

For and on behalf of
Mr Justin Brookes

WRITTEN HEARING STATEMENT BRECKLAND LOCAL PLAN

**Matter 9 – Economic Development & Matter 10 – Economic development site
allocations, deliverability and viability
General Employment Areas (GEAs)**

**Land at Brandon Road, Watton
(Thrextan Rd, Watton GEA)**

Prepared by
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August 2018

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Matter 9 – Economic Development & Matter 10 – Economic development site allocations, deliverability and viability General Employment Areas (GEAs)

1.33 Is the methodology that was used in the topic paper to re-asses the boundaries of the GEAs justified?

No.

EX83 at paragraph 1.12 states that changes were made in two circumstances – where a retail permission has been granted and implemented (subject to a consideration of the scale of the permission; and where a residential permission has been granted and implemented.

It has demonstrably not considered the circumstances where the boundary may not be appropriate – in the case of the Threxton Road, Watton area, where part of the GEA as designated in 2009 already comprises established residential dwellings and their curtilages – and also where a large parcel of land used by the principal business is not included in the designated area.

1.34 Is the review of each GEA boundary and its findings robust?

No.

This is because it appears to have been a desk based exercise taking into account only changes that arise as a result of implemented planning permissions and no other considerations.

In that respect it is noted that EX83 paragraph 1.9 states that as a result of ‘robust’ evidence set out in LP/ER/1 and the absence of representations being made to suggest otherwise the Council considered the GEAs to be robustly defined.

LP/ER/1 is the Employment Growth Study 2013 about which we have previously addressed the Examination. Our client is not aware that this document was published for consultation.

With reference to my correspondence with the Examination dated 8 June 2018 (attached here as Appendix 1), we are of the view that there is in fact a discrepancy between what the Council (and their consultants) think to be the area of available land in Watton (1.9ha) and what may actually be available for future development.

It is notable that the biggest single business with the GEA is Cranswick Country Foods whose premises include 3.2ha of land north of Brandon Road not included within the GEA (Appendix 2) – hence the planning application noted on EX83A Map 27 is not recorded as within the GEA at paragraph 2.71 of the same document.

We note that the GEA as defined amounts to 12.4ha although our assessment amounts to 12.14ha – See Appendix 2.

1.35 Is the boundary for each GEA robust and are the proposed alterations to some boundaries justified?

For the reasons set out to this Examination the boundary of the Threxton Road GEA is not robust.

With reference to LP/ER/1 at Appendices 5 and 6 the site scores as follows on scales of 1 (poor) to 5 (very good):

Strategic road access	3
Local accessibility	3
Proximity to urban areas, labour and services	3
Development constraints	3
Proximity to incompatible uses	4
Market attractiveness	4

The summary given is that

The site is almost fully developed, although potentially there is scope for a small amount of infill. Market feedback indicates there is strong, local demand for space on this estate

This conclusion supports the contention that the Brandon Road residential properties have erroneously been included in the GEA Proposals Map insofar as they amount to a total of 1.2684ha the majority of which is undeveloped garden – see Appendix 3. They do not form part of the resource of 1.9ha of existing commitments and could reasonably be excluded from the GEA without adverse impact on the Council’s overall employment land strategy.

1.36 Has the retail permission on Gaymer Industrial Estate, Attleborough now lapsed?

1.37 Is the Council’s approach to not removing sites with planning permission for other uses within GEAs, until they are implemented, justified?

1.38 Would the suggested amendments to the GEAs have a significant impact upon the provision of employment land within the District?

No.

Specifically in the case of the amendment sought for the Threxton Road GEA, we believe that it was accepted by the Council that the prospect of the residential properties being redeveloped for employment is nil where residential land value is greater than the value for employment uses. Therefore there will be no impact on the provision of employment land

given that the conclusion of LP/ER/1 is that there is only limited scope for further infill given the extent to which the GEA is perceived to be already developed with employment uses.

Snetterton

1.39 Is the Snetterton GEA boundary, as now proposed in the topic paper, justified?

1.40 Why does the Council consider that planning permission 3PL/2008/0600/O does not require a change to the GEA boundary?

1.41 Is the approach to Snetterton Heath (including the proposed modifications) set out in Policy EC02 justified?

1.42 Is the proposed modification to support employment uses to the south of the Snetterton GEA boundary (which does not form a site allocation) justified?

Policy EC03

1.43 Are the Council's proposed changes to Policy EC03 and its supporting text justified?

Without prejudice to the argument that the residential curtilages on the Brandon Road frontage of the Threxton Road GEA should be excluded from the GEA we consider that Main Modification 195 is appropriate (having regard to the fact that the publication of the National Planning Policy Framework 2018 makes clear that Local Plans already submitted for examination should be considered in terms of the Framework 2012).

Proposed new paragraph after 6.67 refers to an appropriate period of marketing and evidence of market demand for sites considered to have no reasonable prospect of coming into use for employment.

This proposed amendment reinforces our case that, given there is no reasonable likelihood that one or more of the five residential properties on Brandon Road will be taken up and redeveloped for employment, there is no reasonable ground of justification that they should continue to be included in the GEA as the application of this policy and supporting paragraph will require the Council to grant permission for an alternative (residential) use should such an application be made.

1.44 To be justified, should Policy EC03 itself refer to evidence being demonstrated of appropriate marketing periods and future market demand to justify alternative development being permitted on employment sites?

Yes.

In order to give full weight to the approach that the Council now proposes, the amendment should be incorporated in the Policy

1.45 Should Policy EC03 also relate to employment sites not located within a GEA?

1.46 The Council has set out that if an application were to be submitted on a site where there is an existing employment use, but is not within a General Employment Area, this would be taken into consideration as part of the planning balance. However, how can this be the case if the employment site has no protection in the development plan?

1.47 The Council has also set out that it is not considered appropriate to protect all forms of employment use within the District as there may be examples where employment uses are located in areas that are not considered appropriate for employment use. Is this justified? Should this be set out in Policy?

APPENDIX 1
Letter to the Examination of 8 June 2018

Ref: NR102-3/NSO
Date: 8 June 2018

Charlotte Brennan
Programme Officer
Examination Office
Elizabeth House
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By email Programme.Officer@breckland.gov.uk

Dear Charlotte

Re: Breckland Examination
Matter 10 - Watton

Further to my letter of 29th May I have received some information from the Council which I have now had the opportunity to interrogate.

I understand from the Council that they are preparing a Topic Paper on Employment but that it is unlikely that it will contain sufficient detail to enable the Examination to understand whether my client's land at Brandon Road and the adjoining residential plots (in total Nos 123a-131) form part of the 1.9 hectares of employment land which the Plan considers sufficient for the town's future planned needs, or part of the 3,979m² of existing commitments at the Thrextan Road GEA recorded in the 2016 AMR (LP/S/23 T3.14).

Commitments

Further to my letter requesting the information about commitments arising from the discussions on Matter 10 the Council has indicated that the pipeline of supply as published within the Employment Growth Study Update comprises 5 permissions which I have reviewed as follows:

	Ref	Location	Site Area (ha)	Use Class	Proposed use	Floorspace (m ² net addition)
1	3PL/2017/1342/F	Norwich Rd GEA	0.700ha est	n/a	n/a	n/a
2	3PL/2010/1089/F	Norwich Rd GEA	0.300ha	B1(c)	Light industrial	1059

3	3PL/2012/0109/F	Threxton Rd GEA (Cranswick Country Foods)	0.034ha	B2	Extension to main building	238
4	3PL/2016/0264/F	Threxton Rd GEA (Cranswick Country Foods)	0.0809ha	B1(a)	Conversion of residential to offices	158
5	3PL/2016/0573/F	Threxton Rd GEA (Cranswick Country Foods)	8.5ha*	B2	Extension to main building	230
	Total		1.1149ha+ site 5			1715+site 1

The table demonstrates that the information which the Council holds appears inconclusive and does not appear to equate with the data in either the AMR or the assumption on which the Plan is based.

With regard to existing commitments the three consents cited at the Threxton Rd GEA are all schemes within the Cranswick Country Foods works. I have examined the applications on line to extract details of the proposed developments. They do not amount to more than a nominal increase in the floorspace of the existing facility and significantly less than the amount suggested in the AMR.

The only other recent developments at Threxton Road which might contribute to this total appears to be a scheme (now implemented) by Exheat Ltd for a 1469m² warehouse permitted under Ref: 3PL/2011/1291/F and 3PL/2010/1313/F at 31 Threxton Road, albeit that this did not appear to amount to any significant net addition to the existing 1780m² floorspace. These schemes may account for the reference at LP/ER/5 paragraph 3.14 to recent employment space completions at Threxton Road.

It remains unclear from an interpretation of the available data as to how the AMR commitment has been derived. However, the figure is stated as a commitment and it is the availability of land for future development on which the Plan is primarily predicated.

Supply

The EGS Update LP/ER/5 indicates an existing supply of land of 1.9ha. This figure covers the whole of Watton and therefore the Norwich Road GEA and Breckland Business Park, as well as Threxton Road. Whilst there appears to be limited, if any, additional land at Norwich Road, there are significant uncommitted parcels at Breckland Business Park. These appear to include land to the north of the Neaton Business Park, rear of Hadley and Ottaway (approx. 0.4ha – excluding the area of a scheme for an agricultural store and biomass boiler granted under 3PL/2017/0745/F); and land on the northern fringe of the New Green Business Park which amounts to as much as 1.75ha, albeit possibly including some current existing uses.

There would appear to be one parcel of land at Threxton Road GEA (off Linmore Ct) amounting to about 0.22ha. There appears to be some further opportunity at Breckland Court which might amount to a further 0.1ha. It is not known whether any part of the open storage area within the Cranswick facility to the north of Brandon road is assessed as contributing to the land availability.

Taken as a whole, the potential available land could be in excess of the assessed figure of 1.9ha.

The original EGS (LP/ER/1 Appendix 6) describes the Threxton Road GEA (Site 27) in the following terms:

The site is almost fully developed, although potentially there is scope for a small amount of infill. Market feedback indicates there is strong, local demand for space on this estate.

The total site area for the GEA is given as 12.45ha. It should more correctly be 14.08ha (including, for the avoidance of doubt, the whole of Cranswick Country Foods north (3.20ha) and south (4.01ha) of Brandon Road and the Threxton Road estate (6.87ha)).

Conclusion

From this analysis two things should be clear.

Firstly the given figure for the extent of the Threxton Road GEA is an underestimate of its actual size and demonstrably does not include my client's land and the adjoining residential plots. This suggests a discrepancy between the basis of the policy and the proposals map which can safely be corrected by altering the proposals map to exclude the Brandon Road frontage.

Secondly, whilst the Council seem unable to identify the components of the figure of 1.9ha of available employment land which the Plan considers sufficient to meet the needs of the town over the Plan period, a review of potential sites cross referenced against the planning register suggests that the assessment does not include my client's land. My client's land and the adjoining residential curtilages amount to 1.269ha. Demonstrably, there are plots at Threxton Road and elsewhere in Watton that if also added to the total would amount to more than 1.9ha.

Given these two conclusions, the removal of all the land comprising land at Brandon Road bounded by the premises of Cranswick Country Foods to the west and south and by Long Bridle Road (public footpath) to the east, from the GEA would enable the Plan to be found sound insofar as it would remove land which is not justified or effective in that it is not available for and not likely to become available for employment use.

I am obliged if you would pass this to the Inspector for his consideration.

Yours sincerely

Neil Osborn BA(Hons) MRTPI
Senior Director

APPENDIX 2

GEA (mauve and area hatched red amounting to 12.15ha)

Plus Parcel B land also comprising part of Cranswick Country Foods but not included in the GEA and the balance of Area A comprising 5.95ha net erroneously included within the blue line of Application 3PL/2016/0573F but which is not in the ownership of Cranswick Country Foods Ltd.



APPENDIX 3

Site Area of the Residential Curtileges (scaled from Land Registry boundary data)

Total residential land (including former premises of J. Abbey Ltd) amounts to 1.2684ha



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