



**Examination relating to Delivery & Site Allocations  
Plan:  
Written statement on Matter 5.1 relating to the  
Desborough Area**

**On behalf of Greenlife Properties Ltd  
(representation nos: DSA12/021 & PEC11)  
November 2012**

Checked by **Stephen Pickles, BA, MSc, Dip TP,  
MRTPI**

Signature

Checked by **John Ashton, Dip TP, MRTPI**

Signature

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**Matter 5.1** **as one of three Key Areas for Change . have alternative options for this area been** **he Desborough Area**

explored sufficiently? □

**Action sought:** A further option needs to be explored by the Council that would provide more flexibility than policy HW2, including requirements for a smaller amount of open space and not specifying that any employment generating development is required on smaller sites.

The viability of implementing policy HW2 has also not been properly explored as the Delivery & Site Allocations Viability Assessment (June 2010) (CD3.8.2) takes no account of the value of the existing use of employment sites or of the ongoing maintenance costs of the new open space that needs to be created as part of redevelopment. Viability therefore needs to be re-appraised to ensure that the assessment gives a realistic appraisal of the likely costs of development proposals coming forward in compliance with the requirements of policy HW2.

### Main Statement

1. It is not considered that alternative options for the Desborough Area have been explored sufficiently. The Sustainability Appraisal only considers two alternative options for policy HW2, which are:

**Preferred Option:** Allow redevelopment of employment land for mix of uses to provide open space;

**Alternative Option:** No policy – continue protection for existing employment sites.

2. This might be sufficient if policy HW2 merely established broad principles, but it is very specific, requiring approximately 50% of the site to be made available as public open space and on existing employment areas, an element of employment generating development needs to be retained in proportion to the size of the site being proposed for redevelopment, even where the site is very small. There are many other options that could have been considered, including only requiring a smaller amount of open space or not requiring any employment generating development on smaller sites, for example.

3. Core Strategy policy CS11 stated that *'There may be scope for some smaller scattered sites to be redeveloped for non business uses. The Site Allocations DPD will set out detailed policies for when such a redevelopment may be appropriate and re-allocate appropriate sites.'* (CD5.2.1) However, despite there being a number of small employment sites, such as Greenlife Properties Ltd's Ruskin works in Oakridge Road, no consideration has been given to this issue in the Desborough Area.

4. Without such an assessment it is not possible to determine whether the preferred option as outlined in policy HW2, is *'the most appropriate strategy, when considered against the reasonable alternatives,'* as required by paragraph 182 of the National Planning Policy Framework (NPPF). (CD5.0.1) It is therefore considered that alternatives, including a more flexible option should have been considered.

5. It is also considered that the alternative options for the Desborough Area that have been assessed have not been explored sufficiently. The Council's evidence base, for example, does not provide:

- Any information on how many landowners the council has engaged with during the preparation of the plan and therefore how much land it anticipates being brought forward for redevelopment over the plan period. My client, Greenlife Properties has been invited to participate in all of the formal consultation events taking place during the development of the plan, but the Council has never approached them to discuss how redevelopment of the Ruskin Works site could fit in with its vision for the redevelopment of the Desborough Area. This is contrary to the requirement in paragraph 155 of the NPPF that *'early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential'* (CD5.0.1);
- Any information about how much employment land the Council is seeking to retain and the amount of open space it is seeking to create and how this is consistent with

the requirements of policy HW2.

6. The only information that has been prepared relates to viability and the shortage of open space. There is no detailed appraisal of the Desborough Area, identifying the precise nature of the problems and which sites provide the most opportunities for addressing these issues, or which, if any, sites provide modern employment facilities that should be retained. Without this information it is not possible to demonstrate whether the plan is deliverable or to monitor the achievement of the policy objectives. The preferred option has not therefore been explored sufficiently.

7. The viability assessment (CD3.8.2) is also fundamentally flawed as little regard is given to the existing value of proposed sites, many of which are previously developed to a high degree of density. For example, one of the sites whose viability is assessed is the Riverside Business Centre in Victoria Street. According to the Riverside Business Centre's web site ([rbc.co.uk](http://rbc.co.uk)), there are currently 20 units, ranging from 600 to 2,000 square feet, that are available for light industrial or office use. The web site lists 29 current occupiers, with one unit becoming available for rent in February 2013. The Valuation Office website records the total floor area as 2,791 sq m with a combined rateable value of £185,450 pa. The Viability Assessment concludes that redevelopment of this site with 50% of open space would be viable. However, given the level of occupancy and density of existing development it would seem very unlikely that the landowner would be encouraged forego its existing income stream and re-develop the site with a scheme incorporating 50% open space where the Council's own viability assessment shows a residual site value of only £853,008.

8. The costs attributed to redevelopment in the Viability Assessment also seem highly questionable, with no reference being made to the costs of remediating contaminated land, which is likely to arise on some of these former industrial sites and could amount to a substantial amount. The open space specification also only refers to grass, knee rail fencing, path along the river and benches. No reference is made to purchase of top soil; shrub and tree planting and, most importantly, to the long term substantial annual maintenance costs of maintaining 50% of each of these sites as open space, plus the public liability insurance costs against possible injury by members of the public using the open space. Without these costs being taken into account the viability assessment cannot be accepted as being robust and giving a realistic indication of the costs. The viability of implementing policy HW2 has not therefore been properly explored and needs to be re-appraised in more depth. The assessment was also carried out before the introduction of the Community Infrastructure Levy and so needs to be updated to take account of this.

9. These omissions go to the heart of the soundness of this part of the plan, as to be consistent with national policy paragraph 173 of the NPPF states that: *'pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.'* Currently the information provided is not sufficient to make this judgement, with the indications being that the requirements of policy HW2 would make development unviable, or at least commercially unattractive, so that the regeneration of the Desborough Area as envisaged in policy HW1 and Core Strategy policy CS4.1 will not take place. Paragraph 174 also states that: *'They should assess the likely cumulative impacts on development in their area of all existing and proposed local standards, supplementary planning documents and policies that support the development plan, when added to nationally required standards. In order to be appropriate, the cumulative impact of these standards and policies should not put implementation of the plan at serious risk, and should facilitate development throughout the economic cycle.'* (para 174) Currently such a comprehensive assessment has not been done.

## **Conclusion**

10. Due to the lack of engagement with landowners regarding their aspirations; the shortcomings in the evidence base, including viability, and the lack of consideration of alternative options, it is likely that there will be only a haphazard compliance with policy HW2, leaving large areas of the Desborough Area unaffected and failing to regenerate the area as a whole. It is essential therefore that alternative, more flexible options are addressed in sufficient depth, in order to ensure that policy HW2 is deliverable.