

**Written Representations made on Behalf of Gordons Builders Merchants  
Concerning Policy DM4 of the Wycombe District Delivery and Site  
Allocations DPD Submission Version 2012**

**Response No. DSA12/027  
Examination Reference No. 027/2/DM4/1,4**

**November 2012**



## 1.00 INTRODUCTION

- 1.01 Tim North & Associates Ltd act on behalf of Gordons Builders Merchants, the freehold owners of land at No. 64 Holmer Green Road, Hazlemere, High Wycombe, Buckinghamshire. The company has a long affiliation with High Wycombe and now wish to find alternative premises to satisfy the needs of their business.
- 1.02 The Local Planning Authority in both its Wycombe Strategic Housing Land Availability Assessment March 2009 and its March 2010 Update, have consistently referred to that part of the site's frontage occupies by the builders merchants business, amounting to approximately 0.33ha, as being a suitable site for residential purposes, and likely to be released some time during the period 2015 to 2021, with the deliverability of any housing scheme based on the time required to relocate the existing business. However, it is necessary to state that any residential redevelopment has been delayed not only as a consequence of current economic conditions; but also the need to increase the available site area for residential purposes to approximately 2.5ha. A necessary prerequisite in allowing my client to purchase an alternative site is reliant upon sufficient funds being realised from the sale of that part of the land in my client's ownership for residential purposes.
- 1.03 In this way, what my client is seeking is the release of land for residential purposes along his entire frontage with Holmer Green Road, extending to a depth equivalent to that of immediately adjoining properties fronting onto the same side of the highway. The majority of land in my client's ownership will be retained as an area of green space to be maintained by a management trust, with a financial contribution provided to ensure necessary improvements to the woodland and any nature conservation/biodiversity significance evident in that area. These details are more particularly shown on the Location Plan found at Appendix 1.
- 1.04 Financial appraisals carried out on behalf of my clients have indicated that the cost of acquiring an alternative site in the Wycombe area; constructing the necessary buildings and compounds; borrowing any additional capital required in these challenging economic times and taking into account relocation expenses, with no allowance for increases in inflation, CIL contributions, the costs of any off-site highway and drainage works, along with a sinking fund to set up a management trust for the majority of the



remaining area of green space; would not be met simply by redeveloping the existing lawful builders merchants business with approximately five new dwellinghouses.

- 1.05 These are not new factors, but are issues which have been raised with officers of Wycombe District Council continuously since August 2006, and at every stage in the preparation of the Delivery and Site Allocations DPD.
- 1.06 The choice is whether to adopt a positive, proactive approach, in line with current central government policy, and thereby provide the necessary incentive which in viability terms will allow for the relocation of my client's business, at the same time enhancing the majority of the remaining land as an area of green space with accessibility to the public. The alternative as portrayed through the provisions of the Delivery and Site Allocations DPD Submission Version 2012, is to maintain the status quo, which in effect is to prevent this long established local company from expanding onto a more suitable site away from adjoining residential properties, preventing improvements to an area of unmanaged open space which has taken on an unkempt appearance.
- 1.07 In considering these options, mention should be made that the area of green infrastructure owned by Gordons Builders Merchants and shown on Map 12 Widmer End/Great Kingshill, has never been assessed by the Local Planning Authority in terms of its potential contribution to the local community; is not accessible to members of the public; and no study has been undertaken of either the significance of the woodland or its nature conservation/biodiversity credentials. To a certain extent it represents an unused area where certain individuals have sought to dispose of their surplus household items.

## **2.00 MATTER 8 - ECONOMY**

- 2.01 The purpose of these written representations is to provide additional information on that issue specifically identified by the Inspector to be considered at the Examination into the Wycombe Delivery and Site Allocations DPD June 2012, namely:-
1. Is Policy DM4 in conflict with the National Planning Policy Framework, or too restrictive in its approach to scattered business sites?



### **3.00 PLAN MAKING SEEN IN THE CONTEXT OF THE NATIONAL PLANNING POLICY FRAMEWORK**

- 3.01 The National Planning Policy Framework (hereinafter referred to as the NPPF) requires Local Plans, of which the emerging DPD constitutes a part, to be prepared with the objective of contributing to the achievement of sustainable development, with Local Planning Authorities seeking opportunities to achieve net gains across all three dimensions of sustainable development. It necessitates significant adverse impacts on all the dimensions to be avoided, and wherever possible, options should be sought to reduce or eliminate such impacts.<sup>1</sup>
- 3.02 Local Plans should be aspirational but realistic, and crucially they should plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of the NPPF. This necessitates the allocation of sites to promote development and more particularly, seen in the context of Policy DM4, flexible uses made of available land.<sup>2</sup>
- 3.03 In considering business, paragraph 160 of the NPPF requires Local Planning Authorities to “*have a clear understanding of the business needs within the economic market operating in and across their area*”; whilst in examining Local Plans, paragraph 182 requires the submitted Local Plan to be positively prepared and consistent with national policy.

### **4.00 ACHIEVING SUSTAINABLE DEVELOPMENT**

- 4.01 The plan making functions of the NPPF cannot be divorced from those 12 core planning principles upon which the NPPF is based. In this regard, planning should not simply be about scrutiny, but should be a creative exercise in deciding ways to enhance and improve the places in which people live their lives. It necessitates a proactive approach towards the delivery of homes, business and industrial units with plans taking account of market signals such as land prices and housing affordability, at the same time setting out a clear strategy for allocating sufficient land suitable for development in their areas, and taking account of the needs of residential and business communities.

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<sup>1</sup> Paragraphs 151 and 152 of the NPPF refer

<sup>2</sup> Paragraphs 154 and 157 of the NPPF refer



4.02 The underlying objectives of the NPPF cannot be separated from various pronouncements made by the Coalition Government over the last 20 months, where they have referred to the promotion of sustainable development from a plan-making perspective. To this end, the statement made on 15<sup>th</sup> June 2011 entitled “*Presumption in Favour of Sustainable Development*” , is of relevance when considering the representations raised on behalf of Gordons Builders Merchants:-

*“The Government is committed to ensuring that the planning system does everything it can to support long term sustainable growth, and has made it clear that significant weight should be placed on the need to support economic recovery through the planning system and related consent regimes...”*

*The three ‘pillars’ of the economy, society and environment are interconnected. Our long term economic growth relies on protecting and enhancing the environmental resources that underpin it, and paying due regard to social needs.*

*To help achieve this, the Government’s clear expectation is that we move to a system where the default answer to development is ‘yes’, except where this would compromise the key sustainable development principles set out in national planning policy...*

*Local planning authorities should:*

- *Prepare local plans on the basis that objectively assessed development needs should be met and with sufficient flexibility to respond to rapid shifts in demand or other economic changes.”*

4.03 On 6<sup>th</sup> September 2012 , the Coalition Government further sought in a speech on “*Housing and Growth*”, to reaffirm its No. 1 priority, being to get the economy growing and provide more homes, more workshops, factories and offices, and a planning system which works proactively to support the growth that this country needs.

4.04 The intention behind these representations made on behalf of Gordons Builders Merchants will result in important sustainability benefits, seen not only in terms of allowing a long established company with a loyal local workforce to relocate within the High Wycombe area and continue to meet the needs of its customers; but also to provide much needed residential accommodation, including affordable housing, at a time when housing completions nationally are at an all time low. It will also lead to important environmental advantages in that for the first time it will provide management of a green space occupied by woodland whose true potential has never been assessed or for that matter realised, at the same time enhancing its nature conservation/biodiversity



credentials and providing access to the general public where no such access is currently available. Without a more positive approach beyond simply maintaining the status quo, the longer terms aims of the business will be frustrated, the suggested residential redevelopment of part of the site as indicated in the most recent SHLAA updates will not take place, and an area of green infrastructure will continue to perform no use or function or be properly managed for the benefit of the local community.

## 5.00 POLICY DM4

- 5.01 In separate representations raised on behalf of my clients to the Wycombe District Delivery and Site Allocations DPD Submission Version 2012, reference has been made to the fact that Wycombe District Council has sought to rely on the Sustainability Appraisal as the “Environmental Report” for the purposes of satisfying the SEA Directive and SEA Regulations. It was also pointed out in the same representations that there was no information or underlying reasoning provided as to why the preferred option in terms of the wording of Policy DM4 [retain in business use, allow community facilities, main town centre, residential, (the latter subject to meeting tests)] had been selected in preference to the alternative option [more flexible/allow other uses without requiring marketing or demonstrating the site is no longer suitable for employment uses].
- 5.02 The second paragraph of Policy DM4 concerning scattered business sites, reveals that planning permission will not be granted for residential uses unless it has been clearly demonstrated that the re-use of the site for employment generating purposes is “*no longer practicable*”. Whilst this may be an understandable approach for the policy to assume, it remains in my client’s view flawed, in that no provision is made for those SMEs such as Gordons Builders Merchants, who have a long affiliation with High Wycombe, and who now wish to find alternative premises to satisfy the needs of their business in the 21<sup>st</sup> Century, but cannot do so without the necessary financial resources becoming available from the sale of land in their ownership.
- 5.03 Paragraphs 1a) and 1b) of Policy DM4 assume that the sale of a site for other employment generating uses, town centre uses or community facilities, will in most cases provide the necessary capital funds to allow a company such as my clients to relocate and compete in the local market for what is a limited amount of employment generating land likely to accommodate a builders merchants business. Alternatively, where the provisions of



paragraph 2 of Policy DM4 are relied upon, it assumes that the area of land released for residential purposes will be sufficient to raise the necessary funds to allow the company to relocate to an alternative site. Where neither of these provisions will lead to a satisfactory outcome, the policy as a whole prevents businesses such as my client's from acquiring an alternative site allowing them the necessary space to continue their business, at the same time retaining long established customers and members of staff.

- 5.04 It follows that Policy DM4 can positively discourage SMEs such as Gordons Builders Merchants, by stifling their ability to move from what at present is a restricted site, at the same time providing them with no assistance in meeting the future needs of their business. This is because the financial return arising from those employment generating uses referred to in paragraphs 1(a) and 1(b) of Policy DM4 or a residential use restricted to the land currently occupied as a builders merchants, is insufficient in allowing the necessary capital to be released, thereby allowing my client to purchase a suitable alternative site within the local area, construct the necessary buildings and open compounds and relocate his business at a time when alternative funding sources are simply not available.
- 5.05 The inclusion of part of the land owned by Gordons Builders Merchants in the latest SHLAA update of March 2010 adds further support to the view that the second and third paragraphs of Policy DM4 are at variance with Wycombe District Council's own future intentions for that part of the site currently used lawfully as a builders merchants.
- 5.06 The contents of paragraph 3 of Policy DM4 imply that in relying on the notion that employment generating uses are no longer practicable on a scattered business site, assumes that all employment generating uses have a common impact on their surroundings, in terms of amenity considerations, access arrangements, traffic generation, etc. Policy DM4 does not positively facilitate or encourage SMEs to expand their businesses whether on an existing site or on an alternative site within the locality; nor is it understanding of the needs of businesses which wish to find alternative accommodation more conducive to their business. The effects of the provisions of paragraph 3 of Policy DM4 are more likely to lead to the loss of an existing long established scattered employment use than to facilitate its continuation.



## 6.00 CONCLUSIONS

6.01 It is with the above considerations in mind that my client considers that paragraphs 2 and 3 of Policy DM4 should be deleted, with paragraph 1 of the same policy reading as follows:-

*"1. Planning permission will be granted on scattered business sites where the proposed development:*

- a) falls within B1, B2 and B8 use classes of the use classes order, or,*
- b) is for uses that deliver economic development such as employment generating sui generis uses, community facilities or main town centre uses (as defined by national policy), and*
- c) where the site is not within an existing centre but the use is a main town centre use the requirements of the tests set out in National Policy have been met, and,*
- d) would not be detrimental to and is compatible with surrounding land uses, or*
- e) would allow for a residential use to be established in a sustainable location compatible with surrounding land uses, at the same time leading to the delivery of planning benefits meeting local needs which other employment generating uses would not."*

6.02 It is also requested for the reasons set out in these written representations that an area occupying the entire frontage owned by my client fronting onto Holmer Green Road, extending to a depth commensurate with adjoining properties fronting onto the same side of the highway, shown on Map 12 Widmer End/Great Kingshill, should be deleted as an area of green infrastructure. For reference purposes, the area of green infrastructure to be deleted from Map 12 coincides with the red edged area on the Location Plan found at Appendix 1.

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