Wealden District Council Core Strategy Representations on behalf of Valad Property Group

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1. Introduction

1.1. These representations are submitted on behalf of Valad Property Group in respect of the Wealden District Council Core Strategy Examination in Public.

1.2. Valad Property Group manages the Mountney Bridge Industrial Estate on behalf of the owner, RBCTC as Trustees for the Industrial Trust. The Industrial Estate forms part of the Westham main business area and is located to the south of Westham on the Eastbourne Road. The site is currently occupied by a car showroom and a number of other industrial units.

1.3. We are concerned that the planning framework for Wealden District should achieve a reasonable balance between attracting development, economic growth and protecting the environment. Our client has a number of concerns in relation to the Core Strategy, and at this stage do not consider that it is sound.

1.4. We have previously submitted written representations to the Counsels pre-submission consultation stage of the Core Strategy. However, we wish to take this opportunity to comment further on some aspects of the document which we consider are fundamental to the soundness of the Core Strategy.

2. Matter 2 - Settlement Hierarchy and Rural Areas Strategy

Main Issue: Whether the settlement hierarchy and strategy for rural areas are soundly based.

a) Are the categories in the Core Strategy settlement hierarchy appropriate and justified.

b) Does the evidence base support the position of individual settlements within the settlement hierarchy

2.1. The Wealden Settlement Hierarchy is set out in paragraphs 3.2 to 3.7 of the Proposed Submission Core Strategy. This provides the basis of the distribution of development by identifying places that have the greatest amount and range of employment, community facilities, and support services that are well served by public transport. The settlement hierarchy in Table 1 shows which towns fall within which settlement type and their function, this is also illustrated in Figure 2. Figure 3 identifies Westham as a settlement with an industrial estate of more than 1000sq m floorspace.

2.2. As drafted, the Wealden Settlement Hierarchy does not adequately reflect the settlement structure in the District and, as such, it is unsound. For example, Primary Centres and Secondary Centres are listed as the largest settlement types, yet all the towns that fall within these categories fall beyond the District boundaries. While it would be expected for the Strategy to acknowledge large centres beyond the district they should not form part of the fundamental settlement hierarchy.

2.3. In addition, the functions as described in Table 1 do not correlate with the towns listed against them. For example, Westham is considered to be a local service centre which is described as having a more limited supply of social and economic infrastructure and local residents depend on other centres to meet a broad range of needs. This is not an accurate description of Westham which is a large village that has good public transport accessibility (including a railway station and numerous bus stops) and a wide variety of social infrastructure. There is a primary school, church, village hall, shops, chemist, newsagents, post office, hairdressers, restaurants and doctors surgery. Furthermore, Westham offers a range of employment opportunities including industrial estates, such as the Mountney Bridge Industrial Estate. It would therefore be more fitting for Westham to be considered a Service Centre.

2.4. We also note that paragraph 3.4 states that the Core Strategy's aim is to reinforce the settlement hierarchy rather than change it and to acknowledge that future development in some of these settlements is more sustainable than others. Whilst future development may be more sustainable in some locations rather than others, the hierarchy as drafted constrains positive development in lower order settlements that may contribute to sustainable growth of the area. Such growth is necessary to meet future economic and social needs as set out in the Core Strategy Vision. This might include a landowner wanting to enhance employment opportunities at existing employment sites, such as expanding the Mountney Bridge Industrial Estate which is already a recognised employment area in a sustainable location, close to a rail station. We are therefore of the view that this paragraph needs to make it clear that some settlements defined as local service centres are capable of accommodating sustainable growth.

d) Has the approach to development boundaries in some villages been justified by the evidence base.

2.5. Policy WCS6 sets out the Rural Areas Strategy, which applies to the majority of categories of settlements in the Settlement Hierarchy, from service centres through to unclassified settlements. The policy indicates that development boundaries will be retained or provided at a number of centres, including Westham. In addition the policy states that any 'retained or new development boundaries will be reviewed as part of the Strategic Sites and Delivery and Site Allocations DPDs as appropriate'.

2.6. We consider that the development boundaries should be considered at this stage and therefore that, as drafted, Policy WCS6 is ineffective and unsound.

2.7. As mentioned in our pre-submission representations, land to the rear of our client's site, the Mountney Bridge Industrial Estate, was previously included within the development boundary of the 1998 Wealden Local Plan and allocated for business purposes. This land was subsequently re-defined as falling outside of the development boundary in the Non-Statutory Local Plan 2005 with the new boundary corresponding with the rear of the existing buildings. The 1998 Local Plan policy was not 'saved' under the Planning and Compulsory Purchase Act 2004.

2.8. The Council's reasoning for removing this land from within the development boundary was that:

- Since 1992 no development proposals have come forward on the site and the allocation remains unimplemented; and
- The site was located within the Environment Agency's indicative floodplain map which showed that there is a risk of tidal flooding and fluvial flooding from both the Mountney Sewer and the Westham Mill Ditch.

2.9. These reasons are now not relevant and we are of the view that the land should be re-identified for future development as previously envisaged. Paragraph 3.22 and Policy SPO6 states that the Council will support the growth of the economy by helping existing companies expand and develop. The inclusion of the site within the development boundary would help achieve this. It would also help achieve the 'growth' aspirations in the draft NPPF.

2.10. With regard to the first point, there is demand for existing industrial tenants to expand. This is evidenced by planning permission granted on 12 April 2011 for temporary storage on the land to the rear of the Mountney Bridge Industrial Estate (LPA Ref WD/2010/2920/MAJ). Another application for a new warehouse on vacant land on the industrial estate was also approved this year (WD/2010/2920/MAJ).

2.11. The issue of flooding on the site can also be addressed. At the time that the 2005 Local Plan was being produced there was uncertainty about the extent of the floodplain. A recent flood risk assessment of the site has shown that Mountney Bridge is located behind strategic coastal flood defences. The Environment Agency has also confirmed that the sea defences managed by Eastbourne Borough Council are maintained to a 1 in 200 year standard of protection. Therefore, unless defences are breached or overtopped, the site will not be affected by tidal flooding. Furthermore, the site is located over 1.5km inland from the sea defences and this should provide adequate flood warning time if the defences were to fail or were overtopped. It should also be noted that the Environment Agency have stated in correspondence that they do not have any record of the site ever having flooded historically.

2.12. In addition, Planning Policy Statement 25, Development and Flood Risk (PPS25) clearly states that 'less vulnerable' development is acceptable in Flood Zone 3a. Less vulnerable uses include general industry and storage and distribution. The EA did not raise an objection to the temporary storage application on the land to the rear of the estate nor to an application for a new warehouse unit on the estate (LPA Refs wd/2011/2013 MAO and WD/2010/2920/MAJ).

2.13. The land to the rear of the estate is also suitable for inclusion in the development boundary due to its physical characteristics. There is an existing landscaped buffer running along the northern, eastern and southern boundary of the proposed industrial estate extension which screens the business area from the open countryside beyond.

2.14. In view of the above, we are of the view that the development boundary should be re-drawn and the site should be reallocated as an extension to the industrial estate.

3. Matter 4 - The Local Economy

Main Issue - Whether the Core Strategy would help to sustain and strengthen the local economy.

a) Does the Core Strategy accord with national policy, particularly PPS4: Planning for Sustainable Economic Growth and the Ministerial Statement on 'Planning for Growth'?

3.1. Whilst the NPPF is only in draft, advice from the Planning Inspectorate is that it is capable of being a material consideration in the examination of the Core Strategy. The NPPF clearly sets out the Government's current position in respect of the planning system and should be give due weighting. The document follows on from the Planning for Growth Agenda, and signals the Government's 'direction of travel' on forthcoming planning policy and the determination of planning applications.

3.2. At the heart of the Draft Planning Policy Framework is a presumption in favour of sustainable development. It is clear from this document and previous publications such as 'Planning for Growth', that the Government requires that Local Planning Authorities adopt a positive approach to sustainable development. Paragraph 13 of the document clarifies that this approach should be adopted by planning authorities as "planning must operate to encourage growth and not act as an impediment". Furthermore, "a positive planning system is essential because, without growth, a sustainable future cannot be achieved". As such, the default answer to development proposals is "yes", except where this would compromise key sustainability principles.

3.3. As the overarching framework document in the District the Wealden Core Strategy should set out the presumption in favour of sustainable development with clear policies that will guide how the presumption will be applied locally in accordance with the draft NPPF. Furthermore at paragraph 48 the draft NPPF states that plans should be positively prepared in order for it to be sound.With regard to business and economic development the NPPF states that investment in business should not be over-burdened by the combined requirements of planning policy expectations. Planning policies should recognise and seek to address potential barriers to investment and should set out a clear economic vision and strategy for their area which positively and proactively encourages sustainable economic growth. Local Authorities are also advised that they should support existing business sectors and, where possible, identify and plan for new or emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate requirements not anticipated in the plan and to allow a rapid response to changes in economic circumstance.

3.4. Planning Policy Statement 4 sets out the Government's objectives for sustainable economic growth, which include building prosperous communities by improving economic performance of cities, towns, regions, sub-regions and local areas; and reducing the gap in economic growth rates between regions, promoting regeneration and tackling deprivation.

3.5. PPS4 sets out, at paragraph 4, that economic development includes a broad range of development, including the traditional B Use Classes and other development which achieves at least one of the following objectives; provides employment opportunities; generates wealth; or produces or generates an economic output or product.

3.6. In relation to planning for economic development in rural areas, Policy EC6.2 states that Local Authorities should identify local service centres and locate most new development in or on the edge of existing settlements.

3.7. Furthermore Policy EC10.1 of PPS4 states that local planning authorities should adopt a positive and constructive approach toward economic development, and that planning

applications that secure sustainable economic growth, should be treated favourably.

3.8. As currently drafted the Core Strategy does not accord with national policy set out in PPS4. The Core Strategy Policy should therefore recognise a positive approach toward economic development across the settlement hierarchy in Wealden

b) Is the scale and distribution of employment growth in the Core Strategy justified by the evidence base? Is there an appropriate balance between the scale and location of additional employment allocations in relation to those for housing?

3.9. Our client welcomes the Council's aim of promoting economic growth in the Wealden area and that the Core Strategy recognises that there is a shortage of good quality modern business premises and that there is a particular need for economic investment in the south Wealden area to reduce out commuting.

3.10. Paragraph 3.19 of the Core Strategy states that the strategy makes better use of land already in employment use and encourages the redevelopment and intensification of suitable sites. It also states that additional land is required to support growth in the economy.

3.11. Paragraph 3.22 states that the Council's strategy is to encourage and support business in a flexible manner to improve economic prosperity and reduce economic disparities across the district. It lists a number of ways the strategy seeks to achieve this, including:

- 2nd Bullet - retaining existing business areas and reviewing all allocated sites and business areas identified in the adopted local plan.
- 6th bullet - encouraging the redevelopment and intensification of existing business and employment areas and supporting the improvement of quality and flexibility of accommodation.

3.12. Policy WCS3 identifies land to be allocated to meet employment provision but it identifies no land in the rural area (which includes Westham), even though the Employment Land Review 2008 indicated that Mountney Bridge Industrial Estate had areas of land which could accommodate further development, including land to the east beyond the existing development boundary (previously allocated in the adopted Local Plan for business purposes).

3.13. This approach does not follow through the assertions made in paragraphs 3.19 and 3.22 that the strategy seeks to support and intensify existing employment areas. As currently drafted, the broad locations in Policy WCS3 do not provide the certainty that existing landowners need to encourage future investment.

3.14. This is fundamental to the growth of the local economy and the soundness of the Core Strategy. We consider that other locations should be referred to which can accommodate intensification and expansion and there should be recognition that some lower order settlements, such as Westham, can contribute to this growth, albeit to a lesser extent that larger towns. Such approach is supported by the evidence base i.e 2008 employment land review.

3.15. Policy SPO6 encourages economic development in Wealden and refer to the provision of provide 40,000 sq m of employment floorspace in addition to that already committed. However, this policy is unclear and unsound as it implies that any new jobs created will only make a positive contribution to the towns of Uckfield, Hailsham, Polegate and Willingdon.

3.16. This policy should be amended to make it clear that new economic development will be encouraged across all settlements in the District, particularly those in south Wealden (as identified previously in the Strategy). This would include Westham as this settlement is in the south of the district and accommodates large industrial estates which are important for employment in the district. This approach would tie in with Spatial Objectives SP07, SP08, and SP14.

4. Changes to the Core Strategy

4.1. The following changes are required in order to make the Core Strategy sound.

- Revise the settlement hierarchy to accurately reflect the settlement hierarchy in the Wealden, excluding towns beyond the District boundary. Westham should also be re-classified as a service centre to reflect the facilities, transport links and employment sites in this location.

- Modify Policy WCS3 to identify the potential for economic growth in certain parts of the rural area e.g Industrial Estates in Westham, in accordance with the Employment Land Review findings and the emerging NPPF

- Ensure that the Core Strategy Policies are flexible enough to accommodate requirements not anticipated in the plan and can respond to changes in economic circumstances.

- Undertake a comprehensive review of the settlemen boundaries to ensure that development is not constrained.

  The emerging Core Strategy is not in accordance with the policies and principles set out in the NPPF which is material consideration for the examination. It is also not in accordance with PPS4. The Core Strategy should be revised to include a positive approach to sustainable development and economic growth
- Amend policy SP06 to make it clear that economic development should be encouraged across all settlements in the district, especially those which have large industrial estates in them