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Date 2nd February 2018



Planning Policy
East Devon District Council
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By email to: [REDACTED]

Dear Sirs,

EAST DEVON VILLAGES PLAN – PROPOSED SCHEDULE OF MAIN MODIFICATIONS

We write on behalf of our clients FWS Carter and Sons Ltd to provide our comments on the above consultation relating to the Council's Proposed Main Modifications to the East Devon Villages Plan (VP).

These comments should be read alongside our earlier representations to both the East Devon Local Plan (EDLP) and earlier consultations on the VP and should be treated as an objection to the document.

Specifically, we wish to make comments regarding the following Proposed Main Modifications which relate to Greendale Business Park: MM01, MM08 and MM09.

General Comments

Paragraph 182 of the National Planning Policy Framework (the Framework) is clear that for a Plan to be found "sound", it must meet be:

- 1. Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- 2. Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- 3. Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- 4. Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

Paragraph 154 of the Framework states that "*Local Plans should be aspirational but realistic.... Local Plans should set out the opportunities for development and clear policies on what will or will not be permitted and where. Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan*".

The EDLP was adopted in January 2016. The introductory text purports to "set the context for the policies that follow" and explains that the Local Plan does not purport to set strategic policy for, inter alia, Greendale Business Park, because policies in relation to Greendale Business Park were to be the subject of the future Villages Plan. The Local Plan expressly leaves it to the Villages Plan to set policies guiding development at, and extensions to the business park.

Policy E7 of the EDLP specifically excludes Greendale Business Park. No explanation for this is provided within the policy or paragraph 24.7 which specifically applies to the extension of existing established urban and rural employment sites.

We consider this exception bizarre and unwarranted but acknowledge that the VP cannot be used as a mechanism to bring about a change to the EDLP. Therefore as we have set out previously, this examination is the only time to consider the matter of indigenous growth at this existing business park.

We are of the view that unless Policies specifically address the needs of business and potential employees at Greendale Business Park there is the potential to erode the important contribution that the Business Park makes to the local economy in a manner that would be contrary to the guidance contained in the NPPF paragraphs 18 – 22. This is a view that has been expressed succinctly by the Lead Councillor for Business and Employment in East Devon District Council. (see attached email at Appendix 1) and we would strongly endorse these views and the broader content of the email. We have summarised at Appendix 2 the key points which we have set out in our earlier submissions, which are also pointed out by the Lead Councillor.

For reasons that we will go on to set out below, the main modifications which have been put forward by the Council will fail to provide the necessary planning policy context to guide development at the business park and is at odds with the Framework and adopted EDLP which sets out the need to positively support economic growth and take a positive approach to sustainable new development.

Comments on Main Modifications

We support the principle of the inclusion a policy, or policies. relating to Greendale Business Park within the Villages Plan as this would appear to be the only option to address the manner in which future development could be managed/considered. However, we object to the draft policy VP04 which has been suggested by the Council.

Draft policy VP04 and the inclusion of an inset map for information purposes, does not provide any form of guidance to assist with the consideration of planning applications. The policy merely acts as a signpost back to 'relevant policies' in the Local Plan, including Strategy 7. As such it is no more than a statement of the obvious and provides no clarity for existing businesses.

As set out above, the EDLP specifically leaves it to the Villages Plan to provide policies guiding development at the business park. On no tenable interpretation, therefore, does Strategy 7 that is referred to in draft policy VP04 (MM09), provide a framework for planning decision-making in relation to development at Greendale Business Park generally.

As set out in our earlier representations and discussed at the Examination hearing, the Local Plan is silent on the matter of employment provision/ future development at both Greendale and Hill Barton Business Parks. The table below lists the EDLP policies which relate to employment and economic development (section 24 of the Local Plan). For the reasons set out in the third column, none of these policies are relevant to Greendale Business Park.

Local Plan Policy	Description	Relevant to Greendale Business Park?
E2	Employment Generating Development in Built-Up Areas	No- The policy specifically relates to sites within built-up area boundaries
E4	Rural Diversification	No - The policy relates to proposals to diversify and expand on agricultural related activities
E5	Small Scale Economic Development	It is not considered this policy would be relevant to a proposal relating to an

		extension to an existing business park.
E7	Extensions to Existing Employment Sites	No – The policy states that it is not applicable to Greendale and Hill Barton Business Parks. The reason for excluding the business parks from this policy was due to the original intention that consideration would be given to potential development opportunities at these sites through the VP.

Strategy 7 (Development in the Countryside) of the EDLP states:

"The countryside is defined as all those parts of the plan area that are outside the Built-up Area Boundaries and outside of site specific allocations shown on the Proposals Map. Development in the countryside will only be permitted where it is in accordance with a specific Local or Neighbourhood Plan policy that explicitly permits such development and where it would not harm the distinctive landscape, amenity and environmental qualities within which it is located, including:

1. *Land form and patterns of settlement.*
2. *Important natural and manmade features which contribute to the local landscape character, including topography, traditional field boundaries, areas of importance for nature conservation and rural buildings.*
3. *The adverse disruption of a view from a public place which forms part of the distinctive character of the area or otherwise causes significant visual intrusions"*

This policy is therefore clear that development will only be permitted where there is another specific Local Plan or Neighbourhood Plan policy that permits such development (and where it would meet the other criteria set out in the policy).

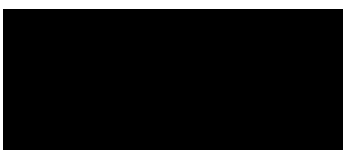
Draft policy VP04 does not provide any clarity on what development would be permitted at the business park and would therefore not accord with paragraph 154 of the Framework and would fail to meet the tests set out in paragraph 182 of the Framework.

A positive, permissive policy is therefore required to be included in the VP in relation to the Business Park, given the current vacuum in the EDLP.

As set out in our earlier representations, we remain of the view that the VP should look to allocate proposed areas for development at the business park as was originally intended. A Masterplan has been prepared for Greendale Business Park and identifies that there are a number of opportunities for development at the business park, which would not result in adverse impacts and where employment development should be supported.

Alternatively, should the Inspector consider that site allocations are not required to be included, in our opinion a clear, criteria based policy should be included in the plan. An alternative policy option would be for the VP to direct consideration back to the tests set out in EDLP Policy E7 or to draw the tests within a specific policy contained within the Villages Plan.

Kind regards,



Nicole Stacey BSc (Hons) MSc MRTPI

For PCL Planning Ltd

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Appendix 1

Comments of Lead Councillor for Business and Employment, EDDC

From: Mike Allen [REDACTED]
Sent: 05 January 2018 16:14
To: Planning Policy
Subject: Protect: Villages DPD Consultation 2018 Formal Comments for submission to Inspector - please acknowledge

Mike Allen comment to Inspector on Hill Barton and Greendale issues

(The Lead Councillor for Business and Employment in East Devon District Council (EDDC) and past Chair of the Local Plan Forum which developed the current EDDC Local Plan)

EDDC welcomes proposals for business investment and the creation of units for small and medium sized enterprises across the East Devon area subject to NPPF and Local Plan criteria.

We appreciate that cumulative development along the A3052 road corridor has the potential to negatively impact upon existing communities and infrastructure and the operations of existing businesses. The lack of objection from Highways England on a recent nearby planning application is significant

Hill Barton (HB) and Greendale Business Park (GBP) are situated near recently approved (on appeal) Yeo Business Park. This determination is of direct material significance in considering further proposed development. .

I will examine four main areas of consideration for Economic development in respect of this SPD for Business Parks:

- 1) It could be reasonably assumed that the Planning Inspector's view that employment space proposals of a 'relatively small scale development that would provide jobs for local people' would be applicable to the current plans for Business Parks in the area. It is similarly likely that this location would also be deemed a suitable location for small scale business units at appeal.
- 2) Greendale and Hill Barton Business Parks are larger scale and vitally important to the economic expansion of East Devon outside of the Science Park and Skypark areas
- 3) The lack of residential neighbours means no loss of amenity.
- 4) There is clear demand for the facilities at Hill Barton and Greendale, without which business expansion would not be accommodated elsewhere. The medium quality, flexibility and appeal of the industrial storage space and units for larger growing businesses in the district is essential. To be clear, we have no economic basis on which to challenge further development within the perimeters set in the Villages DPD.
- 5) EDDC's Economic Development team have reviewed the Draft Villages Plan as well as the Sustainability Appraisal. Having also reviewed Strategy 27 and Policy E7 of the adopted Local Plan, in addition to material evidence in respect of employment land delivery below, I recommend that the Greendale (GD) and Hill Barton (HB) employment sites be removed from this Villages Development Plan. Approval of this draft Villages DPD with GD and HB included will exacerbate the undersupply of employment premises we are already experiencing through non-delivery of our employment allocations in the adopted Local Plan.

The Council's strategic drive is to prioritise the development of employment land in the west of the district. Any applicants are advised to examine the potential suitability of our Enterprise Zone sites (Inc. the Exeter Airport Business Park Expansion site; Cranbrook Town Centre; Skypark & Science Park), all of which benefit from infrastructure investment in excess of £25 million and include enhanced transport

corridor infrastructure, rail stations and employment site infrastructure as well as being immediately adjacent to Exeter Airport and A30 and M5 junctions.

However, we are aware of some businesses feeding back a view that sites, such those examined above are aimed predominantly at the medium to large scale employers with scientific and professional or transport accommodation requirements in excess of 5,000 sq. ft. This can fail to meet the needs of many new and growing local medium sized manufacturing / B2 class businesses many of which would not be welcome in proximity to residential areas or on Science Parks.

In 2012 East Devon District Council commissioned Professor Nigel Jump of Strategic Economics Ltd to carry out an independent assessment of the economic impact of the two strategic employment sites in East Devon. His conclusions were clear in that investment in these locations has unlocked valuable employment and economic growth in the district. Moreover, these sites have the potential to make further economic net benefits (job creation, added GVA and inward investment) throughout challenging economic periods to come. The report concludes that when social and environmental factors are considered, there remains a net positive impact of extended capacity at these sites which are yet to run their full course. In light of this EDDC commissioned evidence, inclusion of Greendale and Hill Barton within the Villages DPD is unwarranted, contrary to the specialist advice we have commissioned and would cause demonstrable harm to the district. These findings are echoed in 3 subsequent studies of demand for industrial and commercial space in East Devon which formed the overall economic element of the EDDC Local Plan which placed great weight on the sustainable balance of social, economic and environmental issues as the "Golden thread" which ran through the Local Plan and the NPPF

The proposals for the development of medium sized businesses of B2/B8 category fit well with a large number of B use premises enquires received by Economic Development in the last 2 years, The filling out and redevelopment of Greendale and Hill Barton will complement the demand for larger B use provision and remain a welcome addition to the diverse mix of commercial accommodation required to facilitate indigenous business growth as well as the district's ability to meet the needs of potential inward investors seeking to become established or grow their operations in East Devon.

Having recently reviewed B use premises demand across the district, the following updates can be cited: - In Exmouth, B use accommodation at Liverton Business Park is in high demand. We have seen speculative build in this location with all but their final unit now let. They are unable to accommodate further demand - Across Clinton Devon Estate's whole East Devon portfolio of commercial property; they have no other vacant B use premises available, representing a significant shortage of supply.

The Exeter and Heart of Devon Commercial Premises Register has received 43 separate enquiries for B1 Office accommodation in the District in the last 3 months - Greendale have received more than 80 B use premises enquiries in the last 12 months totalling more than 850,000 sq. ft. - Also, west of the Enterprise Zone, land is being brought forward for speculative development of small, flexible B use units.

Recently, as part of their Business Plan for the use of the Owen Building, Rolle Exmouth Ltd provided details of 59 separate businesses, social enterprises, individuals, groups/classes, education & training providers who have declared an interest in finding small SME commercial premises in Exmouth

Lastly, to curtail the provision of good jobs at Hill Barton and Greendale would be to consciously, selectively and actively undermine our stated (and adopted) Local Plan ambition of delivering one job per new dwelling. This target has not yet been realised, resulting in an unsustainable imbalance between the provision of new homes and new, quality jobs in East Devon.

We cannot continue to overlook this imbalance as our young teens and twenties leave to pursue careers elsewhere and the economically inactive grow as a proportion of our aging population.

We continue to receive inward investment enquires of differing scales and different employment use classes, including from the Dept. for International Trade (DIT, formerly UKTI). These request a diverse mix of investment formats and much needed employment opportunities from outside the district. However it is often difficult to identify suitable available employment premises. Maintaining a diverse mix of development land and premises is key to securing these investments and associated local economic benefit.

The increased density of employment possible on Greendale and Hill Barton sites for B1/B2/B8 use is a clear benefit to our established local supply chains and producers/providers served by these developments.

Finally – I am concerned about an issue of prejudice: I believe that it would be prejudicial to the economic development of East Devon to consider the imposition of Strategy 7 (Greenfield) on Hill Barton on Greendale since the sites are clearly well used industrial sites which are in the right location for the type of businesses they serve. The two sites have been afforded a specific exception in Policy E7 – ‘Extensions to Existing Employment Sites’ of our adopted Local Plan (See Pg. 196 “This policy will not apply at Hill Barton and Greendale business Parks”). While for landscape and other reasons we might wish to limit the further expansion of the sites, I believe it would be prejudicial to single out these two sites rather than the 50 other smaller industrial sites for special treatment. The criteria already laid down within the Local Plan are fully sufficient to control and promote the appropriate development on these sites

Recommendation

I recommend that the Greendale (GBP) and Hill Barton (HB) employment sites be removed from this Villages Development Plan. I recommend that any application of strategy 7 within the perimeters already agreed should not occur but that other Planning Policies on Industrial Land development should be applied on the basis of equity and equality with other industrial sites in East Devon

Approval of this draft Villages DPD with GD and HB included and subject to strategy 7 will exacerbate the undersupply of employment premises we are already experiencing through non-delivery of our employment allocations in the adopted Local Plan.

Appendix 2

Summary of key points

- The Employment Report (Appendix 4 of representations dated May 2017) clearly demonstrates that there is little, if any, availability of employment sites with infrastructure in place in the locality, and across the District as a whole, where B1/B2/B8 uses are proposed.
- There is a high level of demand against availability in the area. This is borne out by enquiries received by EDDC economic development officers as well as the business park's experience of the marketplace (Appendix C of representations dated September 2016).
- There has been non-delivery on allocated employment sites and there are a number of concerns in relation to the overall delivery on a number of sites and the type of employment provision which is being made (Appendix A of representations dated September 2016).
- The Council's Employment Land Review Report (Appendices 1 and 2 of our further Statement to Matter 2, October 2017) clearly acknowledged that there are delivery issues affecting existing employment allocates and that a significant proportion of anticipated supply remains to be delivered. While progress has been made in trying to bring sites forward in the West End, the ELR is clear that there are a number of smaller sites within the District which are not coming forward and that action is required to support the delivery of further employment sites in the District.
- The Council's Housing and Employment Study (Appendix D of Employment Report, Appendix 4 of representations dated May 2017) recognises Greendale Business Park as an established employment location, with existing infrastructure in place and capacity to accommodate further growth. The site has a mix of units typically for distribution and secure open storage uses. The business park plays a vital role in meeting the economic needs of the District and facilitating indigenous growth.
- Greendale Business Park was a major contributor to B1/B2/B8 completions across the District over the period 2007 – 2015 (appendix E of Employment Report at appendix 4 of representations dated May 2017).

- There has been a shortage in delivery of high quality employment premises for both small and micro-enterprises and this matter has been considered by Inspectors at both Axehayes Farm and Hogsbrook Farm (Appendices 2a and 3 of representations dated May 2017).
- Greendale Business Park offers choice in terms of quality & type of accommodation and flexibility on lease terms vs the West End allocations which are squarely aimed at 'institutional' covenants and larger high quality new buildings.
- The Council's jobs to new homes target is not being met. To curtail the provision of jobs at Greendale Business Park would fetter the delivery of strategy 1 and strategy 31 of the adopted EDLP which seeks to deliver one job per each new home built.