text:

For limited alterations and extensions (as defined below) within the identified area, Policy 12 would apply. For all other forms of development, and for development outside of the identified area, Policy 13 would apply.

See M3A9 for additional justification text proposed.

M3A9

- **Provide justification text to explain what is meant by *'limited alterations and extensions'*.**

Additional justification text for inclusion within the Part 2 Local Plan Policy 12:

For limited alterations and extensions (as defined below) within the identified area, Policy 12 would apply. For all other forms of development, and for development outside of the identified area, Policy 13 would apply.

'Limited alterations and extensions' are defined as:

- *Any alterations or minor extensions that would result in additional retail (Use Class A1) floorspace and / or ancillary floorspace not exceeding 500 sq .m. gross, in total.*