

## **EN/F Employment and Business BE1 and 2**

### Introduction:

This note summarises the main comments on the Pre-Sub Business policies (BE1 and BE2), TNP's consideration of them and the amendments proposed. Attached to this are the TNP policies for BE1 and 2 with tracked changes. The individual comments and TPC's responses (which are lengthy) form part of the responses documents.

The two main sets of comments are from SDNPA and Pro vision (PV) for Humphreys. Both are substantial and ask for changes.

### The Comments of SDNPA and PV

#### **BE 1. General policy**

SDNPA say this should be deleted as it adds nothing to SDLP SD 34 and 35.

PV say it conflicts with SDLP and should be comprehensively reviewed together with the supporting text. The policy is welcomed in so far as it proposes a policy for sites outside the settlement boundary but duplicates SDLP and conflicts with SDLP in respect of SD 34 (e) and (f)

#### **BE2. 1. Northfields and Hazeley Enterprise Park (HEP)**

SDNPA welcome the designation as a local employment site but say that it should exclude the care home consent "NP's should not seek to affect extant planning consents". Apart from this the all elements of the policy are accepted.

PV, while endorsing the bespoke policy for the site, propose an alternative policy which

- Keeps the full extent of site as in Map 6
- Allows expansion for all businesses within the designated site
- Accepts that the landscape led approach, with travel and relationship to village to be used as criteria for future applications, but based on the status quo.

PV rejects the master plan as a prior requirement, unless the site is comprehensively redeveloped, puts hours of working as a Development Control matter and retains the Green Travel Plan as the basis for access. The explanatory text is subject to substantial revision.

#### **BE2.2 Replacement of care home**

SDNPA say this should be deleted as it seeks to amend an existing planning consent for the same reason as above.

PV say the same, adding that any new applications on the care home site should be dealt with under BE1.1. which makes it subject to SD 35.2 i.e. redevelopment for offices and/or warehousing.

### TNP Appraisal:

#### **BE 1 General Policy**

It does not seem that SDNPA have picked up that BE1 is selective in its application of SD 34 by omitting the presumption in favour of expansion of all established business and the reuse and intensification of brownfield land. In any case it makes no attempt to address TNP's concerns of the SDLP allowing each and every business on HEP and elsewhere in the parish to expand both buildings and site area. No substantial change to the policy is justified by SDNPA's response. However the

policy can be simplified to strip out duplication and overlap with SDLP. TPC's proposed modifications to BE 1 are:

- to ensure no duplication in the policy, with any surplus text put in the supporting text to ensure clarity
- make sure that the text and policy wording clarifies the difference between SD 34 and BE1

The response to SDNPA says we disagree on the second point but have modified the wording to avoid duplication.

PV take issue with the explanatory text and proposes extensive rewriting. This is partly on lack of evidence, partly on differences of interpretation. TNP's concerns on the consequences of applying SD 34.1.(e) and (f) for Twyford and for HEP in particular are not addressed (i.e. that it supports the extension of each and every business and its curtilage within the HEP on an individual basis). PV relies on the proposal not being in conformity with SDLP to justify the amendment of the policy. The modifications proposed to meet SDNPA's comments also address PV's:

- to ensure no duplication with SDLP as above
- to make minor modifications to explanatory text to clarify the purpose of the policy

There is no change to the substance of BE1

### **BE2.1. Northfields and Hazeley Enterprise Park (HEP)**

The support of SDNPA for this policy for the Humphreys site makes TNP's decision in this case straightforward apart from the issue of whether the care home is to be deleted from the designated site area BE 2. However PV do not object to this and clearly have alternative uses in mind for the care home site and make several comments to that effect. PV's alternative policy goes a long way to recognising the need for a comprehensive approach but clearly has concerns that Humphreys would be required to carry out a lot of work and that it would restrict their freedom of action. In this case SDNPA supports the policy requiring the master plan and PV, on Humphrey's behalf, the retention of the site areas defined by TNP on Map 6 subject to minor tweaks. So the policy is retained intact with some adjustments to the supporting text.

### **BE2.2 Replacement of Care Home**

TNP have repeatedly asked SDNPA why the mention of the care home consent contravenes the Basic Conditions and whether there is anything in NPPG or Regulations which says this. SDNPA Officers did not reply to requests for clarification. It has been suggested that it may be because some communities objected to Local Plan housing allocations in their areas and were using NP's to zone these unwanted extra housing sites as Green space or similar. The NP regulations were amended to prevent this happening. That is of course not what TNP is doing with the care home; the care home is not an SDLP allocation, is not supported by SDLP policy and is in beneficial use in accordance with SDLP policy.

BE2.2 does not remove any of the benefits of existing consent; it looks solely at the use of the mill site if the care home is not built and seeks to provide policy guidance for that eventuality. SDLP provides minimal guidance itself (SD24. 2), especially if Map 6 excludes the care home consent.

In the absence of clear guidance in Regs or NPPG, TPC do not agree that it is reasonable for SDNPA agree to the TNP saying "remove the mill" (which is there) as a policy but is prevented from saying

anything about its successor, (which is not there), or even about what might be allowed on the mill site if the care home is not built, because it is consented.

However BE2.2 could be better expressed. Its purpose is to block the change (and expansion) of the care home consent to any large scale retirement use or similar, so its focus is negative. The proper focus is to ensure that the policy should state what the site **should** be used for. This is provided for by SD 34 i.e. the maintenance of the employment use. Note here that although the Care Home Development has been started (in order to keep the consent alive), the mill is in operation and its use continues. Even when demolished it will remain a business use until the care home is brought into operation. So the Care home consent appears to have little weight in any subsequent planning decision on the site unless and until it is built and brought into use. It should be noted that the care home consent

- Is for mixed use including several business units as well as the care home
- Was granted
  - contrary to policy for which reference to the SoS consent was required;
  - in 2010 and would normally have expired
  - With supporting arguments e.g. local employment which are no longer valid
  - With supporting confidential financial information not seen by the Public
- Appears not to be a viable use as the owners have submitted two Pre Apps for a Retirement Village on a significantly larger area, with no Care Home retained.

If the owners decide to apply for some other use than the care home, the starting point is BE2.1, which takes its lead from SD 34. Both say that the site should remain in commercial use and BE2.1 makes this even clearer by including the mill/care home site within the Map 6 area.

This means that BE2.2 can be dispensed with (which is what both SDNPA and PV are asking for) while keeping the TNP objective even more firmly in place, and may even be what both SDNPA and Humphreys/PV want, i.e. a clear zoning of the land as commercial.

Action :

1. Delete BE2.2
2. Transfer text of BE 2.2 to 2.1, and amend it.
3. Policy BE2.1 now Policy BE2

v. 12/9/20