

Core Strategy for Chiltern District

Response by Chiltern District Council to the Inspector's Note ID/17 - Suggested changes to Council's proposed Policy CS16 for employment land/economic prosperity (change C9d - Appendix 4 in CDN125) and review of target for Strategic Objective 4.

DATE: 15 Sept 2011

Final Version

The following paper sets out the Council's response to the Inspector's suggested further changes to Policy CS16 of the Core Strategy, and concerns in relation to the target against Strategic Objective 4, contained within his note ID/17.

In general the Council supports the rationale for the changes proposed by the Inspector to Policy CS16. The main matters of concern relate to how the policy, as drafted within ID/17, would be interpreted and applied through the planning application process. The Council therefore respectfully suggests some minor changes to the Policy to provide more clarity in its application. The reasons for these changes are also set out within this Paper.

In his Paper ID/17 the Inspector specifically asks the Council whether Policy E1 of the Chiltern District Local Plan (1997) should be deleted in light of the suggested wording to Policy CS16 of the Core Strategy. The Council recognises that since the Local Plan was adopted national planning policy has changed significantly. Policy E1 is no longer consistent with the advice in Planning Policy Statement 4: Sustainable Economic Growth. For example national policy currently supports new office development within town centres, which may not necessarily be permitted under this Policy. Given the shift in Government Policy and the suggested wording to Policy CS16 (see overleaf), the Council is of the view that Policy E1 no longer needs to be saved.

Proposed wording for Policy CS16 by the Inspector in ID/17, with proposed minor changes suggested by Chiltern District Council.

(Proposed insertions are shown as underlined text and proposed deletions are struck through)

The Council will aim to secure the long-term retention of a portfolio of employment sites and premises within the District which are attractive to the market demands and which will provide a range of jobs to meet local needs.

The redevelopment of existing employment sites and premises for employment use to make more efficient use of sites and provide modern premises attractive to the market will be encouraged. Mixed use schemes will be acceptable where these would facilitate the continuation of appropriate amounts and types of employment uses on the site ~~employment development which would not otherwise be realised.~~

The continued designation, role and boundaries of sites currently covered by Policies E2 and E3 in the Adopted Chiltern District Local Plan will be reviewed in the Delivery DPD to achieve a balanced portfolio of fit for purpose sites attractive to the market demands. ~~The policies applying to any defined sites will be reviewed in the Delivery DPD.~~ Pending the ~~above~~ review of sites and subject to the application of the sequential test for any proposed town centre uses, proposals for economic development uses ~~or community facilities~~ on these sites will be assessed on a case by case basis in the light of the scale and nature of the uses, their location within the site, and the degree to which favourably considered where these would be complementary to the existing ~~business uses~~ in that location and consistent with the integrity and function of the location for employment purposes.

The policies applying to any defined sites will be reviewed in the Delivery DPD.

Changes of use of an employment use to residential use will be acceptable on the upper floors of properties within the three District Shopping Centres as defined on the Proposals Map.

Where an employment site (~~including sites covered by policies E2 and E3~~) is within the built-up areas excluded from the Green Belt and not designated under policies E2 or E3, the loss of employment land as a result of redevelopment for other uses, including residential use, will be acceptable where there is no reasonable prospect of the site being used for employment purposes, or where it is creating significant amenity issues, or where the existing use is creating significant highway problems.

*Note: For the purpose of this Policy 'economic development' is taken to include development within the B Use Classes (defined within the Use Classes Order), Public and Community Uses and Town Centre uses.

CDC Reasons for Suggested Changes to Policy CS16:

Para 1 above: The word 'demands' is not necessary and its removal is consistent with references elsewhere in the policy.

Para 2 above: The Council is not clear on how it would interpret the second sentence of this paragraph through the planning application process – i.e. how in practice will the Council know whether the development would not otherwise have been realised? The Council supports the general principle of mixed use development on employment sites and therefore considers it appropriate to reflect this in policy. The Council's proposed changes to the second sentence are suggested to provide clarity to the applicant as to how the Council will apply this policy, in a way consistent with the objectives of this Policy and Policy CS15.

Para 3 above: The Council is proposing to merge the third and fourth paragraphs proposed by the Inspector. The aim being to make it clearer that the fourth paragraph proposed by the Inspector relates to designated employment sites (CDC did not consider this the case with the original wording). Accordingly, and to make the paragraph flow logically, a new fourth paragraph has been created by moving the sentence referring to the review of policies within the Delivery DPD.

The Council is concerned that the Inspector's proposed wording would enable permission for significant inroads into E2 and E3 areas to be made before their future role in the overall portfolio of sites has been established. Accordingly a more cautious approach is taken, albeit one which still facilitates change which does not prejudice the future.

The reference to community facilities is not needed if the proposed definition of 'economic development' is retained as a note to the Policy.

Para 6 above: The Council considers it important to take a more cautious approach to the potential redevelopment of E2 and E3 sites for residential

purposes until the outcome of the review is known, for the same reasons as set out in the justification for paragraph 3, above. At that point it is possible that some designated E2 and E3 sites may cease to be so designated. They will then fall to be considered under this paragraph.

The Council does not see the need to protect non E2/E3 sites in the same way, as they do not form part of the portfolio of sites referred to in the overall aim of the policy.

The Council considers that it is too vague to just say “highway problems”. By introducing the word “significant” the Council can apply an appropriate measure through the application process. Without the term significant, conceivably a change of use could be allowed if minor and inconsequential highway problems are identified; even if the site is of strategic importance.

The Council has also proposed a note at the end of the Policy to define the term ‘economic development’. It is considered that a definition is essential to appropriately interpret parts of the policy (e.g. para 3 above). Whilst the term ‘economic development’ is currently defined in PPS4 (para 4) there is no guarantee with the publication of the NPPF that this definition will remain. To future proof the policy, the Council therefore proposes that the current definition of economic development in PPS4 is restated as above.

Review of the target for Strategic Objective 4, in response to the Inspector’s concerns in paragraph 9 of ID/17

In paper CDN125, the Council proposed a significant change (C2[c]) to Strategic Objective 4 of the Core Strategy by way of a new strategic objective and supporting target. The target put forward by the Council aims for a “*Year on year increase in the number of people employed in Chiltern District*”. However, in paragraph 9 of ID/17 the Inspector states that this proposed target seems particularly ambitious and difficult to deliver and invited the Council to review the target.

The Council acknowledges that delivering against such a target is ambitious and may prove to be particularly difficult given the prevailing national economic conditions. The Council therefore proposes to replace the target with the following:

- 1. At least maintain the number of people employed within Chiltern District over the plan period.*

The Council believes that this target remains ambitious, but is more realistic than that proposed under change C2[c] and therefore deliverable. Labour market statistics produced annually by NOMIS can be obtained by the Council. The Council considered that the application of a target over the plan period rather than year-on-year adds robustness and looks beyond short term economic trends.

- 2. A net increase in the number of businesses operating within the District over the plan period.*

The Council considers that aiming to achieve an increase in businesses is likely to help protect the area's economy for the future. Again, the application of a target up to 2026 rather than year-on-year adds robustness and protection against short term economic trends. This information can be easily obtained via the Valuation Office rating records.

- 3. A net increase in new business start ups in the District over the plan period.*

The Council considers that this target is consistent with the aims of Chiltern Sustainable Community Strategy (CDN076). Data on 'enterprise births' can be obtained annually from the ONS.

N.B. The Council envisages that targets which apply 'over the plan period' will be monitored annually in order to judge the likely achievement of the target

against the corresponding objective. Where clear deficiencies are identified action will be triggered.